

# COMMITTEE ON PETITIONS

## FIRST REPORT

(FOURTH LOK SABHA)

*(Presented on the 16th November, 1967)*



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**LOK SABHA SECRETARIAT  
NEW DELHI**

*November, 1967/Kartika, 1889 (Saka)*

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TO THE  
FIRST REPORT OF THE  
COMMITTEE ON PETITIONS, FOURTH LOK SABHA

...

Page (i), (i) line 10, for "Ramesh Chand Vyas" read "Ramesh Chandra Vyas"

(ii) line 17, for "Representaiton" read "Representation"

Page 2, line 2, for "verifications" read "verification"

Page 11, line 17 from bottom, for "persued" read "perused"

Page 13, line 3, for "citizen" read "citizens"

Page 15, line 1 from bottom, for "Thmednagar" read "Ahmednagar"

Page 20, line 16, after "have" insert "drawn"

Page 22, line 17, for "Medernisation" read "Modernisation"

Page 23, line 8, for "extendd" read "extended"

Page 26, line 7 from bottom, for "fficer" read "Officer"

Page 27, line 1 from bottom, for "Note" read "Not"

Page 33, line 6, for "persuing" read "perusing"

Page 34, lines 10-11, for "presuambly" read "presumably"

Page 36, (i) line 10, for "not" read "nor"

(ii) line 15, for "the" read "are"

Page 37, (i) line 13, for "Parts I and I" read "Parts I and II"

(ii) line 1 from bottom, for "Rehabilitation" read "Rehabilitation"

Page 58, after line 1, insert "TRUE COPY"

Page 59, line 3 for "om" read "from"

Page 60, line 8. from bottom, after "which" insert "they"

Page 67, line 12 from bottom, after "August 1964" insert "I "

- Page 74, (i) line 9 from bottom, for "bedmanent" read "permanent"  
(ii) line 11. from bottom, for "wos" read "was"
- Page 76, line 7, for "officers" read "offers"
- Page 77, line 18, for "which" read "within"
- Page 95, line 10 from bottom, for "filed" read "file"
- Page 99, line 3 from bottom, for "K.P. SHARMA" read "K.P. MISRA"
- Page 102, after "Appendix" in line 1 from bottom, insert "XXVI"
- Page 108, column 4, line 11 from bottom, for "5/619" read "5/169"
- Page 113, column 3, line 2 from bottom, after "Settlement"  
insert "of"
- Page 132, column 4, read lines 1-7 from bottom opposite  
Sl. No. 55 in column 1.
- Page 146, column 4, line 13, for "Sishni D. Advani" read "Vishin  
D. Advani"
- Page 158, (i) column 3, line 2, for "E.-part" read "Ex-parte"  
(ii) column 4, line 16, for "Natory" read "Notary"
- Page 159, column 4, (i) line 9 from bottom, for "formallities"  
read "formalities"  
(ii) line 12 from bottom, for "act" read "fact"
- Page 164, line 9, for "fact" read "facts"
- Page 181, column 3, line 1, for "Port Office" read "Post Office"
- Page 195, line 1 from bottom, for "far. by-up dt." read "far,  
i.e. upto"
- Page 200, for column "4" read "4"
- Page 201, column 4, lines 8-9 from bottom, delete the words  
"Paras 9 10, 12 & 13: - No comments"
- Page 205, column 4, before line 15 from bottom, insert  
"RECOMMENDATION OF THE COMMITTEE"
- Page 278, line 15 from bottom, for "peersonally" read "personally"

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COMPOSITION OF THE COMMITTEE ON PETITIONS

(1967-68)

- Shri Diwan Chand Sharma—*Chairman*
2. Shri Sonubhau Dagadu Baswant
  3. Shri Onkar Lal Berwa
  4. Shri C. T. Dhandapani
  5. Shri George Fernandes
  6. Shri Jugal Mondal
  7. Shri K. Ananda Nambiar
  8. Shri A. Nesamony
  9. Shri Bhola Raut
  10. Shri R. Dasaratha Rama Reddy
  11. Shri S. C. Samanta
  12. Shri Prakash Vir Shastri
  13. Shri R. K. Sinha
  14. Shri N. K. Somani
  15. Shri Ram Chander Veerappa.

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

# REPORT

## I

### Introduction

1. the Chairman of the Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this their First Report.

2. The Committee was nominated by the Speaker on the 5th April, 1967.

3. The Committee held 14 sittings during the First and Second Sessions of Lok Sabha, and during the inter-session preceding and following the Second Session, viz. on the 10th April, 4th May, 1st, 8th, 15th, 23rd and 29th June, 6th, 7th, 13th and 26th July, 10th August, and 21st and 22nd September, 1967.

4. At their First Sitting held on the 10th April, 1967, the Chairman addressed the Members of the Committee and explained briefly to them the origin, evolution and scope of functions of the Committee and its importance in providing an effective means of moving the Government Departments for redressing the genuine grievances of the public. (See Appendix XXIX Minutes of 1st Sitting). A Press Note was also issued on the 15th April, 1967 with a view to acquaint the public at large of the existence of such a Parliamentary Committee for redressal of their grievances by submitting petitions or representations in conformity with the Rules of Procedure and Conduct of Business in Lok Sabha.

5. At their sittings mentioned above, the Committee considered the following petitions and other matters:—

- (i) Petition from over 1,200 employees of the Atomic Energy Establishment, Trombay, Bombay, regarding the decision of the Department of Atomic Energy to shift the Electronics Production Division from Trombay to Hyderabad (Appendix I).
- (ii) Petition from Shri Vasant Vasudeo Kulkarni, Ahmednagar, and others citizens of Ahmednagar, regarding the proposed shifting of the Vehicles Research Development Establishment from Ahmednagar to Avadi (Petition No. 1-Appendix II).
- (iii) Petition from Shri Ramesh Chandra Vyas, Member, Lok Sabha, regarding extension of the period of Government control over Mewar Textile Mills, Ltd. Bhilwara, (Appendix III).

- (iv) Representation from Shri Atmaram Namomal Khiani regarding verifications of pension claim under the Part-Earned Pension Claims Scheme, etc.
- (v) Representation from Shri Parmatma Sharan Gupta, Ghaziabad, regarding alleged non-implementation of the recommendations of the Committee contained in their Fifth Report, Third Lok Sabha, on his earlier representation (Appendix IV).
- (vi) Representation from Shrimati Kalawanti Dwarkadas Pahilajani, Ahmedabad, regarding payment to her of the arrears of pay, leave salary and pension to which her deceased husband, Shri Dwarkadas Summomal Pahilajani, unarmed Police Head Constable, was eligible (Appendix V).
- (vii) Implementation of the recommendations of the Committee contained in their Fifth Report, 3rd Lok Sabha, on Shri Ram Dass T. Chugani's representation.
- (viii) 102 other Representations, letters etc. from various individuals, bodies or associations, which were inadmissible as petitions.

6. At their 6th, 9th, 10th and 11th sittings held on the 6th, 7th, 13th and 26th July, 1967, respectively, the Committee examined the representatives of

- (a) the Department of Rehabilitation with reference to Shri Ram Das Chugani's representation (para 5, item (vii) *supra*);
- (b) the Department of Atomic Energy with reference to the petition from over 1200 Employees of the Atomic Energy Establishment regarding the shifting of the Electronics Production Division from Trombay to Hyderabad (Para 5, item (i) *supra*);
- (c) the Ministry of Defence with reference to Petition No. 1 from the citizens of Ahmednagar regarding the proposed shifting of the Vehicle Research Development Establishment from Ahmednagar to Avadi (para 5, item (ii) *supra*);
- (d) the citizens of Ahmednagar; (Shri V. V. Kulkarni and six others signatories to Petition No. 1) (para 5, item (ii) *supra*).

At their fourth sitting held on the 8th June, 1967 the Committee had also heard Shri Ramesh Chandra Vyas, M. P.\* with reference to his petition regarding extension of the period of Government Control over Mewar Textiles Mills, Bhilwara (Para 5, item (iii) *supra*).

7. The Committee would urge that with a view to ensure their effective functioning, as and when they consider it essential, they may be permitted to undertake an on-the-spot study of any matter of which they are seized of by way of a representation/petition submitted to them, just as the three Financial Committees are at present allowed to do. They trust that their suggestion will be approved by the House.

8. The Committee have decided that the evidence given before them and in respect of which *verbatim record* had been kept (*vide* para 6 *supra*) should be printed and laid on the Table of the House *in extenso*.

The Committee have also decided that the Minutes of the Sittings covered by this Report should be appended to this report.

9. The Committee considered and adopted the Report at their sitting held on the 22nd September, 1967.

10. The recommendations, decisions or observations of the Committee on the above matters have been included in this Report.

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\**Verbatim record of evidence not kept.*

## II

**Petition from over 1,200 employees of the Atomic Energy, Establishment, Trombay, Bombay, regarding the decision of the Department of Atomic Energy to shift the Electronics Production Division from Trombay to Hyderabad (Appendix I).**

11. The petition (*Appendix I*) which was sponsored by Shri George Fernandes, M.P., was not admitted by the Speaker as a petition to the House, but was considered by the Committee as a representation under Direction 95.

12. The Committee considered the petition at their 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 9th, and 12th sittings held on the 10th April, 4th May, 1st, 8th, 15th, 23rd, 29th June, 7th July, and 10th August, 1967.

13. At their sitting held on the 7th July, 1967, the Committee examined Dr. Vikram A. Sarabhai, Chairman, Atomic Energy Commission and other representatives of the Department of Atomic Energy, on the various points arising out of the decision to shift the Electronics Production Division from Trombay to Hyderabad.

14. The petitioners (*See Appendix I*) have expressed concern at what they term an unjustified decision taken by the Department of Atomic Energy to shift the Electronics Production Division to Hyderabad. The petitioners feel that the shifting would put several hundred families to untold difficulties and hardship and would vitally affect the education of their children. They also feel that the shifting of that Division would involve unproductive and avoidable expenditure of considerable sums of public money. They have submitted that, since production of electronic equipment then (*i.e.* at the time of submission of the petition) being carried out at Trombay would be suspended till the new factory commences operating at Hyderabad, the shifting of the production unit will involve Government in considerable loss of money. The petitioners have also stated that the decision was hasty as no permanent arrangements had been made by the Government to house the unit at Hyderabad. The petitioners have, therefore, prayed that the Government might be persuaded to drop the plan of shifting the Electronics Production Division from Trombay to Hyderabad.

15. The Committee at their sitting held on 4th May, 1967 considered the comments furnished by the Department of Atomic Energy on the various points made out in the petition, as set forth in the brief at *Appendix VI* and have noted the following justification given by the Department of Atomic Energy in shifting the Electronics Production Division to Hyderabad:

- (a) The Bhabha Atomic Research Centre, Trombay (Bombay) is primarily an organisation for research and development and if it is to continue to perform its functions effectively, there is need to take away from Trombay processes which have reached the stage of industrial production.
- (b) The production on a commercial scale of electronic components and instruments, at present developed and produced at a level of pilot plant production at Bhabha Atomic Research Centre, can more appropriately be carried out by a public sector undertaking than departmentally by Government.
- (c) Hyderabad is ideally suited for setting up the Electronics Factory on account of low dust content, low humidity conditions throughout the year, availability of power, water, chemicals, premises rented by the Andhra Pradesh Government in their Industrial Estate in Hyderabad, housing etc.
- (d) Out of 554 employees addressed, 312 have opted to move.
- (e) The shifting of equipment and stores to Hyderabad is expected to involve an expenditure not exceeding Rs. 3.50 lakhs (anticipated expenditure on transfer travelling allowance etc. in respect of personnel who finally moved has not been indicated).
- (f) The shifting is not expected to result in loss of production since the manufacturing activities would start immediately in the premises provided by the A.P. Government. In fact, the Atomic Energy Department expect that the production during 1967-68 would be even more than it had been during 1966-67 at Trombay. Thus the question of Government sustaining heavy losses does not arise.

16. In this connection, the Committee noted certain alleged discrepancies in the comments furnished by the Department of Atomic Energy, particularly on the following points:

- (a) Though the Expert Committee had recommended in 1965 for setting up the unit at Hyderabad, it had taken almost 2 years for Government to reach the decision in the matter.

It was significant that the decision to shift the Electronics Production Division to Hyderabad was taken by the Cabinet on March 17, 1967, that is to say, 2 weeks after the petitioners were collecting mass signatures for submitting the petition to the Lok Sabha. Further, a day after the Committee met on 10th April, 1967, the Atomic Energy Department decided on April 11, 1967 to form and register the Electronics Corporation of India Ltd. at Hyderabad.

- (b) It was not true that the expenditure on shifting would be limited only to Rs. 3.50 lakhs. Apart from the additional expenditure on transfer T.A. which the Department visualized and which would be considerable, there would have to be incurred substantial expenditure to the tune of about Rs. 20 lakhs or so on the erection of permanent buildings, residential accommodation for staff etc. of the Electronics Corporation.
- (c) There had been no production at Trombay for the last six months and pending the shifting to Hyderabad, no decision had so far been taken whether production should continue at Trombay, or not, on a commercial scale. This involved considerable loss of public money.

It was not thus correct to say that production during 1967-68 would be even more than it had been at Trombay.

- (d) The costly Electronics machinery housed in the improvised sheds at Hyderabad was also liable to be damaged while kept in such sheds due to the vagaries of climate etc.

The Committee, therefore, decided to call for the Expert Committee's Report and then to examine the representatives of the Department of Atomic Energy, if necessary.

17. The Committee have perused the Report\* of the Expert Committee and noted the justification advanced by that Committee for

\*Secret document not included in this Report.



choosing Hyderabad for location of the Electronics Production Division.

18. At their subsequent sitting held on the 23rd June, 1967, the attention of the Committee was drawn to the following clipping from the "Financial Express", Bombay, dated the 20th June, 1967:—

**"ELECTRONICS PLANT—SHIFTING EXPLAINED**

*By a Staff Reporter*

Bombay, June 19—The Maharashtra Government was informed by the Centre on August 21, 1964 that the delay in acquisition of land for the Trombay electronic plant would necessitate the shifting of the unit to some other place. The State Government was further told on September 22, 1966 that the unit would be shifted out of the State.

Disclosing this in the State Assembly today, Mr. R. A. Patil, Minister for Industries said that following the Union Government decision, the unit had already been shifted to Hyderabad.

He explained that when the State Government had begun acquisition proceedings to secure land for the Fertilisers Corporation, the Department of Atomic Energy had made the request that as all the land to be acquired for the Corporation was essential for the fertiliser factory, 105 acres should be acquired near Trombay for the establishment of the electronics unit. Of this area, about 45 acres were required for the construction of houses for the staff of the Electronics unit.

The Maharashtra Government felt that 45 acres were too much to house 125 officers and other staff of the electronics unit and particularly so when the Atomic Energy Establishment had not utilised the 300 acres of land given to it previously. The State Government accordingly informed the Centre on October 24, 1963 that while rejecting the demand for 45 acres of land for housing purpose, it was considering the acquisition of 60 acres of land for the unit itself.

The Centre insisted on the acquisition of the entire 105 acres of land, saying that the State Government could not reject any request for land made by it. The State Govern-

ment stated on February, 1964 that it was within its powers to reject the request.

On October, 1963, the State Government asked the Centre to supply it with survey maps of the land that was required for the unit. But these maps were not submitted and the State Government could not proceed with further action."

19. The Committee felt that the facts and the material placed earlier before them by the Department of Atomic Energy, Bombay was at variance with what had transpired in the Maharashtra Legislative Assembly.

20. The Committee, therefore, examined Dr. Vikram A. Sarabhai and other representatives of the Department of Atomic Energy on the 7th July, 1967

21. The Committee have noted the clarification given by Dr. Vikram Sarabhai and other representatives of the Department on the various points raised in the petition as well as reasons justifying the shifting of the Electronics Production Division from Trombay to Hyderabad, as follows:

- (i) The Bhabha Atomic Research Centre (which prior to January, 1967 was known as the Atomic Energy Establishment at Trombay), has eight broad groups and divisions (within which there were 17 divisions) viz., Physics, Electronics, Radiation Protection, Metallurgy, Engineering, Biology, Medical and Administrative Groups (Division) Within the Electronics group, there are three divisions, of which the Electronics Division and the Electronics production Division are important. While the Electronics Division deals with developmental work, fabrication of various nuclear instruments and systems, and established prototype production of semi-conductor devices and resistors, the Electronics Production Division is engaged in the production of instruments and accessories for hospitals for radiation, monitoring etc. along with engineering aspect.
- (ii) Instruments and accessories of the total sale value of Rs. 37.13 lakhs had been produced by the Electronics Production Division during 1966, while the value of instruments issued to the various divisions of BARC or which were made available to hospitals, research institu-

tions and laboratories in the country was about Rs. 43:00 lakhs.

- (iii) It was round about 1963-64, when it was thought that while the developmental work should continue at Bombay, the commercial activity should be spread out into an industrial public sector project as soon as the full-fledged commercial activity was attained. But in the case of research development of atomic energy, it was considered more appropriate to do things departmentally, as it would permit the E.C. to undertake major responsibilities.
- (iv) Since 1963 the Department had been exploring, with the Maharashtra Government, the possibilities of acquisition of land in Trombay. When the Maharashtra State Government hesitated to provide the land for housing etc., in 1965, an Expert Committee was set up to go into the possibility of sites in Madras, Mysore and Andhra Pradesh, to make a sort of examination from the point of view of climate, of raw materials, power and services and various other things. The Committee's Report was examined by the Directors of the Atomic Energy Department and it was approved by the Commission in June, 1965. In March, 1967 the Cabinet had finally approved the proposal contained in the Expert Committee's Report for shifting of the Electronics Production Division (EPT) to Hyderabad. It thus took 2-3 years to finalise the matter.
- (v) Factors like distance, availability of raw materials, atmospheric conditions and additional costs for air-conditioning of workshops had to be evaluated for selecting the site.
- (vi) As regards the newsreport pertaining to this matter appearing in the "Financial Express" dated 20th June, 1967. (*vide* para 17 *supra*) Dr. Sarabhai has clarified that as the Maharashtra State Government could not meet the demand of the Department for 105 acres of land, the State Government's offer of 60 acres of land *only for housing the buildings of the Division* was rejected by the Department. The late Dr. H. J. Bhabha, who had started negotiations with the State Government for acquisition of more land at Trombay had lost interest in the matter. However, it had been made clear by the State Government that availability of a large area of land near Trombay was going to be a difficult task.

- (vii) The inability of the State Government to provide land was only one of the many considerations mentioned in the Expert Committee Report, which influenced them to recommend the shifting of the EPD to Hyderabad.
- (viii) The decision taken to shift the Electronics Production Division to Hyderabad was a *bona fide* and sound one and there was nothing 'sinister' about it.
- (ix) In the opinion of Dr. Bhabha, much could be gained by diversifying the activities of the atomic energy establishment wherever possible without sacrificing efficiency.
- (x) As regards the desirability of diversification at present of atomic energy establishments and whether electronics would stand the test of diversification or whether it should be concentrated at one place so that research, production and development could be done at one and the same place, Dr. Sarabhai states that not only electronics, but also the fuel plant, the new uranium fuel plant and the fuel complex are all set up at Hyderabad as one major enterprise in the public sector.
- (xi) The Department fully subscribed to the view of Dr. H. J. Bhabha that it was not appropriate to conduct electronics production activity on commercial scale in Trombay.
- (xii) As regards the labour problems it is never contemplated that as a result of the decision to shift the Electronics Production Division (EPD) to Hyderabad, there would be any labour problem at all. Nor is anybody to be thrown out of employment. Those who opt for the public sector enterprise at Hyderabad will be given preference. Even otherwise they will be protected. The Department are arranging the transfer of employees purely on voluntary basis.
- (xiii) After Dr. Sarabhai took over the Chairmanship of AEC in June, 1966, he wanted to be convinced that Hyderabad was the best site. He was keen to start the project for which Dr. Bhabha had already negotiated with the Andhra Pradesh Government before his death in 1966.

As a result of the discussion he held with the Chief Minister of Andhra Pradesh, the Chief Minister had offered accommodation in the industrial Estate occupied by M/s. Hindustan Aeronautics Ltd., as the latter were shifting

to their own buildings. The Chief Minister also promised to provide facilities for housing the people to be transferred. On that basis, the deal was finalised.

(xiv) A number of buildings are under construction at Hyderabad and the first building that had been earmarked for the Electronics Production Division will be completed in six months. To meet the tremendous backlog demand of the various institutions like Hospitals, Universities, Laboratories, Rajasthan Atomic Power Project etc. requiring the electronic goods, it is necessary for the Department to step up production, which will now commence in the first week of July, 1967. Till February this year, when they started moving, *production has been going on in Trombay (Bombay)*. 270 employees had gone over to Hyderabad and 250 men are being recruited at tradesmen level.

(xv) As regards the possibility of lack of co-ordination between the research and production wings at Trombay and Hyderabad respectively, he states that Shri A. S. Rao is the Managing Director of the Electronics Corporation at Hyderabad as well as of the electronics unit at Trombay. Dr. Sarabhai is the Chairman of the project. Thus co-ordination between the two wings will be maintained.

22. The Committee have also perused the proceedings (in English) of the Maharashtra Legislative Assembly dated the 15th and 19th June, 1967. (Appendices VII to VIII).

23. The Committee have further gone through the \*correspondence which took place between the Department of Atomic Energy and the State Government of Maharashtra and note the facts contained therein.

24. The Committee note that the proceedings of the Maharashtra Legislative Assembly (referred to in para 22 above) and the oral evidence given by the representatives of the Department of Atomic Energy corroborate each other. There is also no contradiction regarding the inability of the State Government to provide additional land to the Department of Atomic Energy for housing the employees of Atomic Energy Establishment. Consequently, the offer of only 60 acres of land by the State Government was rejected by the Atomic Energy Department. Thus this had formed one of the basic conside-

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\*Treated as 'Secret' documents.

rations for the shifting of the Electronics Production Division from Trombay to Hyderabad.

The Committee also note that the Department of Atomic Energy have no comments to offer on the proceedings of the State Assembly.

25. The Committee finally note with satisfaction the categorical assurance given to the Committee by Dr. Vikram A. Sarabhai, Chairman of the Atomic Energy Commission, during his oral evidence that no employee of the Department who is unwilling to go on transfer to Hyderabad will be forced to do so and that all such non-optees would be provided alternative employment in other Divisions of the Department of Atomic Energy at Trombay.

26. The Committee note with gratification from the evidence gathered by them that the principal apprehension of the petitioners about their involuntary dislocation from Trombay has been dispelled. The Committee, however, trust, that the Department of Atomic Energy would not content itself merely with the assurance given to the Committee, but would also translate it in actual deed, so that no employee of the Department has any grievance that he has been treated unfairly to the detriment of his interests.

27. The Committee feel that they are not called upon to decide whether the decision to shift the Electronics Production Division from Trombay to Hyderabad was sound or not. The Committee also do not wish to go into other factors involved in the shifting of the Electronics Production Division from Trombay to Hyderabad and technical reasons adduced by the Department of Atomic Energy for choosing Hyderabad as the site for locating the proposed public undertaking (viz. Electronics Corporation).

28. The Committee trust that the expectations with which the present Chairman of the Atomic Energy Commission has proceeded with the projected commercial undertaking, conceived by the late Dr. H. J. Bhabha, would be fulfilled and that the research and productive achievements of the Department would be of immense advantage to the nation, especially in the context of the present-day necessities of India and the need for her to keep pace with other countries in such vital matters, as atomic energy and electronics.

## III

**Petition No. 1 from Shri Vasant Vasudeo Kulkarni, Cantonment Board Member, Ahmednagar and other citizen of Ahmednagar**  
**Re: the shifting of the Vehicles Research and Development Establishment (VRDE) to Avadi (Madras).**

29. The Petition (Appendix II) was presented to Lok Sabha by Shri George Fernandes, M.P., on the 30th May, 1967.

30. The Committee considered the petition at their 3rd, 5th, 6th, 7th, 10th, 11th and 12th sittings held on the 1st, 5th, 23rd and 29th June, 13th and 26th July, 10th August and the 21st September, 1967.

31. The Committee heard the evidence of the representatives of the Ministry of Defence on the 13th July and also examined Shri V. V. Kulkarni and 6 other petitioners who were the citizens of Ahmednagar, on the 26th July, 1967.

32. The petitioners have stated that the VRDE performed an important role in the research and development of all types of vehicles used by our fighting forces including tanks, heavy duty armoured vehicles, trucks, jeeps etc. and that prior to 1947 it was known as Technical Development Establishment (Vehicles) located at Chaklala (now in Pakistan). The petitioners have enumerated the functions and responsibilities allotted to the VRDE and stated that since 1965 when they came to know that Government proposed to shift it from Ahmednagar to Avadi, they have been protesting against the shifting.

The principal arguments put forth by the petitioners against the shifting of the VRDE are:

- (i) Ahmednagar city has no industry worth the name and the Defence Establishment employed 700 persons who received an annual salary of about Rs. 20 lakhs which helped to stimulate the local economy. Shopkeepers, artisans, teachers and hundreds of other people maintain themselves on the money that the VRDE helped circulate in the market.

The proposed shifting will affect the economy of Ahmednagar city and hundreds of families will be financially ruined. Unemployment, already substantial in the region, will increase further.

- (ii) The employees of VRDE have been protesting in their own way against the shifting, most of them being locally recruited people, but their agitation has borne no fruit.
- (iii) Ahmednagar is most suitable for carrying out the functions and responsibilities of the VRDE, as it possesses

facilities of sticky black soil, hilly terrain etc. for technical evaluation trials; others factors being the contiguity of the VRDE to the Chief Inspectorate of Vehicles which assisted in preparation of drawings and specifications for new vehicles and equipment as well as technical assistance to civil trade and DGOF for production of prototypes; investigation of defect reports received from user units, mostly received from the Armoured Corps Centre and School at Ahmednagar, the main users etc.

- (iv) The shifting of the VRDE will mean additional provision at Avadi of the essential requirements now met by the Chief Inspectorate of Vehicles. Further, the railway freight involved in transit of machinery to Avadi, possibilities of damage in transit and subsequent cost of laying foundation etc. at Avadi, will involve further expenditure. Arrangements for office and residential buildings at Avadi will also mean considerable expenditure to the tune of few crores of rupees. The VRDE on shifting will be located far away from the producers in the North, whereas at present it is centrally situated from both the North and the South. The moderate climate of Ahmednagar as compared with the intemperate climate of Avadi is another factor.
- (v) Lastly, the majority of employees were Maharashtrians. Quite a number of persons are displaced persons from West Pakistan. All of them have adopted themselves fully to the environments of Ahmednagar. Shifting will mean dislocation of their families, and that the employees will have to adjust themselves to different kind of food, language, social and cultural habits and to the necessity (in addition to the existing three languages learnt by them) of learning a fourth, i.e. local language at Avadi. This might also affect their efficiency.

The petitioners, have therefore, prayed that the VRDE might not be shifted from Ahmednagar to Avadi.

33. The Committee have gone through the note furnished by the Ministry of Defence (See Appendix IX) which has *inter alia* dealt with the various points raised in the petition as under:

- (a) Prior to Independence, the Technical Development Establishment [(Vehicles) i.e. TDE (V)] was moved from Chaklala to Ahmednagar on the ground that vacant work-shop premises and temporary hutments of war time constructions were available at Ahmednagar. These, however, were hardly adequate to house a properly equipped engineering



development establishment and a completely new set of buildings had to be built to be able to provide adequate facilities for the expected output of the proposed new establishments.

- (b) In 1947, the TDE (V) had commenced development of Vehicles bodies and minor items required for the maintenance of a fleet of vehicles left behind by the Britishers. It also then undertook a few assessment trials of imported vehicles. The Establishment had no capacity to undertake any large-scale projects like complete design and development of a tank.
- (c) In 1960, it was decided to shift the Technical Development Establishment (Vehs.) to Avadi adjacent to the tank factory so that with the planning of the Heavy Vehicles Factory, a complex of fighting Vehicles production and development could be created at Avadi. Further TDE (V) had to depend on HVF for manufacture of prototypes for the equipments developed by them and close proximity was very necessary to ensure coordination and quick results.

In 1965, the TDE (V) was bifurcated into the Vehicles Research Establishment (VRDE) and the Chief Inspectorate of Vehicles (CIV) as the first step to implement the decision taken in 1960 to locate research and production units side by side at Avadi. The decision to shift was actually being implemented only *this year*. i.e. in 1967.

- (d) For completion of major projects for completely new designs of fighting Vehicles, some of which were based on the Vijayanta Tank under manufacture at Avadi, proximity of Heavy Vehicles Factory to the VRDE is essential.
- (e) The other reasons were better availability of skilled personnel for non-gazetted technical and industrial categories at Avadi, availability of sufficient power and water from Madras and close proximity to the Inspectorate of Heavy Vehicles which will be the Authority Holding Sealed Particulars for all Vehicles (AHSP).
- (f) The effect on the economy of Ahmednagar (with a lakh of population) of the shifting of 700 families consisting of about 3000 persons will be *insignificant*. Only personnel of Class I, II, III and IV categories, *who are willing to go*, will be shifted and every effort is being made to resettle them with little inconvenience. About 150 personnel might not be able to move and steps are being taken to provide them alternate employment in Defence Establishments in and around Ahmednagar.

- (g) Most of the models of Heavy Vehicles and 'B' Vehicles mentioned by the petitioners are *obsolescent*.
- (h) Cross-country trials and other technical evaluations can be undertaken on the beaches near Madras. Further, suitable terrain for trials was also available near Avadi.
- (i) Besides, many other facilities are available at Avadi. As such, Avadi is considered a comparably far better and essential site.

34. It was brought to the notice of the Committee that most of the facts mentioned by the Ministry of Defence in their note furnished to the Committee were contrary to what had been and was actually happening in the shifting of the VRDE to Avadi. In order, therefore, to have a clear idea about the actual position, the Committee examined the representatives of the Ministry of Defence as well as Shri V. V. Kulkarni and other principal signatories to Petition No. 1 at two separate sittings, viz. the 13th and 26th July, 1967, respectively.

35. The representatives of the Ministry of Defence have explained to the Committee the various factors or impelling grounds which led to the Government decision to shift the VRDE to Avadi.

36. The Committee note the following points made by the witnesses:

- (i) In 1960-61, a decision was taken to shift the Technical Development Establishment (Vehicles) from Ahmednagar to Avadi along with the Heavy Vehicles Factory and Tank Factory then being set up at Avadi, *with a view to locate the research establishment near the production unit. It was also to ensure that production of prototypes was done in the shortest possible time.* The decision to shift the Establishment is being implemented now in 1967; i.e. *only after the Tank Factory had gone into production.*
- (ii) The VRDE is concerned with tracked as well as wheeled vehicles. Government *desired to concentrate all development work* connected with such vehicles, like chassis etc., *as near the Heavy Vehicles Factory as possible.* Since the Inspection work (hitherto done by the CIV) will now, be looked after by the Director General, Inspection, which is the Authority Holding Sealed Particulars, controlling the types of specifications of vehicles, there will be *better co-ordination* between the VRDE and the AHSP. Finally, the location of the VRDE at Avadi would help the day-to-day collaboration between the design and production agencies.

- (iii) As regards the spurt in expenditure involved in the shifting of VRDE, to Avadi, they already have at Avadi land as well as temporary accommodation as in Ahmednagar. Now permanent facilities are required to be provided at Avadi for housing the Establishment and its staff.
- (iv) Out of the total number of a little over 700 employees of the VRDE at Ahmednagar, about 450 will be shifted to Avadi. The remaining 250 employees will be provided *alternative jobs in the Maharashtra Area* in Ahmednagar or Poona or elsewhere by absorbing them in other installations which the Government hoped to expand.
- (v) In regard to the shifting of the VRDE, no discussions were held with the representatives of the employees, as *at the time of taking that decision, there were no employees' unions*. These unions came into being *much later* i.e. only last year.
- (vi) Because of this shifting, *none of the employees are going to lose their jobs*. It, however, depended upon the employees whether they wished to go to Avadi or not. Roughly 47% of the persons employed at Ahmednagar are Maharashtra, 30.5 per cent from Punjab and 22.5 per cent from South India.
- (vii) As regards the difficulties which the employees would be facing as a result of their shifting from their permanent residences at Ahmednagar, the witnesses have explained that Class I to Class III employees are liable for All India Service and can be transferred to any place in India. Class IV and Industrial employees are not, however, liable for such transfers and if they did not want to go to Avadi, they will have to be rehabilitated either in the Ahmednagar region or in other Defence installations in the Maharashtra region. The Ministry will try to help *even those who have signed the All-India Service liability agreement by adopting a humane approach to the problem*.
- (viii) Nearly 80 per cent of the 250 employees who are unwilling to move to Avadi, are Maharashtrians. There is no question of compelling them. Government will find them alternative jobs in Ahmednagar or at Poona or elsewhere.

**Lastly, the Ministry's representatives have assured the Committee that none will be sent to Avadi without his consent and those who do not move, will be provided alternative employment at Ahmednagar or elsewhere in Maharashtra.**

37. On the other hand. Shri Vasant Vasudeo Kulkarni, the first signatory to Petition No. 1 and six other petitioners, who appeared before the Committee, have made the following pleas *against* the proposed shifting of the VRDE from Ahmednagar to Avadi.

- (i) Shri Kulkarni has furnished a note regarding the functions and responsibilities of the VRDE which indicates that no design developed by the VRDE can be accepted without its prior approval by the only user unit, i.e. Armoured Corps Centre and School HQ, Ahmednagar. He further states that the basic designs of the Vijayanta Tank (produced at Avadi) Shaktiman and Nissan vehicles (produced at Jabbalpur) were all the designs patented by foreign manufacturers, viz. M/s Vickers Armstrong of England, M/s MANN of West Germany and M/s Nissan Motors of Japan, respectively. The VRDE is not authorised to change the basic design of these vehicles for production. On the contrary, it has to carry out development required for the user units only and also to undertake body construction.
- (ii) Even assuming that the VRDE did research work, in view of the fact that most of the research establishments under the control of the Chief Controller of Research & Development are *not situated near the production* factory, it is not necessary to shift the VRDE to Avadi. He has cited three instances to illustrate this point.
- (iii) While repeating the arguments set forth in Petition No. 1, Shri Kulkarni has urged that the Chief Inspectorate of Vehicles at Ahmednagar dealt with all A & B types of vehicles, while the Inspectorate of Heavy Vehicles, Avadi dealt *only with tanks*. A detachment of VRDE is already situated near the Heavy Vehicles Factory at Avadi.
- (iv) Shri Kulkarni has furnished a statement to the Committee showing the estimated expenditure in the shifting of VRDE from Ahmednagar to Avadi as Rs. 1,59,89,350. He has submitted a statement showing an expenditure of Rs. 2.2 lakhs in moving machinery etc. and the cost of construction of buildings. He has also furnished a list of imported heavy and delicate machinery at VRDE factory and points out that if they are damaged in transit by rail, there would be a great loss to the nation. This statement shows Rs. 9,87,800 as the cost of shifting, while the cost of machinery is Rs. 13,63,600 as calculated 5 years ago. He

contends that this cost must have increased considerably presently due to devaluation and foreign exchange difficulties.

- (v) Shri Kulkarni, while conceding that they are laymen, has submitted that the petitioners had collected the information from the workers and officers of the VRDE. However, it is for the Committee to satisfy themselves about the facts in persons.

38. Attention of Shri Kulkarni and other witnesses was drawn to the fact that all that the Committee had to see was whether the decision had been taken in the interests of the nation and whether it was professionally a competent decision. Further, it was necessary to take the Government's statement of the expenditure involved in shifting at its face value and to accept their plea that the VRDE was a research centre and not a testing centre. The Committee had felt that the petitioners should also weigh various other considerations which influenced Government's decision. The witnesses were further asked to furnish a definite and rational proof in support of their apprehension that Rs. 1,59,00,000 and odd were being spent on the shifting of the VRDE to Avadi and also to convince the Committee that the continuance of the VRDE at Ahmernagar would neither vitiate nor limit the development of fighting equipments.

39. The witnesses have stated that the statement submitted by them was based on approximate calculations only. Inclusive of Rs. 2.2 lakhs expenditure for the shifting of machinery, the total loss likely to be incurred in the shifting of the staff and the machinery worth Rs. 13 lakhs, was estimated at Rs. 1.68 crores. The buildings vacated by the VRDE will have to be repaired or reconstructed for different purposes. They state that there would thus be a loss to Government on this account.

40. Shri S. T. Mahale, another witness on the other hand has admitted that the actual expenditure for the shifting of the VRDE to Avadi was only Rs. 2.20 lakhs and Rs. 1.60 crores was for the setting up of VRDE at Avadi. Shri Kulkarni has pointed out that, with the shifting of VRDE, Chief Inspectorate of Vehicles (CIV) which was testing all the moving parts such as dynamo, motor, engine, electrical equipment, fuel equipment, air cleaners and tyres was also being moved to Jabalpur. Thus with the shifting of the VRDE, everything in Ahmednagar would be dismantled and the entire economy of this town shattered.

41. Shri Kulkarni has further stated that the petitioners had no provincial feelings but they were putting forth their plea in the larger national interests. They were objecting to the dismantling of the Head Quarters of the VRDE at Ahmednagar. Since there was no research on vehicles development at Ahmednagar at present, there would be no research at Avadi either. He further stressed that the experience of the recent conflict between India and Pakistan, in which Indian tanks proved superior to those of Pakistan, had shown that it was essential to have the tanks tested by the user (Armoured Corps Centre and School) and hence it was considered necessary to continue the location of the VRDE next to it at Ahmednagar. This city also possessed the KK firing range with an area of 40 sq. miles and soldiers and officers got their basic training there. Shri Kulkarni stated that Ahmednagar had facilities for drawing purposes and for designing prototypes for all vehicles.

42. The Committee have the attention of the witnesses to the Government's contention and the arguments put forth by the representatives of the Ministry of Defence during their evidence before the Committee, categorically stating that major projects for completely new designs of fighting vehicles had been undertaken and the proximity of production and development agencies had to be maintained for attaining self-sufficiency in the field of development and production of fighting vehicles for the Armed Forces.

43. From the evidence placed before them, the Committee note with satisfaction that Government will not compel any employee of the VRDE to shift from Ahmednagar to Avadi against his will. Every attempt will be made to re-settle the non-optees (option for transfer, though provided for in the All-India Service Liability bond as compulsory, being treated purely on voluntary basis) in the Maharashtra Region itself.

44. The Committee feel that they are not called upon to deal with the merits of the decision taken by the Ministry of Defence to shift the VRDE on technical and other considerations. The Committee are satisfied that the decision has been taken in the larger interests of the nation.

45. The Committee observe that although the petitioners have taken great pains in collecting facts and figures in support of their case, yet they have neither been able to substantiate their factual statements nor have they been able to refute in a convincing manner, the arguments put forth by the Ministry of Defence.

46. The Committee, therefore, note with satisfaction that the main apprehension of the petitioners about the dislocation of the local employees in the lower echelons from Ahmednagar to Avadi against their will, has been dispelled by the Government by assuring the Committee that they will give humane consideration to the various aspects of the problem confronting the citizens of Ahmednagar. The Committee trust that this assurance will be fulfilled by the Government and that there would be no occasion for the employees concerned to feel that they are being covered to shift to Avadi. The Committee, therefore, recommend that no further action is called for on this petition and that the matter might be treated as closed.

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#### IV

**Petition from Shri Ramesh Chandra Vyas, Member, Lok Sabha, Be:  
Extension of Government control over Mewar Textile Mills Ltd...  
Bhilwara**

47. The petition (*Appendix III*) was considered by the Committee as a representation under Direction 95 of the Directions by the Speaker in Lok Sabha, at their 3rd, 4th and 6th sittings held on the 1st, 8th and 23rd June, 1967.

48. The Committee heard Shri Ramesh Chandra Vyas, M.P., at their 4th sitting held on the 8th June, 1967.

Shri Ramesh Chandra Vyas, M.P., (Bhilwara) in his Memorandum addressed to the Prime Minister, copy endorsed to the Speaker, had prayed for extension of the period of Government Control over Mewar Textile Mills, Ltd., Bhilwara, due to expire on 15th May, 1967. The Member, while referring to the discussion he had held with the Prime Minister on the subject mentioned above, had pointed out that since the taking-over of the Mills by Government, production had increased and the whole debt of Rs. 33 lakhs incurred during the time of the previous management had been cleared. The parties financing the operation of the Mills had also started granting credit on the surety that this was a mill running under the Government of India. Modernisation of the Mill had also started with an investment of Rs. 50 lakhs.

Shri Vyas further referred to the resolution passed by the Mill Mazdoor Sangh, Bhilwara and the State Unit of Indian National Trade Union Congress, Rajasthan for granting further extension of the period of control by Government and had stated that if this was not done, the Mill would have to be closed down thus adversely affecting the employment situation. As the period of Government control was upto 15th May, 1967, he had prayed for immediate action in the matter.

49. The Committee have considered the factual comments offered by the Ministry of Commerce on the petition, *vide Appendix X*. The Committee note that the period of take-over which expired on 15-5-1965 had been extended for a further period of two years, i.e., upto 15-5-1967. A writ petition filed by the shareholders in Rajasthan High Court, Jodhpur, was dismissed. The Ministry have also referred to the representations made both by (i) the share-holders



for return of the Mill to the previous management and (ii) by the Mill Mazdoor Sangh and the Member, i.e., Shri Ramesh Chandra Vyas, for continuance of Government control. The Textile Commissioner, Bombay, who had conducted an on-the-spot survey of the Mill had recommended that, as the expansion and modernisation of the mill was not yet complete, and as the State Government had provided large financial cover to the mill, the period of Government Control might be extended further by 2 years.

50. The Committee further note that the right of the Authorised Controller to expand and modernise the mill is under dispute and is awaiting Supreme Court decision. At present, under the law, Government have no power to keep cotton textile mills permanently under their control or take them over permanently. After active consideration of the question, (See Appendix XI) the term of the Authorised Controller of Mewar Textile Mills Ltd., Bhilwara, has been extended for a further period of 3 months with effect from 16-5-1967, in consultation with the Rajasthan Government, as they have to secure Government dues. The question of the future of the mills is being considered further in consultation with the State Government.

51. Shri Ramesh Chandra Vyas, M.P., on being invited, to place before the Committee any additional information in regard to his memorandum, appeared\* personally before the Committee at their sitting held on 8th June, 1967. He explained the reasons for his pressing for the extension of Government control on the Mills. He also mentioned the contents of a letter received by him from the Minister of Commerce, Shri Dinesh Singh, wherein the latter had referred to Government's intention to extend control over the Mills for two more years and had also pointed out that there was some legal difficulty for the Government in this matter. Shri Vyas felt that the present extension of the term of the Authorised Controller over the Mills for three months was not a satisfactory solution to the problem, as it actually stood in the way of the Mills making purchase of cotton etc. from the market on credit apart from creating a sense of instability amongst the workers.

52. Shri Vyas further told the Committee that according to his information, the injunction order issued by the Supreme Court against the Authorised Controller from further borrowing for modernising and improving the Mewar Textile Mills had since been vacated and the Authorised Controller was free to take further

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\*Verbatim record not kept.

action in regard to the improvement of the Mills. The Committee, however, observe that the Government in their note (Appendix X) had mentioned that the Supreme Court's decision in the matter is still awaited. The Committee, therefore asked Shri Vyas to furnish a certified copy of the relevant judgement of the Supreme Court vacating its earlier Injunction Order.

53. The Committee have perused the copy of the Supreme Court Judgment dated 13-9-1966 (*See Appendix XII*), which was furnished by Shri Ramesh Chandra Vyas to the Committee subsequently.

54. The Committee note that the Supreme Court had, in its order directed the Authorised Controller not to borrow any further money or incur any further monetary liabilities in connection with the expansion scheme or plan. The Supreme Court had also directed him not to order any more machinery, equipment or apparatus in connection with the expansion scheme other than the machinery already received, installed or ordered. These directives were to be in force till the final disposal of the Civil Miscellaneous Petition No. 1363/1966 by the Supreme Court.

The Committee feel that, as the material gathered as well as the documents furnished by Shri Vyas disclose that the matter continues to be sub-judice so far as the extension of Government control over the Mewar Textile Mills is concerned, the matter does not require further intervention of the Committee.

55. The Committee, therefore, recommend that the matter might be treated as closed and need not be pursued any further.

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**Representation from Shri Atma Ram Namomal Khiani, Re: Payment of Pension under part-earned pension scheme.**

56. In their Third Report presented to Third Lok Sabha on 30th April, 1965, the Committee had reported the following factual comments furnished by the Central Claims Organisation, Department of Rehabilitation, on Shri Atmaram's representation for verification of his pension claim under the Part-Earned Pension Claims Scheme and counting his service as signaller from the 23rd April, 1919 to November, 1931 and payment of arrears of pay and leave salary respectively:—

“The pension claim was forwarded by the Central Claims Organisation (India) to its counter-part in Pakistan for verification and issue of payment authority. The claim is still pending verification with authorities concerned in Pakistan who are being regularly reminded in the matter from time to time.

In order to mitigate the hardship caused to displaced Government servants, pensioners, etc., on account of the delay in verification of their claims by the Government of Pakistan, the Government of India decided in 1957 to make provisional payments on the basis of such documentary evidence as might be available with the claimants in India. The pension claim of Shri Atmaram was placed before the *Ad Hoc* Committee, but as he could not produce any documentary evidence to show that his service as a signaller in the Sind P.W.D. from 23rd April, 1919 to November, 1931, could be counted towards pension in the clerical cadre to which he was appointed later on and from which he ultimately retired, the *Ad Hoc* Committee did not accept the claim. The payment of the claim will therefore be authorised as soon as the authority for its payment is received from the Government of Pakistan. Shri Atmaram was apprised of the position in letter No. 14/Adhoc/PE-Pen/Sind/A-5 dated the 19th November,

1964, issued by the Officer-in-Charge, Central Claims Organisation."

[c.f. Appendix XIV, item 55, p. 84, Third Report, Third Lok Sabha.]

57. Subsequently, during the Third Lok Sabha, the petitioner had submitted a fresh representation enclosing copies of official documents in support of his claim that his service as signaller had already been counted as a clerk. He had therefore prayed for re-fixation of his pay counting that service and for settlement of his pension claim. This representation was forwarded to the Department of Rehabilitation for factual comments and return.

The Department, after protracted correspondence, have intimated that the pension claim of Shri Atmaram Namomal Khiani has since been accepted by the Ad hoc Committee. After obtaining Indemnity Bond and further documents from him, the Central Claims Organisation has since issued the payment authority in respect of Shri Khiani's pension claim through the Pay & Accounts Officer (Rehabilitation) under intimation to the claimant (vide Ministry of Labour, Employment and Rehabilitation (Department of Rehabilitation) U.O. No. 22(48)/64-Imp. dated the 25th October, 1967.

58. The Committee note with satisfaction that this case has been redressed on the intervention of the Committee and deserves a mention in this Report.

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## VI

### **Representation from Shri Parmatma Sharan Gupta, Ghaziabad Re: alleged non-implementation of the recommendation of the Com- mittee contained in their Fifth Report, Third Lok Sabha.**

59. In their Fifth Report presented to Third Lok Sabha on the 2nd December, 1966, the Committee, after perusing factual comments (See Appendix XIII) furnished by the Ministry of Home Affairs rejecting the petitioner's case on an earlier representation submitted by Shri Parmatma Sharan Gupta, had recommended as follows:—

“The Committee, however, feel that this is a hard case and there is no point in strict observance of the regulations. The Committee recommend that this case might be re-considered sympathetically.”

60. The Ministry of Home Affairs, with whom the recommendation was pursued had sent a reply (See Appendix XIV) stating that in view of the observations of the Committee, the minimum age limit was being relaxed in favour of Shri P. S. Gupta and that he would be considered along with others for appointment to the post of Craft Instructor.

61. Subsequently, the petitioner, to whom a copy of the Fifth Report of the Committee had earlier been forwarded after its presentation, submitted three representations to the Committee. The first two\* contained requests for interview and arguments and complaints of injustice against the Delhi Administration, as well as a statement that he had not received any letter from the Directorate of Social Welfare, Delhi Administration “according to the decision of the Committee” so far.

62. In the third letter (Appendix IV), three allegations have been made by the petitioner, viz.:—

- (i) the Directorate of Social Welfare wanted to reject him after calling him for interview along with other candidates;

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\*Note reproduced as summary of their points is contained in this para.

- (ii) the reasons for not taking decisions on the interviews held in 1962 and 1963 had not so far been intimated and the posts lying vacant in different institutions had not been filled so far and the class remained suspended without any decision; and
- (iii) if he got an appointment only after this interview, it would amount to the Directorate not implementing the Committee's "decision".

63. As regards the first allegation, the Committee feel that it is presumptuous and does not call for any action on the part of the Committee. It, however, shows that intimation on similar lines as the communication from the Ministry to the Committee (at Appendix XIV) had been sent to Shri P. S. Gupta i.e. that he would be considered along with other candidates.

64. As regards the reasons for the Directorate not filling up the post, the Committee feel that it was purely an administrative matter. In fact, earlier the Ministry had stated the reasons (vide Appendix III) in connection with not filling the vacancy after the second interview. The Committee's recommendations in their Fifth Report, Third Lok Sabha were made solely on this consideration that in the absence of suitably qualified candidates fulfilling the prescribed age qualification, a qualified candidate like Shri Gupta should not be rejected solely on the ground that his age was below the prescribed limit and that the case deserved reconsideration. The Committee would, therefore, like to clarify that this recommendation made in that Report did not however, amount to a directive or decision of the Committee.

As regards his last allegation, the Committee feel that Shri Gupta is labouring under some misapprehension and they would not like to join issue with him.

65. The Committee feel that, in view of these facts, the matter need not be pursued any further. However, as a matter arising out of the recommendation of the Committee contained in their Fifth Report to Third Lok Sabha, the Committee would like to record their satisfaction that their recommendation for due consideration of the case has been implemented by the Ministry of Home Affairs. The Committee have, therefore, decided now to treat the matter as closed.

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## VII

**Representation from Shrimati Kalawanti Dwarkadas Pahilajani, Ahmedabad Re: Payment to her of arrears of pay, leave salary and pension to which her deceased husband, Shri Dwarkadas Sumomal Pahilajani was eligible.**

66. During Third Lok Sabha, Shrimati Kalawanti Dwarkadas, widow of Shri Dwarkadas Sumomal Pahilajani, unarmed Police Head Constable, Ahmedabad, had submitted a representation enclosing copies of her representations to the Minister for Home and Civil Supplies, Gujarat, as well as to the Chief Secretary to the Government of Gujarat. She had put forth her claim in view of the service rendered by Shri Dwarkadas to the undivided Government of India in the pre-Partition days and had pointed out that as this service was not reckoned for pension purposes, the question of his opting for Old/New Rules of the Gujarat Government did not arise. She had also alleged in her letters to the State Government that service records received from the Government of Pakistan had been lost by the Department in transit. She had finally enclosed a copy of the Ministry of Finance, Government of India, Office Memorandum No. F.47(3)-EV/57 dated the 23rd August, 1957 which laid down the principles for grant of pension to the displaced persons migrating from Pakistan to India and who had rendered qualifying service in the pre-Partition days.

67. As the representation was not complete in several aspects the petitioner was requested on the 14th November, 1964 to furnish the following information to enable further consideration of the matter:—

- (i) Full particulars of service rendered by her late husband in pre-Partition India, for which pension was claimed, but had not been paid in view of his opting for the Old/New Rules.
- (ii) Whether the deceased had registered himself with the Central Transfer Bureau, Ministry of Home Affairs, Government of India, and had obtained his employment under the State Government through the Agency; if so, the particulars thereof.

- (iii) Particulars of service rendered by him under the State Government after Partition upto the date of his death and whether pension was claimed and awarded for it or not.

68. The petitioner in reply furnished the required information (See Appendix V). The petitioner had also requested that leave salary for the period from 1st September, 1949 to 27th February, 1950 and arrears of pay which were due to the late Shri Dwarkadas Sumomal, might be finalised by the Central Claims Organisation expeditiously.

69. The Committee note that the Chairman, Committee on Petitions, Third Lok Sabha (Shri M. Thirumala Rao), after due consideration of the two representations, had directed that an enquiry be made from the Ministry of Home Affairs as regards the principle regarding the award of pension to non-optees for Old/New Rules after Partition and the policy laid down in this behalf by the Government of India, especially with due regard to the petitioner's husband's past service under the Government of India. He had also directed that the factual position regarding arrears of pay and leave salary payable to the deceased might be ascertained from the Central Claims Organisation of the Ministry of Rehabilitation.

70. Further in order to effectively pursue the matter, the Committee on Petitions, Third Lok Sabha, in their Fifth Report presented to the House on the 2nd December, 1966, had recommended that Ministries concerned should expedite the supply of the required information on 162 pending cases (including Shrimati Kalawanti's case) which should be considered by the successor Committee.

71. The Committee have now perused the replies of the Ministries concerned (See Appendices XV to XVIII) and note that the position has remained unchanged upto date.

72. The Committee further note that the Ministry of Home Affairs (See Appendix XV) had felt that although the service rendered by Shri Dwarkadas had been reckoned as qualifying for pension, it appeared that he did not hold a post under the Gujarat Government in a sub-stantive capacity which might possibly be the basis for non-entitlement to his family pension. Further, displaced persons not confirmed in India in a post under the Government of India were allowed pension under the provisions of the Civil Service Regulations, which did not provide for the grant of any family pension to the family of the deceased.



73. The Committee have perused in this connection Article 361 (Chapter XVI, Conditions of Qualifying Service) of the Civil Service Regulations, which lays down that "The service of an officer does not qualify for pension unless it conforms to the following three conditions:—

First—The service must be under Government.

Second—The employment must be substantive and permanent.

Third—The service must be paid by Government.

Under note below Article 361A of the CSRS, Provincial Governments exercise the powers of the Government of India in respect to officers (who rendered service in a non-gazetted capacity) if the pension does not exceed fifty rupees a month.

74. The Committee, therefore, feel that the inference of the Ministry of Home Affairs that the service rendered by Shri Dwarkadas under the Gujarat Government was not substantive, is erroneous, inasmuch as his previous service under the Government of Sind could be declared as qualifying for pension *only if* it was treated as substantive and he would have to render substantive service under the State Government—Rule 250 of the Bombay Civil Services Rules—for counting past service towards pension.

75. As regards the second inference of the Ministry that Shri Dwarkadas was ineligible as he was not confirmed, this also appears to be erroneous.

On the contrary, the Committee note, Shri Dwarkadas was declared ineligible for pension, as he did not opt for the old or new Pension Scheme and that the question of his being a permanent Government servant had not been disputed by the State Government.

76. The Home Ministry have further suggested a reference to the Gujarat Government for clarification. As this is not within the purview of the Committee, in view of the Speaker's directive that representations on State subjects are to be forwarded to State Legislatures concerned for disposal, the Committee recommend that the representations might be forwarded to the State Legislature of Gujarat and that the matter might be further looked into by the Petitions Committee of the State Assembly after due enquiry from the State Government.

The Committee also recommend that the results of the enquiry might be intimated for the information of the Committee.

77. As regards the settlement of pay and leave salary claim of the deceased for 180 days, the Committee note that after due processing of the case by obtaining information from the petitioner and from the Central Claims Organisation (Pakistan) (See Appendices XVI to XVIII), the claim had been submitted to the Ad hoc Committee of the Department of Rehabilitation for sanction. Further action for arranging payment to the widow would be taken after its approval.

78. In view of the long interval since the demise of the petitioner's husband, the Committee would express the hope that this matter be settled expeditiously and early payment be made to the widow, if not done earlier. The Committee have also decided to treat this aspect of the case as closed.

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## VIII

### **Implementation of the recommendations of the Committee on Petitions, Third Lok Sabha, contained in their Fifth Report on a representation from Shri Ramdas T. Chugani, Azadpur, Delhi.**

79. In their Fifth Report presented to Third Lok Sabha on the 2nd December, 1966, the Committee, after persuing the factual comments of the Department of Rehabilitation on a representation from Shri Ram Das T. Chugani, Delhi, alleging the non-implementation by Government of the recommendations made by the Committee in their Fifth Report to First Lok Sabha on his Petition No. 2, had recommended as follows:—

“71. As regards the non-implementation of the recommendations of the Committee on Petition No. 2, First Lok Sabha, which related to fair distribution of agricultural evacuee property amongst displaced persons, the Committee consider that the explanation of the Government, viz. that the recommendation of the Committee could not be implemented because the concerned file (where the Committee's recommendations were personally considered) was not readily 'forthcoming', is not satisfactory. The Committee are deeply concerned at this state of affairs prevailing in the Ministry of Labour, Employment & Rehabilitation (Department of Rehabilitation). The Committee recommend that the non-availability of the relevant file should be thoroughly enquired into by the Ministry and the results of the enquiry intimated to the Committee. The Committee apprehend that a number of files relating to other similar cases too might have been lost by efflux of time or tampered away with, thus subjecting the claimants to hardships. The Committee would, therefore, like all such cases of loss being investigated thoroughly and suitable relief afforded to the applicants after taking appropriate action against the delinquent officials.” (Para 71, Fifth Report, Third Lok Sabha).

80. At their 7th Sitting held on the 29th June, 1967, the Committee perused the reply of the Ministry of Labour, Employment and Rehabilitation (Department of Rehabilitation). (See Appendix XIX).

81. The Ministry of Labour, Employment and Rehabilitation (Department of Rehabilitation), with whom the recommendation was pursued for implementation and for intimation of the action taken, have drawn attention to their u.o. No. 9(1) (21)65-L&R dated the 22nd February, 1966 (appended to the Fifth Report, 3rd Lok Sabha) wherein it was stated that "the old file where the Committee's recommendations, were presumably (by inadvertence the word 'presumably' was typed as 'personally') considered is not forthcoming" See Appendix XIX). The Ministry had also clarified that what was intended to be conveyed was that the file where the recommendation was considered was not forthcoming and not that the recommendation could not be implemented because the concerned file was not forthcoming. The Ministry had further pleaded that since the relevant old records including the Diary Register had since been weeded out and destroyed according to the rules, further enquiry would not yield any result.

82. The Ministry had further stated that the Committee's recommendation for enquiry into the loss of a number of files relating to other similar cases by efflux of time or by tampering them away had been carefully examined and to the best of the Ministry's knowledge, no other paper or file had been lost.

83. The Committee were distressed to note that the Ministry were trying now to explain away a deliberate statement of fact to the Committee during Third Lok Sabha as a typing error.

84. Not being satisfied with the Ministry's explanation, the Committee examined the Chief Settlement Commissioner (Shri G. D. Kshetrapal) at their 8th sitting held on the 6th July, 1967.

85. In his evidence, the Chief Settlement Commissioner has stated that the Ministry of Rehabilitation which had originally been formed to deal with the claims of the displaced persons from Pakistan, started shrinking in size when the work-load dwindled and a number of officers were retrenched. Later on, it was merged in the Ministry of Works and Housing and in 1964, as a sequel to the influx of East Pakistan displaced persons, it was re-formed and became a separate entity. The officers who dealt with the recommendations of the Committee on Petitions (First Lok Sabha) had all left the Ministry and the present set of officers is new. Their attempts to trace the

file in which the recommendations **must have been considered** have not been successful. Further, the registers indicating the movements of files **had been destroyed** in accordance with the procedure laid down in the Secretariat Manual and the movement of the receipt from the Lok Sabha Secretariat could not, therefore, be traced. After a lapse of ten years when the Committee brought the matter to the notice of the Ministry, in the absence of the registers, it was difficult to trace the papers. However, no other files or petitions are missing. He has expressed regrets for this state of affairs.

86. On being pointed out that the case had not been treated as closed by the Committee, the Chief Settlement Commissioner has stated that, in the absence of the relevant papers, he could only act on conjectures in the matter. He has urged that subsequent to the recommendations of the Committee, the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 had been discussed at great length by the House and adopted and he has not been able to find that any member had said anything in respect of this matter. He has further explained that the claims for agricultural land are verified in terms of the Standard acres and that proper steps are taken for the valuation of the land by Inspectors supervised by Senior Officers of the Ministry as well as by the Engineers from Central Public Works Department.

87. On being pointed out that at the time of discussion of the new Compensation Rules by Lok Sabha in 1955, the Ministry could have had the recommendations of the Committee before them, the Chief Settlement Commissioner has agreed that the file must have been there but has expressed regret for the failure of the Ministry in not informing the Lok Sabha in any form whatsoever that the Committee on Petitions **had made a recommendation** in this behalf. He has also expressed regret for the typing mistake in the communication sent earlier to the Committee on Petitions (Third Lok Sabha) and appended to their Fifth Report (Appendix XXVI, Fifth Report, Third Lok Sabha).

88. The Committee have perused, in this connection, the correspondence (See Appendices XX to XXVI) that was exchanged between their Secretariat and the Ministry of Rehabilitation in 1954-55 in regard to the examination of the representatives of the Ministry and note that, at the request of the Ministry, the Committee had even postponed examination of the witnesses for nearly six months. The Committee have also seen the Office Memorandum forwarding a copy of the Fifth Report of the Committee, First Lok Sabha, to the Ministry (See Appendix XXVII) for necessary action and note that subsequently no communication had been sent by the Ministry to the

Secretariat regarding the action taken on the recommendations. The Committee feel it rather strange that the file regarding such an important matter discussed thread-bare by a Parliamentary Committee had either been lost or is not traceable, because of its movements not being traced due to destruction of the Diary Register. . .

89. After considering the evidence of the Ministry's representatives carefully, the Committee feel that the Ministry's representatives have not satisfactorily explained the omission to implement the recommendations of the Committee on Petition No. 2, First Lok Sabha, nor have they adequately elucidated the reasons for a departure from their later reply furnished to the Committee during the Third Lok Sabha.

90. The Committee desire that the Ministry should furnish a list of all such cases of displaced persons not sponsored by the Committee, which are three years old and are still pending finalisation. Further, the Committee are of the view that though the amendments to, as well as the Rules relating to the settlement of Compensation claims viz., the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, were discussed by the Lok Sabha, no attempt appears to have been made by the Ministry of Rehabilitation to bring the recommendations of the Committee on Petitions, First Lok Sabha, to the notice of the appropriate authorities concerned and to initiate action in the light of their recommendations for making necessary changes in the said rules. This coupled with the fact that the relevant file is now missing, leaves the Committee an impression that a deliberate attempt had been made to by-pass its recommendations, which might have been motivated by some ulterior considerations in view. The Committee, therefore, suggest that a thorough enquiry should be made into the whole matter by the Ministry once again and the responsibility fixed for this serious lapse. The Committee also desire that the specific action taken by the Ministry in this regard should be intimated to them as early as possible.

## IX

### Representations inadmissible as Petitions

91. During the period under report, the Committee have also considered 102 representations and letters addressed to the House, the Speaker or the Committee by various individuals and associations etc. and which were inadmissible as petitions.

92. The Committee observe with satisfaction that, through their intervention during the period under report, all the 102 petitioners (of whom 75 were displaced persons) had been provided expeditious, partial or complete relief or due redressal of their grievances, or that the Ministries concerned have explained satisfactorily the grounds for not being able to remove the petitioners' grievances (See Appendix XXVIII-Parts I and I).

93. The Committee further note with satisfaction that, of these settled cases, 73 were shown as still pending receipt of final replies from the Ministries/Departments concerned in the Fifth and last Report of the Committee to Third Lok Sabha (*Vide* para 85 *ibid* and Appendix XXX List of 162 pending cases). The Committee recommend that the Ministries/Departments concerned, especially the Department of Rehabilitation, should expedite the final replies in respect of the remaining such cases i.e. 89 cases carried over from Third Lok Sabha by the end of 1967 at least.

The Committee note, in this connection that subsequent to presentation of the Fifth Report, Third Lok Sabha, detailed particulars of the outstanding cases have been furnished to the Department of Rehabilitation demi-officially as well as on their deputing staff to the Secretariat. The Committee, therefore, trust that it should be possible for the Department of Rehabilitation to expeditiously finalise the outstanding cases before the end of the current year.

94. The Committee would further draw the attention of the Ministries/Departments concerned to their observations and recommendations in respect of Serial Nos. 6, 15, 25, 70, 75, (Part I) and Sl. Nos. 3, 16, 27, (Part II) in Appendix XXVIII to the Report. The Commit-

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†162 less 73=89 cases (i.e. 85—Rehabilitation cases, 4—other Ministries).

tee would like the Ministries, Departments etc. to initiate vigorous action to implement the Committee's recommendations and expedite intimation of the action taken to the Committee. The Committee would once again emphasize that in order to enable them to function as an effective forum for the ventilation of public grievances, the Ministries/Departments of the Government of India should, as a rule, not delay the submission of factual comments or reports to the Committee in respect either of a petition or of a representation referred to the Ministry/Department by more than a month. The Committee, however, regret to observe that the time factor and the delay involved on the part of the Government Departments in disposal of enquiries from the Committee, sometimes defeat the very object of reference of cases to the Departments.

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## X

### Conclusions

95. In a democratic society, every individual has an opportunity of airing a crotchet or of bringing to the notice of Parliament anything which he may think in his individual opinion to be a grievance. One test of a democratic Government is the extent to which the public can air their grievances and seek remedy for the wrongs of administrative action.

96. The cases dealt with in this Report bear an adequate testimony to the vital role played by the Committee in securing redress of public grievances whether contained in petitions presented to the House or in representations relating to purely personal or individual cases.

97. Parliamentary procedures are evolved by certain well-established conventions and usages over a number of years and act as valuable safeguards against the mis-use of powers by the Executive. As a machinery independent of the Executive and free from real or apparent influence of Government, the Committee by looking into the cases of injustice caused by administrative action have been able to instill great confidence in the public.

98. To enable the Committee to discharge their functions more effectively it is but necessary that the various Ministries|Departments of the Government should assist them by expeditiously furnishing the information called for by the Committee or by explaining to the Committee to their satisfaction their inability to grant relief to the aggrieved party.

99. The Committee feel that quick action by Government on the Committee's recommendations/observations, would engender a feeling of satisfaction in the minds of the people that their object of petitioning Parliament has been fructified and that their efforts have not been in vain and would thus further strengthen the democratic set up in our country.

NEW DELHI;  
the 22nd September, 1967.

DIWAN CHAND SHARMA,  
Chairman:  
Committee on Petitions.

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## **APPENDICES**

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## APPENDIX I

(See Para 11 of the Report)

To

Lok Sabha,  
New Delhi.

The humble petition of the employees of the Atomic Energy Establishment, Trombay, Bombay-74,

Sheweth:

Your petitioners are concerned with the unjustified decision of the Atomic Energy Establishment authorities to shift the Electronics Production Division from Trombay to Hyderabad.

Your petitioners submit that the shifting will put several hundred families to untold difficulties and hardship and would also affect the education of their children.

Your petitioners also submit that the shifting of the Production Division would involve unproductive and avoidable expenditure of considerable amount of public money.

Your petitioners further submit that the shifting of the Production Unit would involve the Government in considerable loss of money as the production of electronic equipment which is currently carried out in Trombay would be suspended till the new factory is installed in Hyderabad.

Your petitioners further submit that the decision to shift the unit to Hyderabad is a hasty one as no permanent arrangements have yet been made to house the production unit there,

and accordingly your petitioners pray that the Government of India be persuaded to drop the plan of shifting the Electronics Production Division of the Atomic Energy Establishment from Trombay to Hyderabad,

and your petitioners as in duty bound will ever pray.

## APPENDIX II

[Presented by Shri George Fernandes, M.P., on the 30th May, 1967]  
(See Para 29 of the Report)

PETITION No. 1

To

Lok Sabha

New Delhi.

The humble petition of the citizens of Ahmednagar, Maharashtra.

Sheweth:

The Vehicle Research Development Establishment (VRDE) was set up in 1947. Prior to that it was located at Chaklala (now in Pakistan) and was known as Technical Development Establishment (Vehicles).

VRDE performs an important role in the research and development of all types of vehicles used by our fighting forces including tanks, heavy duty armoured vehicles, trucks, jeeps etc.

The functions and responsibilities allotted to VRDE are detailed here in below:

- (a) Research, design and development of equipment and Stores. They will be responsible for producing up to the production model stage of any equipment and will prepare literature and hand-book for such equipment.
- (b) Modification to existing equipment relating to design or improvement.
- (c) Carrying out technical evaluation, trials on all new vehicles and equipment of their responsibility with a view to assessing the performance and introduction into service.
- (d) Preparation of drawings and specifications for new vehicles and equipment.
- (e) Technical guidance to civil trade and DGOP for production of prototypes.
- (f) Preparation of technical appreciations to help formulation Qualitative Requirements.

- (g) Preparation of technical specifications and production of specifications passed on finalised Qualitative Requirements.
- (h) Investigation of defect reports involving design changes, affecting the performance of equipment. All defect reports should be received and investigated by the Inspectorate Establishment and that involving design changes will be referred to the development establishment by them.
- (i) This establishment will be responsible for advising the services on technical matters pertaining to new equipment contemplated.

Some time in 1965, your petitioners came to know that the Government proposed to shift the VRDE from Ahmednagar to Avadi where a tank manufacturing factory was established in 1962 or thereabout. Since then your petitioners have been protesting against the shifting of the VRDE from Ahmednagar, and having failed to get justice from any other quarter, are now submitting this petition.

Ahmednagar city has no industry worth the name and the Defence establishment that is now proposed to be shifted employs about 700 persons. These persons receive an annual salary of about Rs. 20 lakhs which helps stimulate the local economy in however small a measure. The shopkeepers, artisans, teachers and hundreds of other people maintain themselves on the money that the VRDE helps circulate in the market.

If the VRDE is shifted from Ahmednagar, the economy of Ahmednagar city and the surrounding areas will receive a severe jolt and hundreds of families will be financially ruined. Unemployment in the region which is even otherwise quite substantial will increase further creating more social problems in its wake.

The employees of VRDE have in their own way been protesting against the shifting of this establishment. More than half of them are locally recruited people and those who have come from other parts of the country have got themselves assimilated in the local population. Some of them are refugees who came from Pakistan along with the Establishment when it was moved from Chaklala and have made their permanent homes in Ahmednagar. The agitation of these employees launched collectively through their trade union has so far borne no fruit and that is one more reason which prompted your petitioners to submit this petition.

**Many arguments have been advanced by the officials in justification of their decision to shift the establishment from Ahmednagar to Avadi. But all these are one-sided arguments made with a view to justifying a decision that was taken without a mature consideration of the economic, social and defence factors involved therein.**

**In an earlier para your petitioners have noted the functions and responsibilities of VRDE. Your petitioners now will explain why Ahmednagar is the most suitable place to carry out these functions and responsibilities:**

**The functions denote that VRDE would be responsible for preparation of literature and handbooks on Research, design and development of equipment and stores. As far as they know their responsibility can be executed without any extra expenditure to the State by seeking the services of fully equipped Printing Press available with CIV Ahmednagar. Perhaps the CIV press was created only for such purposes.**

**There is no relation whatsoever with the functions of Heavy Vehicles Factory, Avadi, particularly because there are as many as 35 models of heavy vehicles and about 450 of 'B' Vehicles currently in use in Army and any modification to the existing equipment is done due to difficulties expressed by User Units throughout the country.**

**Technical evaluation trials mean subjecting the new models of 'A' and 'B' vehicles to rigorous trials under extreme conditions and gradability, normal cross country and severe cross country trials and testing the efficiency of the guns and ammunition by firing them on a range. Ahmednagar is ideal for these purposes as it is bestowed by nature with sticky black soil, to carry out mud trials, hilly terrain for cross country trials and a natural firing range. These features have been appreciated by no less a personality than the former Commander in Chief of the Army, General K. M. Cariappa.**

**Preparation of drawings and specifications for new vehicles and equipment is always done in consultation with the Chief Inspectorate of Vehicles which is presently next door to us and therefore shifting VRDE to Avadi would mean prolonged correspondence between VRDE and CIV.**

**Technical guidance to civil trade and DGOF for production of prototypes means adding further improvement in indigenously manufactured stores and equipment which are currently being looked after by CIV and this Establishment. Here again, the constant co-ordination between CIV and VRDE is essential.**

**Qualitative requirements are based on specifications drawn by the AHSP i.e. Chief Inspectorate of Vehicles and also British, American and Indian Standards.**

**Investigation of defect reports are due to complaints received from user unit. As far as your petitioners know the Armoured corps Centre and School at Ahmednagar are the main users of 'A' Vehicles. At present the defects noticed by ACC&S Ahmednagar are being immediately looked into, because the defective components can either be summoned to this or seen on the spot. Moreover defect reports are first received by the CIV and from them the relevant portion pertaining to VRDE is sent to us. As the CIV is also here, the defect reports in question reach us without loss of time.**

**Your petitioners now feel that they have sufficiently clarified the nature of work allotted to VRDE. They will now consider the type of machinery, equipment and staff provided for. VRDE, as on today, exists in a vast area kept away from the public approach and free from publicity and equipped with the most modern types of machinery, best suited for fabrication of prototypes and developmental works. These are practically heavy machines obtained from various countries and installed on proper foundations at considerable cost. The staff working in VRDE are drawn from various parts of the country and they are working for the last so many years. Added to these the services of the Chief Inspectorate of Vehicles are also utilised by making use of its well equipped metallurgical laboratory, Printing Press, test rigs, sample room, security arrangements, inter-communication facilities, a joint auditorium, a combined officers and JCOs Mess and so on. These facilities are available because both the Establishments are located in one premises. Moving away from Ahmednagar will involve additional provision of these essential requirements. Your petitioners do not know what arrangements are likely to be made in Avadi, particularly in regard to the provision of a workshop. If arrangements are to be made to carry the machinery from here to Avadi, the amount of railway freight, possibility of damage to machinery in transit and subsequent cost for laying foundation etc. at Avadi will have to be catered for at**

an extra cost. Moving away from Ahmednagar will result in leaving behind the natural resources that are available on no cost basis such as KK Ranges, cross country and hilly tracks. These resources are to be artificially created at Avadi at considerable expense. How far the artificial creations are to be compared with natural resources and any failure in competing with the nature is to be thought of. Your petitioners suppose, the Government would make arrangements for office and residential buildings at Avadi. Perhaps quite a few crores of rupees would be allotted for this purpose while the existing arrangements at Ahmednagar which are especially made to suit the exacting requirements of VRDE, if not of a permanent nature, may have to be left behind, to be used by any other establishment, which may have to alter the features to suit their own requirements. This amounts to double expenditure on both sides. VRDE, by staying at Ahmednagar, will remain at an equal distance from various producers in North as well as South. Your petitioners feel that the employees are obliged to move at short notice to places like Jodhpur, Barmer and Jaisalmer for hot weather trials and NEFA and J & K areas for high altitude trials. Quick movement always produces earlier results. Almost all automobile manufacturers and producers of various tools and equipment are either located at Bombay or Delhi. Constant movement of stores and personal contact with these manufacturers have a bearing with the efficient performance of the functions and responsibilities of VRDE. Further, if the stores are to be carried to a remote place like Avadi, infructuous expenditure on railway freight and subsequent delay in transmission may have a detrimental effect on our economy and efficiency. The employees' link with Head-quarters at Delhi and user and field units which are mostly located in the Northern parts of India will also become a far away affair. Ahmednagar is bestowed with moderate climate and provides an enthusiasm to work throughout the year as compared to the temperate climate available at Avadi.

Your petitioners have already stated that the staff of VRDE comprise a group of people hailing from various parts of the country and a majority of them belonging to Maharashtra. Those who have come from other places have been serving here for a number of years and acclimatised themselves to the conditions available here. Quite a few persons from Punjab are actually migrants from West Pakistan. They have suffered the ill-effects of partition. Their families and children have also adopted themselves fully to the environments available at this station. Added to the Punjabis and others, the majority of Maharashtrians if compulsorily moved to Avadi will become more or less foreigners to that State for the



reasons that they have to adopt themselves with a different kind of food and an absolute change in language and difference in social and cultural habits. Their children are already experiencing difficulty in learning three languages here but by going to Avadi, they will have to learn one more regional language. Therefore, the staff will be compelled to leave their families and children here and lead a single life at Avadi. With a meagre income, it would be impossible for them to make both ends meet and they will be hard hit financially which may ultimately lead to moral discontent. This will naturally affect their efficiency. If arrangements are to be made officially to give alternative jobs to these people and seek new facts at Avadi, however qualified they may be, the life long experience and devotion to duty rendered by the outgoing staff will leave an imprint on the efficiency of VRDE which may ultimately prove to be irreparable,

and accordingly your petitioners pray that VRDE may not be shifted from Ahmednagar to Avadi,

and your petitioners as in duty bound will ever pray.

Name of First Signatory	Full Address	Signature
Shri Vasant Vasudeo Kulkarni Cantt. Board Member	Sadar 258 Camp Ahmed- nagar, M. State.	Sd/- V. V. Kulkarni
Countersigned by		George Fernandes, M.P. Div. No. 378 26-5-67.

APPENDIX III  
(See Para 47 of the Report)

COPY

To

The Hon'ble Prime Minister,  
Government of India,  
New Delhi.

Honourable Madam,

Kindly refer to our discussions in connection with extending the period of Government Control over Mewar Textile Mills Ltd., Bhilwara which is due to expire on 15th May, 1967. This Mill was taken over by the Central Government on the recommendation of the Government of Rajasthan on 19th May, 1960 under the Industries (Development & Regulation) Act, 1951. (Act 65 of 1951).

Till 1959 there were a lot of Industrial Disputes between the Labour and the Management and a debt of Rs. 33 lacs was incurred by the previous Management, as a result of which the Management was compelled to close the Mills. Naturally as a result of the closure, 1500 workmen were turned out of employment. The Mill Mazdoor Sangh, Bhilwara represented the case to the Government of Rajasthan and this Mill was taken under the control of the Central Government on 19th May, 1960.

This resulted that the whole debt was cleared off and we have started the modernisation of the Mill with an estimated investment of Rs. 50 lacs. The parties have started granting credit on the surety that this is a Mill running under the Government of India.

Some machines have been purchased and some machines are with other parties outside to supply for which orders have been placed.

The production has been increased. In this connection, this Union has sent letters to the Chief Secretary, Rajasthan, Jaipur. The Secretary to the Commerce Department, Rajasthan, Jaipur on 31st March, 1967. A copy of the same was also sent to the Hon'ble Governor, Government of Rajasthan on 5th April, 1967 alongwith a copy to the Hon'ble Labour Minister, Government of India on 5th April, 1967.

The Mill Mazdoor Sangh, Bhilwara and State Unit of I.N.T.U.C. Rajasthan have passed resolutions for granting further extension of the period of control by Government. If the extension is not granted before 15th of May, 1967, naturally the Mill will have to be closed and it will adversely effect the employment situation at this juncture, when there is a need of peaceful atmosphere and increasing production at all levels.

You were kind enough to ask the Hon'ble Commerce Minister to look into the matter that day, and the Hon'ble Commerce Minister also received the file for consideration.

It is, therefore, requested that an early action may kindly be taken in this regard, so that the Mill may run efficiently in the hands of the Central Government. If the extension is not granted, I apprehend the situation may be as it was in 1959 rendering the entire labour unemployed, which shall effect local Market adversely.

I realise that at present you all are awfully busy in more important matters facing the country. But as the period of Government control is going to be ended on 15th May, 1967, hence, it is requested, to take immediate action in the matter.

Yours faithfully,

**RAMESH CHANDRA VYAS, M.P.**

*Bhilwara.*

Copy to the Speaker, Lok Sabha, for due consideration and enquiry.

**R. C. Vyas, M.P.**

## APPENDIX IV

(See Para 62 of the Report)

*Dated the 25th January, 1967.*

Shri M. C. Chawla,  
Deputy Secretary,  
Petitions Committee, Lok Sabha,  
New Delhi.

**SUBJECT:—Social Welfare Directorate, Delhi Administration, Delhi—  
Complaint.**

Sir,

With reference to my letter dated 2-1-1967, on the above subject, I have to state regretfully that I have not received any reply thereto.

The Social Welfare Directorate are conspiring against me as they are interviewing candidates for the post of Caning Instructor for the fourth time and I have also been called to appear in the same. It appears to me the Directorate would not take any decision on my interview and after rejecting me in this interview, they would say that as I had not been found suitable for appointment, therefore, I could not be offered this post. This would result in forfeiture of all my demand because the Directorate has become prejudiced against me as I had been complaining against them because they consider me to be a dangerous man.

I had enquired from you and the Directorate as to why no decision has been taken on the interviews held in 1962 and 1963. The post lying vacant in different institutions have not been filled so far and the classes remain suspended since 1962 but no decision has been taken so far in this regard.

The Committee have asked in their Report as to why the post advertised in 1963 carried lesser scale of Rs. 118—25 as against that advertised in 1962 which carried the Scale of 130—300? It has never been seen so far that the scales for the same post were decreased instead of being increased. Therefore this post should carry the Scale of Rs. 130—300.

The question arises whenever the Lt. Governor can pass the decision of the Petitions Committee as is evident from lack of action

**taken by the Lt. Governor and the Social Welfare etc. on the report of the Committee?**

If I get an appointment only after this interview, it would amount to the Directorate not implementing the Petition Committee's decision which shows that the powers of a Director are more than those of the Committee of the Lok Sabha.

I hope you would kindly send an early reply to my current as well as earlier letters.

Thanking you,

Yours faithfully,  
P. S. GUPTA,  
45, Chhatta Mohalla, Delhi Gate,  
Ghaziabad.

## APPENDIX V

(See Para 68 of the Report)

Sm. Kallawanti Dwarkadas,  
114, Balabhai Kumbhar's  
Chawl, Rakhial Road,  
Ahmedabad—10 (Gujarat).  
23rd November, 1964.

Shri B. B. Tewari,  
Deputy Secretary,  
Lok Sabha Secretariat,  
Parliament House,  
New Delhi-1.

**SUBJECT:—***Family Pension case of late Shri Dwarkadas Sumomal.*

Dear Sir,

With reference to your letter No. F. 23/C/64, dated the 14th November, 1964, I am pleased to furnish the relevant particulars available with me, as under and would appreciate if you will do the needful at your earliest and oblige:

- (1) *Service rendered in Pre-Partition India:* My late husband served in Pre-partition India from 15-7-1932 to 27-2-1950, which period has been admitted as services qualifying for Pension by Government of Gujarat as per copy of their G. R. dated 6th May, 1963, i.e., long after the death of my husband. (See Annexure I).
- (2) Particulars regarding registration with the Central Transfer Bureau, Ministry of Home Affairs, Government of India not known to me.
- (3) In view of his rank held in Pre-partition India, he was appointed as an Enforcement Officer at Ahmedabad under the Directorate of Central Enforcement, Govt. of India and served as such for full three (3) years. But on relaxation of control, Officers were retrenched from the Enforcement Branch, and my late husband was absorbed as Head Constable in the then Bombay (subsequently—bifurcated as Gujarat and Maharashtra) and served as such from 23-1-1955 to 12-9-1961.

Now our claim for pension for all the services rendered by my late husband has totally been refused by the Government of Gujarat as per copy of letter enclosed, stating that his family is not entitled to any pension as he had not elected any option for old/New Pension Rules. (See Annexure II).

I may add here that some of the service records have been missed by the Department during transit and it is rather difficult to say whether he had elected any option or not. But in view of his long service, our case should be considered as special one giving full justification. I shall, therefore, thank you if you will look into the matter personally and see that we are not deprived of our genuine claim(s).

*Arrears of Pay and Leave Salary from the Government of Pakistan.*—I take this opportunity to inform your goodselves that leave salary for the period from 1-9-1949 to 27-2-1950 is due from the Government of Pakistan (West) and our claim is already registered with the Ministry of W.H. & Rehabilitation, Deptt. of Rehabilitation, Central Claims Organisation, Jamnagar House, New Delhi, as per copy of their latest letter enclosed herewith. I shall feel obliged if you will take up the matter very strongly with the authorities concerned and see that our claim is settled at the earliest.

Thanking you in anticipation and soliciting favour of your early action in the matter.

Yours faithfully,  
KALAWANTI DWARKADAS.

ANNEXURE I TO APPENDIX V

TRUE COPY

Condonation of break in service  
of Shri Dwarkadas Somoomal,  
of U.H.C. of the Ahmedabad  
City Police Force.

GOVERNMENT OF GUJARAT

HOME AND CIVIL SUPPLIES DEPARTMENT

Resolution No. PEN 1062/15092-B,  
Sachivalaya, Ahmedabad.

*Dated 6th May, 1963.*

**READ:—**Letter No. 784/AB(36/61), dated the 8th May, 1962, from  
the Commissioner of Police.

2. U.O.R. No. PR-II/23-P/A'bad-3307, dated the 16th Octo-  
ber, 1962.

3. Letter No. C/306, dated Nil, February, 1963 from the  
Inspector-General of Police, Gujarat State, Ahmedabad.

**Resolution.**—Government is pleased to direct under the paragraph  
3(a) of the Government Resolution, Political and Service Depart-  
ment No. DPP/1154/J, dated the 13th January, 1955 of the then  
Government of Bombay that the services rendered by Shri  
Dwarkadas Somoomal, Ex. Unarmed Head Constable of Ahmeda-  
bad City, under the Government of Sind from 15-7-1932 to 27-2-50  
should be admitted as services qualifying for Pension and that a  
break in service from the 28-2-1950 to 22-1-1955 should be condoned  
under rule 250(b) of the Bombay Civil Services Rules, but the  
period of breaks in service will not be counted as a duty or ser-  
vice qualifying for pension.

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By order and in the name of the Governor of Gujarat.

P. P. SINGLA,  
Dy. Secy. to the Govt. of Gujarat,  
Home and Civil Supplies Deptt.



To .

**The Inspector-General of Police, Gujarat State, Ahmedabad.**

**The Commissioner of Police, Ahmedabad City.**

**The Accountant-General, Gujarat, Ahmedabad (with Pension papers and Service Book) with a request to issue audit certificate.**

**Finance Department.**

**The Pay & Accounts Officer, Ahmedabad.**

**Smt. Kalawanti w/o the late Shri Dwarkadas Somoomal, Unarmed Head Constable, Ahmedabad City. (Through the Commissioner of Police, Ahmedabad).**

**ANNEXURE II TO APPENDIX V**

No. 748|AB(35)|61|5925 of 1964.

Office of the Commissioner of Police,  
Ahmedabad City, Dt. 13th Feb., 1964.

**To**

Smt. Kaiawanti Dwarkadas,  
114, Balabhai Kumbhar's Chawl,  
Near Raipur Mills, Rakhial Road,  
Ahmedabad-10.

**Sub:—***Family Pension case of late Shri Dwarkadas Sumomal.*

**Shrimati,**

You are hereby informed that the Government of Gujarat has finally decided that the late pensioner is not entitled to the Family pension according to rules, as the late H. C. Shri Dwarkadas Sumomal has not elected any option for pension.

Yours faithfully,

**R. J. UNAKAR,**

*for Commissioner of Police, Ahmedabad City.*

## APPENDIX VI

(See Para 15 of the Report and Appendix I)

**Sub:—***Petition from over 1200 employees of the Atomic Energy Establishment, Trombay, regarding shifting the Electronics Production Division to Hyderabad.*

The petition, which is to be considered by the Petitions Committee of Lok Sabha, raises the following points:—

- (i) The decision to shift the Electronics Production Division from Trombay to Hyderabad is unjustified.
- (ii) The shifting would involve untold hardship to several hundred families and also affect the education of their children.
- (iii) The shifting would involve unproductive and avoidable expenditure of considerable amount of public money.
- (iv) The shifting would involve considerable loss of money to Government as the production would be suspended till the new factory is put up in Hyderabad.
- (v) The decision to shift is hasty as no permanent arrangements have been made so far to house the production units there.

2. The above points are dealt with below:—

- (i) *The decision to shift the Electronics Production Division from Trombay to Hyderabad is unjustified:—*The decision to move the Electronics Production Division to Hyderabad was taken after very careful consideration by the Atomic Energy Commission. The decision was influenced by the fact that the Bhabha Atomic Research Centre is primarily an organisation for research and development and if it is to continue to perform its functions effectively, there is need to take away from Trombay processes which have reached the stage of industrial production. Indeed, Trombay is the nursery which has to continuously undertake the responsibility for new development and this would not be possible if it concerned itself with routine production. In short the research and development aspects will continue at Trombay in the Electronics Division of BARC

even after the moving to Hyderabad of the Electronics Production Division. Keeping these considerations in view, an Expert Committee was appointed to select a suitable site for the location of the proposed Electronics Factory where the production could be undertaken on commercial scale. The Expert Committee, after giving full consideration to the technical and economic factors, recommended that Hyderabad would be ideally suited for setting up the Electronics Factory. Important factors which contributed to the selection were low dust content, low humidity conditions throughout the year, availability of power, water chemicals and housing at Hyderabad which would result in economies in production. In view of these facts the Atomic Energy Commission accepted the recommendations of the Expert Committee and decided that the Production Units of Trombay should be moved to Hyderabad where a commercial unit would be set up as a public sector undertaking for implementing an expanded programme. Formation of such an undertaking under the administrative control of the Department of Atomic Energy was approved by the Cabinet on March 17, 1967. A new company styled the Electronics Corporation of India Ltd. has since been incorporated and registered at Hyderabad on April, 11, 1967. The shift has been made in the best national interests to achieve the following objectives:—

- (a) To continue vigorously at BARC activities pertaining to research and development for atomic energy, particularly in the field of electronics.
- (b) To carry on, under commercial conditions, the routine manufacture of electronic components and instruments which have already been developed and produced on a limited scale at BARC and for which there is a very large unfulfilled demand in the country, which have not been possible to satisfy hitherto at the level of pilot plant production.
- (c) Commercial operations can more appropriately be carried out by a public sector undertaking than departmentally by Government.

The shifting therefore is by no means unjustified as claimed in the petition.

- (ii) *The shifting would involve untold hardship to several hundred families:* It is not correct to say that shifting would involve untold hardship to several hundred families. There are around 554 employees concerned with electronics production in BARC, Trombay. These employees were addressed to ascertain whether they were willing to move to Hyderabad. Out of 554 employees addressed, 312 had opted to move. In short, no one is being coerced to move to Hyderabad nor will anybody be retrenched if he does not move. Only those who have volunteered to move to Hyderabad are being moved and steps have been taken to provide residential accommodation at Hyderabad to a sizable number of employees who have expressed their willingness to move to Hyderabad. An explanatory memorandum given to all the concerned employees at BARC which assures them of the above mentioned points and, moreover, undertakes to protect the emoluments in the new company of those who volunteer to move to Hyderabad, forms annexure 1\*. It may be mentioned in this connection that the Government of Andhra Pradesh has placed 224 flats at the disposal of the Electronics Corporation on rent and the staff moving to Hyderabad, particularly the low-paid staff, will be accommodated in these flats. The State Government have also been requested to give special treatment to the children of the staff moving to Hyderabad in the matter of admission to schools. No dislocation in the education of children is expected as the academic session in most of the schools commences only in June. It may be added that while on the one hand only the willing persons are being moved, those unwilling to move have, on the other hand, been given an assurance that they will be grainfully employed in other Divisions of BARC appropriate to their scales, although the service conditions of all the employees provide that they are liable to transfer to any part of India.
- (iii) *The shifting would involve unproductive and avoidable expenditure of considerable amount:*—The expenditure on shifting of equipment and stores to Hyderabad is not expected to exceed Rs. 3·50 lakhs. In addition, expenditure on transfer travelling allowances will arise in respect

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\*Treated as Confidential by the Committee.

of personnel who finally move to Hyderabad. It is not, therefore, correct to say that considerable expenditure is involved in the move. The expenditure is, in any case, to be undertaken only once and will be more than offset by the economic gains resulting on the much larger production that would eventually be possible at Hyderabad.

- (iv) *The shifting would involve considerable loss of money to Government as the production would be suspended till the new factory is put up in Hyderabad:—*No loss in production is envisaged since the manufacturing activities will start immediately in premises provided on rent by the Andhra Pradesh Government in an Industrial Estate in Hyderabad, while permanent buildings are put up at a site provided free of cost by the Andhra Pradesh Government. No difficulty is, therefore, envisaged in maintaining the present level of production. In fact it is expected that the production during 1967-68 will be even more than it has been during 1966-67 at Trombay. Therefore, the question of sustaining heavy losses by Government will not arise.
- (v) *The decision to shift is hasty as no permanent arrangements have been made so far to house the production units there:—*As stated earlier in this note, the Government of Andhra Pradesh have made available premises on rent in their Industrial Estate in Hyderabad. The production units on moving to Hyderabad will be housed in these buildings, pending construction of permanent buildings on the land given free of cost by the State Government for this purpose. It may be added that preliminary works connected with the construction of permanent buildings has commenced. As such, the decision to move the Electronics Production Units to Hyderabad was taken after very careful consideration in the light of the recommendations of the Expert Committee, and can by no means be considered a hasty one. Indeed, the Commission accepted the recommendations of the Expert Committee as far back as in June, 1965 and only after further consideration of various factors, it was decided to shift the production units to Hyderabad and to undertake production there as early as possible.

3. The petition is obviously based on a misunderstanding of the facts which are indicated above. There is no justification for any concern regarding the merit of the decision of the Government to transfer certain activities of the Electronics Production Division from Trombay to Hyderabad.

## APPENDIX VII

(See Para 22 of the Report)

No. 95/85/K

Maharashtra Legislature Secretariat, Council Hall,  
Bombay, 10th July, 1967

From

The Secretary to the Maharashtra Legislature.

To

The Deputy Secretary,

Lok Sabha Secretariat,

Parliament House, New Delhi-1.

Sir,

With reference to your letter No. F. 23/VII/67, dated the 29th June, 1967, I am directed to forward an English version of a copy of the Starred Question No. 293 and its reply given in the Maharashtra Legislative Assembly on the 15th June, 1967, along with a copy of the statement laid on the Table of the House on the 19th June, 1967, for the information and use of the Committee on Petitions, Lok Sabha.

Yours faithfully,

M. J. TAMANE

for Secretary to the Maharashtra Legislature.

Encl.: One

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*Extract from Questions and Answers List of Maharashtra Legislative Assembly (15th June 1967).*

**Trombay Electronics Division shifted to Hyderabad.**

(7) \* 284. Shri S. S. Sawant (Kankavali).

Shri S. K. Athale (Lanja):

Will the Hon. Minister for Industries be pleased to state—

(1) What was the outcome of the negotiations that were going on between the State Government and the Government of India for not shifting the Electronics Production Division of the Department of Atomic Energy at Trombay outside the State;

(2) What is the present position in this respect?



*Shri R. A. Patil:*

(1) The Government of India is not prepared to change its earlier decision.

(2) Though the Electronics division has been shifted to Hyderabad, yet there is no possibility of any employee being unemployed. The authorities of the Atomic Energy Establishment have assured the State Government that such of those employees who are willing to go over to Hyderabad will be transferred and others will be absorbed in other Divisions of the Atomic Energy Establishment.

**APPENDIX VIII**  
**(See Para 22 of Report)**  
**STATEMENT**

As assured by the Minister for Industries on 15th June, 1967, further information laid on the Table of the House on 19th June, 1967 regarding starred question No. 293 by Sarvashri S. S. Sawant and S. K. Athale, M.L.As in respect of the Electronics Division at Trombay, that has been shifted to Hyderabad.

The Government of India has taken decision to shift to Hyderabad the Electronics Production plant of the Atomic Energy Establishment, Trombay. Accordingly, the plant has been shifted to Hyderabad.

In this connection a question had arisen in the Legislative Assembly whether the Government of India had asked for some land from the Government of Maharashtra for the Establishment of Electronics plant at Trombay and whether the Government of India took the decision to shift the Electronics plant to Hyderabad because of the refusal of the Government of Maharashtra to grant such land.

The correct position in this respect is as follows:—

Land acquisition proceedings for the Fertilizer Corporation of India at Trombay† was initiated through the State Government. On 10th June, 1963 the Department of Atomic Energy, Government of India had requested the State Government to acquire certain portion of the land for the Atomic Energy Establishment at Trombay because the said land was not required for the Fertilizer Corporation. This request was made for the acquisition of the following land:—

- (1) About 45 acres at Borla village for the housing accommodation of the officers and the Workers.
- (2) About 60 acres at Anik and Maravali villages for the Electronics Plant.

Whenever any demand for land acquisition is made to the State Government it has to take a decision whether it is really necessary to acquire so much land. Accordingly the State Government considered the demand and decided that it should acquire 60 acres of land required for the Electronic Plant but it decided to refuse the demand for 45 acres of land for housing accommodation because

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†Perused by the Committee but treated as Confidential.

about 300 acres of land already made available to the Department of atomic energy were not utilised by that time and about 45 acres of land for only 125 officers and staff were, in the view of the State Government much more than required. Accordingly the State Government through its letter dated 24th October 1963† communicated to the Government of India that acquisition proceedings of 60 acres of land required for the Electronic Plant are being taken by the State Government but the demand made for housing accommodation cannot be accepted by the State Government. Thereupon, the Government of India raised an issue on 4th November 1963† that when Government of India makes a demand for acquisition of certain land for the purposes of Government of India, the State Government cannot reject the demand for any such land. The State Government consulted the Law and Judiciary Department in this respect. The Law and judiciary Department, opined that State Government should decide how much land was actually required for that purpose, when any such demand was made to the State Government. The State Government is competent to take such decision according to law and also the law has devolved on the State Government the responsibility of taking suitable decision.

This position was communicated to the Government of India by the State Government under its letter dated 20th February 1964†. But the Government of India insisted on acquisition of whole land. Government of India through its letter dated 21st August 1964 communicated to this Government that because of this delay in land acquisition, the Electronics Plant will have to be shifted elsewhere. Ultimately on 22nd September 1966† the Government of India informed the State Government through a letter that the matter pertaining to land acquisition should be treated as closed.

The State Government through its letter dated 24th October 1963† had communicated to the Government of India to forward a map of the land required for Electronics Plant so that land acquisition proceedings can be taken. But further proceedings could not be taken as the Government of India did not forward the said map.

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†Perused by the Committee, but treated as Confidential.

**APPENDIX IX**

(See Appendix II and Para 33 of the report)

**SECRET\***

No. Veh (RD-91)/8329/67/5320|D (R&D)

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE

New Delhi, the 14th June, 1967.

24 Jyaistha, 1889 (*Saka*).

**OFFICE MEMORANDUM**

**SUBJECT:** *Petition No. 1 from citizens of Ahmednagar regarding proposed shifting of VRDE from Ahmednagar to Avadi.*

The undersigned is directed to refer to the Lok Sabha Secretariat u.o. No. F. 21/C-II/67, dated 30th May, 1967 on the above subject and to forward herewith 40 copies of the requisite brief in this connection. (*See Annexure*).

Secretary (DP) has seen.

(MRS.) J. KATHPALIA,

*Under Secretary to the Government of India.*

To

The Lok Sabha Secretariat  
(Shri M. C. Chawla, Deputy Secretary).

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\*Treated as public subsequently on their agreeing to it.

## Annexure to Appendix IX

### A NOTE ON THE MOVE OF VRDE TO AVADI

Vehicles Research & Development Establishment (VRDE) was originally known as the Department of Vehicles Development and was located at CHAKLALA (now in West Punjab). It moved to Ahmednagar in 1946 and was redesignated as Technical Development Establishment (Vehicles) in 1947. Its functions then related mostly to holding of sealed particulars for some vehicle components for the purpose of investigating minor defects and inspecting purchases of wheeled vehicle components made within the country. Important vehicle projects for the Indian Army were carried out in UK, and technical assistance was subsequently made available from UK through Commonwealth Agreements. The Establishment was therefore not called upon to undertake any major development projects. The choice of Ahmednagar made by the British Officers of the Indian Army at that time appears to have been based mainly on the ground that there were vacant workshop premises readily available at Ahmednagar at that time, adjacent to the School of Mechanisation, now known as Armoured Corps Centre and School. The buildings into which the Establishment moved were originally meant as detention camps for housing aliens in the country during the Second World War.

2. Subsequent to the transfer of power in 1947, the Establishment commenced development of vehicle bodies and minor items required for the maintenance of a fleet of vehicles, mostly comprising of those which were left behind by the British when they left the country. The Establishment also undertook a few assessment trials of imported vehicles offered by indigenous sources for introduction into service. The Establishment had no capacity to undertake any large-scale projects like complete design and development of a tank.

3. In 1960, alongwith the planning of the Heavy Vehicles Factory (HVF) at Avadi, a decision was taken to shift the Technical Development Establishment (Vehs) adjacent to the tank factory so that a complex of fighting vehicles production and development could be created at Avadi. This was largely with a view to ensuring that development efforts by the Establishment were translated into production vehicles in the shortest possible time. Further

TDE(V) had to depend on HVF for manufacture of prototypes for the equipments developed by them and close proximity was very necessary to ensure coordination and quick results.

4. A proposal to bifurcate the TDE(V) into two Establishments—one concentrating on Research & Development work, and the other on Inspection work—was made in 1962, but for various reasons the decision could not be implemented until 1965. The delay in bifurcation prevented early shifting of the Establishment to its planned site at Avadi although a site had been provisionally earmarked at Avadi in Government land adjacent to the HVF. TDE(V) was finally bifurcated into VRDE and CIV with effect from 1st August 1965 and action is now being taken to implement the earlier decision to move VRDE to its permanent site at Avadi.

5. The buildings which are now occupied by VRDE at Ahmednagar are temporary hutments of wartime construction and are hardly adequate to house a properly equipped engineering development establishment. Space available is very restricted and a complete set of new buildings has in any case to be built to be able to provide facilities commensurate with the output expected from the Establishment.

6. The present functions of VRDE as listed by the petitioner, is a *verbatim* extract from a Government letter issued at the time of bifurcation.

7. Major projects for completely new designs of Fighting Vehicles have now been undertaken. These projects depend on the Heavy Vehicles Factory for prototype building. If proximity of production and development agencies is not maintained, expenditure on movement of personnel and vehicles to and from Ahmednagar will take place and considerable delays will occur in achieving self-sufficiency in the field of development and production of Fighting Vehicles for the Armed Forces.

8. Other reasons for the Establishment being better located at Avadi than at Ahmednagar are:

- (a) Accessibility to Engg and Automotive industries units. The manufacturing units referred to are those which would be normally supplying items to HVF for bulk manufacture and it will be advantageous if even at the development stage the same manufacturing units are made use of for manufacture of various components required for the prototype.

- (b) Better availability of skilled personnel for non-gazetted, technical and industrial categories.
- (c) Availability of sufficient power and water from Madras Govt. which has already been included, planned and guaranteed along with the requirements of HVF.
- (d) Close proximity to the Inspectorate of Heavy Vehs which will be the AHSP (Authority Holding Sealed Particulars) for all vehicles manufactured at Avadi by HVF.

Comments on the various points raised in the petition are given below:—

- (i) *Effect on Ahmednagar City's economics.*—Ahmednagar city has a population of over a lakh of people and the effect on the economy of such a city will not be significant due to the shifting of 700 families (about 3,000 persons in all). The petitioner appears to have assumed that the 700 employees of VRDE will all be thrown out of service. This is not so. All personnel of Class I, II & III categories and such of those Class IV personnel, who have no objection to shift to Avadi will be shifted along with the Establishment and every effort will be made to resettle them at Avadi with as little inconvenience as possible. An assurance to this effect has already been given in a Government letter and in a letter addressed to the Chief Minister of Maharashtra by the Defence Minister. It is anticipated that the number of people who may not be able to move with the Establishment will be about 150 and steps are already in hand to find them alternative employment in Defence Establishments in and around Ahmednagar. It is relevant to point out that the Class I, II and III employees of the Establishment are liable for All India Service and for move to any place in India. Most of the employees who are from outside Ahmednagar are living under adverse conditions in Ahmednagar due to the reasons that although the number of employees in the Establishment has increased, there has been no increase since 1947 in the availability of residential accommodation in the area. This has been one of the reasons why the Establishment has been finding it difficult to attract the right type of qualified skilled personnel necessary for the high standard of design and development work it has to produce. In the absence of suitable technical training Establishments in the area, the quality of personnel available locally in Ahmednagar is unsatisfactory.

- (ii) *Functions.*—VRDE, although responsible for preparation of material for handbooks, manuals etc is not responsible for printing or publishing them. The responsibility for printing and publishing literature mentioned by the petitioner is that of CIV and the press is rightly located with them. Availability of a printing press with CIV is not necessarily a ground for VRDE to stay on in Ahmednagar. IHV, located at Avadi with a responsibility for printing and publishing literature pertaining to vehicles produced by HVF, is already making use of the CIV press.
- (iii) Most of the models of heavy vehicles and 'B' vehicles mentioned by the petitioner are obsolescent. All current models of Heavy vehicles also will gradually be replaced by models of vehicles manufactured in the HVF. For 'B' vehicles (wheeled vehicles) it is proposed to have a detachment of VRDE at Jabalpure where the Defence Vehs Factory is now under construction. In a few years the number of models of 'B' vehicles in service use with the Army will hardly be a dozen of which more than half will be manufactured within the Defence sector in its vehicle factory.
- (iv) *Technical Evaluation.*—The assessment trials referred to by the petitioner consist of performance trials and reliability trials. These trials require straight level roads, normal country roads, cross-country tracks and gradients. Straight level roads and normal tracks are available anywhere in the country and gradients being short stretches can also be obtained in the hilly terrain near Avadi. For cross country trials, it is the practice to send vehicles to field areas which could be conveniently done from Avadi. Sand trials can be undertaken on the beaches near Madras. It is incorrect to say that suitable terrain for trials are only available at Ahmednagar and not near Avadi. With recent experience in operations it has been found that conditions of cross-country terrain available at Ahmednagar are not representative of forward areas and every vehicle is now actually tried under field conditions. However, irrespective of any trials carried out by VRDE, all vehicles are again subject to user trial for which purpose vehs are sent in to user units nominated by the Army which may be situated *anywhere in the country*.



- (v) *Preparation of Drawings.*—The petitioner has claimed that for purposes of preparing drawings and specifications, assistance of the CIV at Ahmednagar is taken. This is not so. Drawings and specifications are prepared by the design staff of VRDE and then passed on to concerned AHSP viz. CIV or IHV for purposes of sealing and record. In respect of fighting vehicles, the IHV Avadi will be the AHSP and in respect of wheeled vehicles manufactured by the Defence sector at Jabalpure, Inspectorate of Vehs at Jabalpure will be the AHSR. The number of vehicles for which CIV Ahmednagar will be the AHSP is diminishing fast, and soon a stage may be reached when it will only be responsible for vehicles of commercial origin and items common to all vehicles in Service. As explained earlier, vehicles of commercial origin will only be one or two models in a few years time.
- (vi) *Technical Guidance.*—VRDE is the appropriate authority to provide guidance for manufacture of prototypes and bulk production of items developed by them. CIV or IHV is only responsible for inspecting them to specified particulars.
- (vii) *Qualitative requirements.*—Qualitative requirements are based on requirements specified by the user arms of the army, which are considered by the General Staff at Army HQ and approved by the Government. The CIV has very little to do with the formulation of qualitative requirements. British, American and Indian standards referred to by the petitioner are available with VRDE and do not serve any purpose in formulation of Qualitative Requirements.
- (viii) *Investigation of defects.*—The statement made by the petitioner that Armoured Corps Centre & School at Ahmednagar are the main users of 'A' vehs is not correct. In fact more defects are noticed by active regiments dispersed in different parts of the country, due to the fact that conditions of operation by the user are more varied. VRDE has on its strength a sample of every vehicle equipment introduced in service and it is not necessary to refer to any vehicle with Armoured Corps Centre and School for purposes of investigation of defects. However, it is pointed out that future fighting vehicles for the Army will all be manufactured by the HVF and it is a very big advantage to have the defect investigation personnel

working in close cooperation with the manufacturer so that a proper and quick analysis of the defect could be undertaken and remedial measures taken which could be introduced into production without avoidable delay. The point made by the petitioner that defect reports are first received by CIV who pass on the relevant portion to VRDE and that a delay will occur if they are far apart, is a minor problem. IHV located at Avadi also receives defect reports and passes on work pertaining to design to VRDE. The present procedure is under review and it may be possible to ensure that copies of defect reports are directly received by VRDE who will take action immediately to investigate and not wait for the report to be passed on to them by another agency.

- (ix) *Need for Security*—The facility of having VRDE away from public approach and free from publicity is equally available at Avadi as at Ahmednagar. As a matter of fact the location of HVF, where machinery many times more valuable than at VRDE are installed, is sufficient reason for making high grade security arrangements at Avadi.
- (x) *Installed machinery at Ahmednagar*—At present VRDE is not equipped adequately with machine tools necessary for a good development establishment. During recent years some machine tools have been added in order to cope with the increase in tempo of development work. These machine tools have been temporarily installed at Ahmednagar in such a manner that they could be removed and re-erected elsewhere. Many more tools have been planned to be purchased but their purchase has been kept pending availability of permanent workshop buildings at Avadi. In fact one of the conditions stipulated by the Expenditure Finance Committee, who sanctioned the Peace Estt. of then TDE(V) in 1960 was that no heavy machine tools would be purchased until the Estt. takes its place in its permanent location next to the Tank factory.
- (xi) *Availability of CIV facilities*—The Metallurgical laboratory of CIV is now being used by VRDE also. A better equipped metallurgical laboratory is available with HVF at Avadi which also has surplus capacity available for use by VRDE. VRDE also depends on the Defence Metallurgical Laboratory at Hyderabad for metallurgical advice and examination. The test-rigs available with CIV have all been designed and manufactured by VRDE and are

available in duplicate sets, one of which is available for VRDE. Test rigs are also being designed and manufactured for use by the IHV at Avadi and work of VRDE will not suffer for want of test rigs.

- (xii) *MESS—HVF* has a very good officers' mess and a JCO's mess and all Defence Estts. at Avadi are eligible for membership of these messes. The position with regard to mess facilities may even be better at Avadi than at Ahmednagar.
- (xiii) *Workshop facilities*—As mentioned earlier even the present accommodation at Ahmednagar is hardly adequate for a well-equipped prototype building workshop and new permanent workshop buildings will have to be built as per plans already submitted to the Govt. irrespective of where VRDE is located. When these are built at Avadi the machine tools at Ahmednagar will be shifted and erected in addition to the new tools which are planned to be purchased.
- (xiv) *Cost of shifting*—The cost of shifting of personnel and stores from Ahmednagar to Avadi has been estimated at Rs. 2·88 lakhs. It is pointed out that VRDE has a number of wheeled vehicles, many of them on trials, which will do the journey by road from Ahmednagar to Avadi and there is enough capacity for shifting over 200 tons of machine tools and stores by these vehicles alone.
- (xv) *Use of premises vacated by VRDE*—It has been confirmed by the QMG Branch of Army HQ that buildings vacated by VRDE will be taken for use by the Army units there. As a matter of fact due to new units being raised at Ahmednagar, there is a serious shortage of technical and residential accommodation at Ahmednagar. Shifting of VRDE away from Ahmednagar will ease the situation.
- (xvi) *Ranges*—VRDE has no requirement for the use of any range. The armaments used in equipment developed by VRDE will be developed and approved by Armament Research and Development Establishment of A & D Orgn located at Kirkee. For inspection purposes, HVF has made arrangement for its own ranges which are also available to VRDE without difficulty, if over required.
- (xvii) *Expenditure in building office and residential accommodation at Avadi*—As stated earlier irrespective of where it is located, permanent office buildings will have to be built

for VRDE and the expenditure is *unavoidable*. In view of the fact that HVF has been located at Avadi an attempt at construction of residential accommodation by the local population is visible and it may be possible to house a substantial percentage of VRDE personnel in private accommodation. The proximity of a large city and many townships near Avadi offers better prospects for absorption of new arrivals, than at a place like Ahmednagar. In addition alternative arrangement to house them in Army residential accommodation surplus to requirement of Army units at Avadi are now being examined by the Government.

- (xviii) *Access to Ahmednagar*—Contrary to the claim made by the petitioner that due to Ahmednagar being geographically at an equal distance from North as well as South, it has been our experience that due to its remoteness from main rail lines and airport, there has been a tendency for industrial and official visitors to avoid visiting Ahmednagar. Avadi is not far from the Madras airport and can be reached in a much shorter time than Ahmednagar, from anywhere in India including Bombay.
- (xix) *Link with HQ*—It has been our experience that telephonic and air link between Delhi and Avadi are much better than between Ahmednagar and Delhi. It has also been our experience that correspondence takes longer time to reach Ahmednagar from Delhi.
- (xx) *Language difficulty*—HVF at Avadi has also on its strength personnel belonging to various parts of the country and to make the language problem easier the Govt. is running a Central Govt. Higher Secondary School, which is used by children of employees who do not belong to Madras. This school is available for staff of VRDE also. In Ahmednagar also although the local population has been able to find schooling facilities in Ahmednagar City, children of nearly 50% of the employees of VRDE go to a Central Govt. School at Ahmednagar. The Syllabus and the standard of the Central School at Ahmednagar and Avadi are identical.

## APPENDIX X

(See Appendix III and para 49 of the Report)

BRIEF FURNISHED BY MINISTRY OF COMMERCE

SUBJECT: *Extension of Government control over Mewar Textile Mills Ltd., Bhilwara.*

The Mewar Textile Mills Ltd., Bhilwara, had, at the time of its take over in 1959, an installed capacity of 13,356 spindles and 300 looms, and employed a labour force of about 1500. The majority share holder of the company was Shri Sobhagmal Lodha.

2. The mill was closed on 8-12-1959 due to accumulated losses and labour discontent. An Investigation Committee set up under Section 15 of the Industries (D&R) Act, 1951, to enquire into the affairs of the mills, recommended that Government should issue 'directions' to the mills calling upon them to re-open the mills forthwith and, failing that, Government should take over the mills under Section 18-A of the Act.

3. Accordingly, 'directions' requiring the mills to be re-opened with 15 days were issued on 10-3-1960. The time was extended by 15 days. The mills management, instead of complying with the direction, requested Government to take over the control of the mills. After consulting the Government of Rajasthan, who agreed to provide the necessary financial guarantee, etc. the mill was taken over on 16-5-1960 for a period of 5 years and placed under an Authorised Controller. The period of take over, which expired on 15-5-1965, was extended for a further period of two years, i.e., upto 15-5-1967. The mill is, thus due to be returned to the owners on 15-5-67.

4. When the mill was taken over on 16-5-1960, the aggregate loss was Rs. 33.49 lakhs. The Rajasthan Government provided the Authorised Controller with the necessary financial assistance for working capital and expansion and modernisation. An additional 11,800 spindles have already been installed as part of the expansion scheme. With this expansion and modernisation undertaken and the improvement in the management, the losses have very nearly been wiped off and the mill's working results show that it is making profits. It is now in a position to grant bonus to its employees and has also declared a dividend.

5. Shri Guman Mal Dosi, Seth Sobhagmal Lodha and 47 other shareholders of the mill had filed a Writ Petition in the Rajasthan High Court, Jodhpur, praying that Union of India, the State Government, the Authorised Controller and other members of the Advisory Board should be ordered not to proceed with the expansion/modernisation scheme and that, in the meantime, they should all be restrained from proceeding with it. The Writ Petition was dismissed by the High Court, Jodhpur. In the course of deciding the Writ Petition, the High Court, Jodhpur, had, however, observed that while the rigour of Section 293 of the Indian Companies Act had been relaxed in relation to the borrowing by the Authorised Controller for purposes of running the mills, running the mill does not necessarily mean expanding the undertaking. The Court desired that the Authorised Controller should be conscious of the limitations implied in the Government's notification while embarking on any borrowing. The petitioners appealed to the Supreme Court. The Supreme Court, while granting leave for appeal, has directed the Authorised Controller not to borrow any further money or incur any further monetary liabilities in connection with the expansion scheme. The Authorised Controller is not, therefore, in a position to undertake further modernisation and expansion of the mill. The appeal before the Supreme Court is yet to come up for decision.

6. The shareholders of the mill have recently approached this Ministry requesting that the mill should be handed back to a Board of Directors to be elected by the Shareholders. They have stated that the mill is now in a sound financial position and that the right of its management should be handed over to the shareholders whose fortune is invested in it. They claim that they will be able to raise the necessary finance from private banks for its working capital, etc., and that, as regarded the guarantee given for certain purchases of machinery and the first charge created by Rajasthan Government on the machinery of the mills, the present position may continue. It has also been stated that the majority of shares of the mills (about 1,60,000) is now held by Shri Sampat Mal Lodha (son of Shri Sobhagmal Lodha), who was not associated with the old management.

7. On the other hand, the Mill Mazdoor Sangh, Bhilwara, have requested the Government that the control over the mill should not be handed back to the previous management and that the Government should extend the control for a further period. Shri Ramesh Chandra Vyas, M.P., Lok Sabha, has also represented to the Prime Minister that the period of Government control over

the mill should be further extended. Shri Vyas fears that if the extension is not granted, the mill might close down due to mismanagement, resulting in labour unrest again.

8. The Rajasthan Government, who were consulted had stated in October, 1956 that the expansion and modernisation programme of the mill was still incomplete and that the purpose for which the mill was taken over had not yet been completely fulfilled. They were of the opinion that the Government control over the mill should be extended for a further period of 3 years. They have, however, since reviewed their opinion and now have no objection to the mill being returned to the directors appointed by the shareholders, subject to the management entering into suitable arrangements with that Government for the security of the financial assistance rendered by them.

9. The Textile Commissioner, Bombay, who conducted on-the-spot survey of the mill and examined the question of the extension of Government control, has recommended that, as the expansion and modernisation of the mill is not yet complete, and as the State Government has provided large financial cover to the mill, the period of Government control may be extended by further 2 years.

10. Under Section 18-F of the Industries (Development & Regulation) Act, 1951, the Central Government's Order appointing an Authorised Controller for any industrial undertaking may be cancelled "on the application of the owner of the industrial undertaking or otherwise, if at any time it appears to the Central Government that the purpose of the order made under Section 18-A has been fulfilled or that, for any other reason, it is not necessary that the order should remain in force."

The right of the Authorised Controller to expand and modernise a mill is under dispute and is awaiting Supreme Court decision. As apart from this factor, the mill is now in a sound financial position, the purpose for which the Authorised Controller was appointed for the mill could be deemed to have been fulfilled. Since an application from the shareholders of the mill has already been secured, the order appointing the Authorised Controller should normally be cancelled, in accordance with the provisions of section 18-F mentioned above. It may be added that under the law, as it stands at present, Government have no power to keep cotton textile mills permanently under their control or to take them over permanently, especially if they are no longer financially unsound and are managed in a manner not prejudicial to public interest.

11. The question whether the mill should be returned to the shareholders, in terms of Section 18-F of the Industries (Development & Regulation) Act, 1951, or the term of the Authorised Controller over the mill should be continued is under active consideration of this Ministry and a decision is expected to be taken within the next few days.



## APPENDIX XI

(See Appendix III also and para 50 of Report)

### LOK SABHA SECRETARIAT

(Committee Branch II)

**SUBJECT:—***Extension of Central Government Control on Mewar Textile Mills Ltd., Bhilwara.*

Will the Ministry of Commerce (Textiles-B Section) please refer to the correspondence resting with their u.o. No. 2(1)-Tex(B) |65 dated 3rd May, 1967 on the subject noted above and to state whether the decision (mentioned in paragraph 11 of the brief enclosed to their u.o. mentioned above) has since been taken in regard to continuance or otherwise of Government Control on Mewar Textile Mills Ltd., Bhilwara? If so, the Ministry may kindly communicate the facts relating to the decision so arrived at *urgently* for the information of the Committee on Petitions, Lok Sabha, which is likely to meet during the next week.

2. An *immediate* reply is requested.

M. C. CHAWLA,  
*Deputy Secretary*

Ministry of Commerce (Shri N. C. Rustagi: Dy. Director)  
LSS U.O. No. F. 23/C-II/67 dated the 24th May, 1967.

### MINISTRY OF COMMERCE

#### Textiles (B) Section

Reference Lok Sabha Secretariat U.O. note above.

The term of the Authorised Controller of Mewar Textile Mills Ltd., Bhilwara, has been extended for a further period of 3 months with effect from 16th May, 1967, in consultation with the Government of Rajasthan, as they have to secure the Government dues. The question of the future of the mills is being considered further, in consultation with the State Government.

Sd/-  
25-5-67

Lok Sabha Secretariat (Committee Branch II)  
Min. of Commerce U.O. No. 2237-Textl. (B)/67 dt., 25-5-67.

## APPENDIX XII

(See Para 53 of the Report)

COPY OF SUPREME COURT OF INDIA JUDGEMENT FURNISHED  
BY SHRI RAMESH CHANDRA VYAS, M.P.

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL MISCELLANEOUS PETITION

No. 1363 of 1966

(Application for Stay by Notice of Motion).

In the Matter of:—

An Intended Appeal by Certificate from the Judgment and Order dated the 14th May 1965 of the Rajasthan High Court in D. B. Civil Writ Petition No. 51 of 1965.

1. Guman Mal Dosi s/o Shri Mangilal Dosi, Resident of Ajmer.
2. Sobhagmal Lodha s/o Shri Abheymal Lodha, Resident of Ajmer.
3. Shanta Lodha wife of Seth Sobhagmal Lodha, Resident of Ajmer.
4. Maharaja Sumer Singhji of Kishangarh Palace, Kishangarh.
5. Kundanmal Mehta s/o Motilal Mehta, Mehta Nivas, Arvi (M.P.).
6. Bhairon Lal Hingar s/o Kesri Mal Hingar, Resident of Ajmer.
7. Sobhag Agencies (P) Ltd., Ajmer.
8. Pratapsinghji Dadha s/o Mangalchandji Daddha, Daddhodka-Chowk, Bikaner.
9. Manak Kanwar Bai wife of Shri Kushalsinghji Mehta, c/o Shri Kanhiyalalji Rampuria, Bhopalganj, Bhilwara.
10. Kan Kanwar Bai wife of Shri Pratapsinghji Dadha, Dadhodka-Chowk, Bikaner.
11. Jorawar Bai widow of Seth Udaichandji Gelra, Jiaganj, Murshidabad.

12. Chetan Bai wife of Shri Rewatmalji Nahata, c/o M/s. Hulaschand Rewatmal Nahata, Chappar (Bikaner).
13. Sushila Kanwar Bai, wife of Shri Jitendrasingh Bachawat, c/o Seth Sobhagmal Lodha, Naya Bazar, Ajmer.
14. Jatan Kanwar Bai, widow of Jeetmal Surana, c/o. M/s. Shrichand Jeetmal, Qhuru (Bikaner).
15. Th. Onkarsingh, Baghsuri House, Ajmer.
16. Achleshwar Vyas c/o. Shri Basantlal Jain, Kishanganj, Beawar.
17. Amarnath Bhargova, s/o. Shri Daya Shankar, Bhargova, Kutcheri Road, Ajmer.
18. Dhapu Devi, widow of Shri Badrinarayanji, Lodha House, Ajmer.
19. Sarla Bai wife of Shri Ranjit Kumar Singhji, c/o. Seth Sobhagmal Lodha, Lodha House, Ajmer.
20. Srikanwar Bai, wife of Shri Umraomalji Dandha, Daddhonki-Haveli, Karakka Chowk, Ajmer.
21. Sirachandji Kothari, s/o. Lalchandji Kothari, Daddhon-ka-Chowk, Bikaner.
22. Nainee Bai, wife of Jawaharlalji c/o. Radhakrishan Jawaharmal, Diggi Mohalla, Beawar.
23. Rukma Bai, widow of Suwalalji Ghia, Opp. Marwari Bhanwan Ajmeri Gate, Beawar.
24. Ram Kishori Devi, widow of Bhuralalji Sharma, c/o. Shri Naurang Rai Sharma, Diggi Mohalla, Beawar.
25. Jatan Kanwar Bai, wife of Hirachandji Kothari, c/o. Shri Pratap Singhji Daddha, Daddhon-ka-Chowk, Bikaner.
26. Dwarka Pershadji Mathur, Lodha House, Ajmer.
27. Ratanlal Sogani, Naya Bazar, Ghee Mandi, Ajmer.
28. Sarla Devi Moondra, wife of Ram Swarupji, c/o. M/s. Shivanath Parasram Moondra, Pipad City.
29. Nemichandji Dosi, s/o. Shri Mangilalji Dosi, Resident of Ajmer.
30. Hemchand Dosi s/o. Shri Nangilal Dosi, R/o. Ajmer.
31. Khazansingh s/o. Nathusingh, Regimental Bazar, Ajmer.
32. Vimal Kumari w/o. Shri Kundanmal Somani, Shahpura, Mohalla, Beawar.
33. Umrao Bai wife of Seth Panmalji, Indra Bhavan, Nagpur.
34. Kandanmalji Somani, c/o. M/o. Shixnath Radha Kishan, Beawar.

35. Sayar Devi Somani, c/o. M/s. Radha Kishan Murlidhar, Jodhpur.
36. Sanwalram Somani c/o. M/s. Sanwal Ram Satyanarain, Beawar.
37. Amarchand Taparia, Dargah Bazar, Ajmer.
38. Kanwari Lal Patni c/o. M/s. Dhanmal, Kanwarlal Patni, Dargah Bazar, Ajmer.
39. Gyanchand Lunia, s/o. Seth Ramlal Lunia, Naya Bazar, Ajmer.
40. Harsukh Devi Somani, c/o. M/s. Sanwalram Satyanarain, Beawar.
41. Kapurwati Devi c/o. Shri Basantilalji Jain, Kishanganj, Beawar.
42. Dholi Kanwar wife of Nemichandji Kankaria, Beawar.
43. The Mewar Textile Mills Ltd., Bhilwara, a Public Company, through its aforesaid Share-holders.

**PETITIONERS**

1. The Union of India.
2. The State of Rajasthan.
3. The Authorised Controller, Mewar, Textile Mill Ltd., Bhilwar.

**RESPONDENTS**

*13th day of September, 1966.*

**CORAM**

**THE HON'BLE THE CHIEF JUSTICE**

**THE HON'BLE MR. JUSTICE M. HIDAYATHULLAH**

**THE HON'BLE MR. JUSTICE S. M. SIKRI**

**THE HON'BLE MR. JUSTICE RAGHUBAR DAYAL**

For the Petitioners/Appellants: Mr. M. C. Setalvad Senior Advocate (Mr. I. N. Shroof, Advocate with him).

For Respondent No. 2: Mr. G. C. Kasliwal, Advocate General for Rajasthan (Mr. R. N. Sachthey, Advocate with him).

For Respondent No. 3: Mr. S. V. Gupta, Solicitor General and G. C. Kasliwal, Advocate General for Rajasthan (M/s. Bishambal Lal and K. K. Jain, Advocates with them).

**THE APPLICATION** above mentioned being called on for hearing before this Court on the 18th day of September 1966 UPON perusing

the Application and the relevant papers and UPON hearing Counsel for the Petitioners/Appellants and Respondents Nos. 2 and 3 THIS COURT DOTH ORDER THAT pending the hearing and final disposal of the Appeal above-mentioned Respondent No. 3 herein be and is hereby directed;

(1) not to borrow any further moneys or incur any further monetary liabilities in connection with the expansion scheme or plan.

(2) not to order any more machinery, equipment or apparatus in connection with the expansion scheme other than the machinery already received, installed or ordered or to be ordered as mentioned in paragraph 7(a) of the Counter Affidavit dated 20th August of the Authorised Controller viz., (i) one High Speed Winding Machine (ii) two pirn Winding Machines (iii) Accessories and Equipment for Humidification and (iv) Electrical Equipment for Power II. BUT THAT Respondent No. 3 herein shall be at liberty to make the disbursements in respect of the machinery particulars whereof are mentioned in para 7(b) of the Affidavit dated 20th August 1966 of Respondent No. 3 herein in the manner following namely that (i) Rs. 5.73 lacs (Rupees five lacs and seventy three thousand) only on the actual receipt of the ordered machinery which is expected to be received by the end of this year (ii) Rs. 17.49 lacs (Rupees seventeen lacs and forty-nine thousand) only within three years of the receipt of the ordered machinery (iii) Rs. 1.68 lacs (Rupees one lac and sixty-eight thousand) only within ten years of the receipt of the ordered machinery AND THIS COURT DOTH FURTHER ORDER that the Amounts aforesaid shall be paid by the Company partly from the balance of loan already taken and partly from the working results of the expanded unit and there shall be no necessity of taking further loan AND THIS COURT DOTH FURTHER ORDER THAT the hearing of the Appeal be expedited AND THIS COURT DOTH LASTLY ORDER that this ORDER be punctually observed and carried into execution by all concerned.

WITNESS the Hon'able Mr. Koka Subba Rao, Chief Justice of India at the Supreme Court, New Delhi this the 18th day of September, 1966.

GURU DATTA,  
Deputy Registrar.

### APPENDIX XIII

(See Paras 59 and 64 of the Report)

*Factual comments of Ministry of Home Affairs on Shri P. S. Gupta's original representation (vide item 19, p. 179, Appendix XXX, 5th Report of the Committee, Third Lok Sabha).*

Applications for the post of Craft Instructors (Cane Work) in the pay scale of Rs. 130—300, were invited by the Delhi Administration in 1962. The essential qualifications were (a) Diploma or certificate in cane craft, (b) two years' experience in the craft and (c) capacity of supervising work and imparting instructions to the inmates of the institution. The minimum age prescribed was 25 years and the maximum 40 years. Shri P. S. Gupta was called for interview with other candidates but was not selected.

The post remained unfilled and was advertised in 1963 in the pay-scale of Rs. 118—225. with the same qualifications as given above. Shri Gupta again applied for the post and was put through a preliminary practical test. He was not called for interview as he was below the prescribed age of 25 years.

Shri Gupta was informed by the Delhi Administration that he had not been selected for the post, *vide* letter No. F.1(4)/64-DSW/19366 dated the 10th November, 1964. The post was again advertised recently and candidates were called for interview in September, 1966. Shri Gupta was not called for interview as he was below the prescribed age. No suitable candidates appeared for the interview and the post remains unfilled.

It may, therefore, be seen from the above that Shri Gupta was called for the first interview, though he was under-age, by a mistake. He was, however, not selected. Therefore, he was not called for subsequent interview as he was under-age.

**APPENDIX XIV**

(See Appendix XIII and para 60 of Report)

No. 23/33/66-Delhi.

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

New Delhi-11, the 10th January, 1967

OFFICE MEMORANDUM

**SUBJECT:**—*Implementation of the recommendation of the Committee on Petitions (Third Lok Sabha)—Complaint of Shri P. S. Gupta against the Directorate of Social Welfare, Delhi Administration.*

With reference to Lok Sabha Secretariat's Office Memorandum No. 27/C-I/66, dated the 5th December, 1966, on the above subject, the undersigned is directed to say that in view of the observations of the Committee on Petitions, the minimum age limit is being *relaxed* in favour of Shri P. S. Gupta and he will be *considered* along with others for appointment to the post of Instructor.

A. F. COUTO,  
*Deputy Secretary to the  
Government of India.*

**To**

Lok Sabha Secretariat,  
New Delhi.

## APPENDIX XV

(See Paras 71 and 72 of Report)

### MINISTRY OF HOME AFFAIRS

#### Ests (B) Section

Under the pension payment schemes of the Government of India for permanent displaced Government servants from Sind/N.W.F.P introduced *vide* Ministry of Finance O.M. No. F.47 (3)-EV/57, dated 23rd August, 1957, permanent displaced Government servants who were in pensionable service under the Government of Sind or N.W.F.P. are entitled to pension, calculated on the basis of qualifying service rendered in Pakistan, combined with service rendered under the Government of India, whether in a temporary or a permanent capacity. However, whereas permanent displaced Government servants who are confirmed in a post under the Government of India are allowed pension under the Liberalised Pension Rules on their retirement etc., those who were not confirmed in any post under the Government of India before their retirement etc. are allowed pension under the provisions of the Civil Service Regulations. Pensionary provisions under the Civil Service Regulations do not provide for the grant of any family pension to the family of the deceased Government servant.

Like the Government of India, the Government of Bombay (since bifurcated into Governments of Gujarat and Maharashtra) decided to allow full benefit of the pensionable service rendered by permanent displaced Government servants from Sind/N.W.F.P. who were employed under the Government after migration, towards pension. From the papers on record it is observed that the Government of Gujarat have admitted the service rendered by late Shri Dwarkadas Sumomal under the Government of Sind as service qualifying for pension. However, that Government have stated that his family is not entitled to the family pension according to rules, as the late Shri Sumomal had not elected any option for pension. It appears that Shri Sumomal did not hold any post under the Government of Gujarat in a substantive capacity and possibly this may be the basis for the non-entitlement of his family for the grant of family pension. But the reply given by the Government of Gujarat



to his widow is not very clear and the Lok Sabha Secretariat may be advised to seek necessary clarification from the Gujrat Government.

As regards factual position regarding arrears of pay and leave salary payable to petitioner's husband from the Government of Sind, the Central Claims Organisation may please see and pass on these papers direct to the Lok Sabha Secretariat.

Sd/-.....  
22-1-65.

*Central Claims Organisation (M.O. Rehabilitation)*

*MHA u/o D. 295/65-Estb. (B) dt. 3-2-65.*

CENTRAL CLAIMS ORGANISATION

Section II

Pay and leave salary claim of Shri Dwarkadas Summomal was forwarded to the Government of Pakistan for verification and issue of payment authority in November, 1956 as a special case. Since then the case is under correspondence with that Government. No final reply has so far been received despite our reminders issued to that Government. Our counter part in Pakistan has again been reminded demi-officially for expeditious settlement of the claim.

The widow will be paid her dues on receipt of a final payment authority from that Government. However, the widow of the deceased claimant has been asked to furnish photo-stat copies of the orders under which the leave to the deceased claimant was sanctioned in Pakistan which might facilitate Pakistan Government in verification of the case.

Ministry of Rehabilitation may kindly see and pass on the papers to the Lok Sabha Secretariat.

B. L. GOSWAMI.

*M. O. R. (Imp-Section) New Delhi.*

*C.C.O. U.O. No. 11(22)C1/Genl/Sind/Sectt./Pay/LS Dt. 11-2-1965:*

MINISTRY OF REHABILITATION

(Implementation Section)

These papers may now be returned to the Lok Sabha Secretariat (Committee Branch) who may see Ministry of Home Affairs and Central Claims Organ:s' u.o. notes dated 3-2-1965 and 11-2-1965.

respectively, with reference to their u.o. note dated 13-1-1965, on P1/ ante. The Ministry of Rehabilitation is concerned with the Leave salary and arrears of pay due from the Govt. of Pakistan to the heirs of late Shri Dwarkadas Summomal about which reference has been made in the last para of her letter dated the 23rd November, 1964 at page 6c. The position in this connection has been explained in the note of the officer-in-charge Central Claims Organisation dated the 11th Feb. 1965 at pre-page.

Sd/- .....  
18-2-65

*Lok Sabha Secretariat (Committee Branch)*

M.O. R. U.O. Dy. No. 879/65-1M.P. dt; 18-2-1965:

## APPENDIX XVI

(See Para 71 of the Report)

GOVERNMENT OF INDIA

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(DEPARTMENT OF REHABILITATION)

SUBJECT.—*Representation from Shrimati Kalawanti Dwarkadas regarding alleged non-payment of pension pay and leave salary due to her late husband.*

Will the Lok Sabha Secretariat (Committee Branch) kindly refer to the correspondence resting with their U.O. No. F. 23/C/5/R-480-A, dated the 28th December, 1965, on the subject cited above.

2. The Pay and leave salary claim of late Shri Dwarkadas Sumomal for 180 days was forwarded by the Central Claims Organisation (India) to its counterpart in Pakistan on the 20th September, 1966, for verification and issue of payment authority. The claim has not so far been received duly verified from Pakistan despite issue of several reminders. The Pakistan Government has recently been reminded demi-officially in the matter.

3. The last date for entertaining claims under the *Ad hoc* Payment Scheme of this Department expired on 31st May, 1963. But since Shrimati Kalawanti widow of the deceased claimant has now produced the original letter of leave sanctioned to her husband, Shri Dwarkadas, it has been decided to consider the claim under the *Ad hoc* Payment Scheme of this Department as a special case in view of the peculiar circumstances of the case. The *Adhoc* form for duty pay and leave salary etc. has been sent to the widow Shrimati Kalawanti on 30th April, 1966 by the Central Claims Organisation (India) for completion and return. The case will be placed before the *Ad hoc* Committee for decision on receipt of the *Ad hoc* form etc. duly completed in all respects from the widow claimant. The decision in the case when taken will be communicated to Shrimati Kalawanti.

4. As regards the pension claim of her late husband Shri Dwarkadas it may be stated that the deceased had not registered any claim

for pension with the Central Claims Organisation (India), as has been verified by that Organisation from their records.

A. G. VASWANI,

*Settlement Commissioner  
and Ex. Officio Under Secretary  
to the Govt. of India.*

**Lok Sabha Secretariat (Committee Branch), New Delhi.**

**M.O. L.E. & R. (D.O.R.) u.o; No; 22(7)/66-IMP, dated 19th May, 1966;**

APPENDIX XVII

(See Para 71 of the Report)

GOVERNMENT OF INDIA

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(DEPARTMENT OF REHABILITATION)

SUBJECT:—*Representations from Shri Atmaram Namomal Khiani and Shrimati Kallawanti Dwarkadas.*

Will the Lok Sabha Secretariat (Committee Branch) kindly refer to the correspondence resting with their u.o. No. F.23/C/65/R, 408-A, dated the 15th June, 1966, on the subject cited above.

\* \* \* \* \*

2. As regards pay and leave salary claim of late Shri Dwarkadas, the position is that Shrimati Kalawanti furnished an *Ad hoc* form for consideration of her case under the *Ad hoc* Payment Scheme. On the scrutiny of the form it was observed that certain information was wanting. The form was therefore, returned to her on the 16th June, 1966 for furnishing the necessary information. The requisite information is still awaited from the claimant. On receipt of the form duly completed in all respects, the case will be re-examined and placed before the *Ad hoc* Committee for approval. The Lok Sabha Secretariat will be apprised of the decision when arrived at.

A. G. VASWANI,  
*Settlement Commissioner and  
Ex-Officio Under Secretary to the  
Government of India.*

*Lok Sabha Secretariat (Committee Branch).*

*D.O. R. U.O. No. 22(48)/64-IMP, dated the 7th July, 1966.*

APPENDIX XVIII

(See Para 71 of the Report)

GOVERNMENT OF INDIA

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(DEPARTMENT OF REHABILITATION)

**SUBJECT:**—*Representations from Shri Atmaram Namomal Khiani and Shrimati Kalawanti Dwarkadas.*

Will the Lok Sabha Secretariat (Committee Branch) kindly refer to their U.O. No. F.23/C/65/R.408-A, dated 15th June, 1966 and this Department U.O. No. 22(48)/64-IMP, dated the 7th July, 1966 and 24th July, 1966, on the subject cited above.

\* \* \* \* \*

As regards pay and leave salary claim of Shri Dwarkadas Sumomal, the case has been put to the *Ad hoc* Committee for sanction. Further necessary action for arranging payment to Shrimati Kalawanti, widow of the deceased claimant will be taken after the case is approved by the Committee.

A. G. VASWANI,  
*Settlement Commissioner and  
Ex-Officio Under Secretary to the  
Government of India.*

*Lok Sabha Secretariat (Committee Branch).*

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*Min. of L.E. and R. (Deptt. of Rehabilitation) U.O. No. 22(48)/64-IMP, dated the 25th October, 1966.*

APPENDIX XIX

(See Paras 81 and 82 of the Report)

GOVERNMENT OF INDIA

MINISTRY OF LABOUR, EMPLOYMENT & REHABILITATION

(DEPARTMENT OF REHABILITATION)

*Office of the Chief Settlement Commissioner.*

*Jaisalmer House, New Delhi.*

SUBJECT:—*Report of the Committee on Petitions (Third Lok Sabha) Recommendations on Shri Ram Das T. Chugani's representation.*

Will the Lok Sabha Secretariat (Committee Branch) kindly refer to their office Memorandum No. 27/C/1/66, dated the 5th December, 1966, on the above subject?

2. The recommendations contained in para 71 of the Report of the Committee on Petitions (Third Lok Sabha) has been considered. It may be stated that it has been mentioned in this para that the explanation of the Government, viz., "that the recommendation of the Committee could not be implemented because the concerned file was not readily forthcoming", was not considered satisfactory by the Committee. In this connection attention is invited to this office U.O. No. 9 (1) (21) 65-L&R, dated the 22nd February, 1966, wherein it was stated that "the old file where the Committee's recommendations were presumably (by inadvertence the word 'presumably' was typed as 'personally') considered is not forthcoming." Therefore, what was intended to be conveyed was that the file where the recommendation was considered was not forthcoming and not that the recommendation could not be implemented because the concerned file was not forthcoming.

3. The Committee have also desired that the non-availability of the relevant file should be thoroughly enquired into and the result intimated to them. In this connection, it may be stated that we made another strenuous effort to trace the old file but without any success. The Diary Register of the section which used to receive such reports has been weeded out and destroyed, and according to rules being more than 11-12 years old. In absence of that register, it has not been possible to get any clue about the file in which the said recommendation

would have been dealt with. The recommendation being very old and on account of the Diary Register for the year 1955 having been weeded out, it is felt that further inquiry will not yield any result.

4. As regards the Committee's apprehension that a number of files relating to other similar cases too might have been lost by efflux of time or tampered away with, it might be stated that this matter has been looked into carefully and to the best of our knowledge and belief no other paper has been lost.

5. In view of the position explained above, it is requested that the Lok Sabha Secretariat may kindly agree to the case being closed. As mentioned in para 70 of the Report, the Committee on Petitions has already decided to treat the personal grievance of Shri Ram Dass T Chugani as closed.

G. D. KSHETRAPAL,

*Joint Secretary to the Government of India & Chief  
Settlement Commissioner.*



APPENDIX XX

[See Para 88 of the Report]

COPY

LOK SABHA SECRETARIAT

No. 450-CI/54

*Parliament House,  
New Delhi-1, the 23rd September, 1954.*

OFFICE MEMORANDUM

SUBJECT:—*Petitions relating to grievances of displaced persons.*

The undersigned is directed to state that the Committee on Petitions at its meeting held on the 10th September, 1954 considered petitions Nos. 2 and 26 to 30 (copies enclosed) relating to grievances of displaced persons, and decided that a representative of the Ministry may be called before the Committee to clarify points that may arise in the course of examination of these petitions.

2. In order to enable the representative of the Ministry to come prepared, a questionnaire, which is not to be treated as exhaustive on these petitions is also forwarded to the Ministry.

3. The exact date, time and place of the meeting, when the representative of the Ministry will be required to be present before the Committee will be intimated in due course.

A. L. RAI,  
*Under Secretary.*

To

The Ministry of Rehabilitation,  
New Delhi.

APPENDIX XXI

[See Para 88 of the Report]

COPY

LOK SABHA SECRETARIAT

No. 450-CI/54

*Parliament House,*

*New Delhi-1, the 20th November, 1954.*

From

Shri A. L. Rai,  
Under Secretary.

To

The Secretary,  
Ministry of Rehabilitation,  
New Delhi.

**SUBJECT:**—*Petitions relating to grievances of displaced persons.*

Sir,

In continuation of this Secretariat Office Memorandum of even number dated the 23rd September, 1954 on the subject noted above, I am directed to state that the Committee on Petitions will meet on Friday the 10th December, 1954 at 3-00 P.M. in Room No. 62, First Floor, Parliament House to examine the representative of the Ministry on the questionnaire already forwarded to the Ministry with the aforesaid six petitions relating to grievances of displaced persons.

2. In addition to these petitions, the Committee will also examine petition No. 38 (copy enclosed), which was reported to the House on the 16th November, 1954. A questionnaire in regard to this petition is also enclosed.

3. I am accordingly to request that a representative of the Ministry may kindly be deputed to make it convenient to attend the meeting on the date and time mentioned above.

4. Please acknowledge receipt.

Yours faithfully,  
A. L. RAI,  
*Under Secretary.*

APPENDIX XXII

[See Para 88 of the Report]

COPY

No. 53 (62) /54-Prop (II)

GOVERNMENT OF INDIA

MINISTRY OF REHABILITATION

*New Delhi, the 6th Dec. 1954*

To

The Secretary,  
Lok Sabha Secretariat,  
Parliament House,  
New Delhi.

SUBJECT:—*Petitions relating to grievances of displaced persons.*

Sir,

With reference to your letter No. 450-CI/54, dated the 20th November, 1954, I am directed to acknowledge the receipt of the letter mentioned above.

Yours faithfully

K. P. SHARMA,  
*Under Secretary to the  
Government of India.*

APPENDIX XXIII

(See Para 88 of the Report)

COPY

IMMEDIATE

No. 6(102)SB/54

GOVERNMENT OF INDIA

MINISTRY OF REHABILITATION

New Delhi, the 8th December, 1954

From

Shri K. P. Misra,  
Under Secretary to  
the Government of India.

To

Shri A. L. Rai,  
Under Secretary,  
Lok Sabha Secretariat,  
Parliament House,  
NEW DELHI.

**SUBJECT:—***Petitions relating to grievances of displaced persons.*

Sir,

I am directed to refer to your letter No. 450-CI/54, dated the 6th December, 1954, on the subject mentioned above, and to say that the Ministry of Rehabilitation would be grateful, if the meeting of the Committee on Petitions is kindly postponed for about two weeks so far as their items are concerned. In this connection I am to state that the necessary information on most of the items is not yet ready. Further Shri R. K. Vaish, Settlement Commissioner who is chiefly concerned with the subject is unfortunately away on tour. I am to express the hope that the Lok Sabha Secretariat will find it convenient to accede to this request. The decision taken may be intimated to this Ministry.

The inconvenience caused to the Lok Sabha Secretariat is very much regretted.

Yours faithfully

Sd/- K. P. MISRA,

*Under Secretary to the Government of India.*

APPENDIX  
(See Para 88 of the Report)  
COPY  
LOK SABHA SECRETARIAT.  
No. 450-CI/54

*Parliament House,  
New Delhi-1, the 10th December, 1954.*

From

Shri A. L. Rai,  
Under Secretary.

To

The Secretary,  
The Ministry of Rehabilitation,  
New Delhi.

SUBJECT:—*Petitions relating to grievances of displaced persons.*

Sir,

I am directed to state that letter No. 6(102)SB/54 dated the 8th December, 1954 of your Ministry on the subject noted above was placed before the Committee on Petitions at their meeting held on the 10th December, 1954. The Committee was not happy about the explanation furnished therein as, in their opinion the Ministry had had sufficient notice in this regard as the first communication on the subject was sent to them on the 23rd September, 1954. The Committee has now, therefore, decided that the Ministry should be requested to depute their representative to appear before them at their next meeting on Saturday, the 18th December, 1954.

2. I am accordingly to request that a representative of the Ministry may be deputed to appear before the Committee on Saturday the 18th December, 1954 at 11.30 A.M. in Room No. 62, Parliament House.

3. I am further to request that the letter may kindly be acknowledged and the name or names of the representatives concerned who will appear before the Committee may be intimated to this Secretariat as early as possible.

Yours faithfully,

A. L. RAI,  
*Under Secretary.*

APPENDIX

(See Para 88 of the Report)

COPY

No. F. 6(102)-SB/54

GOVERNMENT OF INDIA  
MINISTRY OF REHABILITATION.

*New Delhi, the 11th December, 1954.*

From

Shri M. L. Puri,  
Under Secretary to the  
Government of India.

To

Shri A. L. Rai,  
Under Secretary,  
Lok Sabha Secretariat,  
Parliament House.  
New Delhi.

SUBJECT:—*Petitions relating to grievances of displaced persons.*

\*. Sir,

I am directed to acknowledge the receipt of your letter No. 450-CI/54 dated the 10th December, 1954 the contents of which have been noted. I am to confirm that the representatives of this Ministry will attend the meeting of the Petitions Committee to be held in Room No. 62, Parliament House at 11.30 A.M. on Saturday, the 18th December,\* 1954.

Yours faithfully,

M. L. PURI,  
*Under Secy. to the Govt. of India.*

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The Committee met and adjourned without considering the petitions. The Committee examined the representatives of the Ministry at their sitting held on 16th March 1955. Shri L. J. Johnson, Deputy Secretary and Shri K. N. Channa, Deputy Secretary. (both belonging to Ministry of Rehabilitation) were examined. See Appendix

APPENDIX XXVI  
(See Para 88 of the Report)

COPY  
LOK SABHA SECRETARIAT

No. 585-CI/55

*Parliament House,  
New Delhi-1, the 7th March, 1955.*

From

Shri A. L. Rai,  
Under Secretary.

To

The Secretary,  
The Ministry of Rehabilitation,  
New Delhi.

**SUBJECT:**—*Seven Petitions relating to grievances of displaced persons.*

Sir,

In continuation of this Secretariat letter No. 450-CI/54 dated the 10th December, 1954 on the subject noted above, I am directed to state that the Committee on Petitions will meet on Wednesday, the 16th March, 1955 at 12 Noon in Committee Room No. 62, First Floor, Parliament House to examine a representative of your Ministry† on the questionnaire and seven petitions relating to grievances of displaced persons which were forwarded to the Ministry under this Secretariat O.M. No. 450-C/54 dated the 23rd September, 1954 and letter No. 450-CI/54 dated the 20th November, 1954.

2. I am accordingly to request that a representative† of the Ministry may be deputed to appear before the Committee on the date and time mentioned above.

3. I am further to request that this letter may kindly be acknowledged and the name or names of representatives concerned who will appear before the Committee may be intimated to this Secretariat at the earliest.

Yours faithfully,  
A. L. RAI,  
*Under Secretary.*

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† S/Shri L. J. Johnson and K. N. Channa Deputy Secretaries in the Ministry were examined on 16-3-1955. See also Appendix XXV *prepage*.

APPENDIX XXVII

(See Para 88 of the Report)

COPY

LOK SABHA SECRETARIAT

No. 585-CI/55.

Parliament House,  
New Delhi-1, dated 23rd Aug. 1955.

OFFICE MEMORANDUM

**SUBJECT:**—*Fifth Report of the Committee on Petitions.*

The undersigned is directed to forward herewith a copy of the Fifth Report of the Committee on Petitions which was presented to the House on the 2nd May, 1955 and to invite your attention to\*\*\* of the Report thereof for necessary action.

A. L. RAI,  
Under Secretary.

To

- 1 The Min. of Rehabilitation
- 2 The Min. of Home Affairs
- 3 The Min. of Law
- 4 The Min. of Finance

\*\*\*  
Paras 9—14  
,, 3,4,5,7, and 8  
Para 7  
,, 6



**APPENDIX XXVIII**

(See Para 91 of the Report)

*List of representations on which the Committee's intervention had procured speedy, partial or complete relief or elicited replies from the Ministries concerned meeting adequately the petitioners' points.*

**Part I—Cases pertaining to the Ministry of Labour, Employment & Rehabilitation (Department of Rehabilitation)**

Sl. No.	Name of petitioner	Brief subject	Facts perused by the Committee
1	2	3	4
1	<p><i>Third Lok Sabha Cases</i> Shri Gerimal Khan Chand Amrawati</p>	<p>Settlement of claim for agricultural land on the basis of revised claim order-CAF No. M/A/A/873/XXI (L) filed by Shri Khan Chand.</p>	<p>He was not being paid compensation on the agricultural land claim assessed at 7 st. acres and 7½ units by the Regional Settlement Commissioner, Bombay because the claimant, late Shri Khan Chand did not include it in his CAF No. M/A/A/873/XX(L). However, the delay in the inclusion of the left out claim was <i>condoned</i> by the Chief Settlement Commissioner, on 28-2-66, and the Regional Settlement Commissioner, Bombay instructed to re-process the CAF referred to above.</p>
<p>The compensation case of Shri Gerimal s/o late Shri Khan Chand has since been reprocessed and the amount of com-</p>			

pensation payable has been associated by the claimant with an auction purchaser for being adjusted towards the cost of Government built property. Accordingly, a bill has been submitted to the Pay and Accounts Officer, Bombay by the Regional Settlement Commissioner, Bombay, for being passed. This would redress the grievance of the complainant.

**2 Shri Khanchand Jagatmal,  
Kubernagar, Ahmedabad.**

Issue of conveyance deed in respect of tenement No. A-180, Kubernagar, Ahmedabad, and refund of the amount adjusted in excess from CAF No. B/A/S/224/IV (NTA)

(i) After carrying out adjustment of cost of Govt. built property No. A-180, Kubernagar, Ahmedabad, the conveyance deed was issued in favour of Shri Khanchand Jagatmal of 8th August, 1963.

(ii) As regards refund of the excess amount adjusted, the case of the applicant was processed and the balance amount of compensation of Rs. 3,153/- payable to the applicant was adjusted towards F. P. No. CTS-5496 Mangal Parekh, Kanchan, Ahmedabad, and the recovery schedule intimating the above adjustment was sent to the authority concerned by the Regional Settlement Commissioner, Bombay, on

4th September, 1964. Necessary information regarding the adjustment was also sent to Shri Khanchand Jagatmal on 18th November, 1964. The case of applicant has since been finalised.

**3** Shri Raghmal Chhangomal  
of Ahmedabad.

Payment of compensation against 2  
verified claims for Rs. 2,500/- and  
11,050/- pending since 1952 and 1955.

Shri Raghmal s/o Chhangomal has had two industrial claims assessed for Rs. 11,050/- and 8245/- (i.e. Rs. 19,295/- being the total assessed value of both the claims) in addition to a rural property claim verified for Rs. 14,541/- (not for Rs. 14,684/- as claimed by the applicant) and an agril. land claim for 32 st. acres and 15-19/20 units. All these claims stand verified *vide* Index No. S/SR-6/3130. The total compensation payable to the applicant on all these claims works out to Rs. 19539/-, which has since been disbursed to him in the manner indicated below :—

(i) Rs. 4500/- Adjusted towards sale proceeds of E.P.M.C. No. 2988, Jamnagar Ahmedabad and M.C. No. 3032 Mohalla, Ahmedabad.

(ii) Rs. 11343/- Adjusted towards the sale proceeds of E.P. Nos. 89 and 94 at Rajkot and Ahmedabad.

- (iii) Rs. 3324/- Adjusted towards compensation property No. M.O. No. GH I/35, at Bhader Road, Upleta.
- (iv) Rs. 462/- Towards cost of Ten. No. 305, Ward B, Sardarnagar, Ahmedabad.

Apart from the above claims, Shri Raghmal had had yet another claim originally assessed at Rs. 2500/- *vide* Index No. S/TP-10/329. As this claim was subsequently rejected in revision, no compensation is payable to him on that claim. Thus, the compensation case of Shri Raghmal stands settled.

4 Smt. Kalawanti Shankardas,  
Kurla, Bombay-71.

Adjustment of compensation towards the cost of tenements No. 5/169 & 5/172, Wadia Estate, Kurla, Bombay.

Shri Shankardas, husband of the petitioner, Shrimati Kalawanti, is an allottee of two properties *viz.* 5/619 5/172, Wadia Estate Kurla, Bombay. He filed his compensation application with the Regional Settlement Commissioner, New Delhi, which was registered at No. D/KM/96268. Of the compensation payable to him a sum of Rs. 885/- could only be adjusted towards the cost of the property No. 5/169, though the total recoverable amount towards the cost and rent in respect of that property was Rs. 3829.59 paise. Thus, a balance

of Rs. 2944.59 is still recoverable from the allottee in respect of this property. So far as the second property No. 5/172, is concerned, the allottee had paid an initial deposit of Rs. 654.40 paise towards its cost and rent arrears against the total recoverable amount of Rs. 5,007.82 paise being its cost and rent arrears. Subsequently, he associated a compensation of Shri Samatmal Bilandmal for adjustment towards the recoverable dues to the extent of Rs. 3150/-. This adjustment is being carried out by the Regional Settlement Commissioner, Bombay, Separately. Even if this amount is adjusted the allottee will yet have to pay the balance amount of Rs. 1193.42 Paise to cover up the cost and rent arrears of this property.

Thus, the allottee has yet to pay a total amount of Rs. 4138.01 paise towards the cost and rent arrears in respect of the above mentioned properties. As soon as this amount is paid by the allottee, the necessary sale documents will be issued to her.

The sale certificate in respect of the above mentioned property was issued in favour of the complainant, Shri Jiwatram on 25-2-1966 and that the token possession thereof, was also delivered to him on 16-3-1966 by the Collector and Deputy Custodian, Ahmedabad.

5 Shri Jiwatram Haysayomal, Ahmedabad. Issue of sale certificate in respect of  
evacuee property No. 477 M.C.No.  
288, Sadagar, Pal, Beikhand, Ahmedabad.

6 Sh. Ram Krishan S/o late Shri Verification of claim index No. B/BP-  
Tulsa Ram, Nabha, Dt. 24/178 of deceased Shri Tulsa Ram,  
Patiala. rejected due to his non-appearance.

The Committee would like to note with satisfaction that this case has been redressed on the specific recommendations made by the Committee at their sitting held on the 5th June, 1964, during Third Lok Sabha.

The Committee had *then* noted that the petitioner's father had submitted a claim for compensation when Shri Ram Krishan was 3-4 years of age, but that he could not appear before the C.S.C. owing to serious illness. The claim was rejected *ex-parte*. Shri Tulsa Ram expired at Khanna where he was living and his wife thereafter settled at Rajpura and brought up petitioner. Her application for verification of the claim also proved of no use.

The Committee had further noted that petitioner's past representations against the *ex-parte* rejection of his father's claim were replied to by the ministry regretting their inability to help him in absence of any timely applications during the period 18-1-54 to 30-4-54 or by 1-11-56 as prescribed in Rule 18 of the Displaced Persons (Verification of Claims) Supplementary Rules, 1954.

The Committee had nevertheless recommended that, in view of the fact that the petitioner was a minor when his father fell ill and subsequently died and due to whose non-appearance the case was rejected *ex-parte*, the Ministry might re-consider the question of condoning the delay in filing a timely application for re-opening *ex-parte* rejected claim.

The Committee note that in implementation of their above recommendation, the *ex-parte* rejection order had since been set aside and the claim had been verified for Rs. 15,600 *vide* order dated the 10th November, 1964 passed by the Additional Settlement Commissioner. The petitioner had also filed CAF No. PS/PA/23/5983/8383 which had been checked on 8-6-1965 and sent to the Regional Settlement Commissioner, Jullundur for finalization.

7 Shri Chetandas Nebhandas,  
Ahmedabad.

Adjustment of cost of Government built property No. 450-A, Sardarnagar, Ahmedabad.  
From CAF No. R. (96)/A/A/52.

The Regional Settlement Commissioner, Bombay, has reported that a sum of Rs. 1,443/- payable to Shri Chetandas Nebhandas against the above CAF was adjusted towards the cost of Government built property No. 450-A, Sardarnagar, Ahmedabad in September, 1965, and the recovery schedule intimating the above

adjustment was sent to the Administrator, Sardarnagar, on 6th October, 1965. The applicant, Shri Chetandas Nebhandas, was also informed of the position of his case on 19th November, 1965, by the Regional Settlement Commissioner, Bombay. The compensation case of the applicant has since been finalised.

8 Shri Rama Nand Sharma,  
Thanesar, Dt. Karnal.

Interim stay of recovery of loan by  
R.F.A.

Shri Rama Nand is an R.F.A. loanee. Because of his failure in the business he is not in a position to repay the loan, and therefore, requests for its remission.

He states he has got a verified claim amounting to Rs. 3900/-. It does not appear that he has filed his compensation application against his verified claim under the provisions of the Displaced Persons, (Comp. & Rehad.) Act, 1954 and the Rules. This office, is, therefore, not in a position to help Shri Rama Nand Sharma in the matter.

9 Shri Keshavdas Mulchand  
Ambwani, Ulhasnagar-3.

Issue of sale deed in respect of two properties purchased by petitioner and correction of sanad.

Sale certificate for tenement No. 651, Block No. 19, Kopri Colony, and sale certificate in respect of shop No. 8, Ulhasnagar-3, were issued in favour of Shri Keshavdas.



Mulchand on 17th September, 1964 and 16th February, 1966 respectively. The agricultural land claim bearing index No. S/NS-14/6 assessed for 309 Std. acres 13-21/80 units has since been settled and after deducting the public dues from the compensation payable to the applicant, there remained a balance of about Rs. 1600/- which the petitioner can utilise for the purchase of a property.

10 Smt. Bhawanbai wd/o Shri Shewaram, Ahmedabad. ■

Issue of conveyance deed in respect of Tenement No. E-238, Kuber Nagar, Ahmedabad.

The conveyance deed in respect of tenement No. E-238, Kuber Nagar, Ahmedabad was issued on 29-8-1966, in favour of Shrimati Bhawanbai.

11 Shri Virumal Kewalmal, Ahmedabad. ■

Adjustment of claim of associate, Shri Pohumal Sangatmal Ahmedabad and issued of conveyance deed to petitioner.

Intimation for adjustment of Rs. 1056.80 from Compensation Application Form No. M/NM/346/XXI (L) of Shri Pohumal towards the cost of the above tenement has been sent to the Administrator Sarnagar, Township and he has also been requested to take further action for execution of transfer documents in favour of the allottee.

12 Dr. Bherumal Rochiram, Swami Ramanand Dispensary (All Charitable Basis), Nasirabad. ■

Settlement claim Index No. S/NS-9/219.

The Ministry in their letter No. S/NS-9/219/ORR/CSC/66, dt. 4-2-1966, had addressed the petitioner as follows :-

"I am to refer to your application dated 25-10-65 received from Deputy Secretary, Lok Sabha Secretariat regarding claim

bearing Index No. S/NS-9/219 and to request you to send a copy of record duly attested by the High Commissioner of India in Pakistan which is in your possession when further action would be taken in the matter."

The Ministry add that since there has been no response from the complainant, the case has been closed.

13 Shri Banarsi Dass Kapoor;  
Yamuna Nagar, District  
Ambala.

Finalisation of re-verified CAF.

Shri Jhamatmal S/o Lal Chand  
Lashkar, Gwalior (M.P.).

Condonation of delay for 1/5th share  
in filling R.G.A. claim of Shri  
Mithoomal Laloomal.

The compensation to which Shri Banarsi Dass was found entitled, was disbursed to him on 12th September, 1966.

The claim Index No. S/SR9/3338 of Shri Mithoomal Laloomal shows that the above claim was filed by him for his share only.

His request for the condonation of delay in filing the Rehabilitation Grant Application cannot be acceded to at this late stage.

15 Shri Hiromal Mohanmal (*alias*  
Mohandas), Dabhoi, Gujarat.

Settlement of compensation claim.

Invite attention to the replies furnished by them to their earlier representatives by Shri Hiromal and which were included in

the previous Reports of the Committee mentioned below :

- (i) Item 49, page 81, Appendix XIV, Third Report of the Committee.
- (ii) Item 28, page 143, Appendix XXX, Fifth Report of the Committee.

**The Committee have hence decided to accept the Ministry's reply and to treat the matter as closed.**

16 Shri Vadhional Budharmal,  
Ahmedabad.

Adjustment of Rs. 2200/- from C.A.F. of his associate, Shri Ram Chand Tehil Ram towards repayment of small urban loan taken and cost of a tenement purchased by the former.

15 Out of the total compensation of Rs. 10,314.00 payable to Shri Ram Chand Tehil Ram, a sum of Rs. 9,257.75 has already been adjusted towards public dues from him, and the balance of compensation *viz.* Rs. 1,056 has been adjusted towards cost of tenement No. 88-A, Udhav Nagar, Wadej, Ahmedabad, allotted to petitioner Shri Vadhional. Since the total compensation of Shri Ram Chand has already been utilised, the question of adjustment of balance cost of Rs. 1,144/- does not arise. The petitioner's grievance has been redressed to the extent possible.

17 Smt. Lachmibai Kundandas,  
Ulhasnagar.

Settlement of compensation claims.

The conveyance deed has since been issued to Smt. Lachmibai Kundandas on 8-11-66.

18 Shri Mithoo Shahani, Bombay

Alleged injustice done to displaced persons by sale of evacuee land to Shri Ramgopal Reddy.

Facts of the case are that consequent on the migration of one Shri Abdul Azim Khan to Pakistan, he was declared an evacuee and his land measuring 20 acres and 17 Gunthas at Village Thana Kalan, Distt. Nizamabad (A.P.) was declared as evacuee property by the Deputy Custodian Nizamabad *vide* his order dated 11-1-1951. This land was then in occupation of Shri Ramgopal Reddy on the ground that he had purchased it from Shri Abdul Azim Khan in the year 1946. He went in appeal against the Deputy Custodian's order referred to above, before the Custodian of Evacuee Property, Hyderabad but it was dismissed. The Tehsildar was directed to resume the possession of the land but Shri Reddy obtained an injunction from the Sub-Judge, Nizamabad who decided the case in his favour. Against this order the Custodian filed an appeal in the Hyderabad High Court which was decided in favour of the Department. Shri Reddy then approached this Ministry for a compromise as a result of which he was given an offer that the land would be transferred to him on payment of Rs. 6,127/- as its price plus arrears of lease money amounting to Rs. 29,582/- within one month on the further condition that

he would withdraw all pending cases against the Custodian. This offer was repeated and the time limit to deposit the amount was also extended upto 10-4-1963 but Shri Reddy did not respond either by accepting the offer or by depositing the two amounts. The Ministry therefore directed the Regional Settlement Commissioner, Bombay in their letter dated 20-5-1963 to resume possession of the land from Shri Reddy and dispose it of according to Displaced Persons (Compensation & Rehabilitation) Act, 1954 and the rules made thereunder.

In the meantime Shri Reddy filed an appeal in the Supreme Court of India which was dismissed on 6-1-1966. As the land became free from dispute, it was allotted to displaced persons claimants (applicants) on 21-7-1966. Shri Reddy thereafter represented to the Deputy Minister for Rehabilitation that as he had spent Rs. 10,000/- in developing the land, the old offer may be revived to him and he may be allowed to pay the sale price of the land in instalments. Pending decision on his request he asked for issue of a Stay Order which was granted to him on 6-8-66. The Regional Settlement Commissioner, Bombay was therefore asked to send a report on Shri Reddy's representation and

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to stay action regarding giving possession of the land to the allottees.

When Shri Ramgopal Reddy saw Deputy Minister for Rehabilitation on 5-9-1966 in this connection, it was explained to him that it was not possible to consider his request for transfer of the land without the consent of the allottees. Shri Reddy again got a Stay Order from Deputy Minister for Rehabilitation. This Stay Order was vacated on 21-10-1966 and the Regional Settlement Commissioner, Bombay was asked to give possession of the land in question to the applicants.

19 Shri Pitambarlal Gulabchand  
Sharma, Ahmedabad. Issue of Statement of Account--CAF  
No. B/A/16805/805.

Necessary enquiries made in the matter have disclosed that a Statement of Account for the balance of Compensation, amounting to Rs. 445/- was issued to the complainant, Shri Pitambarlal in December, 1961, at his Ahmedabad address. The Statement of Accounts, it appears did not reach him as he had, in the meantime, left Ahmedabad for medical treatment elsewhere. Subsequently, however, it was found that the balance amount of compensation *viz.* Rs. 445/- had been tendered by the

claimant for being adjusted towards the price of property No. 87-B, Udhavnagar, Wadej Colony, Ahmedabad. The adjustment has since been carried out of the balance amount leaving nothing at his credit. Thus the entire compensation stands paid to the complainant. The case is therefore being closed.

20 Smt. Gangabai Mavjibhai  
Mehsana, Gujarat.

Issue of sale deed in respect of property No. A/562-Tika No. 1/1-5 No. 140, Mehsana.

The sale deed in respect of the above property was sent to the Collector/Deputy Custodian of Evacuee Property, Mehsana on 8th September, 1965 for onward transmission to the applicant.

21 Smt. Kesra Devi Santok Singh,  
Ahmedabad.

Payment of compensation due towards petitioner's half share of claim assessed for Rs. 26143/8/-.

The applicant has been allowed half share in the above claim and compensation of Rs. 3133/- payable on this share as per rules has already been paid to her in cash on 8-3-64.

22 Shri Tillumal Dharamdas,  
Ahmedabad.

Adjustment of compensation towards the cost of property No. A-31, Kubernagar, Ahmedabad.

The desired adjustments of Rs. 448/- and Rs. 104/- against Compensation Application Form No. B/A/16925/3 and B/A/A/897/IV (NT) respectively have already been carried out. The applicant has already to pay the balance amount of Rs. 471.28 plus interest towards the cost of Government Built Property. Necessary action for issue of conveyance deed will be taken by the Administrator, Sardarnagar Township only when the party has paid the requisite amount.

23 Smt. Chandrabai Chimal  
Jetwani.

Delay in the issue of sale deed.

It appears the grievance of Shrimati Chandrabai is that although she has cleared the entire cost of rooms No. 5 and 6 in Barrack No. 114, Ulhasnagar township by associating compensation of Shrimati Ramibai, the sale deed is not being issued to her. The result of the enquiries made has revealed that no compensation is payable to Shrimati Ramibai in respect of her agriculture land claim for 1 Std. acre and 19/32 units as she had failed to file necessary compensation application within the stipulated period of 90 days as provided under the rules. The Regional Settlement Commissioner, Bombay, is now being asked to inform shrimati Chandrabai accordingly and ask her to pay the balance cost so that the case regarding issue of the sale deed may be finalised.

24 Shri Keshavdas Jamnadas, Ulhasnagar.  
[Included as item 1 (iii) of Appendix XXX, Fifth Report of the Committee on Petitions, Third Lok Sabha which showed

Settlement of C.A.F.

Shri Keshavdas Jamnadas filed his compensation application in M.P. Region vide C.A.F. No. MB/Indore/764134/1334 but the file was transferred to the office of the Regional Settlement Commissioner, Bombay because he owed dues to the Sindhu



particulars of representations  
on which final replies of Minis-  
tries were still awaited.]

Resettlement Corporation at Bombay. The Regional Settlement Commissioner, Bombay processed the CAF on 18-4-59. Bill No. 165/April-59/1514 was prepared adjusting a sum of Rs. 601/- on account of the dues of the Sindhu Resettlement Corporation. He had 1/3rd share in claim Index No. S/SR-13/4302 in all assessed for Rs. 6906/- on which he was entitled to a compensation of Rs. 1314/-. After adjustment of Rs. 601/- on account of the dues of Sindhu Resettlement Corporation, he was entitled to a balance of Rs. 713/- payable in cash. This amount could not be disbursed to him on account of his non-traceability because of the change in his address from Indore to Ujhasnagar. In the meantime the applicant, on shifting from Indore to Ujhasnagar and on account of his managing to occupy GBP at Ujhasnagar, made a request for the transfer of the said GBP against the compensation payable to him. The Regional Settlement Commissioner, Bombay looked into the matter and found that the GBP had already been transferred under the Compulsory Allotment Scheme to one Shri Rochaldas Dandomal by adjustment from his compensation bearing C.A.F. No.

B3/11290/3290 and even conveyance deed was issued to Shri Rochaldas Dandomal on 7th January, 1961.

In view of the circumstances cited above and the fact that the GBP was transferred under the Compulsory Allotment Scheme to Shri Rochaldas Dandomal long before the receipt of the request from Shri Keshavdas Jamnadas, this property could not be transferred to him. Regional Settlement Commissioner, Bombay was taking steps to reprocess the compensation application of the applicant for payment of the balance amount to him in last.

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Subsequently, the Regional Settlement Commissioner, Bombay had further intimated that the claimant was called on 18-11-1963 but he refused to accept the payment on the ground that he had filed an appeal before the Deputy Chief Settlement Commissioner and that his case might be kept pending till the decision of his appeal. The hearing of the appeal was then adjourned to 4-7-64 at Bombay.

The Regional Settlement Commissioner, Bombay had later reported that the necessary orders substituting legal representatives of late Shri Keshavdas Jamnadas were passed on 18th October, 1965. According to these orders his widow, Shrimati Mainabai has been declared to be entitled to 2/3rd share and Shrimati Utamibai and Smt. Shakuntla each to 1/6th share of the compensation payable to the claimant. Thereafter, Shrimati Mainabai has been asked by the Regional Settlement Commissioner, Bombay quite a few times to submit necessary relinquishment affidavits of the remaining heirs so that the case could be finalised, but the said documents had not yet been received in the Regional Office, as on 13-7-66.

On 24-4-67 the Deptt. have stated that compensation Application Form No. MB/INDORE/434 of Late Shri Keshavdas has been finalised and the sum of Rs. 713/- to which his heirs have been found to be entitled, has been adjusted towards the cost of tenement No. 1044, Barrack No. 8/522, Ulhasnagar Township.

At first, the Department forwarded a copy of their letter No. I Sc-1677/Claims Screening/CSC/59 dated the 8th April, 1959 to Shri Ladharam Ram Chand, reproduced below:—

25 Shri Ladharam Ram Chand, Restoration of rural claim or payment of  
Kalol, Dt. Mehsana, Gujarat rehabilitation grant *in lieu* thereof.  
[Included as item (IX)(iv) of  
Appendix XXX to Fifth  
Report, Third Lok Sabha].

“After careful enquiries from the Rural Screening Branch of Regional Settlement Commissioner's Office, Jullundur it is established that you owned agriculture land in Village Kot Rehimshah, Tehsil Phalia Distt.

Gujrat and in lieu of that you were allotted land to the extent of 24 units in village Jivanpur Hadbast No. 57, Tehsil Ludhiana in "Reserve Category" but the allotment was subsequently cancelled As you were a land allottee, your rural building claim of non-substantial value was correctly rejected.

However, you may apply for rehabilitation grant under Rule 97 of the Displaced Persons (Compensation & Rehabilitation) Rules 1955, if covered by the said rule, the last date for which has since been extended upto 30-4-59”

When the attention of the Department was drawn to the fact that these facts were the same as those enumerated in the petitioner's representation, they reported that the case of Shri Ladharam petitioner was referred to the Land Claims Officer, Deptt. of Rehabilitation, Punjab, Jullundur and the Regional Settlement Commissioner, Jullundur for report regarding

the land allotment and the alleged application for Rehabilitation Grant Application filed by him under Rule 97. As per replies received, the applicant was allotted 2½ units of land in village Jivanpur HB/57 Teh & Distt. Ludhiana as against the land left by him in Kot Rahim Shah HB/134/Tehsil Phalia Distt. Gujrat. It is further reported by the Land Claims Officer that the applicant had not put in *parcha* claim with the result that the Sanad regarding allotment could not be delivered to him. In case he is interested in the allotment of land his case can be considered even now.

So far as the applicant's case for filing Rehabilitation Grant Application under Rule 97 is concerned, he does not appear to have filed any Rehabilitation Grant Application as reported by the Regional Settlement Commissioner, Jullundur. Further particulars regarding number date etc. were called for from the petitioner to which he replied that he did not file any regular Rehabilitation Grant Application. Instead he had sent an application on plain paper to the Regional Settlement Commissioner, Bombay on 11-4-1959. The Regional Settlement Commissioner Bombay has accordingly been requested to furnish facts of the case on receipt of

which the case will be examined further and the Lok Sabha Secretariat informed.

The Department have finally replied on 22-4-67 that the Rehabilitation Grant case of the petitioner has been reconstructed and is being verified.

**The Committee feel, that, as the case is more than 4 years old now immediate steps should be taken by the Department to finalise it under intimation to the Committee.**

Settlement of C.A.F. for urban plot claimed by deceased father and accepted by Chief Settlement Commissioner on appeal.

26 Shri Jeomal Murjimal, Jambagar.

The applicant's father filed claim bearing Index No. S/KS-1/812 respecting two properties viz., (i) house, and (ii) a plot, which were verified for Rs. 8,640/- and Rs. 1,590/- respectively by Shri A.H. Malkani, Claims Officer *vide* his order dated 6-8-1952. He was paid compensation in cash regarding the house, as he fell under 'small claimants' category, (verified amount being less than Rs. 10,000/-) but was not paid any compensation in respect of the rural plot as it was not admissible. The plot was subsequently

declared as urban plot and the compensation against the assessed value of the plot remains to be paid. The claimant however, now does not come under the 'small claimants' category value of claim being Rs. 8,640/- plus Rs. 1,590/- which is more than Rs. 10,000/-. The Regional Settlement Commissioner, Bombay, in whose jurisdiction he filed the compensation application asked the applicant to refund the amount already paid to him. The applicant may be advised to contact the Regional Settlement Commissioner, Bombay for getting further payment.

The other point raised by the applicant is that there is some error of calculation in the order passed by the Claims Officer. Necessary corrections have since been made in order dated the 6th August, 1952 passed by Shri A. H. Malkani, Claims Officer and the claim for the house now stands assessed for Rs. 9,720/- instead of Rs. 8,640/-. Thus the total amount for both the properties would come to Rs. 11,310/- (Rs. 9,720/- plus Rs. 1590)

27 Shri Tirathdass Wassiomal, Ahmednbad. Adjustment of amount paid in excess totalling to Rs. 767.60 in respect of tenement No. 708/1, Ambawadi, Sardarnagar.

The complainant, Shri Tirathdass Wassiomal is not the allottee of the above tenement. Shri Kishinchand Shewakram, son-in-law of the claimant, Shri Tirathdass Wassiomal is the allottee of the tenement

in question. Shri Kishinchand, the allottee is a non-claimant and he has not paid the initial cost amounting to 20% of the value of the property, i.e. Rs. 543/-. The Administrator, Sardarnagar has been informed by the Regional Settlement Commissioner, Bombay to get the initial cost deposited by the allottee so that the amount of Rs. 1844/- adjusted out of the compensation of Shri Tirathdass Wassiomal could be accounted for towards the cost of the above property.

As regards the excess recovery made, viz. Rs. 100.50 pertaining to period 1-11-53 to November, 1959, the amount recovered in excess will be adjusted towards the cost of the property as soon as initial payment of 20% is made by the allottee who had earlier made the payments. Further, as regards refund of Rs. 283 adjusted at house rent in excess, action to adjust it towards cost of tenement will be taken when 20 per cent cost is deposited by Shri Kishinchand. The Regional Settlement Commissioner, Bombay has also explained the position of the case to Shri Tirathdass Wassiomal *vide* his letter No.



RSCB/PPU/Ten. No. 708/1, Sardarnagar/  
14165-66/Wessioral dated the 25th Feb-  
ruary, 1967.

28 Shri Piara Singh Darshan Singh, Payment of 1/7th share of compensation  
Dariapur, Ahmedabad. claim registered in Bombay region  
for immovable property abandoned  
in West Pakistan.

Compensation payable on his C.A.F No.  
B/A/17536/1555 was paid to him on 15-2-  
1965.

29 Shrimati Bholibai Pinnuram, Finalization of compensation case bear-  
Amravati. ing C.A.F No. M/A/A/3210/VII (W).

The applicant had a verified urban property claim for Rs. 8770/- and rural property claim for Rs. 16368/-- in which she had 1/2 share. She had also agricultural land claim assessed for 8-7½ units. Compensation on all the verified claim, worked out to Rs. 6997/-. Out of this amount a sum of Rs. 1956.56 paise towards public dues plus Rs. 1384.94 paise towards cost of Government built property No. 50/1 Dastur Nagar, Amravati (total Rs. 3341.50) was adjusted in the year 1957 leaving a balance of Rs. 8655.50 at her credit. Subsequently, information was received from the Collector, Amravati, that she was actually allottee of Room No. 50/2, Dastur Nagar and not 50/1 as had been shown by the claimant in her compensation application. As a result of this, the Pay & Accounts Officer has been requested by the Regional Settlement Commissioner

to re-adjust the amount of Rs. 1384.94 paise towards the price of Government built property No. 50/2, Dastur Nagar. For this mistake the complainant has to blame herself. However, the case is being processed by the Processing Officer for adjustment towards Government Built Property No. 50/2, and the balance available at her credit will be paid to her in accordance with the rules.

39 Shri Nanikram Nenuamal, Bedhena Payment of compensation against CAF No. M/A/B/909/XXI(L).

The applicant Shri Nanikram had a verified rural property claim for Rs. 6356/- and agricultural Land claim assessed for 9 standard acres 11 7/40 units on which compensation payable to him worked to Rs. 6280/-. His compensation case had therefore been finalized as under :—

Rs. 874/- adjusted towards Small Urban Loan.

Rs. 343/- adjusted towards shop Loan.

Rs. 590/- adjusted towards House Building Loan.

Rs. 91/- adjusted towards arrears of rent upto 31-10-56.

Rs. 1792/- adjusted towards S.U.L. plus interest.

Rs. 32/- adjusted towards rent of plot from 1-II-56 to 30-6-59.

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Rs. 3695.00

Rs. 2585 Balance

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Total:

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Rs. 6285.00

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(S.U.L. = Small Urban Loan.)

As regards the balance amount of Rs. 2585/- the applicant has been asked to furnish some information by the Regional Settlement Commissioner and payment will be made to him as soon as he sends the requisite information to the Regional Settlement Commissioner. Shri Nanik Ram Nenumal has also been informed of the position of his case by the Regional Settlement Commissioner, Bombay.

25

31. Shri Hargundas Janjimal, Adjustment of amount already paid towards Amravati. cost of 2 shops and issue of sanads.

The sale certificate for shop No. 50, Nehru-mardai Amravati purchased by Shri Hargundas Janjimal has already been issued to him on 15-4-64. As regards shop No. 51, the auction purchaser did not pay anything towards the cost of this property till October, 1966 when he paid 10% E.M.D. amounting to Rs. 355/- in cash under challan No. 252 dated 20-10-1966.

He further tendered the claim of his associate Shri Ranghuran Chetta Hirdaram for adjustment of balance sale price. Necessary action for adjustment of Rs. 3195/- from the compensation of his associate Shri Hirdaram has been taken and sale certificate will be issued after the recovery advice has been received by the Regional Settlement Commissioner, Bombay.

32. Smt. Ishwaribai Lakhmidass Sardarnagar, Ahmedabad. Payment of compensation against CAF No. B/A/16-933/933 under rule 19 or 20.

The case has been re-processed under rule 19 and the difference of compensation payable to the applicant on that account has been adjusted towards the cost of property No. 785/2, Ambawadi, Sardarnagar. The applicant has also been informed of the position of her case by the Regional Settlement Commissioner, Bombay.

33. Sh. Bherumal and Smt. Devi Bai Bulomal, Agra. Cancellation of allotment of land case No. UP/LA/MTR/343.

The allotment of agricultural land in favour of these applicants has already been cancelled as desired by them and the bills for payment of compensation *in lieu* thereof have been sent to the Pay and Accounts Officer, New Delhi. Payment will be made to them on receipt of the bill duly passed by Pay and Accounts Officer.

34 Shri Sahjiram s/o Madghirmal,  
Netaji Nagar, Agra [Included  
as item (1) (i) of Appendix  
XXX, Fifth Report of the  
Committee on Petitions, Third  
Lok Sabha outstanding cases].

**Payment of difference of compensation**

**Further enquiries made in the matter have**  
disclosed that the Compensation Case of  
Shri Sahjiram Manghirmal was initially  
finalised in August, 1957, on *pro-rata* basis  
and a compensation of Rs. 1412.25 paise  
was paid to him by means of adjustment.  
Subsequently on the basis of representa-  
tion of Shri Sahjiram the matter was gone  
into and it was decided to reprocess his  
compensation case in the light of the pro-  
visions of Rule 19(2)(b) of the Displaced  
Persons (Compensation & Rehabilitation)  
Rules, 1955. Thus he became entitled to a  
further amount of Rs. 564.08 which too  
was paid to him on 26th May, 1965 (Rs.  
231/- in cash and Rs. 333.08 by  
means of adjustment).

It would appear from the above facts that  
the compensation case of Shri Sahjiram  
Manghirmal already stands finalised.  
In view of this it is requested the case  
shown as pending *vide* Item 1(i) Appendix  
XXX on page 183 of the Fifth Report  
of the Committee on Petitions, may  
kindly be deleted.

35 Shri Duni Chand s/o Mula Mal,  
Amritsar.

**Condonation of delay in filing  
R.G. application in respect of  
verified land claim.**

The Rehabilitation Grant Application of the  
petitioner has been verified for Rs.  
2795.00.

36 Shri Kishan Chand Mool Chand, Issue of conveyance deed G-46 Kubernagar, Ahmedabad. The conveyance deed in respect of the property in question has since been issued in favour of Shri Kishan Chand Mool Chand as intimated by the Assistant Settlement Commissioner Incharge, Bombay.

37 Shri Madhavadas Thaumal, Adjustment of CAF towards the cost of Government Built Property No. H-B, Sardar Nagar, Colony, Ahmedabad. The required adjustment has since been carried out towards the cost of the property and the sale certificate was issued to the auction purchaser on 10th December, 1965.

38 Baba Dev Raj Narang and Others, Rehabilitation of refugees from Bahawalpur. Shri Dev Raj Narang was asked to give proof in support of his having sent applications before 31st January, 1964 alongwith full particulars of Index Nos. of his claims, etc., but he has not so far responded. Therefore, it has not been possible to take any action in the matter.

39 Shri Nichaldas Jaldas, Ulhasnagar. Issue of conveyance deed for Room No. 7, Barrack No. 223, Ulhasnagar. The conveyance deed in respect of Room No. 7, Barrack No. 223, Ulhasnagar has since been issued to the claimant allottee.

40 Shri Hukamramst, Haverambli, Ahmedabad. Issue of conveyance deed for tenement Nos. A-87 & 88 Kubernagar Colony, Ahmedabad. Conveyance deed in respect of GBP Nos. A-87 & 88 Kubernagar Colony, Ahmedabad have since been issued on 27th May, 1967.

41 Shri Pannambai's/ Shri, Khatol, Ahmedabad. Extension of the benefit of Rule 19 of the D.P. (C.A.S.) Rules, 1955. The ruling given by the Supreme Court in Civil Appeals No. 89-93 of 1964 regarding

application of Rule 19 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, to the agricultural land claims is being applied to all pending or future cases involving payment of compensation on the agricultural land claims verified under the provisions of the D.P. (Claims) Act, 1950 or the Supplementary Act, 1954. The cases which have already been decided and finally settled (i.e. where payment has been made in accordance with the instructions contained in the Ministry of Rehabilitation's Circular letter No. 51(17) SI/55-K dated 28th September providing for non-applicability of Rule 19 to the agricultural land claims being *barrred by limitation* are not being re-opened. As the compensation case of Shri Pamanmal Khialdas stands already finally settled, the question of extending the benefit as contemplated in 19 of the aforesaid Rules, does not arise. As such the matter may please be treated as closed.

The compensation both on rural property claim assessed at Rs. 2020/- as well as on the agricultural land claim assessed at 3 3/4 units was paid to her in April, 1966.

Substitution proceedings in the matter have since been finalised under section 9 of the

42 Shrimati Rukibel Lalaram, Ahmedabad. Payment of compensation due on agricultural land claim assessed at SAO 3 1/4 units on 16-1-62.

43 Shri Rochaldas Khieram, Ahmedabad. Issue of conveyance deed for property No. 665/4 Sardar Nagar.

- Act. The petitioner was to make up a shortfall of Rs. 292.75. The conveyance deed of the property in question shall be issued by the Regional Settlement Commissioner, Bombay as soon as the petitioner has paid the shortfall.
- The allottee has still to pay an amount of Rs. 24.02 towards the cost of the above tenement plus interest. Necessary action for the issue of conveyance deed will, therefore, be taken by the Administrator, Sardarnagar, after the party has paid the requisite amount.
- The deed of conveyance in respect of the property in question has since been issued on 25-4-1967 in favour of the petitioner.
- The conveyance deed in respect of tenement No. "E-161, Kubernagar Colony, Ahmedabad has since been issued.
- The conveyance deed in respect of the property in question has been issued on 24th September, 1966.
- A sum of Rs. 469.80 is available at the credit of the applicant who has been asked by the Regional Settlement Commissioner M.P. and Rajasthan *vide* his letter No. RSC/MP/ASOS/M/G/69/XXI-(L)/17302,
- 44 Shri Motumal Naraindas,  
Ahmedabad. Adjustment of Rs. 1368/- towards the cost of tenement No. 232 Old G—Ward Kubernagar, Ahmedabad.
- 45 Shri Ram Chand Bellaram,  
Ahmedabad. Issue of conveyance deed for property No. 22/3 New 'G' Ward, Kubernagar.
- 46 Shri Pritam Dass Shamandas,  
Ahmedabad. Issue of conveyance deed in respect of tenement No. E-161, Kubernagar Colony, Ahmedabad.
- 47 Shri Chella Ram Paras Ram,  
Ahmedabad. Issue of sale deed in respect of tenement No. 443-B, Sardar Nagar Colony, Ahmedabad.
- 48 Shri Dharamdass Sidhumal,  
Satna. Payment of balance compensation against CAF No. M/B/C/69/XX-(L).



dated the 27th March, 1967 to intimate whether he had utilised the amount already or whether he would like to have the U.P.Z.A. Bonds against this amount. Further action will be taken by the Regional Settlement Commissioner in this case, on receipt of the information from Shri Dharamdass. He may be advised to approach the Regional Settlement Commissioners M.P. & Rajasthan, Jamnagar House, New Delhi in the matter.

The sale deed in respect of the property in question has been issued to Shri Tahilram on 15th November, 1966.

After further examination of his record the Regional Settlement Commissioner, Bombay, has intimated that no amount is to be paid to the creditor by the Debtors in the above case as per orders dated 2-3-61 and 28-9-61 passed by the Tribunal concerned in suit No. 5/52. In this connection an appeal was filed by Shri Paras Ram, deceased, and the same was dismissed by the Regional Settlement Commissioner Bombay, *vide* his order dated 26-2-61.

The applicant, Smt. Bhoji Bai, is being informed of the above facts separately.

The amount of Rs. 789/- adjusted in excess against tenement No. 9, BK No. 1693, Ulhas Nagar has since been refunded to the claimant.

49 Shri Tahilram Khaisukhdas, Adjustment towards the cost of G.B. Qr. No. 63, Krishna Colony, Agra

50 Smt. Bhoji Bai Paras Ram (Further facts to those appended to Fifth Report, Third Lok Sabha)

Payment of Mortgage rights to petitioner from CAFS of mortgagars.

51 Smt. Tulsi Bai Hassanand . Refund of excess amount of Ra. 789/-.

53 Shri Gian Chand Sharma, New Delhi . Adjustment of Rs. 4596.80 paid from the compensation payable to Shri Assandas s/o Shri Hassomal on his CAF No. B/B/907/XXIV(S) towards the cost of quarter No. AI/199, Lajpat Nagar, New Delhi.

The necessary adjustment of Rs. 4596.80 out of the compensation payable to Shri Assandas s/o Shri Hassomal has since been carried out towards the cost of quarter No. A-1/199, Lajpat Nagar, New Delhi and the lease deed was also issued to the allottee Shri Gian Chand Sharma on 31-7-64. Thus, the grievance(s) of the petitioner stand redressed.

53 Shri Bhagwandas Katumal, Amravati . Cancellation of survey No. 33 in the land allotment order issued in claimant's favour.

Survey No. 33 being a non-evacuee property is being deleted from the allotment made in favour of Shri Bhagwandas Katumal, so that his compensation case could be re-processed and a statement of Account issued to him to the extent of area reduced.

54 Shri Thakambhibhai Goverdhandas Mistry, Ahmedabad. Refund of Rs. 290/- paid as 10% bid price for a GBP.

A refund bill in form TR-62 in duplicate has been sent to the applicant for his signature and return after getting it attested by a Magistrate or an Oath Commissioner. The necessary refund of Rs. 290/- will be made as soon as the applicant completes the above formality and the bill is passed by the competent authority.

Have endorsed a copy of their letter No. 16(37) L&R 64, dated 23-8-67 to the claimant, reproduced below.

55 Shri Bijomal Gurdinomal, Uthanasagar . Refund of rent recovered in excess.

"I am directed to refer to your application dated the January, 1964 received through Lok Sabha Secretariat on the above subject and to say that the same has been examined in

consultation with Assistant Settlement Commissioner, I/C, Bombay. As reported the amount in question has been adjusted after taking into consideration your rural claim for Rs 10147/- and agricultural land claim for 1-1/2 standard acres. You are entitled for compensation of Rs. 4,536/- payable on the rural claim as well as agricultural claims as under:—

	Rs.
1. Adjusted towards arrears of rent and conveyance charge for tenement in Bk. 1919, upto 31-12-1953	172.25
2. Adjusted towards arrears of rent for tenement No. 4, Bk. 1915, Camp No. 5 upto 31-10-1953 and conveyance charges upto 30-9-1960	367.95
3. Adjusted towards the cost of GBP No. 4 Bk. No. 1915	1750.00
4. Adjusted towards the cost of GBP No. 1856/18, of associate Shri Dalumal	1480.00

The balance amount payable by statement of accounts	765.80
<b>TOTAL</b>	4536.00

The Statement of Account etc. will be issued to you after bills have been admitted by the Pay & Accounts Officer (Rehabilitation), Bombay. You are advised to approach Regional Settlement Commissioner, Bombay further in the matter."

The original claimant, Shri Gordhandas having died, his son Shri Tikamdas has forwarded necessary documents recently for being appointed as legal representative along with others, if any, to the deceased claimant, under Section 9 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954. As soon as the substitution proceedings are completed, further action to pay the compensation due to such of the legal representatives as may be found eligible therefor, would be taken.

The remaining balance of compensation was paid to Shri Anandram Bhagwandas on 24-2-1965. Thus, the grievance of Shri Anandram stands redressed and the matter may please be treated as closed.

The compensation case of the applicant is pending as the claim file involved in case is under judicial action alongwith other Co-sharers files for removing certain discrepancies in the Judgement orders in respect of Agricultural Land. The compensation case will be finalised as soon as Judicial action is completed. (The Committee feel that the matter may be treated as closed at this stage as it is *sub-judice*).

Payment of Compensation on claim assessed at Rs. 7200/- on his CAF No. M/Nagpur/273331.

56 Shri Gordhandas s/o Shri Sojhrmal, Nagpur.

The remaining balance of compensation was paid to Shri Anandram Bhagwandas on 24-2-1965. Thus, the grievance of Shri Anandram stands redressed and the matter may please be treated as closed.

57 Shri Lilaram Bhawandas Jotwani, Bombay.

58 Shri Gulabrai Jhamandas Bhatia, Kalyan Camp. Finalisation of compensation.

- 59 Shri Manekmal Gangaram, Ahmedabad . . . . .  
 Implementation of orders of Dy. C.S.C. dated 27-3-61 allowing benefit of Rule 19(2)(b) and division of compensation equally between claimant and his brother.  
 The compensation case of Shri Manekmal Gangaram and his brother Shri Mahar Chand Gangaram has been finalised under Rule 19(2)(b) of the Displaced Persons (C&R) Rules 1955, and the gross compensation payable on the claims has since been paid to both of them equally by adjusting their respective shares towards the public dues recoverable from each of them. As the residual work relating to the Gujarat State has been transferred to that State Government further action for the execution of an agreement for recovery of balance cost etc. is to be taken by them i.e., the Administrator Sardarnagar Township, Ahmedabad who had been requested by the Regional Office, Bombay, to expedite the matter. As the grievance(s) of the petitioner stand redressed, the case is being treated as closed.
- 60 Shrimati Punibai w/o Lilaram . . . . .  
 Payment of compensation of agricultural land assessed at 3-3/4 unit CAF No. B/A/S/R/(B)/104/VII(W)/IV NT.  
 The delay in the submission of her application for inclusion of the agricultural land claim verified for 3-3/4 units in her CAF No. B/A/S/R/(B)/104/VII(W)/IV NT has since been condoned by the Chief Settlement Commissioner, and appropriate instructions issued to the RSC, Bombay, to pay the compensation to Shrimati Punibai wd/o Lilaram thereon.
- 61 Shri Radhomal Dhooromal, Ahmedabad . . . . .  
 Issue of sale certificate in respect of property No. E-222/Kubernagar, Ahmedabad.  
 The property No. E-222, Kubernagar, Ahmedabad, was purchased by Shri Radhomal s/o Dhooromal of Ahmedabad in an auction on 6-7-61. Subsequently, it was discovered that this very property had been sold earlier to one Shri Udhomal Hiromal on 31-10-60, and that the sale certificate had also been issued to him on 18-5-62. As a result, the second sale of the property in favour of the complainant, Shri Radhomal being *ab-initio*

void, was cancelled without forfeiting the earnest money deposited by him at the time of auction. In view of this, the question of issuing sale certificate to Shri Radhomal does not arise.

So far as the refund of the money deposited by Shri Radhomal towards the cost of the property is concerned, it may be mentioned that necessary steps have already been taken by the Asstt. Settlement Commissioner I/C, Bombay to have the amount viz., Rs. 3634/- refunded to him as soon as the bill is passed by the Pay and Accounts Officer concerned.

62 Shri Murjimal Jessumal, Ahmedabad : Compensation claim-adjustment towards Tenement No. 630/2 and 3 Sardarnagar.

The case has been got examined. The entire compensation payable to Shri Murjimal Jessumal under compensation Application Form No. HH/S/BC/CK/821/IVNT has been adjusted towards his loan dues and the cost of quarter No. A-22/6 Bairagarh and no more compensation is payable to him, which can be adjusted towards the cost of tenement No. 630/2 and 630/3 Sardarnagar.

63 Smt. Toti Bai Manshomal, Ahmedabad . Possession rights for Property No. 791/4, Ambawadi, Sardarnagar.

The sale of the tenement in favour of Smt. Toti Bai was cancelled with her consent after she surrendered the original sale certificate issued to her and requested for the refund of the amount recovered from her.

64 Shri Lokumal S. Kalwani, Ahmedabad . Payment of balance compensation of Rs. 57.10

In the balance compensation of Rs. 57.10 payable in cash to Shri Lokumal, he has had only 1/2 share, the other half being payable to Shri Jhamandas. Accordingly, the amount

due has since been paid to Shri Lokumal and the remaining half share of the amount would be paid to Shri Jhamandas after the required documents have been furnished by the latter. Thus, the grievance of Shri Lokumal stands redressed.

The Collector and Deputy Custodian of Evacuee Property, Ahmedabad has now reported that a demand draft No. A006914 dated the 7th October, 1966 for Rs. 159.44 (refundable to claimant) issued in favour of Shri Kewalram Gulab Rai has since been delivered to Shri Kewal Ram Gulab Rai on 13th October 1966.

The adjustment of Rs 2000/- has since been carried out and the Recovery Schedule sent to the Administrator Sardarnagar.

The compensation case of the applicant has been finalised and payment made to him on 16th January, 1967.

The Conveyance deed has since been issued to Shrimati Jaisibai Tolaram.

The applicant has been asked by the Assistant Settlement Commissioner I/C, Bombay, in his letter No. RSCB/ASO(B)PC-465731/4724/31608-9, dated 9th August, 1967 (Re-produced below) to furnish an affidavit stating Rehabilitation benefits enjoyed by him if any. His reply is still awaited. As soon as Shri Lahrumal Badalmal furnishes this document, his case will be processed further and finalised by the Assistant Settlement Commissioner I/C, Bombay.

65 Shri Kewalram Gulab Rai, Ahmedabad . Refund of Municipal Taxes recovered from Shri Kewalram Gulab Rai in respect of E.P. No. 4184 Jamalpur Ward No. 1, Nadiwad, Ahmedabad.

66 Shri Kundandas Madhawdas, Ahmedabad . Adjustment of Compensation towards property No. 34/4, New G'Ward, Kuber nagar.

67 Shri Mulchand, Menghrsj, Ahmedabad . Payment of compensation against CAF No. B/ M/21584/295.

68 Smt. Jaisibai Tolaram, Bombay . Issue of Conveyance Deed for House No. 5 Block No. 100 Agra Road Muland Colony, Bombay.

69 Shri Lahrumal Badalmal, Nasik City . Condonation of delay in filing compensation application form.

"I am to invite reference to this office letter No. RSCB/ASO(NS)/PC. 46573/24300/67 dated the 26th June, 1967, in which you were requested to furnish an affidavit stating the rehabilitation benefits enjoyed, number of EP/GBP allotted to purchased by rent arrears if any, and other public dues outstanding against you, but no reply has been received so far. I would therefore, request you to please furnish the required information in the form of an affidavit duly sworn before a magistrate so as to enable this office to finalise the case. A reply may please be sent to the undersigned by name immediately".

70 Shri Samannal Tejurnal, Ambawadi, Sadar-nagar, Ahmedabad.  
 Payment of balance compensation of Rs. 16,000 due, after adjustment of Rs. 5378.80 N.P. from his CAP towards "Rahat Villa" even though petitioner had subsequently cancelled the irrecoverable power of attorney executed in favour of Shri Vishin D. Advani.

The Department had, at first endorsed a copy of their letter No. GI/HA(16) Camp. Misc/64, dated 31-8-64 to Shri Samannal intimating him that as the power of attorney had actually been exercised before revocation thereof, the CSC could not help the claimant. It was, however, pointed out that "if you had revoked the power of Attorney before the power was actually exercised by the person so empowered, the position would have been different".

On enquiry as to whether the balance compensation due was paid to the petitioner, the Department explained the facts as follows :

The Regional Settlement Commissioner, Bombay, to whom the matter was referred, has reported that the petitioner, Shri Samannal Tejurnal vide his affidavit dated the 30th October, 1956, authorised one



Shri V.D. Advani for adjustment of his compensation amounting to Rs. 22,500/- against any property purchased by him, his friend, or relation and that on adjustment of the said compensation he (Shri Samannal T. Jumal) shall have no right, title or interest in the property thus purchased. Further, Shri Samannal executed an irrevocable power of attorney on 30-10-1956, in favour of the same person, viz Shri V.D. Advani.

The total compensation to which Shri Samannal was entitled was Rs. 22,930.57 paise. Of this, a sum of Rs. 3,285/- was adjusted towards the public dues, including the cost of Government built property No. 730/1, Sardarnagar, Ahmedabad, outstanding against him. Of the remaining amount a sum of Rs. 5,378/- was adjusted towards an evacuee property viz., "Rahat Villa, Bombay as intimated to the party concerned in this office letter No. GI/HA/(16)/Comp. Misc./64 dated the 12th November, 1964. The balance of compensation has since been tendered by Shri Advani towards the cost of the property known as "Salamti Salt Works", Wadala, Bombay.

In view of the instruments viz., an affidavit and an irrevocable power of attorney executed by Shri Samannal on 30-10-1956, in favour of Shri Advani, it has not been possible to assist the petitioner in the matter.

The Department was further requested to clarify (i) whether the adjustment of Rs. 16,000/- was made *before* or *after* the

the intimation of revocation of power attorney by the petitioner and sent by him on 26-2-1962; and (ii) if it was done after that intimation was received, how it was done in view of their letter dated 31-8-64 to claimant cited in *sub-para 1* above.

The Department in their replies stated that :

- (i) of the total compensation, a sum of Rs. 17,175.76 paise had already been adjusted from the compensation payable to Shri Samanmal on the basis of power of attorney executed in favour of Shri Sishni D. Advani;
- (ii) As regards the balance of Rs. 5,754.68 both parties were heard by the R.S.C. Bombay on 28-7-66 who passed an order. Shri Samanmal being aggrieved, filed an appeal with the authorised CSC which was dismissed in default for non-appearance on 9-1-1967.

As the replies furnished by the Department were not satisfactory, clarification was sought and obtained on the following points for the Committee's information :—

*Point 1* : The date on which the irrevocable power of attorney executed by Shri Samanmal Tejmal in favour of Shri Vishin D. Advani was received by the Ministry.

*Reply of Deptt.* Irrevocable power of attorney was executed by Shri Samanmal Tejmal in favour of Shri V. D. Advani on

30-10-56. The date on which it was actually received in the Regional Office, Bombay, has not been communicated by that office, because the relevant file has been sent to the Government Pleader in connection with the case of "Rahat Villa", Bombay, which is pending in the High Court, Bombay. The Regional officer, Bombay has been instructed to intimate the date to us. As soon as the information is received it will be furnished to the Lok Sabha Sectt.†

*Point (ii)* The date on which the power of attorney was cancelled by Shri Samanmal Tejmal and the date of receipt thereof in the Ministry.

*Reply of Deptt.* : The power of attorney was cancelled by Shri Samanmal Tejmal in his letter dated 23/26th February, 1962, which was received in the Regional office, Bombay on 27-2-62.

*Point (iii)* The date on which Shri Vishin D. Advani tendered the balance of compensation towards the property at Wadala, Bombay, and the date of receipt thereof in the Chief Settlement Commissioner's Office.

*Reply of Deptt.* : Shri V. D. Advani as an attorney of Shri Samanmal had furnished association papers on 29-12-62 tendering the balance of compensation for adjustment towards the lease money due in respect of evacuee property known as "Salamati Salt Works", Wadala, Bombay.

*Point (iv)* In case the letter of revocation of the power of attorney by Shri Samanmal

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†This information will be appended to next Report of the Committee, after its receipt.

Tejmal had been received in the Regional Settlement Commissioner's Office earlier than Shri Vishnu D. Advani took action to finalise the transfer of the property, the reasons for the Regional Settlement Commissioner not communicating the same to Shri Advani in time and for not cancelling the deal.

*Reply of Deptt.* (a) On the basis of power of attorney Shri Advani associated amount of Rs. 7312/- out of the compensation of Shri Samanthal towards the sale price of an evacuee property named "Kahat Villa", Bombay. Since the association papers had been submitted *much before* the revocation of the power of attorney and the adjustment had already been carried out before the receipt of the letter cancelling the Power of attorney, there was no dispute about this adjustment.

(b) Shri Advani submitted association papers for further adjustment of an amount of Rs. 6578.89 on 20-10-1961 towards the sale price of another property viz., plot No. 375 situated at Premavati village, Hyderabad. Before, however, the adjustment could actually be carried out, the letter was received on 27-2-62 from the claimant Shri Samanthal intimating revocation of the power of attorney executed by him earlier in favour of Shri Advani. This accordingly raised an issue whether it was correct or not to carry out the adjustment in view of the intimation received.

ved from the claimant. This aspect of the matter was enquired into by an Asstt. Settlement Commissioner in the Regional Office, Bombay, who decided that the association once made was valid and that it could not be ignored on the basis of the letter received subsequently from the claimant, revoking the power of attorney executed by him earlier. This decision was communicated by the Regional Office, Bombay, to the Claimant *vide* their letter No. RSC (B)/SL/EPAuc XIX/20. Hyd/62/62163 dated 23rd November, 1962. In the light of this decision an adjustment of Rs. 6578.89 was actually carried out.

- (c) Thereafter, Shri Advani associated balance compensation available at the credit of the associate, Shri Samannal. The above mentioned facts would disclose the letter revoking the power of attorney of Shri Samannal Tejurnal was not received in the Regional Office, Bombay, earlier than the date on which action to finalise the case regarding the transfer of the property named "Rahat Villa" was taken. As regards the compensation tendered towards the payment of the Hyderabad property it may be stated that though intimation relating to the revocation of the power of attorney had been received yet the adjustment was given effect to in accordance with the decision reached by the Assistant Settlement Commissioner in that office judicially. Thus, it is the last association of the compensation relating to the "Safamati Salt Works" which is under dispute and in terms of the orders passed by the Regional Settlement Commissioner

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Bombay, on 28-7-66, the parties were given an opportunity to settle the issue within three months time.

*Point V:* whether on the basis of facts to be adduced by the Department, Shri Samanmal can submit a further appeal to the C.S.C.; if not, whether the only course open to him is to submit a petition to an ordinary Court of Law.

*Reply of Department:* Shri Samanmal had filed an appeal with the Chief Settlement Commissioner against the orders dated 28-7-66, which had been passed towards the lease money of Wadala property named as "Salamati Salt Works". However, Shri Samanmal sent a letter stating that he had revoked the power of attorney, and that the adjustment of the balance of compensation *viz.*, Rs. 5754.68 might not be carried out. In this connection relevant portion of his application is re-produced below :

"There is still a balance of Rs. 5754.68 available in my compensation. See that this amount may not be adjusted on affidavit and consent given by Shri Vishindas D. Advani who is not my general attorney as per report of mine sent to your office as well as to Central Office".

In the meantime the High Court of Bombay had delivered a judgement in another case

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of Shri Lilaram Bhuromal in which certain findings on the point of revocation of power of attorney, were given. In the light of these findings it became necessary to hear the parties in this case as well. Accordingly, in pursuance of the directions given by the High Court in another case both the parties viz., the claimant, Shri Samanlal and the attorney, Shri Advani were heard, and an order was passed by the Regional Settlement Commissioner, Bombay on 28-7-66, giving them three months time to settle the issue involved. This appeal was dismissed in default by the Settlement Commissioner (Appeals) with delegated powers of Chief Settlement Commissioner *vide* his orders dated 9-1-67 appeal No. 107/BY/101.

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As the appeal was not decided on merits the petitioner *could move* the Chief Settlement Commissioner for its restoration *subject to limitation*. However, for the complainant the remedy *now left is to approach* the competent court if *he so desires*, for determination of the issues involved in this case.

The Department have enclosed attested copies of documents mentioned above (not reproduced).

**The Committee are satisfied with the Departments' reply and note that the claimant, Shri Samanlal Tejmal, has no grounds for his belated appeal against the adjustments made by the CSC, once the Attorney Shri Advani had requested for the adjustment.**

*Fourth Lok Sabha Cases:*

71 Shri Khubchand C. Advani, New Delhi  
 Countersigned by Shri Balraj Madhok,  
 M.P.

In his application, the complainant has raised the following points :—

- (a) That his garden claim may be verified treating it as having been situated in an urban area.
- (b) That the Punjab cut has been wrongly applied in his case, thus depriving him of 1/3rd area of land.
- (c) That the garden allotted to him in Delhi has been wrongly auctioned.

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The points raised by the complainant have been examined a number of times on his previous applications.

As regards point (a), he had not been able to produce any evidence to establish that the agricultural land left by him was urban. The property was situated in village Phadro, which was rural.

Regarding point (b), the Punjab cut is applied on all the claims pertaining to agricultural land, as provided under Rule 51 of the Displaced Persons (C&R) Rules, 1955.

Regarding the point at (c), it may be stated that the gardens in Delhi were not allotted to displaced persons in first instance. These were given on year-to-year lease basis. As provided



72 Shri Rupchand Tenomal, Ahmedabad . Settlement of compensation claim

in Rule 70 of the Displaced Person (C&R) Rules, 1955, the gardens lying within the urban limits of Delhi were put to auction and were sold to the highest bidders. The lessees who did not bid or whose bid was not accepted were asked to give possession at the end of their lease period. As the complainant had not purchased the garden leased to him in open auction, he had to be dispossessed on the expiry of his lease period.

Have enclosed a copy of their letter No. D.O. No. 22(58)/C&P/67-LSS dated 22-6-67 to Shri Rupchand Teomal, reproduced below:-

“SUBJECT: *Transfer of tenement No. 382-A, Sardarnagar.*

Please refer to your application dated 8-6-67 making baseless allegations that you were not properly attended to during my tour to Ahmedabad on 25-5-67. You were heard by me with patience and full position of the case was explained to you and in your own interest, affidavit of your associate Shri Motiram Pribhulmal was obtained from you and placed on record of your property file. On the basis of the said affidavit the interest payable by you was re-calculated then and there and you were informed that an amount of Rs. 316.86 only was payable by you on account of the interest as against the amount of Rs. 1633.71 already communicated to you on 10-2-67. In fact you had agreed to the calculations as well as to the account of your property and you had signed the order passed by me. To make it more clear it is mentioned that the simple as well as penal interest is calculated at the rate of 4 and half per cent on the payments made

by you as indicated below :-

Cost of the tenement . . . . .	Rs. 4002.00
Adjusted in your own CAF on 29-9-55 . . . . .	1450.25
Adjusted in the CAF of Shri Rupchand. L. (Date of assocn. 15-1-60) . . . . .	410.00
Adjusted in the CAF of Shri Motiram Pribhumal (Dt. of assocn. 7-1-60) on the basis of the affidavit pro- duced by you now . . . . .	2100.00
Cash paid on 9-6-67 . . . . .	41.75
	4002.00

2. It is not possible to return the affidavit of Shri Motiram Pribhumal as it is on the basis of this affidavit that the interest has been recalculated.
3. Now simple interest payable by you comes to Rs. 589.35 and the penal interest amounts to Rs. 227.51. You are requested to deposit the said amount of Rs. 816.86 in your own interest under the head 'P-loans and advances adjustable with A. G. Gujarat and send the relevant challan to this office within 15 days of the receipt of this notice failing which your property file

will be consigned to records without issue of the deed of conveyance in your favour.

In case you want any further information you may call on this office on any working day and obtain it.

73. Shri H. P. Gulrajani, Civil Lines, Nagpur. Payment of balance compensation of Rs. 105/- out of CAF No. D/4829/VII-W filed by Smt. Gomi Bai.

Smt. Gomi Bai had a verified claim for Rs. 26,660.00 under claim index No. S/HB-8 2266 against which she filed the above compensation application form. Initially the compensation was finalised under interim scheme on 11th May, 1965 and the claimant was paid Rs. 6823/- on the 6th June, 1965. Subsequently the case was re-opened for payment of compensation under final scheme and the total compensation on admissible to the claimant worked out to Rs. 8,105/-. This there remained a sum of Rs. 128/- still to be paid to the claimant in full and final settlement of her compensation. However, the claimant was paid Rs. 1177/- in cash/N.P.S.C. to make up 8,000/- and for balance of Rs. 105/- a statement of account was issued to her. The case was reopened for payment of balance on 27th September, 1963 and the claimant was allotted U.P.Z.A. Bonds for Rs. 100/- and the balance of Rs. 5/- was desired to be paid to her in N.P.S.C. Meanwhile the claimant expired and the cheque and the U.P.Z.A. Bonds were got cancelled. Thereupon the applicant Shri Gulrajani applied for appointment as legal heir in place of his deceased mother Smt. Gomi Bai on 9th November, 1964. He was appointed sole-successor-in-interest of the deceased claimant on 29th December, 1965. It is essential under the rules to obtain rehabilitation benefit affidavits and questionnaire in appendix 'D' from the heirs of the deceased to ensure that no public dues are

left unrecovered from them. Accordingly Shri Gulrajani was requested to submit these documents and necessary printed forms were sent to him. Shri Gulrajani has sent the questionnaire form in appendix 'D' filed in by himself alone.

He has neither furnished the rehabilitation benefits affidavit of himself nor that of the other legal heirs of the deceased claimant who relinquished their share in his favour. These are pre-requisites for the finalisation of the case. Shri Gulrajani's contention that his mere statement in this behalf should be considered as sufficient for all purposes is not tenable. This position has already been explained to Shri Gulrajani *vide* this office letter No. 4(54) dated the 4th July, 1966. Under these circumstances the applicant may be advised to send the necessary documents duly filled in to the Regional Settlement Commissioner, Delhi so as to enable him to finalise the case.

Shri C.N. Ganguly has claimed the General Provident Fund dues of his late father Shri Upendra Nath Ganguly outstanding against the private firm of M/s. Ralli Brothers Limited, Narayanganj, Dacca, East Pakistan, of which he was an employee.

There is at present no agreement with the Government of Pakistan for recovery of amounts due from private parties, firms, institutions etc. in other country. As Shri Ganguly's dues are outstanding against the firm of M/s.

Settlement of Provident Fund money due to late Shri Upendra Nath Ganguly of District Hazaribagh (Bihar).

74. Shri C.N. Ganguly, District Hazaribagh (Bihar) Forwarded through Shri George Fernandes, M.P.).

Ralli Brothers Limited which is a private concern, no assistance can be rendered to the claimant in recovery of his Provident Fund dues from the firm in question. Shri C. N. Ganguly, the son of the deceased claimant has already been apprised of this position, vide this Department letter No. 23(t)/67-Imp, dated the 20th July, 1967 (copy reproduced below):

"With reference to your representations dated the 14th June, 1967 and 11th July, 1967, on the subject cited above I am directed to say that the position of your claim is the same as was explained to you vide this Department letter No. 23(t)/64-Imp, dated the 2nd November, 1964.

There is at present no agreement with the Government of Pakistan for recovery of amounts due from private parties, firms, institutions, etc., in the other country. As the provident fund dues of your deceased father are against the firm of M/s. Ralli Brothers Limited, East Pakistan, which is a private concern, it is regretted this Department is not in a position to render any assistance to you in the recovery of your father's dues."

The Ministry of Finance (Department of Economic Affairs) who were same time past carrying on negotiations with the Government of Pakistan for arriving at an agreement on the subject, have informed us vide their U.O. No. 10575-E.C./67, dated the 11th August, 1967, as under :—

"The position remains unchanged. In the absence of an agreement we cannot help

75 Shri W.M. Sethi, Greater Kailash No. 1,  
New Delhi.

Re-opening of his claim Index No. P/GR/9/30-A  
which was decided E-part on 26-11-1954,  
(though hearing was fixed for 8-12-1954  
when petitioner was in hospital in Bangalore.

Shri Ganguly and, Shrimati Kamlesh  
Devi in the matter".

Petitioner, had submitted to the Committee  
the original notes (together with copies  
attested by a Notary Public received from  
Shri R.C. Gulati, Additional Settlement  
Commissioner, directing him to appear before  
the latter on 8-12-1954. He stated that he did  
so, as he apprehended that if he submitted the  
original document to the Department of Re-  
habilitation direct the same might be misplaced

The Committee, at their sitting held on the  
6th July, after due perusal thereof had felt  
satisfied with the genuineness of the docu-  
ment and directed that copies thereof (attested  
by a Notary Public furnished by the petitioner  
be handed over to the Chief Settlement  
Commissioner, who was present at the meeting  
and asked the latter to expedite settle-  
ment of the case under intimation to the  
Committee.

The attested copies were handed over to Shri  
H.R. Nair, Joint Chief Settlement Commis-  
sioner.

Subsequently on the 8th July, 1967, Shri Ratta<sup>n</sup>  
Singh, Assistant Settlement Commissioner,  
also called on the Secretariat and satisfied  
himself about the genuineness of the  
document.

On the basis of the report submitted by Shri  
Rattan Singh regarding the authenticity of

the documents, the case of Shri Sethi was reopened and sent to the Judicial Officer for further action.

Shri Sethi received a notice from the Judicial Officer for appearing before him in connection with verification of his claim "*Shri Scithi claim has since been verified for Rs. 29012.00 by Shri M.P. Mishra, Settlement's Officer (Judicial) on 2-8-67 and a copy of the order was supplied to Shri Scithi the claimant, on the same day.*".

**The Committee feel gratified that on their intervention, a case pending for a number of years has been redressed within a very short period".**

The Committee note in this connection that the petitioner had earlier shown the same document to the CSC or his authorised officers several times and that his apprehension was genuine regarding its being misplaced if he submitted it again to the CSC. It is significant that this act has not been disputed by the CSC. The Committee would recommend that, in all such cases where the formalities had been complied with by the applicants, the Chief Settlement Commissioner need not insist again on the claimant's repeating the same process.

**He should, however, endeavour to expeditiously settle such cases providing necessary relief in appropriate cases.**

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\*Since returned to his son and receipt taken thereof.

**Part II—Cases Pertaining to Ministries/Departments other than the Department of Rehabilitation**

Sl. No.	Name of petition	Brief subject	Facts harrsed by the committee
1	2	3	4

*Third Lok Sabha Cases*

1 Shri Pooran Singh Negi, Waterman, Diwan Chand Arya, Highter Secondary School, Lodi Road, New Delhi (Forwared by Shri Diwan Chand Sharma, M.P.).

Alleged recruitment of outsiders for Lower Division Clerks posts of payment of illegal gratification in preference to petitioner who applied more than seven times for promotion.

[*Education*] An enquiry has been conducted by the Directorate of Education, Delhi into the allegations made by Shri Pooran Singh Negi in his representation and they have found that the work and conduct of Shri Pooran Singh has never been upto the mark. However, inspite of this fact, he has always been given an opportunity to compete for the post *vis.*, Laboratory Assistant/L.D.C. at the time of filling up of the same. He could not be selected for appointment to the aforesaid posts, as he was not found suitably qualified for appointment to them. There is no truth in the allegation that Shri Yadava has been appointed as L.D.C. as a result of donation of Rs. 700/- made on his behalf to the school. Shri Pooran Singh was given a chance to prove the aforesaid charge but he failed to adduce any evidence to



this effect. As regards Shri Singh's appeal to the Chairman, Appellate Tribunal, the Ministry pointed out that question of an appeal to the Tribunal did not arise as no punishment was inflicted on him. It was a case of non-selection for a particular post, for which he was not found suitable. Hence as a result of enquiry, the Delhi Administration has come to the conclusion that there is no substance in the allegations made by Shri Singh in his representation. In the circumstances stated by the Delhi Administration there is no justification for interfering in the decision taken by them.

- 2 † Technical Supervisors on Indian Railways (Countersigned by Shri Priya Gupta, M.P.)  
(Third Lok Sabha). Better scales of pay and grades of pay at par with employees of public undertaking.

‡ [Railways (Railway Board)] The demand made by the representationists is that the scales of pay allotted to these staff are not adequate and they may be given higher scales of pay. In this connection, it may be stated that the grievances of Foremen and Chargemen were represented by the Members of Parliament in the past and also by the Railway Federation. All these were considered in detail and it was found that there was no special justification for revising the scales of pay of these staff. A note explaining the details in respect of the scales of pay of these staff and the

Identical petition countersigned by Shri Medhu Limaye, M.P. also, was received during 2nd session, 4th Lok Sabha.

comments of this Ministry on the points raised in the representation are below:

†NOTE

Prior to 1947 the scales of pay of non-gazetted staff varied from Railway to Railway. Even on one Railway, there were several scales of pay for a single category. It was in 1947 that uniform scales of pay were introduced for these staff. The prescribed (1947) and the Authorised (1959) scales allotted to these staff are given below. The scales of pay recommended by the Jagannadha Das Pay Commission are also indicated alongside.—

Pres. scale.	Scales recommended by the Commission	Scales of pay allotted
*360-20—	450-25-575	*450-25—
500 plus	—EB-25—	575 plus Rs.
150/-S.P.	650	150/-S.P.
360-20—	450-25-575	450-25-575
500		

300—20—	}	335—15—485	@370—20—
400		450—25—475	
260—15—	}		@335—15—
350			425
200—10—		250—10—290	250—10—290
300		—15—380	—15—380
150—7—185		205—7—240	205—7—240—
<del>8—225</del>		<del>8—280</del>	<del>8—280</del>

Thus the existing scales adopted from 1-7-59 for these staff are either the same as recommended by the 2nd Pay Commission or the exact equivalent in terms of the Authorised scales. In the case of Foremen in Production units actually an improvement upon the scales recommended by the Commission has been done. For instance as against a maximum of Rs. 650 recommended by 2nd Pay Commission, they are eligible for Rs. 725 (Rs. 575 plus Rs. 150/- special pay). The scales of pay recommended by the Com-

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†The reply covers also an identical petition received during the Second Session, Fourth Lok Sabha, through Shri Madhu Limaye, M.P. Foreman in Production shops only.  
 •Scale of Rs. 335-15-485 for Civil Engg. Deptt. only.

mission for Foremen and Chargemen have also been adopted by other Ministries. In these circumstances the present scales cannot be revised only in the case of these employed on Railways.

The contention of the representationists that the scales of pay of Train Examiners, Ward Keepers etc. have been improved is not correct. The fact are that minor adjustments required for removing certain anomalies in the case of a few categories have been made in these cases as indicated below:—

*Train Examiners:* The grade of Rs. 180—240 still exist and it has not been revised to Rs. 205—280.

*Ward Keepers:* The grade of Rs. 205—280 was revised to Rs. 210—320 (Not Rs. 210—380 as stated in the representation) in certain categories in whose case promotion is made from the lower grade of Rs. 130—300.

*Asstt. Store Keepers:* The scale of Rs. 270—380 allotted to Asstt. Store Keepers

is based on the recommendation of the Pay Commission.

*Asstt. Surgeons:* The grade of Asstt. Surgeons has been revised from Rs. 335—650 to Rs. 350—900 due to special circumstances keeping in view of the qualifications and the nature of duties.

The scales of pay of Foremen and Chargemen on Railways are based on the recommendations made by the Jagannadha Das Pay Commission for Central Government employees. The scales of pay of Government undertakings and the number of men to be supervised vary from unit to unit. Such comparison between Railway workshops and other Government undertakings is not apt as the duties, qualifications, method of recruitment, avenue of promotion, type of work, responsibilities, workshop facilities etc. are quite different.

3 Shri Razak Ayub Bandhani,  
Khadagda, Distt. Broach.

Issue of certificate to enable petitioner to comply with Ministry of Health's demand for considering his request for financial aid for medical treatment abroad.

[Health and Family Planning]. It is stated in Appendix XXX (Item No. 3) of the Fifth Report of the Committee on petitions (Third Lok Sabha) that the original representation from Shri R. A. Bandhani Khadagda, District Broach (30-9-1965) had not been returned by this Ministry despite repeated reminders.

The position according to this Ministry's records on the subject is that only one communication L.S.S.U.O. No. 23/C/65/R-473, dated the 28th December, 1965, was received from the Lok Sabha Secretariat in this regard. The earlier references dated the 30th September, 1965 and the 25th November, 1965 cited therein do not appear to have been received in this Ministry. A reply to the above mentioned U.O. dated the 28th December, 1965, was sent *vide* this Ministry's endorsement of even number dated the 10th February, 1966 (copy at annexure I for ready reference). The original representation from Shri Bandhni dated the 10th December, 1965 is also returned herewith.

As would appear from the enclosed copy of the Ministry's Memorandum dated the 10th February, 1966 the request of Shri R.A. Bandhani for financial assistance for treatment abroad was received earlier in this Ministry. Shri Bandhani was

asked to furnish certain information/certificates *vide* this Ministry's Memorandum of even number dated the 21st July, 1965 (copy enclosed). The certificates asked for therein were never furnished by Shri Bandhani. Two communications, both dated the 10th December, 1965 were, however, submitted by him, one to the Ministry of Home Affairs and the other to the Lok Sabha Secretariat. The reply was given in this Ministry's Memorandum dated the 10th February, 1966 referred to above.

Shri R. A. Bandhani has not furnished any reply to the said memorandum dated the 10th February, 1966. It will thus be clear that no further action is required to be taken in the matter by this Ministry.

The Committee observe with regret that not only the Ministry of Health & Family Planning have chosen to deny that an earlier communication was sent to them on 30-9-1965 but also the Ministry have *delayed* the return of the further original representation forwarded to the Ministry on 28-12-1965, for one year, *i.e.* till *after* the matter was brought to the notice of the House by the Committee. The Committee are also convinced from a perusal of the records that

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the communication dt. 30-9-65 had actually been issued to the Ministry by the Lok Sabha Secretariat and repeated reminders had issued asking the Ministry to return the representations in original. *The Committee also note with surprise* that (i) the reply to Shri R. A. Bandhani sent by the Ministry dt. 21-7-65 is with reference to a representation containing a request similar to the one contained in his representation dt. 18-8-65 to the Speaker, Lok Sabha; and (ii) the Ministry had ignored the specific request contained in the Lok Sabha u.o dt. 28-12-65 for *return* of the original representation along with their comments, until the matter was reported to the House.

The Committee would strongly urge upon this Ministry as well as all other Ministries to whom representations are forwarded for factual comments for the information of the Committee, that every initial or subsequent communication of such kind sent to them by the Lok Sabha Secretariat should be acknowledged *immediately on receipt* and an *interim reply* furnished



4 Shri V. R. Reddy : President, Alleged discrimination in allotment of Industrial Manufacturers' Association, Sanatnagar, Hyderabad, (Deccan) A.P. foreign exchange for small scale industries which one facing large-scale closure.

to the Lok Sabha Secretariat. This would ensure that the Ministries are on the track of the case and avoid loss of papers as has unfortunately happened in this case.

[Industry and Supply (Department of Industry)]  
The Memorandum is based on the report of the Lokanathan Committee on scarce Raw Materials. The allegation in para 2 of the Memorandum that Rs. 1 crore had been allotted to small scale sector for the year 1965-66 at the time of representation, is factually incorrect.

After due consideration of the Lokanathan Committee's recommendations the Government had taken decisions notified to public through Government of India Resolution No. SSI(A)-19(18)/65, dated the 19th April 1966 (see Annexure II to this Appendix). The Resolution accepts the most important recommendation, *viz.*.... "The scarce raw materials should be equitably distributed without reference to the sector to which the units belong subject only to the overall national priorities of their end products", and thus meets the petitioner's main points. The recommendation will be implemented as soon as adequate data to form the basis

for implementation becomes available. All the other recommendations have also been either accepted or are under examination.

5 Shri Daulat Ram Khanna, Sirsa (Hissar) Alleged non-payment of arrears of pay due and settlement of pension claims as an ex-teacher of Government Higher Secondary School, Moti Bagh-I, New Delhi.

[Education]. The requisite information in respect of the various points mentioned in the representation of Shri Daulat Ram Khanna, is as under:—

(i) *Non-Payment of arrears due to him.*— The Director of Education, Delhi has informed that the question of payment of arrears from different schools will be taken up immediately after his service book is received from the A.G.C.R. after the finalisation of his pension case.

(ii) *Re-employment in service beyond 60 years due to non-finalisation of his case.* According to the Director of Education, Delhi, his case regarding anticipatory pension has already been finalised for the service rendered in India. His revised pension case (including Pakistan service) has also been finalised by the Director and sent to the A.G.C.R. on the 13th October, 1965,

6 Shri Krishna Narayan Naik, Importers, Exporters, Merchants Manufacturers' Representatives Margao Goa.

Alleged injustice done by the Government of Goa in not recommending their application for industrial licensing.

and the teacher concerned has already been informed by the Director that his pension case stands finalised and as such his request for "re-employment" cannot be acceded to.

Since anticipatory pension case has already been finalised, possibly the Director did not think it necessary to retain Shri Khatma in service beyond the age of 60 years after his date of retirement in May, 1965. The Director, has however, been asked to decide these cases expeditiously.

[Commerce]

On a representation received from Indian Association of Entrepreneurs in Ministry of Industry on behalf of Shri Naik, the comments of the Ministry of Commerce were called for on the basis of which a reply was sent to the party *vide* the Ministry's letter No. D-1535-LC/65, dated the 7th May, 1966. The reply stated that Government after careful consideration felt that only one woollen mill of 800 spindles could be allowed in Goa area, and on the basis of the recommendation of the State Government, permission has already been granted to Goa Woollen Mill to set up a woollen mill at Goa. The application from M/s. Krishna Narayan Naik, Goa was rejected accordingly. In their subsequent communication, the

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Ministry of Commerce have given detailed comments on the representation and explained why this firm's request could not be acceded to. These comments are at annexure III.

[Home Affairs]

7 Shri Aya Ram, Janpath, New Delhi.  
Alleged double assessment of property tax for 1964-65 and 1965-66 and harassment of petitioner's family by Corporation Officials.

Enclose a copy of letter No. TAX/HQ/SC/NDS/87/1490/66, dated the 18th October, 1966, received from the Delhi Municipal Corporation, reproduced below:

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"The case of Shri Aya Ram has been examined and it is found that he wanted to know the details of arrears of property taxes and also the dates when the bills for that amount were sent to him. The arrears referred to in his application relate to the period prior to 1-4-1963 and they were included in the bills sent to Shri Aya Ram in the year 1964-65 and 1965-66. Shri Aya Ram was again called in this office on 11-10-1966 and the position with regard to arrears of taxes payable by him was explained to him in detail. The case has now been settled with him and he has paid the dues in full."

8 Shri P. N. Parikh, C/o Mehta Corporation (Pvt.) Ltd., New Marine Lines, Bombay-1.

Disposal of claims against the Central Railway and the Bombay Port Trust Railway.

[Railway (Railway Board)]

Since the period of limitation for filing of suits against the B.P.T. Railway is laid down in the Bombay Port Trust Act, the matter has been brought to the notice of the Ministry of Transport for suitable action. As for the Central Railway's liability for damages detected at the final destination in consignments rebooked from one B.P.T. Railway station to another, the matter is being examined.

Further, instructions have already been issued to the Railways not to demand registration of general power of attorney. However, Railways will continue to satisfy themselves that the person executing Power of Attorney on behalf of a partnership has been empowered to do so in the partnership deed.

9 Shri Amiya Deb Roy, Secretary, Tripura State, Communication Committee, Agartala.

Alleged lack of good transport facilities in Tripura, bad supply position for hospital and for general public in Tripura.

[Home Affairs].

Two notes giving comments of the Ministry are reproduced at annexures IV and V.

10 Smt. Hiranmayee Dutta, Post Silliguri, Darjeeling.

Closure of Katihar S.B. Account of late Mohan Dutt, Ex-teacher Katihar Government's school.

[D.G., P.&T.].

It has been ascertained from the Postmaster General Patna, that sanction for payment in respect of the account in question has since been issued by the Supdt. of Post Offices, Purnea and the claimant has been paid on 19-10-1966.

1 H.R.H. Prince Mirza Mohd. Bedar Bukht, of Calcutta  
 Enhancement of pension drawn by  
 Mirza Bedar Bukht a descendant of  
 King Bahadur Shah of Delhi, as he is  
 now a married man.

[Home Affairs—Pol. III Section].  
 Mirza Md. Bedar Bukht belongs to the Ran-  
 goon Branch of the ex-Royal family of Delhi  
 descendant of the last king of Delhi, who  
 was deported from India to Burma after  
 the mutiny of 1857. The petitioner's  
 father Jamshed Bukht who died in 1921  
 was in receipt of a political pension of  
 Rs. 500/- p.m. The pensions granted to  
 this branch of the family were neither  
 hereditary nor perpetual nor were they  
 guaranteed by the terms of treaties and  
 deeds. They were granted only in deserv-  
 ing cases for the duration of lives of the  
 grantees. The pension enjoyed by the  
 petitioner's father was also a life grant.

After the death of his father and mother,  
 Mirza Mohd. Bedar Bukht who was an  
 infant was granted in February, 1922 a  
 compassionate allowance of Rs. 8/- p.m.  
 to be increased to Rs. 16/- p.m. on his  
 attaining the age of 8 years and to terminate  
 definitely on his attaining the age of 20  
 years. The allowance accordingly lapsed  
 on his attaining the age of 20 years.

In May, 1960, the petitioner represented  
 to the effect that he was a descendant of

King Bahadur Shah II whom he claimed to be a great political sufferer for the cause of freedom on account of his participation in the freedom struggle of 1857. He stated that King Bahadur Shah's property was confiscated by the British Government after deporting him to Burma. He therefore requested that a political pension of Rs. 500/- P.M. might be granted for his maintenance.

The request was considered by the Government of India in consultation with the West Bengal Government. The late Dr. B. C. Roy, the then Chief Minister of West Bengal recommended that a pension of Rs. 250 P.M. may be granted to Mirza Mohd. Bedar Bukht. This recommendation was accepted by the late Prime Minister (Pandit Jawaharlal Nehru) and also a pension of Rs. 250/- P.M. was granted to the petitioner for his life time with effect from the 23rd August, 1960.

In November 1961, Mirza Bedar Bukht represented that the pension of Rs. 250/- P.M. granted to him was not sufficient and he wanted that the pension should be enhanced to Rs. 500/- P.M. Mirza Bedar Bukht's request was forwarded by a joint representation from some people of Hooghly and Nadia districts which was sup-

ported by Shri Humayun Kabir, the then Minister for S.R. & C.A. Shri Humayun Kabir suggested that the petition may be considered with sympathy and the pension be increased to Rs. 500/- in view of the rising prices.

The matter was considered carefully and for the reason that the allowance of Rs. 250/- P.M. sanctioned in 1960 in favour of Mirza Bedar Bukht was more than any other descendant of a participant in the freedom movement got, we informed the Government of West Bengal that there was no justification for increasing the allowance which was granted only 2 years back.

In view of the circumstances now stated by the petitioner the Government of India have considered the request of Mirza Mohd Bedar Bukht in consultation with the West Bengal Government and have agreed to enhance the pension from Rs. 250/- P.M. to Rs. 400/- P.M. as a very special case on account of exceptional nature of the case and on humanitarian considerations. The increased pension of Rs. 400/- P.M. to Mirza Mohd. Bedar Bukht will be tenable during his life time only and will lapse to Government on his death and will be



12 Shri Ramesh Chandra Chanda  
[item 4(iv) Appendix XXX  
Fifth Report, Third Lok  
Sabha List of outstanding  
cases at the end of 3rd Lok  
Sabha].

effective from 18th February 1967, the date on which the sanction of the Government of India has been issued. A copy of the sanction\* issued is enclosed for information.

[External Affairs—East Asia Divisional].  
It is observed that the letter attached to the U.O. note mentioned above is a copy of a letter dated 15th August, 1966 from Shri Ramesh Chandra Chanda to the Foreign Minister. A copy of our reply thereto is reproduced below. We have no further comments to offer in the matter.

“[Copy

No. C/5511/1/66/JP  
Government of India  
Ministry of External Affairs  
East Asia Division  
New Delhi, the Sept. 22, 1966.

To

Shri Ramesh Chandra Chanda,  
Secretary, Sarada Patha Mandir,  
P.O. Nasra, P.S. Ranaghat,  
Distt. Nadia (West Bengal).

Dear Sir,

I am directed to refer to your letter dated 15-8-66 addressed to the Foreign Minister of India and to say that you may

\*Not reproduced.

kindly refer to the findings of the Enquiry Committee headed by Shri Shah Nawaz Khan.

Yours faithfully,  
Sd/-B. P. Agarwal  
Under Secretary (East Asia)]”

11 Shri K. V. Chacko, New Debi (Sl. No. 5  
Appendix XXX 5th Report 3 L.S)

Alleged compulsory retirement by M/s. Burmah Shell Oil Company after 19 years of service and request for his absorption in any public undertaking.

[Ministry of Labour, Employment and Rehabilitation (Department of L&E)].

The Tripartite Committee set up under the Chairmanship of Shri R.L. Mehta, Additional Secretary, Ministry of Labour and Employment, to look into the question of job security of employees in petroleum oil companies has submitted its report. Although the Committee in the course of its work has examined the working of the early Voluntary Retirement/Separation Schemes introduced by these oil companies, namely, Burmah-Shell, Esso and Caltex, it has not looked into individual cases of voluntary retirement. Hence, the Ministry cannot take any action for providing any relief of Shri Chacko.

14 The Secretary, District Fruit Merchant's Association, Muzaffarpur. (Sl. No. 6(ii)  
Appendix XXX 5th report 3LS)

Clearance of lichi traffic ex. Muzaffarpur during the year 1965.

[Railways (Railway Board)].

The twelve points referred to in the (original Hindi) representation dated 23-7-65 forwarded to this Ministry have been gone into in detail and a note is attached, (Annexure VIII) which indicates the position.

15 Shri R.S. Agarwal (Postcard forwarded in original for disposal & intimation of action taken).

Alleged black marketing of sleeping berths, reservations etc.

[Railways (Railway Board)]  
In his complaint dated 27-7-65, Shri Agarwal raised the following points :—

(i) The Conductor of No. 23D Bombay-Delhi Janata Express failed to provide him accommodation in third class sleepers coach on 2-5-65 from Ratlam to Mathura in spite of his holding the necessary journey and reservation ticket. He did not also give him any certificate about non-availability of accommodation.

(ii) Neither confirmation nor refusal of his onward reservation of first class accommodation from Pipariya to Jabalpur for 13-6-65 was received by him in spite of his holding a I Class journey ticket dated 12-6-65 Ex. Indore to Jabalpur and having applied for reservation as under:—

12-6-65 Indore to Pipariya.  
3-6-65 Pipariya to Jabalpur.

(iii) He purchased a I Class ticket Ex. Jabalpur to Indore on 15-6-65 and applied for reservation by 34 Up on 19-6-65. Neither confirmation nor refusal of his reservation came upto 19-6-65.

The position about the above is explained *mutatis mutandis* below :—

(i) Three berths in 3-Tier sleeper coach were allotted to Shri R.S. Agarwal and his family by Station Master, Indore by No. 23 Dn. Janata Express passing Ratlam on 2-5-65. However, on arrival of the train at Ratlam, it was found that the regular 3-Tier sleeper coach had got damaged

ed due to which an ordinary coach was put on to run in its place. The Station Superintendent, Bombay, Central had, therefore advised all stations to which quotas were allotted in this coach that their quotas should be treated as cancelled. Due to this unavoidable reason, no sleeping accommodation was available at Ratlam for the party who was, however, provided sitting accommodation in the 2-Tier sleeper coach.

(ii) Enquiries conducted by the General Manager, Central Railway reveal that the Station Master, Central Railway, Pipariya did not receive any message from the Station Master, Indore for arranging onward First Class reservation in favour of Shri Agarwal Ex. Pipariya to Jabalpur by any train passing Pipariya on 13-6-65. It is clear from the complaint that the party had asked for reservation only on the date due to very short notice, the reservation could not be arranged. According to extant instructions, such messages are required to be sent 72 hours before the booked departure of the train from the train starting station.

(iii) A telegram for reservation of First Class accommodation Ex. Jabalpur to Indore in favour of Shri Agarwal by 34 Up Bilaspur-Indore Express of 19-6-65 was sent to the Station Master, Bilaspur for arranging the reservation. The Station Master,

Bilaspur confirmed the reservation of Shri R.S. Agarwal for his journey from Jabalpur to Bhopal against his ticket No. 14171 vide his telegram No. BSP/RESV/6/493 dated 16-6-65 which was routed via Nainpur. His name was accordingly entered in the Reservation Chart prepared by Bilaspur which was handed over to the Conductor of 34 Bilaspur-Indore Express leaving Bilaspur on 19-6-65. Further enquiries reveal that Station Master, Bilaspur, confirmation message was transmitted to the Head Signaller Nagpur, who failed to transmit the same onward to Jabalpur. Suitable disciplinary action was taken against the staff concerned for this lapse. Shri Agarwal however, obtained refund on 19-6-65 i.e. the day of journey when no confirmation of his reservation was received at Jabalpur.

16A. Shri K.R. Ganguly, Retired Asstt. Chemical Examiner to Govt. of U.P., Boileaugani, Agra.

Alleged fraud committed on Post Office Savings Bank Accounts kept by petitioner at Boileaugani Post Office, Agra.

[Department of Post & Telegraphs (D.G.; Post and Telegraphs)].

All facts mentioned by petitioner except those for which comments are elucidated adduced below are admitted :—

- (i) Alleged misappropriation and defalcation of a large amount by Postmaster, Boileaugani, Branch P.O.
- (ii) Admitted misappropriation of Rs. 29,933/- from 3 accounts including one of the petitioner's account standing in the name of his wife was done by one Shri Brij Beharil Saxena while working as S.P.M. Boileauganj and also that of Rs. 20,870/- by him while working as S.P.M. 509 Command, Agra. The nature of the fraud is such that it was not possible for the supervising officers to detect the same during the course of their visits

to these P.Os. and the S.P.M. got a free hand to commit the fraud as both the offices are single handed.

(ii) Admitted. The withdrawal of Rs. 6,000/- as applied for on 18-4-66 could not be allowed as the departmental and police investigations had not been completed yet.

(iii) Not admitted, so far as allegations of taking no interest by the Agra Postal authorities etc. The Vigilance Officer U.P. Circle, Lucknow personally made enquiries in the month of July, 1966 and submitted his report dated 9-8-1966 to the Directorate through the P.M.G. U.P. Circle on 6-9-66. There was no delay in departmental investigation at any stage as the officers of the Directorate were also deputed to associate with the same and accelerate the investigation.

(iv) On 30-7-66 evening a postal overseer tried to give him a duplicate Pass Book A/c. No. 331456 showing balance of Rs. 71.83 with interest for 1965-66 of Rs. 97/- Actual balance was to be Rs. 10101.53 plus interest.

As it appeared that an attempt was made to play a fraud on petitioner, he refused to accept the pass-book.

(iv) Admitted except the allegation of attempting to play a fraud on the petitioner. As per rules of department, a duplicate pass book showing the balance as per post office ledger is issued to the depositor so that he may be in a position to perform transactions. When the claim is admitted, the amount misappropriated is restored and balance is set. Accordingly the duplicate pass book excluding the amount misappropriated was prepared and action taken to deliver the same to the petitioner.

He prayed for return of Pass Book immediately showing correct balance to enable him to operate the account.

The delay in settlement of the claim of the petitioner was due to the fact that the S.P. E., Lucknow did not agree for the same before completion of their investigation and conclusion of the Court proceedings. However the matter was taken up with the Ministries of Home Affairs and Law on receipt of their opinion, the claim of the petitioner was settled. The P/B showing the balance including the misappropriated amount has since been delivered to the petitioner in the month of June, 1967.

16 (B) Shri Sohan Lal, Boileaugani, Agra

Alleged fraud committed on Post Office Savings Bank Accounts kept by petitioner at Boileaugani, Post Office, Agra.

(B) Admit facts mentioned in paras 1 to 7 of the complaint viz., that, the postmaster, Shri B.B. Saxena had fraudulently misappropriated and withdrawn Rs. 5,000/- on 4-11-64, Rs. 4,000/- on 21-1-65 and Rs. 980/- on 25-2-65 from his S.B. Account by forging his Signatures. The Head office Ledger showed Rs. 19/- while the pass Book showed Rs. 9999.55. The Head office finally retained the pass Book and granted him a receipt showing the correct balance.

(i) The Postal Authorities were not keen to proceed with the case. An attempt was made to give petitioner a duplicate pass book, but he declined it. He requested for early action.

(f) Not admitted. There was no delay at any stage in making departmental investigation in this case. A duplicate pass book showing the balance as per record of the post office ledger was prepared and sent for delivery to the petitioner as per rules of the department so that he may not find any difficulty in performing further transactions. However, a duplicate pass book showing the balance inclusive.

of the amount misappropriated by the late S. P. M. Boileauganj was issued and now delivered to the petitioner in the month of June, 1967. The delay in settlement of the claim of the petitioner was unavoidable due to the fact that the question was referred to the Ministries of Home Affairs and Law when the fraud was established on completion of departmental and police investigations. On receipt of the opinions from both the above Ministries immediate action was taken to issue and deliver the duplicate of the petitioner's pass book without delay.

16 (C) Shri Hiranand Girdhar, Sadar Bazar, Agra Cantt.

Alleged fraud committed on Post Office Savings Bank Accounts kept by petitioner at Boileauganj Post Office, Agra.

Admit facts mentioned by petitioner that Shri Saxena, the Post Master, had forged his signature and withdrawn Rs. 6000/- from his S. B a/c on 29-3-66.

(i) The Pass Book was retained by the H. P.O and he was given a receipt showing balance of Rs. 8503.13.

(i) The pass Book is required for the purpose of proving the guilt against the accused and as such it was taken possession of and made over to the police authorities for investigation. The allegation of not taken interest is not admitted as will be clear from the fact that the case was reported to the S. P. E. immediately when the fraud came to notice and the same has since been challaned in the Court of Law by them.

(ii) Prayed for return of original pass book showing correct balance of Rs. 8503.13 excluding interest.

(ii) A duplicate of the pass book showing the balance inclusive of the amount of misappropriation as since been issued and delivered to the petitioner in June, 1967. The delay in settlement of the claim of the petitioner was unavoidable due to the fact



that the question was referred to the Ministry of Home Affairs and Laws when the fraud was established on completion of departmental and police investigations. Immediate action was taken to issue and deliver a duplicate of the petitioner's pass book without delay, on receipt of opinions from both the above Ministries.

4 (D) Sardar Sadhu Singh, Bandhu Katra,  
Agra.

Alleged fraud committed on Post Office Savings Bank Accounts kept by Petitioner at Boileau-ganj Post Office, Agra.

Admit facts mentioned in paras 3 to 7 that the Post Master had fraudulently withdrawn the bulk of his S. B. A/c deposits totalling Rs. 13090.56, leaving only Rs. 190.56 balance.

The Postal Authorities were not issuing him any pass book to him inspite of his several requests. He prayed by early relief.

Admitted. The duplicate pass book the balance including the amount of misappropriation could not be issued and delivered to the depositor for the reasons that the matter was under departmental and police investigations for months together. Besides the question of settlement of claims of defrauded persons was referred to the Ministries of Home Affairs and Law. On receipt of opinions of both the Ministries a duplicate pass book showing the balance inclusive of misappropriated amount has since been issued and delivered to the petitioner in June, 1967.

The D. G. P&T add that the question of settlement of claims of defrauded depositors including these 4 petitioners was referred to the Ministries of Law and Home Affairs. On receipt of their opinion immediate action was taken to restore the defrauded amounts and issue duplicate pass books to the petitioners. The pass books have since been delivered to the petitioners in the first week of June, 1967.

The Committee note with satisfaction that a matter pending for over four years has been redressed quickly on their intervention.

*Fresh Cases referred from commencement of Fourth Lok Sabha:*

17 Shri Hiranand Motumal Matai, Finalisation of Postal Life Insurance. Policies Nos. 6998-C and 49643-C. Tilk Nagar, Ajmer.

[Department of Communications (P&T) Board] Shri Hiranand Motumal Matai, the petitioner, holds Postal Life Insurance whole life policy No. 6998-C for Rs. 5000/- which he had taken out at Karachi on the 3rd October, 1933. The premia in respect of this policy are payable till the age of 85 years. On coming over to India in December 1947 he took out in Bombay another life policy bearing No. 49643-C for Rs. 5000/-. Shri Matai is now about 55, his date of birth being 4-10-1912.

The complaint of the insurer relates to the following points, namely:—

(a) The Postal Life Insurance Section of the Postmaster General Bhopal has not replied to his letters of the 15th January, 1967 regarding certain enquiries relating to his two policies.

(b) He is not being allowed to send his communications to the Postmaster General through the Post Offices (This apparently would save him cost of postage).

(c) Credit position of premia in respect of his two policies has not been correctly intimated to him. The Director, Postal Services, Delhi Circle, New Delhi informed him in 1962 that there were no non-credits whereas the Madhya Pradesh Circle has now pointed out certain non-credits for the back periods.

(d) The admissible amount of loan quoted by the Postmaster General was lower than what he should get, viz. Rs. 2960/- and Rs. 2217/-.

The actual position of the case with regard to each of the points mentioned in the preceding para is stated below:—

(a) Shri Matai's letter of the 15th January '67 was not received by the Postmaster General, Bhopal as it was sent to Nagpur. Action was however initiated in the Circle Office on receipt of his letter dated the 18-2-1967 which was addressed to the

Asstt. Director, P.L.I. (by name). The party's letter was replied to by the Postmaster General on 7-3-1967.

(b) *Bona fide* complaints against service, if tendered in open condition, can be routed through the Post Office. Besides P.L.I. Rules also provide that application for loan can be forwarded to the Postmaster General through the Post Office. There cannot be any objection to such communications of the party being routed through the Post Office in accordance with the prescribed procedure.

(c) The insurant worked in the jurisdictions of various Circle Offices from time to time, viz. Karachi, Bombay, Calcutta Delhi and Bhopal and the premium accounts were accordingly maintained by several offices. The discrepancy regarding availability of credits of premia had partially arisen because of this. However, all the missing credits excepting for December, 1947 and January '48 (in the case of first policy) for which the matter is still being pursued with the Pakistan authorities, have since been traced and the party apprised of the latest credit.

position by the Postmaster General,  
Bhopal.

(d) The policies stood assigned in favour of party's wife. As no loan could be granted on an encumbered policy, a reassignment in favour of the insured and further assignment by him to the President was necessary before loan could be considered under the Rules. This was pointed out to the insured by the Postmaster General, and simultaneously a nomination of his policies in favour of his wife was also suggested to him so that legal requirements could be dispensed with in effecting the payment of policy money on the death of the policy holder. The insured sent his two policy documents to the Postmaster General on the 3rd May, 1967 after recording necessary endorsements regarding reassignment and nomination. The requisite notice of reassignment and nomination as prescribed under the Insurance Act was now however given by the party in spite of a few reminders issued by the Postmaster General. However, as a special case, with a view to helping the party, sanctions for loan amounting to Rs. 2100/- and Rs. 1200/- for the two policies have already been sent to the concerned Postmaster for making the payment after obtaining the

requisite notice and also observing other usual formalities.

The party is not entitled to receive higher amounts of loan, as expected by him. Loan is sanctioned on the security of unencumbered policies with reference to certain percentages surrender value, as mentioned in Rule 42 of the Post Office Insurance Fund Rules, extracted at annexure VI to this note. Surrender value of a policy, which is calculated with reference to Tables not printed for publication depends, on, among other things, the number of years for which the premia are paid as also the age at which the policy is taken and the age at which the surrender value is calculated. In respect of the first whole life policy the party has under the contract to pay premia for yet another over 30 years and has so far paid premia for over 33 years while in regard to the 2nd life policy the premia have been paid for about 14 years and are required to be so paid for another about 15 years.

A copy of the reply sent to the party from the P&T Directorate is attached at annexure VII.

The case has been seen by the Minister for Parliamentary Affairs and Communications.

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Dr. (Smt.) Glory A. George—  
 Woman Asstt. Surgeon Go-  
 vernment Hospital—Peram-  
 bur—~~Madras State~~

Common script for all Indian Languages.

[Education].

She has suggested the adoption of English alphabet (Roman Script)—as the common script for all Indian Languages. In this connection it is pointed out that the question of adoption of a common script for all Indian Languages was considered at the Chief Ministers Conference held in 1961. The conference held the view that a common script for the various Indian languages was not only desirable—but would also serve as a powerful link between different languages and Hindi and therefore could be of a great help in bringing about emotional integration in the country. The Chief Ministers however, felt that such a common script for India in the existing circumstances could only be Devnagari. Under the Constitution also, Hindi the official Language of the Union is required to be written in Devnagari script. The question of adoption of any other script as a common script for all the languages—including Hindi—does not therefore arise.

In order to equip Devnagari to express in writing the special sounds of other Modern Indian Languages—which are not found in the Devnagari script—the Government of India set up a Committee of

Linguists in 1961 to suggest suitable symbols dia-critical marks necessary for adoption in Devnagari for expression of those special sounds adequately. The Committee finalised its recommendations—recently—which have been accepted by the Government of India. A pamphlet was published containing the recommendations of the Committee—entitled “Samanast Bharatiya Bhashaon ke liye—Samanaya Rastra Lipi, Parivardhit Devnagari”. Copies of the pamphlet have been sent to all State Governments/Union Territories/Public bodies-Universities/Academic bodies etc. and to individuals on demand. This modified script can be used for transcription of different Languages of the country in Devnagari and as this can serve as a link amongst them. It can also be used as an alternative common script for the regional languages.

19 Shri Vajubhai Upadhyaya, Irregular steamer service from Bombay  
President: Sinar Nagrik Samiti. to Saureshtra Nawabunder etc.

[Transport & Shipping (Transport Wing)]. Till September, 1964, M/s. Scindia Steam Navigation Co. Ltd., were operating a regular weekly passenger service between Bombay and the Saurashtra ports of Jaffarabad, Nawabunder and Veraval, Porbunder and Okha. With the scrapping of the vessel Sonavati which was catering



to this trade, the service was discontinued in 1964. However, to meet the demand of the travelling public during the peak summer season, the company arranged three sailings each during April/May, 1965 and April/May, 1966 by employing one of their vessels plying in the Konkan route. They were also catering to Kutch-Mandvi with their weekly Cochin-Bombay-Karachi Service. When one of the two vessels namely Saraswati was impounded by Pakistan in September, 1965 this service was curtailed to Cochin-Bombay route.

This Ministry had received representations for restarting the service and the Company were also willing to start a service to Saurashtra ports and Kutch-Kandvi. They however felt that the service was not remunerative and wanted a increase in passenger fares. Representative associations of the travelling public were also agreeable to the Company raising the fares by Rs. 4.00. This was examined by an Officer Committee consisting of representatives of this Ministry, Department of Commercial Audit and the Government of Gujarat. The official committee recommended an increase of Rs. 4.00 in the passenger fares. The fares were accordingly enhanced and the Company has resumed the service with effect from the 30th April, 1967.

20 Shri Gopinath Sakhia, Dibrugarh, Assam

Request for abrogation of Article 343 of the Constitution

[Home Affairs]

It may be recalled that the Constitutional statement relating to Hindi as the official language of the Union was evolved after careful consideration in the Constituent Assembly and adopted without a division as representing the greatest common measure of agreement among the different linguistic groups in the country. The position was reviewed by the Official Language Commission (1956) and again by the Committee of Parliament on Official Language (1958). Relevant excerpts from their reports are enclosed (Annexure IX). Needless to say, this Ministry has little to add to the observations made therein.

As regards the petitioner's plea for retention of English, it may be stated that Section 3 of the Official Language Act 1963 already provides for the continued use of that language in addition to Hindi even after 26-1-1965 for all the official purposes of the Union for which it was being used immediately before that date. Thus a period of prolonged bilingualism has begun when both Hindi and English can be used without let or hindrance for the official purposes of the Union. In the President's address to the joint session of two Houses of Parliament, held on 18th March, 1967 it was announced that legislation to give statutory recognition to the assurances given in regard to the official language of the Union will be shortly introduced in Parliament. It is accordingly proposed to introduce a Bill during the current Session of Parliament.\* In addition

to the statutory form to the assurances given by the late Prime Ministers the Bill contains certain provisions intended to safeguard the legitimate interests of the Central Government employees who may not possess adequate knowledge of Hindi. It is further proposed to move in Parliament at the same time as the Bill is introduced, a Government Resolution relating to matters which for constitutional or other reasons could not appropriately be covered by the proposed Bill.

[Railways (Railway Board)]

21 Shri Apaji L. Parmar, and 70 other scarp yard casual labourers, General Stores, Western Rly. Sabarmati.

It has been reported by the Western Railway that applications for the posts of Khalasis in scale Rs. 70—85(AS) have been received from local people and casual labour. However, the recruitment has not been made so far as till 20th July, 1967 as the posts have not yet been sanctioned.

Casual labour at Sabarmati are paid at the rate of Rs. 2.50 P per day. As per rules, casual labour are entitled for the wages for the rest day only when they work under the same employer for a continuous period of not less than six days. Accordingly if a casual labour absent himself on the day before the day of rest, he is not entitled to the wages for the day the absents himself as well as wages for the rest day.

Only such of the casual labour as have put in six months continuous service on works other than projects are accorded temporary

\*The Bill was not, however, introduced during the Second Session of the 4th Lok Sabha. Notice of such a Bill for introduction during the next Session has also not been received so far. by-up dt 22-9-67.

status and there by they become entitled to the privileges admissible to temporary railway servants except pensionary benefit. Those who have not attained temporary status are not entitled to these benefits.

Casual labour are recruited in the scrap Yard to give deliveries of auctioned materials. As soon as the deliveries are over, the services of such labour are terminated, there being no work to justify their continued employment. The very nature of the service of casual labour is such that they have to be discharged on completion of the work for which they are engaged. They cannot be considered for promotion, on the basis of their seniority as they are not in any regular cadre.

[Commerce]

Shri Vijayanagar has endeavoured to make out that the present structure of Central Excise tariff in respect of cotton fabrics is such that the duty incidence bears no relationship with the price of fabric. This aspect has been examined by this Ministry several times in the past—once with reference to a communication from Shri V. K. Soni forwarded by the Private Secretary to the then Speaker, Lok Sabha, under his letter dated the 10th May, 1965 (a copy of which See Annexure X is enclosed to Shri Vijayanagar's Memorandum under consideration.

22 Shri P. L. N. Vijayanagar, Chennai, Chennai, Beem-  
Anomaly in existing pattern of excise duty on-  
Suggestions regarding changes in Cotton  
fabrics.

The present scheme of levy of Central Excise duty on cotton fabrics has been formulated in such a way so as to ensure a fair and equitable incidence of duty on the different categories/varieties of cotton fabrics, the aim being to generally correlate the type of fabrics and hence its value with the rate of duty applicable thereto. Such a correlation may not, however, always be possible, for instance in the case of some special type of fabrics where the price is exceptionally high but then such cases are an exception rather than the rule. It has also not been found possible to take any action on any one of the suggestions that have been made for changing the existing pattern of duty.

Shri Vijayanagar has already been suitably informed in the matter. However, a detailed note tracing, in brief, the historical background of Central Excise duty on cotton fabrics and indicating the position regarding the various points raised and the suggestions made in the above Memorandum is enclosed (See Annexure XI).

(Home Affairs)  
The Secretary New Delhi Municipal Committee has informed that Shri Patta Ram has not mentioned the site of his squatting business being carried on by him. The field staff of the Committee as reported that they never came across any person by the name of B. Patti Ram near the Bus stand, North Block and, therefore, the question of harassment to him by the New Delhi Municipal Committee staff does not arise.

23 Shri B. Patta Ram S/o Ajnathis, Near Bus Stand, North Block, Central Secretariat, New Delhi.  
Alleged harassment of petitioner by NDMC officials even if he tries to earn his living by hawking.

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24 Sh. Vidya Sagar Gandhi, Lajpat Nagar, New Allotment of a shop in market of a work centre  
Delhi.

(Home Affairs)  
It has been ascertained from all the concerned Authorities, namely the Directorate of Estates, Delhi Administration, Delhi Municipal Corporation, New Delhi Municipal Committee and the Delhi Development Authority, that as Shri Vidya Sagar Gandhi is not eligible squatter, it is not possible for them to allot any shop to him. The Director of Estates who is mainly concerned with the allotment of shops has stated that initial allotments in the new markets under the control of the Director of Estates are made to the eligible squatters and other suitable applicants in such a manner as to ensure a balanced representation of various trades. Vacancies occurring in the markets are allotted on the basis of tenders. According to him, no special consideration can be given to any blind man in contravention of the prescribed procedure. He has already informed Shri Vidya Sagar of the position. The New Delhi Municipal Committee also have intimated that he can take his chance whenever tenders are invited by the Committee for some shop which may fall vacant.

5 Shri Chinubhai Mughatiai Mewalia, Agent Alleged non-receipt of cheque for Rs. 156.15  
L.I.C. Un'ha (Gujarat) and for Rs. 90.3 re: agency No. 2847085 and  
2 policies.

[Ministry of Finance (Department of Revenue & Insurance)]  
The representation was referred to the Life Insurance Corporation of India, Bombay from whom a reply has been received. In this connection a copy each of letter dated 29-3-67 from the Divisional Manager, LIC, Ahmedabad to LIC Central Office Bombay and letter dated 29-6-67 addressed

by Divisional Manager, Ahmedabad to Shri Chitabhai Mugaram Mewada is placed below. (See Annexures XII to XIII)

[Works, Housing & Supply (Directorate of Estates)] From the copy of Shri Viswanathan's representation it appears that the house No. 15, Velayutha Mudali Street, Nangambakkam, Madras, was surrendered by him to the Accommodation Controller, Madras, who is an officer of the Madras Govt. Since the house has not been taken by the Central Government, the Ministry of Works, Housing and Supply have no comments to offer on the petition.

Department of Communications (P&T Board)  
Give the following comments on each para of the representations:

(i) Admit the facts.

26. Shri N. Viswanathan, Divisional Accounts Officer, Sholapur. Restoration to the owner of property once voluntarily surrendered to the Accommodation Controller Madras.

27. Shri H. P. Gajria, Colaba, Bombay, (forwarded through Shri George Fernandes, M.P.) Settlement of Postal Life Insurance Policies of late Shri P. M. Bhatia—Policy Nos. 29923—C/66315 and 37878—C/83509.

Points made by petitioner are

(i) Paras 1-4. On the expiry of his father, (who held the above 2 policies) on 22-9-66, petitioner filed a claim before D.G., P&T on 3-10-66. He has informed on 22-4-67 that Govt. of Pakistan had been requested to issue the requisite authority for payment of admissible amount.

He subsequently addressed 3 letters dated 10-5-67, 7-6-67 and 13-7-67 to the D.G. Pakistan, Post Offices (P&T Section) Karachi direct for early settlement, without eliciting any reply.

On his representing to the Prime Minister on 10-5-67, for provisional payment, he received a reply from the D.G. P&T, (India) on 26-5-67 expressing inability to do so.

(4) Para 5: He addressed a letter dt. 8.67 to the Finance Minister of India who also replied on 1-7-67 expressing his inability to do so. Petitioner has again represented to him on.

(iii) Para 6: The face value of the policies is Rs. 5,000/- and bonuses declared by Govt. of Pakistan upto 1957 amounts to Rs. 3304. In terms of Indian currency, this amounts to about Rs. 10,000/-.

(iii) The value of the policies is Rs. 5000/- as stated. The amount of Bonus is to be added to the value of the policies for payment at the time of settlement of claim by the Admn. issuing the Authority for payment. Since the Pakistan Admn. has to issue the Authority for payment in this case, it is for that Admn. to add the amount of Bonus as might have accrued on the policy in accordance with the amount of Bonus declared by that Administration from time to time.

It is not possible to offer comments on the actual amount payable on these policies. Regarding the possible effect of Devaluation of the Indian rupee, this Deptt. is not in a position to offer any remarks. Lok Sabha Sectt. may kindly consult the Ministry of Finance in the matter, if considered necessary.

(iv) Para 7: His father migrated to India in 1942. The premia from 1948 to September 1967 have been paid into the post offices in India.

(v) The factual position is that the premia for the period from 9/47 to 8/49 are reported to have been paid in Pakistan while those from 9/49 to 9/66 have been paid in Post office in India.

(9) Para 8: The Govt. of India in the post have been provisional payments to several claims by making provisional payments



categories of persons migrated from Pakistan, one of them being the pensioners, where the Govt. of Pakistan had delayed payments.

as suggested for the reasons indicated below:

(a) The policies are the liability of Pakistan Admn.

(b) Under the Indo Pakistan Agreement, payment of the value of these policies can be made by the Indian Admn. only on receipt of valuation certificate from the Pakistan Admn.

(c) The Indian Admn. does not know the exact amount payable in respect of such policies because the account is maintained by the Pakistan Admn.

(d) Even if approximate valuation is made and the claim settled, there is no prospect of recovery of the amount paid on behalf of the Pakistan Admn. for the Pakistan Admn. has not even accepted the debit raised against the amount of the valuation certificates issued by it.

(e) In the event of a decision to settle such claims on provisional basis the P.L.I. Fund cannot accept the debit. Paras 9, 10, 12 & 13.—No comments

(vi) No Comments.

(vii) Paras 9, 10, 12 & 13: Talks of hostile attitude of Pakistan, his expenditure on father's funeral and rites, and prays for early provisional payment. Also encloses the copies of relevant papers.

(viii) Para 11: The Deputy Prime Minister in his reply has stated that exact amount of policies is not known. Petitioner had declared the face value of policies and bonuses declared by Govt. of Pakistan and submitted the original policies to

(vii) Kindly see comments against paras 5 & 6 above. It is not possible to effect payment of the value of policies without verifying the credits of premia paid in Pakistan and in absence of a valuation certificate (Authority of Payment) from the Pakistan Admn. in rest

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pect of policies which are the liability of that Administration.

The Department further clarify their policy in this behalf as follows:

"On the partition of the Country into India and Pakistan, it was *inter alia* decided that the liability of the PLI policies issued by the Govt. of Undivided India is that of the Govt. of Pakistan in cases in which the insurant was serving under Govt. in Pakistan on March 31, 1948. Shri P. M. Bhatia--the insurant was serving under the Sind Govt. at that time and as such the policies held by him stand included in the list of Pakistan liability policies. The claims of such matured policies are settled on reciprocal basis. The procedure for settlement of such claims and that for payment of premia on policies the liability of which rests with either of the Govts. of India or Pakistan in Pakistan or in India respectively appears in the minutes of the Indo-Pakistan Conference held on the 1-3-55 and 12-3-55 a\* copy of which is enclosed for reference. It will kindly be seen therefrom that the credit of premia received in one Country on behalf of the other is passed on to the country whose liability the policy is. The claims of such policies are disposed of in accordance with paras 1, 2 & 3 of the prescribed procedure referred to. The premia paid in India in respect of the policies cannot be paid provisionally to the claimant for the reason that these were accepted on behalf of the Pakistan Govt. for passing on the credit therefor to that Govt.

D.G. PATTI, (PLI) on 31-10-1966. Hence he feels that there should be no difficulty to ascertain exact admissible amount.

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It is not possible to follow the procedure in vogue in the Deptt. of Rehabilitation regarding settlement of claims of displaced persons in view of the clear procedure laid down which prescribe the settlement of these claims on receipt of the authority of payment from the Country, whose liability the policy is. In case the claim is met in absence of authority of payment from Pakistan it will provide a handle to that Country to invalidate all such claims. It may be stated for the information of the Lok Sabha Secretariat that Pakistan Administration has not so far accepted even the debit of Rs. 9,80,000 paid on their behalf on the basis of valuation certificates issued by them.

A further enquiry was made from the Department calling for factual information on the following points:

- (1) A copy of the orders, issued by the Central Government, in pursuance of which the payment of Rs. 9,80,000/- was made on behalf of the Pakistan Government by the Department of Communications (P & T Board) on the basis of the valuation certificates issued by that Government.
- (2) What are the steps so far taken by the P&T Board to recover the amount thus paid and the considerations which have weighed with the Pakistan Government in not having reciprocated in such matters?

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\* See Annexures XIII to XV

- (3) What steps the Department of Communications (P&T Board) have taken so far or propose to take for providing relief to the policy holders of the type under reference?

The Department, in the reply, state as follows:

- (1) A copy of the Minutes\* of the Indo-Pakistan conference held on 1-3-55 and 12-3-55 together with para 21 of the Minutes of the 4th meeting of the Implementation Committee dated the 16/17-4-58 has already been supplied to the Lok Sabha Secretariat under the P&T Board U.O. No. 43-12/66-LI dated the 5-8-67. The procedure to be adopted for disposal of claims in such cases has been laid down in paras 1, 2 and 3 thereon. The views of the Pakistan Govt. were called for in Govt. of India, Ministry of Communications letter No. F. 78-4/55-LI dated the 10-10-57. The procedure sent therewith was agreed to under para 21 of the Minutes referred to.

- (2) Under the agreed arrangements referred to at (1) above the payments made by the P.&T. to holders of Pakistan F.L.I. Policies on the basis of valuation certificates through an Inter-Governmental Account known as "Indo-Pakistan settlement Accounts." There

has been no clearance of this Account as the matter has been linked up with the various financial issues arising from partition outstanding between the two countries including the recovery of partition debt from Pakistan. These issues were last discussed between the two Countries at Finance Minister's level in 1960 but no agreement was then reached. The Pakistan authorities have not so far responded to resume the negotiations.

(3) It is perhaps the suggestion of the Lok Sabha Secretariat that relief to the Pakistan Liability policy holders be provided out of the Indian Section of P.L.I. Fund the constituents of which are the P.L.I. policy holders. If so, it may be clarified that such a step would not be feasible unless it is decided to curtail the legitimate dues of the Indian Policy holders because the Fund does not get any separate subsidy from the Govt. of India for the purpose.

The Committee are distressed to observe that P.L.I. Policy holders who migrated from Pakistan to India in the wake of Partition of the country should have been subjected to such a great hardship by the non-payment of the sums due on the policies held by them in Pakistan. The Committee further note with regret that the Government have not provided any relief to Shri Gajria in respect of the policies held by his deceased father Shri P. M. Bhatia especially when he had remitted the premia in respect thereof from 9/49 to 9/66 in a Post Office in

\*See Annexure XIII to XV.

India. The Committee are not convinced by the explanation given by the DGP&T in this respect and see no reason why the Government of India should evade its responsibility in extending relief to this and other such affected persons, when once Government accepted payment of the premia in an Indian Post Office. The Committee desire that Government should reconsider the whole matter from the humanitarian point of view and devise some measures whereby such claims could at least be paid *pro-rata* to the policy-holders. In the context of the present political situation, the relation with Pakistan being what they are, the Committee doubt whether Government of India could come to an agreement with Pakistan over Indo-Pakistan Settlement Account in the near future. The Committee are also unable to appreciate as to why this matter should be linked with the settlement of the Partition Debt due from Pakistan. The Committee are further pained to observe that the P.L.I. Policy-holders should be subjected to such hardships for the non-payment of their claims even on a provisional basis, when Government had already paid a sum of Rs. 9,80,000 to the P.L.I. Policy holders on behalf of Pakistan Government on the basis of valuation certificates issued by that Government.

**ANNEXURE I TO APPENDIX XXVIII**

**(Part II, Item No. 3)**

A copy of letter No. D.7457/66/G & C, dated the 10th February, 1966 addressed to Shri Razak Aiyub Bandhani C/o Shri N. A. Menon, P.O. Khadagadam, Tehsil Nandod, District Broach (Gujarat State) from Shri M. C. Jain, Under Secretary to the Government of India, Ministry of Health and F.P. New Delhi and endorsement to the Ministry of Home Affairs, with reference to their u.o. No. D. 7947/65-Poll III, dated the 21st December, 1965 and (2) Lok Sabha Secretariat (Committee Branch) with reference to their u.o. No. F.23/C/65/R475, dated the 28th December, 1965.

**SUBJECT:—Request for financial assistance**

With reference to his application dated 10-12-1965 addressed to the Home Minister and the Department of Parliamentary Affairs, Government of India, on the subject cited above Shri Razak Aiyub Bandhani is informed that financial assistance from the Health Minister's Discretionary Grant can only be sanctioned for the purpose of medical treatment. Grant can be sanctioned for travelling purposes for the patient. It is not possible to consider any request for financial assistance without a medical report about the present condition of the disease of the patient and what will be the minimum essential expenditure for treatment over and above the facilities that are provided in Government hospitals. If, therefore, Shri Bandhani desires his case to be considered, he should furnish complete information as asked for in this Ministry's memorandum No. D.7454/65/G & C, dated the 21st July, 1965. For obtaining medical treatment and certificate, etc., from a Government Hospital, he is advised to approach the Director of Medical and Health Services, Gujarat State, for necessary arrangements.

Enclosure to letter No. D.7457/66/G & C, dt. 10-2-66.

(at Annexure I *pre-page*)

A copy of letter No. D.7457/65/G&C, dated the 21st July, 1965, addressed to Shri Razak Aiyub Bandhani C/o Shri N. A. Menon, P.O. Khadagadam Tehsil Nandod, District Broach (Gujarat State), from Shri M. C. Jain, Under Secretary to the Government of India, Ministry of Health and Family Planning, New Delhi.

**SUBJECT:—Request for financial assistance**

With reference to the application dated the 1st June, 1965 from Shri Razak Aiyub Bandhani on the subject cited above, it is stated that information on the following points may kindly be furnished in order to enable to this Ministry to consider the question of the grant of financial assistance:—

- (i) A certificate from the Medical Superintendent of State Government/recognised Hospital stating the present condition of your disease, the treatment given so far and the further treatment recommended. If treatment abroad is recommended, the name of the Country and hospital in which he should obtain treatment may also be mentioned and it should also be certified that facilities for such treatment are not available in India.
- (ii) A certificate in original from a Member of Parliament or State Legislature stating about the circumstances of your case, your financial status and amount of assistance that is essential to be provided by Government and for what purposes.
- (iii) A certificate in the enclosed proforma to the effect that you have not received any financial assistance from any other sources. If otherwise, the details of all such assistance obtained may also kindly be furnished to this Ministry.



ANNEXURE II TO APPENDIX XXVIII

(Part II, Item No. 4)

MINISTRY OF INDUSTRY  
RESOLUTION

New Delhi, the 19th April 1966.

No. SSI(A)-19(18)/65—The Government of India in the Ministry of Industry and Supply (Department of Industry) appointed on the 10th September, 1964, a Committee under the Chairmanship of Dr. P. S. Lokanathan, Director General, National Council of Applied Economic Research, New Delhi, to examine the allotment and utilisation of scarce raw materials to the large, medium and small scale industries and make recommendations to Government.

2. The Committee submitted its Report to the Ministry of Industry and Supply (Department of Industry) on the 28th May, 1965.

3. The recommendations of the Committee and the decisions of the Government thereon are set out in the Annexure.

4. Government wish to place on record their appreciation of the valuable work done by the Committee.

ORDER

ORDERED that a copy of the Resolution be communicated to all concerned.

ORDERED also that the Resolution be published in the Gazette of India for general information.

O. N. Misra, *Joint Secy.*

ANNEXURE

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S. No.	Recommendations of the Committee	Decisions of the Government
1	2	3
1.	The scarce raw materials should be equitably distributed without reference to the sector to which the units belong subject only to the overall national priorities of their end products.	Accepted. The recommendation will be implemented as soon as adequate data to form the basis for implementation becomes available. Necessary steps to collect the data have been taken in hand.

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2 For determining this equitability, these units should be divided into the following four broad categories on the basis of the present definition of the large (including medium) and small scale sectors :

- (i) Units producing such goods/services which could only be undertaken in the large (including medium) scale sector.
- (ii) Units producing goods/services which could manufacture, depending upon economies of scale in the large (including medium) sector or in the small scale sector.
- (iii) Units which fall in the small scale sector but produce goods/services/components/sub-assemblies or other items which are of a primary nature in the national interest, though they may not have comparable units in the large (including medium) scale sector.
- (iv) Other units in the small scale sector.

All the units on the registers of the DGTD and State Directors of Industries should be re-classified as above and scarce raw material allotted within each Group on a uniform basis.

3 Even amongst the comparable industries in the two sectors, priorities should be drawn up so that those industries with higher priority get higher allocations and provide the much more needed goods/services. The following categories are recommended and the industries must fall under

By far the greatest proportion of the industrial units will fall in category (ii). The units in category (ii) will be classified under two heads (a) those in the scheduled and registered sector and (b) those in the small scale sector. In determining the allotment of raw materials on the basis of this recommendation, the due account should be taken both of installed capacity and output during past years.

Accepted. The item "Drugs and Medicines" will be added specifically in category (2).

one or the other of these categories.

- (1) Defence requirements.
- (2) Industries directly concerned with the development of agriculture and food production.
- (3) Export-oriented industries.
- (4) Import substitution industries.
- (5) Transport and power.
- (6) Units producing components, etc. required in certain vital sectors like railways and others; those producing accessories, components etc. which are imported and essentially required for keeping plant and machinery in the above industries running.
- (7) Producer goods and essential consumer goods industries.

Units which are working as ancillaries to a particular large scale unit should get, to that extent, the priority of the principal unit.

In these industries the existing capacities should be more fully utilized and additional raw material should be secured, to the extent possible to utilize existing production capacities.

4. At the national level, joint committees, including representatives of the concerned administrative Ministry, DGTD and CSIO should allocate raw materials on the basis of overall requirements and availability to different industry groups. Once the availability to the particular industry group in the small scale sector is decided, the CSIO

The Govt. of India accept the principle of his recommendation. In respect of steel there is already the Steel Priority Committee. Secretary (Industry) will be included as a member of this Committee so that the problems of the small scale sector, could be adequately taken care of. In respect of other raw materials proposals

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should redistribute it to the States in accordance with their estimated requirements and should also inform the States about the entitlement of the industry group so that there may be equitable distribution between the different units in the same industry group in different States.

- 5 In regard to indigenous scarce raw materials such as steel, aluminium, basic organic chemicals and intermediates, including dyes, basic inorganic chemicals like caustic soda, soda ash, titanium dioxide, etc. pharmaceuticals and drugs, plastics, synthetic and natural rubber, etc., an equitable proportion should be set apart for the small scale units at reasonable prices.
- 6 Dependable, uniform data regarding different small scale industries is not available over a period of time. This basic deficiency of the sector should be set right as quickly as possible. Adequate data to form the basis for implementation of the Committee's recommendations should be available in the States in about 18 months' time if immediate steps are taken to organise their collection and analysis on a uniform basis in all the States.
- 7 For all category (ii) and category (iii) industries (referred to in S. No. 2 above), in the small scale sector estimates of production capacities, past production and requirements of different items of scarce raw materials should be prepared in each State by the

worked out according to the existing procedure will be scrutinised by a Committee consisting of (1) Secretary, Ministry of industry, (2) Secretary Ministry of Supply & Technical Development, (3) Secretary, Planning Commission, and (4) Secretary, Administratively concerned with the raw material. The DGTD and DCSSI will be consulted by the Committee where necessary.

Accepted. Steps will be taken to implement the recommendation.

This recommendation is accepted. The State Governments are being requested to take action to collect data. This work will be taken on as a high priority item.

Accepted.

State Directorate of Industries and co-ordinated and consolidated at the Centre by the C.S. I.O. For all category (i) and category (ii) industries, in the large (including medium) scale sector estimates of scarce raw material requirements should be prepared by the D.G.T.D. for each Directorate for each of the categories. These two lists of estimated requirements should then be considered by the allocating authorities at the Centre.

- 8 A large number of units in category (iv) will not qualify for inclusion in the other three groups. The employment potential of this category is, however, considerable and this category serves as the starting point for skilled workers, technicians and entrepreneurs to try out their new ideas and slowly graduate into category (iii) or category (ii) industries in the small scale sector. It will be a serious disadvantage to the national economy to restrict the entry of such new entrepreneurs, who through ingenuity and innovation, provide goods and services and employment quite out of proportion to their meagre requirements of scarce raw materials. It is necessary to guide the entry of such new firms requiring scarce raw materials so that there may be no further strain on the meagre foreign exchange resources. But even so provision should be made for new entrants into the sector as a long term programme. It is suggested, that, depending upon availability and as a residual measure, an *ad hoc* allocation of a small amount per half year for all imported scarce raw materials like components/spare parts, non-ferrous metals and steel
- The Government of India accept the principle of this recommendation.

might be allowed for this category. The CSIO should guide the State Directors of Industries as to the type of Industries which could be fostered under this category. The Directors of Industries should be the sponsoring authorities for these allocations. It should be made clear to such entrants that allocations to them would depend on availability and the priority of their end-products. When these units prove their technical feasibility and viability, they should be transferred to either category (ii) or category (iii), giving scope for new entrants again.

- 9 It is necessary to have proper assessment of capacities of different units in the two sectors. It is also to be ensured that such assessment is on a uniform basis. It is, therefore, recommended that suitable norms, in respect of raw materials, for the purpose be evolved by mutual consultation between the D.G.T.D., the CSIO and the State Directors be associated wherever necessary. The assessment of capacities will yield valuable information regarding capacities in the small scale sector which should be analysed and passed on to the DGTD, the CCI&E and the Licensing Committee for their use.

- 10 Joint panels of representatives of DGTD, CSIO and C C I & E should scrutinize the lists of parts components now imported with a view to examine whether these could be produced within the country. These joint panels should also scrutinise the imports of the Directorate General of Supplies and Disposals with a view to encouraging industrial units in the country to take up their production.

The assessment of capacities is a complex problem. Steps will be taken to secure a reasonably acceptable standard procedure for assessment of capacities.

Accepted.

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- 11 State Directors of Industries are doing inspection work on behalf of the DGTD at the latter's request. This practice should be extended to the extent desirable and there should be such inspection of all the units at least once a year. It would also be a definite advantage to have central teams of inspection consisting of representatives of DGTD and CSIO to visit a few large and small scale units at random.
- The principle underlying this recommendation is a healthy one. While a beginning will be made with such inspections it will not be possible to inspect each unit once a year unless staff is greatly strengthened. To start with, therefore, the recommendation will be given effect to the extent possible.
- 12 As far as possible raw materials to small scale units should be channelised through raw material depots opened by the State Small Industries Corporation. In States where such Corporations are not existing they should be constituted immediately. The raw material depots might be established at convenient places so that a small industrialist may not have to travel more than a hundred miles to secure his raw materials.
- Accepted. The State Government will be requested to implement this recommendation and to take necessary steps to set up State Small Industries Corporation/Raw Material Depots.
- 13 The raw material depots should be recognised as controlled/registered stockists by the Iron & Steel Controller and as agents for distribution of imported material by the Minerals and Metals Trading Corporation and such other organisations.
- The Government of India accept this recommendation. It will be brought to the notice of the organisations concerned and the State Governments for implementation.
- 14 When industrial scrap available with defence establishments, railways, public undertakings etc. is disposed of, an appropriate portion should be made available to the small scale units at a price which has some relation to the auctioned price, wherever the latter procedure is in force.
- The principle of this recommendation has been accepted by the Government. It will be brought to the notice of the public undertakings etc. for implementation to the greatest extent possible. The question whether the price of the scrap to be sold to the small scale units should have some relation to the auction price or to the price at which the virgin metal was
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originally made available to the public sector undertakings etc. is under further examination.

- 15 State's quota of scarce materials like caustic soda, PVC etc. might also be allotted to small industries Corporations. In the pooling and distribution of such indigenous material and of Industrial scrap referred to in S. No. 14 above, the State Small Industries Corporation have a useful part to play.
- 16 The administrative, technical and statistical sections in the State Directorates need reorganisation and considerable expansion to fulfil the role envisaged for the Directorates. The pattern of organisation and the actual strength required should be worked out immediately by all State Governments. The DC(SSI) should help the State Directorates in this regard.
- 17 In view of the role envisaged for the CSIO in the Committee's recommendations, it is necessary to post immediately a senior officer exclusively for this work. He will have to be supported by adequate statistical and other assistance.
- 18 Pending implementation of the long term recommendations, immediate relief should be provided to the small scale sector by increasing the total availability of foreign exchange for import of components, spare parts, non-ferrous metals, steel etc. to this sector from the present Rs. 17 crores to Rs. 25 crores per half-year for the next three half years as a short term measure, without cutting the allocations to the large scale sector, if possible,
- Accepted. Attention of the State Govts. will be drawn to this recommendation for appropriate action.
- Accepted. Attention of the State Governments will be drawn to this recommendation for appropriate action.
- The recommendation has been noted and will be implemented to the extent possible.
- Due to the rapid deterioration of the foreign exchange position since the Committee submitted its report and worsening of the situation following the emergency, it was not possible for the Govt. of India to accept this recommendation. Within the limitations of the conditions imposed by the emergency, the interests of the Small Scale Units are being taken care of to the greatest extent possible.



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or by making suitable adjustments in the allocations to the other sectors of the economy. It is strongly recommended that this should be implemented with effect from the allotment period starting from 1st April, 1965.

- 19 The present procedure for submission of cases to the Steel Priority Committee requires indication of the individual works order for the quantity allotted to each unit. It takes a long time for the State Directors of Industries to contact the units, assess their requirements, allot works orders and put up the cases, in view of the small scale units being large in number and their individual requirements being small. This results in serious disadvantage to the small scale sector. It is recommended that the State Small Industries Corporations in each State/the agency nominated by the State Directors of Industries might be permitted to open a single works order for each category of steel products on behalf of the small scale units in the State. The entire quantity allotted to the State might then be placed on the priority category. The Small Scale Industries Corporations will also make the financial arrangements for implementation of the order and get itself reimbursed from the individual small scale units, to whom the material is allotted.
- This recommendation is under examination in consultation with the Ministry of Iron and Steel and the Iron & Steel Controller.

ANNEXURE III TO APPENDIX XXVIII

(Part II item 6)

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE

**SUBJECT:—***Alleged injustice done by the Government of Goa in not recommending their application for industrial licensing.*

Will the Lok Sabha Secretariat (Committee Branch) kindly refer to Ministry of Industry u.o. No. 1535-LC/65, dated the 25th July, 1966 on the subject mentioned above? For facilitating consideration of the case on all its aspects, a fuller detailed summary of the case is provided in the following paragraphs:

"In August, 1964, the late Ministry of International Trade had agreed to the establishment of a woollen spinning mill in Goa in view of the special condition then obtaining there with capacity of 300 spindles, subject to the condition that raw material will be indigenous and that as far as possible indigenous machinery would be installed. The procedure laid down for inviting applications and for finally selection a suitable party was as follows:—

- (a) Government's decision should be publicised in Goa and applications from *bona fide* residents of Goa only should be entertained.
- (b) The selection of the party who would be given permission for the establishment of the unit should be done in consultation with Lt. Governor of Goa.

The idea behind (a) above was that as permission for installation of woollen spindles was normally confined to the expansion of the existing units only and no new units were being allowed to be set up, the setting up of a new unit should be confined to Goa only.

The Secretary, Industries and Labour Department, Goa recommended in December, 1964, the application of Dr. J. Leon D' Souza of Goa, Woollen Mills, Bardez (Goa) for the establishment of the woollen Spinning unit in Goa on the ground that his was the oldest among the applications received by the Goa Government, the other

two being that of Messrs. Krishna Narayana Naik and Messrs. H. L. Nathurmal.

Messrs. Krishna Narayan Naik represented to the Chief Minister of Goa in February, 1965 against this decision on the grounds that Dr. J. Leon D'Souza was not a *bona fide* resident of Goa and was also not on the voters list. It was alleged that Dr. D'Souza was a permanent resident of Bombay and was an elected representative on the Bombay City Corporation. The Textile Commissioner put it to the Government of Goa whether permission may be granted to Dr. D'Souza in spite of the decision of the Government of India to grant permission only to a *bona fide* resident of Goa.

The Secretary, Industries & Labour Department, Goa, however, again recommended the name of Dr. J. Leon D'Souza and stated that though Dr. D'Souza had been registered as a Corporator of the Bombay Municipal Corporation, he was a Goan by birth having his property, house, etc., in Goa. He had to be away from Goa on account of his political activities and even as a political sufferer his application deserved consideration. He had further stated that Dr. D'Souza was also in a better financial position compared to Krishna Narayan Naik who had already been granted 4 or 5 licences for starting different industries for which they did not appear to have the necessary finances and were making efforts to arrange finance from others. The Goa Government, therefore, did not wish that additional licences should be granted to Messrs. Krishna Nayak particularly as they had not been able to make any progress in respect of licences already granted to them.

Messrs. Krishna Narayan Nayak again represented to this Ministry and the Textile Commissioner as well as the Lt. Governor of Goa against the decision of the Government of Goa.

The Textile Commissioner had enquired from us whether permission might be granted to Dr. D'Souza as recommended by the Goa Government. We informed the Textile Commissioner that he should be guided by the views of the Government of Goa. It will be observed that a Permit No. IL/232/Vol./65/5835, dated the 25th August, 1965 was issued in favour of Messrs. Goa Woollen Mills, Bardoz, Goa.

Even on other grounds there is no case for granting permission to one more unit for worsted yarn in Goa. Our general policy is to reject all application for setting up new units in the worsted sector.

Even expansion of existing units is not considered because the existing capacity is more than adequate for meeting the IV plan requirements.

Even if the party gives an assurance that he will use only indigenous wool, some import of machinery cannot be avoided. He will also later on ask for a quota of imported wool on the ground that spinning with Indian wool only is not economic. There is considerable pressure on Indian Wool from the existing Mills in view of the drastic reduction in the foreign exchange allocation for import of wool. The availability of Indian Wool suitable for combing is very limited and there is no point in allowing any new units to be set up on this basis.

In regard to woollen yarn, we had licensed about 50,000 spindles in 1964 on the condition that indigenous wool and machinery will be used. However, very few spindles were actually installed because there is no indigenous production of machinery suitable for woollen yarn.

Having regard to these facts, there is no scope for setting up one more woollen spinning unit in Goa.

## ANNEXURE IV TO APPENDIX XXVIII

(Part II—Item 9)

### MINISTRY OF HOME AFFAIRS

#### *A Note on the Supply Position in Mizo Hills District*

Immediately after their return from a visit to Assam in the last week of May this year, the Cabinet Secretary, Home Secretary and the Defence Secretary reported to the Prime Minister and following this the Prime Minister sent an immediate message to the Chief Minister, Assam expressing special concern about Mizo Hills. In that message, she stressed the importance of making arrangements for adequate food and other essential supplies for civil population of the district well before the monsoon made movement difficult. She drew the special attention of the Chief Minister to indications that parts of the district would experience acute scarcity in the coming weeks. The Chief Minister, in his reply dated June 3, assured her that all efforts were being made to move sufficient essential supplies into the district both by surface transport and also through air-dropping. In addition to the 1000 tons of rice arranged by the Cabinet Secretary for diversion to Mizo district the Chief Minister pleaded for another 1000 tons for immediate purposes taking into account the supply position in the whole State. Subsequently, Sri P.P.I. Vaidyanathan, Adviser, Planning Commission, was sent to the State to make a review of the supply position. Sri Vaidyanathan was in Shillong from the 1st to the 4th of July, 1966 and the salient points made by him in his report were—

(a) Mizo district has a self-contained economy and it is normally able to feed itself. In a normal year, the total quantity of supplies moved into Mizo district is 4000 tons, consisting of 3000 tons of rice and the balance made up of salt, sugar, kerosene and pulses. This year i.e. 1966 has been normal for the district and considering the fact that the quantity moved upto June 1966 was about 4700 tons, it could be said that adequate supplies have been maintained.

(b) In view, however, of the large concentration of Chakmas and the induction of armed battalions (excluding the requirements of the Army which has its own supply line), the estimate monthly requirement for the next five months was about 600 tons, of which about 500 tons are needed for Aijal and Lungleh and the balance

for outlying areas. Supply to Aijal and Lungleh will be by road and to outlying areas by air-dropping. During the month of June 1966, 125 tons were actually air-dropped and the Air Force is in a position to ensure air-dropping on this scale.

(c) It is necessary to build up adequate stocks at Cachar which will function as the source of supply to Mizo Hills district.

(d) the stock on hand with the Assam Government was about 16,000 tons. The quantities needed for Mizo district being marginal, there was no justification for additional quotas from the Centre. It was made clear to the State Government that no additional supply could be expected.

(e) The distribution of food and supplies in outlying areas will present a difficult problem and to solve it to some extent, the State Government have decided to have twelve supply centres established at place where police out-posts have been set up. Progress, however, will be slow because of limiting physical factors.

A copy of this report was sent to Sri A. L. Dius, Secretary Department of Food, by Home Secretary who drew pointed attention to Shri Vaidyanathan's suggestion for the removal of railway bottle-necks in the movement of supplies.

We have been in frequent touch with the Government of Assam over the progress made in reaching supplies and in averting scarcity conditions. The position as ascertained from the Assam Government is given below:—

A programme for approximately 5000 tons of supplies has been planned for five months from June for Mizo Hills district. Of these, roughly 4500 tons would go by road and the balance would be air-dropped. From 1st March, approximately 756 tons of various commodities like rice, atta, salt, pulses and mustard oil have moved to the district. The Air Force dropped roughly 126 tons in June. Arrangements were made for immediate air-dropping of rice, atta and salt at Sangau, Twipang, Vaisatilung, Tuipuibari, Marpara and Chawnge.

According to the latest position reported by the State Government in their message dated September 10, 327.6 quintals of rice, 292.8 quintals of atta, 12 quintals of dal, 35.1 quintals of salt, 36.3 quintals of sugar and 6.4 quintals of mustard oil making, in all, a total of 710 quintals against the original allotment of 490 quintals for five months were air-dropped at Dimagiri. The State Government is arranging further supplies and air-dropping in view of the work to be done by Border Road Task Force.

The Department of Food do not keep any information on the supply position in Mizo Hills district in particular, as according to them it is the responsibility of the Government of Assam to distribute supplies allotted to them in the best manner they think fit. It is also for the State Government to solve problems of railway bottle-necks, etc. Even though the Centre had earlier decided against giving any additional supplies, since the Government of Assam kept on pressing the Department of Food, very recently an additional quantity of 5000 tons of rice has been allotted to Assam and movement has started from Bihar. The Department of Food could not give any information as to the quantity out of this 5000 tons that has been allotted specially for Mizo Hills District.

The Government of Assam have reported that against requirements of 56000 quintals of food-grains and essential commodities for Mizo Hills district for the period March to August, 1966, the following quantities were despatched upto Friday, the 9th September, 1966:—

(In quintals)

Commodity	By Road/Boat	Air dropped	Total
Rice	8802.85½	2901.70	11704.55½
Atta	2976.50	1691.50	4668.00
Flour	412.50	..	412.50
Suji	80.75	..	80.75
Pulses	538.46	289.00	827.46
Sugar	1715.00	613.00	2328.00
Salt	1021.27	346.75	1368.02
M. oil	320.57	56.64	377.21

\*Sri K. A. A. Raja, IFAS, has since been appointed as Liaison Officer at Aijal—but he has not yet joined.

\* (This position was as on 24th November, 1966).

**ANNEXURE V TO APPENDIX XXVIII**

*(Part II-Item 9)*

**MINISTRY OF HOME AFFAIRS  
HMT SECTION**

The Lok Sabha Committee on Petitions has received a telegram followed by a petition from the Secretary, Tripura State Communication Committee, Agartala. The text of the telegram is similar to another telegram from the Secretary, Tripura State Communication Committee by Shri Prafulla Chakraborty, M.P., received through Secretary to the Prime Minister.

2. The main point made in the petition is that the railway track between Lumding and Badarpur is liable to frequent breakdowns, thus interrupting the flow of supplies to Tripura. In order to minimise this trouble, Government have asked the local Administration to keep adequate reserves of essential commodities up to the requirements for two months. As regards petrol, oil and lubricants, the local Administration are required to maintain stocks sufficient to last for 45 days. However, in spite of the efforts of the local Administration it is not always possible to keep such reserves of stocks and recently the stocks have fallen below the required minimum. But all efforts are being made to replenish the stocks of essential commodities. Recently, traffic on the hill section of the N.F. Railway was seriously disrupted owing to the extensive landslides. Railways have imposed considerable restrictions on the movement of goods. The restrictions are partly due to the fact that the Railways Authorities themselves need wagons to transport material for the repair of the track. However, we have taken the question of the supply of wagons with the Chairman of the Railway Board we have requested the Railway Board to make available as many wagons as possible for the transport of petrol and petroleum products and essential commodities. We also sanctioned the airlifting of 100 tonnes of wheat from Calcutta in July, 1966 and the airlifting of 15 tonnes of mustard oil. The Railways are doing their very best to put the supplies running to Tripura.



## ANNEXURE VI TO APPENDIX XXVIII

(Part II, Item 17)

*Extract from the Post Office Insurance Fund Rules*

### LOANS ON POLICIES

42. (1) (i) Loans may be granted on the security of Policies issued under these rules.

(ii) Such loans may be granted on the security of a whole life of an endowment assurance policy, if it has been in force for at least five years, and is otherwise unencumbered and has acquired a minimum surrender value of Rs. 75/-. The percentages of the surrender value up to which loans may be granted on the security of such policies are shown in the following table:—

Period for which the policy has been in force	Percentage of surrender value upto which loans may be granted
Exceeding five years but not exceeding ten years	50%
Exceeding ten years but not exceeding fifteen years	75%
Exceeding fifteen years	90%

(iii) The amount of loan sanctioned should be in complete multiples of Rs. 25.

(iv) The loan may be repaid at any time. It may also be paid in instalments of amount not less than Rs. 10. The outstanding balance of a loan with interest will be recovered from the value of the policy at the time of settlement of a claim.

(v) Interest will be charged at 6% per annum compounding half-yearly and should be paid on or before the dates specified in the bond. Interest for the half-year will be charged on the amount outstanding on the first day of the half-year and any repayments made during that half-year will be taken into account for calculation of interest only for the next half-year. In the case of final repayment, interest will not be charged beyond the last date of the month in which the final repayment is made provided

that interest had already been charged on the loan for at least six months. The responsibility for payment of interest rests solely on the insurant. A notice regarding the amount to be paid as half-yearly interest will be issued to the insurant only when there is a change in the amount payable as interest as a result of repayment of a part of the principal. But the plea of non-receipt of such a notice cannot in any circumstances, be accepted for non-payment of interest. If the interest is not paid on the due date, it will be added to the outstanding amount of loan and usual interest charged thereon. In the event of any three defaults in the payment of half-yearly interest, the Postmaster-General, will be entitled to surrender the policy and to apply the surrender value thereof in payment of the said advance and interest, the balance, if any, of such surrender value if adequate for a paid-up value of Rs. 100 being utilised for the issue of such a paid-up policy, otherwise the amount will be paid in cash to the party entitled thereto. Interest on a loan will accrue up to the last date of the month in which the policy becomes a claim either by maturity or by surrender provided that interest for at least six months had been charged on the loan.

(vi) On the very date the amount of loan is finally repaid, the postmaster concerned shall send an intimation to the Postmaster-General giving particulars as to the amount repaid, the date of repayment, the name of the insurant and the numbers of his policy and loan account. The insurant is advised in his own interest to send a separate intimation of final repayment of his loan to the Postmaster-General. On receipt of the above intimation, interest chargeable up to the end of the month of final repayment (provided that interest on the loan has already been charged for at least one half-year) shall be calculated by the Postmaster-General and communicated to the insurant under registered post. The insurant shall be required to pay the amount of interest at any Head or Sub Post Office within 21 days from the date of issue of intimation by the Postmaster-General.

(2) Application for loan in the prescribed form available at any post office shall be made to the Postmaster-General of the Postal circle in which applicant is residing. The loan application form duly filled in and signed by the insurant, alongwith the policy shall be handed over, against a receipt to the Postmaster of the area where the insurant resides. The Postmaster concerned shall immediately forward all the papers to the Postmaster-General. In the alternative, the loan application may be sent by the insurant direct to the Postmaster-General alongwith the policy. The Postmaster-General shall, on receipt of the application, verify by a

reference to the file of correspondence and connected records relating to that policy, whether the policy is free from encumbrances. He shall also calculate the amount of loan as admissible on the date of application and sanction the loan, if admissible, on the conditions stated above. A copy of the sanction along with a loan bond with the relevant entries filled in shall be forwarded to the Postmaster concerned with instructions to pay the amount to the applicant after his executing the loan bond, which shall be returned by the Postmaster and kept with the policy and the application for loan in safe custody with the Postmaster-General. The policy shall be released to the insured person or the party legally entitled thereto after ensuring that the amount of loan and interest have been completely repaid.

(3) If the insured person wants to surrender the policy before repayment of the loan, he should apply to the Postmaster-General, with whom his policy is kept as security, to surrender the policy, adjust the surrender value thereof, to the balance of loan and interest due and to pay him the balance, if any. On receipt of this application the Postmaster-General will take necessary steps to stop recovery of further premia and to surrender the policy.

(4) Loans may also be granted on policies which are either kept in force to the extent of their paid-up value or on which the surrender value is payable.

*Note 1.*—The policy, against which loan is taken should always be assigned to the President. If an insured person has assigned his policy in favour of another person, loan on such a policy will be granted to the insured person, only on his getting the policy re-assigned in his favour and then assigning it to the President.

*Note 2.*—A second or subsequent loan not exceeding the amount prescribed in sub-rule (1) (ii) of this rule may be granted on the security of a policy on which one loan has already been granted. The second or subsequent loan shall not, however, be granted until one year after the repayment of the previous loan.

*Note 3.*—Insured person will be supplied by the Director (through the post office concerned) with a loan repayment receipt book, in which the Postmaster will enter under his initials with date each instalment of amount paid in repayment of the loan. In the event of loss of the loan repayment receipt book, the procedure laid down in the note below rule 25 shall be followed.

ANNEXURE VII TO APPENDIX XXVIII

(Part II, Item 17)

No. 26/6/67-LI

7th June, 1967.  
17th Jyaistha, 1889, S.E.

To

Shri H. M. Matai,  
Retired Civil Engineer,  
Radha Bhavan, Tilok Nagar,  
Ajmer, (Rajasthan).

**SUBJECT:**—*Verification of credits of premia, grant of loan and other issues relating to P.L.I. policies Nos. 6998-C and 49643-C of Shri H. M. Matai.*

Sir,

With reference to your letter dated the 18th March, 1967 and subsequent endorsements of 12th April, 1967 and 3rd May, 1967 to the Minister of Communications (by name) I am directed to inform you that *bona fide* complaints against service can be routed through the post office if presented in open condition. Besides, P.L.I. rules also provide that the application for loan with the policy document can be handed over to the Postmaster for onward transmission to the Postmaster General. There is thus no objection to such communications being routed through the Post Office in accordance with the prescribed procedure.

2. Your letter dated the 15th January, 1967 is reported not to have been received by the Postmaster-General, Bhopal as it was sent to Nagpur. However, action was initiated by him on receipt of your letter of the 18th February, 1967 addressed to the Asstt. Director, P. L. I.

3. It is seen that you worked in the jurisdictions of various Circle Offices from time to time, viz., Karachi, Bombay, Calcutta, Delhi and Bhopal and the premium accounts were accordingly maintained by several offices. The discrepancy regarding availability of credits of premia had partially arisen because of this. However, all the missing credits, excepting for December, 1947 and January, 1948 in respect of the first policy for which the

matter is still being pursued with Pakistan authorities by the Deputy Director, P. L. I. Calcutta, have since been traced and you have been informed of the latest credit position of your two policies by the Postmaster-General, Bhopal. It is seen that you have migrated to India on 8th December, 1947 from Pakistan. If you could kindly inform this office the particular unit/Office (with its station) to which you were attached at that time the matter would be pursued with the appropriate authority in Pakistan at demiofficial level for tracing the missing credits without further delay.

4. Loan is sanctioned on the security of un-encumbered policies with reference to certain percentage of surrendered value, as mentioned in rule 42 of the Post Office Insurance Fund Rules. Surrender value of a Policy depends on among other things the number of years for which the premia are payable and the number of years for which the premia are paid as also the age at which the policy is taken and the age at which surrendered value is to be determined. Under instructions from this office the Postmaster-General has since issued sanctions for loan amounting to Rs. 2100/- and Rs. 1200/- for your two policies. It is hoped that you will be having no difficulty in getting the amounts after observing the necessary formalities about which the Postmaster General has already written to you.

The inconvenience caused to you is regretted, and we assure you of our best attention at all times in future.

Yours faithfully,  
Sd/- S. K. GHOSH,  
Director (PLI & Complaints)

ANNEXURE VIII TO APPENDIX XXVIII

(Part II—Item 14)

NOTE

Points No. (i) & (iii).—*Nonprovision of parcel vans by fast trains and the loss arising out of clearance of lichi traffic for Delhi area via Barauni instead of via Lucknow.*

In order to ensure proper clearance of lichi traffic from Muzaffarpur and other stations, a meeting is held every year to plan arrangements for the movement of this traffic. A meeting was accordingly held on 17-4-1965 with the lichi merchants. On the basis of the forecasts forwarded by the merchants, a programme for the clearance of this traffic was drawn up in consultation with them. The clearance was arranged by attaching additional parcel vans by fast trains to the extent room was available thereon and this programme was generally adhered to. It was, however, noticed that the traffic forecasts for certain directions did not materialise whereas in some cases, they were exceeded.

As room was not available for attaching additional parcel vans by 9 Up Express for movement of traffic to Delhi *via* Lucknow and in view of shorter transit time *via* Barauni, it was decided with the merchants that the movement for Delhi should be *via* Barauni instead of *via* Lucknow. This proposal was accepted by the lichi merchants and arrangements were accordingly made in consultation with the other Railways to clear the parcel vans *via* Barauni. This arrangement was, however, not adhered to by the merchants and they represented that the traffic for Delhi may be moved *via* Lucknow. This could only be done by discontinuing a through service coach running between Gorakhpur and Palezaghata. It was not possible to attach this parcel van without discontinuing the through service coach for want of room on trains. Similarly, discontinuance of the through coach, without consulting the members of the Time Table Committee, was also not desirable.

Point No. (ii).—*Non-clearance of Parcels in 'Smals' by 9 Up Express.*

Provision for clearance of 100 baskets by 9 Up train from Muzaffarpur for Delhi and *via* was made in the programme. Another compartment in the front TLR was allotted for the clearance of 100 baskets of lichi traffic from Hajipur. The accommodation in the rear TLR was fully utilised for clearance of traffic from Barauni Jn.

*Point No. (iv).—Non-attachment of parcel van for Lucknow and Kanpur by 31 Up and 98 Up trains.*

There was no programme for clearance of parcel vans from Muzaffarpur to Lucknow/Kanpur by 98 and 31 Up. The programme had only stipulated that the traffic from Mehsi to Chupra area was to be cleared by these trains. Despite there being no provision in the programme, some parcel vans were cleared from Muzaffarpur to Lucknow/Kanpur by 98 Up whenever room was available thereon. They could not be cleared by 31 Up from Sonepur due to inadequate margin of connection with 98 Up passenger. They were, however, cleared by other connected trains. The delay in transit to this traffic was, thus, unavoidable.

*Point No. (v).—Allotment of BXC's and unfit wagons for clearance of lichi traffic by 67 Up.*

4. Allotment of BXC's for movement from Muzaffarpur to Varanasi had to be arranged as it was not possible to ensure other type of stock. This, however, should not have contributed to any damage in view of very short transit time, being only about 10 hours 20 minutes.

*Point No. (vi).—Inadequacy of Hamals for loading and unloading.*

5. The normal strength of Hamals at Muzaffarpur was 32 and during lichi season it was increased by 27. There was no case of lichi baskets left behind for clearance on account of dearth of Hamals.

*Point No. (vii).—Unreliability of weighing machines.*

6. The weighing machines provided in Parcel Office at Muzaffarpur were all in perfect order. These were checked by Supervisory Staff and even by District Commercial Superintendent and District Mechanical Engineer, Samastipur during the lichi season.

*Point No. (viii).—Deliberate damage of parcel van No. 6325 on 6-6-1965.*

7. The incident was investigated and it was found that the parcel van was damaged on account of overloading and uneven loading. The staff responsible were taken up.

*Point No. (ix).—Lack of co-ordination between Transport and Commercial Departments of the Railway.*

8. As mentioned in item (i) above, arrangements for clearance of this traffic are worked out in a meeting held by the Railway with

the merchants concerned and everything possible is done to adhere to that programme. There is no question of any lack of co-ordination between the Transport and Commercial Departments.

*Point No. (x).—Centralisation of arrangements for clearance of lichi traffic in the head office of the Railway.*

9. It is not correct that arrangements for clearance of this traffic were centralised in the head quarter office except for the inter railway movements.

*Point No. (xi).—Disregard of the suggestions of the trade voiced in the meeting.*

10. It is not correct that the suggestions agreed to at the meeting were disregarded. The only change which was made in the programme was the attaching of an additional VP by 9 Up and this was done at the request of the trade to clear the traffic for Delhi area via Lucknow Jn.

*Point No. (xii).—Difficulty and the consequent loss the trade caused by the officers of the Transport Department of the Railway.*

11. The railway system functioning on commercial lines is highly conscious of its obligations to the rail users and to this end, endeavours to meet to the maximum extent possible, their reasonable requirements.



## ANNEXURE IX TO APPENDIX XXVIII

### Part II: Item 20

“Hindi has been adopted in the Constitution for the official business of the Union and for purposes of inter-State communication not because it is better developed than the other regional languages are; not because greater or more varied wealth of literary output is available in it; nor because it has presently a larger availability of books in the science and in different other branches of modern knowledge. It is chosen for performing the job of the official languages medium on pan-Indian levels because it happens to be understood and spoken, amongst the regional languages, by the largest number of people. Apart from the 42 per cent. people of the total population returned as speaking this language as their mother tongue, it is understood to a considerable extent in areas outside the Hindi-speaking areas, in the market places in cities, at Railway stations and in places of pilgrimage where persons hailing from different regions of India and not knowing English have occasion to converse. Besides, owing to the proximity of this language to certain others like Marathi, Gujarati, Oriya and Bengali, it is to a further considerable population a language relatively easy to acquire. Indeed ever since the issue of indigenous medium of expression at pan-Indian levels began to be discussed in Indian public life, there has never been any serious doubt as to what language should be adopted for the purpose ..... For the work-a-day purposes of conducting the administration of the country, enacting statutes and meeting out justice through law courts, the quantum of such (literary) grace and benediction bestowed on a language is not the decisive factor, howsoever profoundly important it may otherwise be.” (Report of the Official Language Commission p. 37).

“Official work will, therefore, have to be transacted in the linguistic media most widely understood by the people. In the States, the regional languages should assume their rightful place *in lieu* of English and one of the Indian languages should assume their rightful place in lieu of English and one of the Indian languages should similarly serve as the official language of the Union and as a medium of inter-State inter-course. Hindi is not only the mother-tongue of a substantial part of the population but is also commonly understood over large parts of the country where the regional language is different. Colloquial Hindi is generally understood in almost all places

of pilgrimage and market places. The spread of Hindi outside the areas where it is regarded as the mother-tongue has been a long historical process which has been aided in modern times by the forces of the national movement. Further spread of Hindi knowledge is being facilitated by developments in transport, commerce and the media of mass communication such as the radio and the cinema, as also by its inclusion in the curricula of schools and colleges in Hindi as well as in non-Hindi areas". (Report of the Committee of Parliament on Official Language, p. 8).

"The question of conflict between Hindi and other national languages does not arise. India has a composite culture and it is but appropriate that its variety should find expression through the languages which are in use in different regions, and its fundamental unity should be reflected in a common language for all-India purposes and inter-State communications. With the displacement of the English language from the position it has occupied in the educational system as the medium of instruction and in the administrative sphere for over a hundred years, Hindi and other Indian languages will have full play in all fields. This will facilitate the development of all of them. Moreover, through the process of contact and assimilation the development of one language will also help in the development and enrichment of others". (Report of the Committee of Parliament on Official Language, p. 11).

**ANNEXURE X TO APPENDIX XXVIII**

*(Part II: Item 22)*

**COPY**

**Private Secretary**

**HUKAM SINGH**

**SPEAKER, LOK SABHA.**

20, Akbar Road,

New Delhi, May 10, 1965.-

**Dear Private Secretary,**

The Hon'ble Speaker has received the enclosed representation from one Mr. Soni of Bombay regarding excise duty on cloth and he has asked me to forward the same to you for consideration by your Ministry.

Yours sincerely,

Sd/-

*Private Secretary.*

**The Private Secretary to the Finance Minister,**

**Government of India, New Delhi.**

## ANNEXURE XI TO APPENDIX XXVIII

### Part II. Item 22

#### NOTE

Central Excise duty was first levied on superfine fabric with effect from the 1st January, 1949 and about two months later fine, medium and coarse categories of fabrics were also subjected to duty. While specific rates of duty were prescribed for medium and coarse categories, the basis of assessment for superfine and fine categories was *ad valorem*. This basis in respect of finer categories was also given up in 1953 in favour of specific rates of duty in view of the administrative difficulties that had been encountered in administering the same.

2. Attempts, however, continued to be made to make the structure of Central Excise levy as equitable and rational as possible. Thus in July, 1958 the medium category was subdivided into medium-A and medium-B categories, and also different rates were prescribed under each one of the five categories for grey stage and processed stage, the rate of processing duty also being more for more sophisticated types of processing. With varying rates of duty not only for different categories of cotton fabrics but also for different type of processing, it was sought to make the pattern of duty as nearly *ad valorem* as possible.

3. Yet another category, that is "*not otherwise specified*" was added to the tariff in 1960 to cover special types of fabrics. After the introduction of Central Excise duty on cotton yarn also in 1961, the graded rates of duty were fixed so as to ensure that the finer variety of yarn bore higher rate of duty.

4. The over-all effect of the cumulative incidence of duty (taking into account the grey stage fabrics duty, the processing stage fabrics duty, the cotton yarn duty, the additional duty of excise in lieu of sales tax, and the handloom cess) that has been achieved is such that the finer varieties of fabrics subjected to more sophisticated type of processing bear higher incidence of duty as will be evident

from the following Table:—

TABLE

Description	Cumulative-fabrics yarn incidence of Central Excise and allied duties				Remarks (Figures indicated by Shri V.K. Soni).
	Grey	Bleached/stage dyed/ printed	Mercerised	Shrink-proofed.	
	[In paise per square metre]				
Superfine	51.40	61.40	81.40	96.40	95
Fine	36.50	46.50	66.50	81.50	79
medium-A	18.30 (13.30)	28.30 (18.30)	48.30 [28.30]	63.30 (35.80)	57
medium-B	14.10 (11.10)	19.10 (13.60)	29.10 (18.10)	44.10 (26.10)	41
Coarse	8.70 (7.70)	13.70 (10.20)	23.70 (15.20)	38.70 (22.70)	10 to 35

Note: Figures in brackets indicate incidence of duty in respect of 'controlled' cloth.

5. To quote from the article by Shri V. K. Soni appearing in 'Commerce' of 17-7-64,—

"It so happens that cloth priced at about one rupees per square metre falls in the superfine category and is consequently charged at the superfine excise levy which is upto 95 paise. It also happens that cloth priced as high as Rs. 10/- per square metre falls in the coarse category and is levied an excise duty at the rate applicable to 'coarse' category, say, on about 10 paise. The anomaly is now very glaring, for, whereas cloth of one rupee 'superfine' bears excise levy at 95 paise, cloth of Rs. 10 'coarse' is subjected to a duty of ten paise only."

Regarding the illustration of superfine fabrics it is beyond comprehension that any fabric Central Excise duty on which is levied to the extent of 95 paise per square metre could be selling at about one rupee per square metre. This alone shows that a distorted picture has been sought to be given.

Regarding the illustration of coarse fabrics it is believed that the intention is to refer to specially designed tapestry and furnishing fabrics which sell at fairly high price. Such fabrics, it may be obser-

ved, have already been taken out of the coarse category and are classifiable under N.O.S. category since July, 1965.

6. One of the suggestions that has been made to bring about more equitable and rational levy of duty is to levy the duty on the basis of the number of spindles. In this connection it may be observed that Central Excise duty is leviable on the goods rather than on the equipment used for producing the goods, and the existing law would need to be changed to make implementation of this suggestion possible. Even if that were to be done, the duty will have to be a flat one more or less irrespective of the count of yarn, and based only on the yarn content of the fabrics, and it is beyond comprehension as to how could such a basis of levy will lead to more equitable results.

Another suggestion that has been made is to levy the duty on the number of looms. Experience of having compounded rates of duty on the basis of number of powerlooms employed by powerloom units shows what a formidable task it is to evolve a rate structure which could give equitable incidence of duty in respect of different units of different sizes, and different units producing different categories of fabrics. Besides other complications, therefore, such a basis of levy will lead to far more inequitable incidence.

Besides, different levies such as additional excise duty (in lieu of sales tax), handloom cess, etc. which are levied, where warranted, for different purposes might have to be given up in their present form.

7. Yet another suggestion that has been made is that the basis of assessment may be *ad valorem*. There is no doubt that an *ad valorem* levy is the most equitable, but considerations of equity have to be reconciled with practicability and the limitations of the administrative organisation. If these realities are ignored the result will be far worse than the present. Leakage, avoidance and evasion will become far greater than under the existing system. The Central Excise Re-organisation Committee had also gone into the question of the basis of levy in excise taxation and while recognising the theoretical merits of *ad valorem* levy on economic considerations, even that Committee recommended, from practical considerations, a preference for specific rates whenever found feasible.

8. To sum up, the *existing scheme of levy of Central Excise duty on cotton fabrics with all its imperfections, ensures a fair and equitable burden of duty not only with regard to the different categories and different varieties of cotton fabrics but also the different sectors of*

*the industry. There may all the same be some instances where the incidence of duty appears to be inequitable, but then such instances are an exception rather than the rule.*

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ANNEXURE XII TO APPENDIX XXVIII

(Part II: Item 25)

LIFE INSURANCE CORPORATION OF INDIA

COPY

LIFE INSURANCE CORPORATION OF INDIA, WESTERN  
ZONE

From

Claims Department,  
Ahmedabad D. O.

To

Integration Deptt.,  
Central Office, Bombay.

29-6-1967.

Ref: ADO: NB: III: JPM.

Non-completion of Prop. No. 6752831 and Non-issue of pol no. 14185537—Sri Chinubhai Mugatram Mewada and Smt. Ramilaben Chinubhai [Mewada (Jt. Life)].

This has reference to a copy of your Memo Ref. Int/Comp/G9109 dt. 20-6-67 addressed to our Mehsana Branch and in reply we have to inform you as under:—

Prop. No. 6752831 resulted into pol. No. 14185537 and the parties under the policy are Sri Chinubhai Mugatram Mewada and his wife Smt. Ramilaben Chinubhai Mewada. The male life is an agent under the proposal.

We commenced the risk from 13-5-59 and after payment of one yly. permium the pol. has lapsed as it appears from our records.

He addressed a letter dt. 27-1-67 to Unit Oriental, B' bay in connection with the above pol. and other matter pertaining to fire insurance; and the said letter was forwarded to us by Unit: Oriental Bombay along with the copy of their letter dt. 1-3-67 addressed to

the above party. He advised us in the letter that he had received the pol. no. 14185537 but the same was lost. Under letter dated 8-4-67, he have stated that he had not received the policy, anw we advised him by our letter of 18-5-67 that it was not possible for us to take up the matter with the postal authorities as the approached is after more than 6 months from the date of despatch. We have also advised him that the policy was sent to him in 3rd week of July 1959.

As stated above, the above proposal and the policy pertain to Sri & Smt. Mewada. You have stated in the 1st para of your letter referred to above that the proposal was on the life of Shri Haribhai Narayanbhai Bhatt. In view of what is stated above, Sri H. N. Bhatt is neither proposer nor the policyholder under the above policy which please note.

We have today replied to the party as per copy enclosed.

Sd/-

Divl. MANAGER.

Encl: 1

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ANNEXURE XII TO APPENDIX XXVIII

(Part II. Item 25)

LIFE INSURANCE CORPORATION OF INDIA

C.O. BOMBAY

COPY

LIC OF INDIA,  
AHMEDABAD D.O.

29-6-67.

ADO: NB: III: JPM.

Sri Chanubhai Mugatram Mewada,

2/41, Parakh Pole,

UNJHA, (Dist. Mehsana).

Dear Sir,

Pol. No. 14185537—Jt. Life.

With reference to the complaint dt. 13-5-67 made by you to our worthy Prime Minister, we have to inform you as under:—

We had issued the above policy to you in the 3rd week of July, 1959 and this information was conveyed to you on 18-5-67 in reply



to your letter dated 8-4-67 which we trust you might have already received.

In your letter dt. 27-1-67 addressed to Unit Oriental, Bombay, you had stated that the above policy was received by you but it was lost. In the circumstances, we do not know how you inform us that the policy was not received by you. In a case where a policy of a party is lost, we can issue a duplicate policy after certain conditions are fulfilled. The question of, however, issuing duplicate policy in your case does not arise as the policy has already lapsed after payment of only 1 yly. premium. We are sure, that the above information will satisfy you.

Thanking you,

Yours faithfully,  
Sd/-  
Divl. MANAGER.

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**ANNEXURE XIII TO APPENDIX XXVIII**

*(Part II. Item 27)*

**PARA 21 OF THE MINUTES OF THE FOURTH MEETING OF  
THE IMPLEMENTATION COMMITTEE SET UP UNDER THE  
MOVABLE PROPERTY AGREEMENT HELD AT NEW  
DELHI ON THE 15th AND 17th APRIL, 1958.**

As regards Postal Life Insurance Policies the procedure (*See Appendix.....*) suggested by the Government of India in their letter No. F. 78-4/55-LI dated 10th October 1957, was agreed to subject to the following amendments:—

- (a) the policies assigned to corporate bodies will be re-assigned through the agency of the Director-General Posts and Telegraphs instead of the Central Claims Organisation.
- (b) with regard to policies which may lapse hereafter due to the default of the insurant to pay the premium on the specified dates and which the insurant wishes to revive, India will recover penal interest @6% in the case of policies which are the liability of Pakistan and Pakistan will recover penal interest @8% in the case of policies which are the liability of India.

- (c) The settlement of accounts between the two countries would be made through the Indo-Pakistan Settlement Accounts as and when payments are made or credits are received.

These arrangements would apply only to policies whose holders had migrated to the other country by 30-6-55.

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**ANNEXURE XIV TO APPENDIX XXVIII**  
(Part II. Item 27)

**PROCEDURE FOR SETTLEMENT OF P.L.I.  
CLAIMS AND PAYMENT OF PREMIA ON RECIPROCAL  
BASIS**

1. *Settlement of claims on account of P.L.I. Policies.*—(i) Under this arrangement, the existing and future claims for payment of matured, paid up and surrender values of P.L.I. policies will be taken up on reciprocal basis.

(ii) The claimant will prefer the claim to the D.G.P. & T. of the country where the claimant resides, duly supported by the necessary documents. The claim will be investigated and verified, in the normal course, after securing the necessary proof of the title of the claimant by the D.G.P. & T. of the country in which the claimant resides. The D.G.P. & T. of the country liable for the policy, will then be addressed by his counterpart for an authority for payment. On receipt of an authority or a valuation certification, payment will be arranged by the D.G.P. & T. of the country in which the insured resides. The amount will be charged directly under a separate head for current settlement between the two countries.

Where premiums have not been paid for any period after 31-3-1948, and the policy has matured before the date of this arrangement the full value of the policy will be paid after deducting arrear premia with interest at 3½% upto the date of maturity on receipt of an authority from the country of liability.

2. *Claim by an assignee for a policy assigned before 1-4-48 where the assignee resides in a country other than the one liable for the policy.*—(i) The assignee's claim will be received by the D.G.P. & T. of the country where the assignee resides. The claim will be examined with such documents as the assignee may produce in support of his claim either for the full or part value of the policy.

(ii) The claim will then be referred to the D.G.P. & T. of the country liable for the policy. The D.G.P. & T. of the country liable for the policy will examine the assignee's claim by reference to the insurant, if necessary and issue a valuation certificate or an authority for payment of the amount which may be due to the assignee.

(iii) On receipt of such an authority or valuation certificate, the D.G.P. & T. of the country, where the assignee lives, will arrange payment of the amount which will be charged under a separate head for current settlement between the two countries. After the claim is settled, the policy with the assignee's receipt and letter relinquishing his claim on the policy, will then be forwarded to the D.G.P. & T. of the country liable for the policy for settlement of the balance of the claim, if any, in favour of the insurant or his heirs.

3. *Policies assigned before 1-4-48 to Corporate Bodies.*—There are some instances in which assignees in either country are Corporate Bodies, in respect of the policies which were being financed from the Provident Fund maintained by those Bodies before the insurants migrated to other country. In such cases no amount is due to the assignee from the policy holder and it is agreed that such policies should be re-assigned in favour of the insurants without consideration through the Central Claims Organisation.

An insurant, for securing such re-assignment of his policy, should forward an application to the D.G.P. & T. of the country in which the insurant resides. The D.G.P. & T. after necessary scrutiny regarding liability of the policy will forward the application to the Central Claims Organisation for being forwarded to its counterpart in the other country. The Central Claims Organisation in the other country (where the policy stands assigned) will take up the question of re-assignment of the policy in favour of the insurant with the assignee (Corporate Body) and after the policy is thus re-assigned, will forward it to the Central Claims Organisation of the country in which the insurant resides for delivering the same to the D.G.P. & T. for further disposal.

4. *Payment of premia on P.L.I. Policies.*—(i) Each Government will recognise payments of premia made after 31-3-48 in the other country as valid. These credits will also be passed on by the country which has collected them to the country of liability.

(ii) The Government of India will allow holders of Postal Life Insurance Policies of their liability to pay premia in Pakistan of the insurance happens to reside in that country. Similarly Pakistan may allow holders of Pakistan liability policies to pay premia in India.

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\*Modified by para 21 of Minutes of 4th Implementation committee (see Annexure XIII to this Appendix)

(iii) The premia in such cases will be payable in cash at a Post Office in either country. A separate monthly schedule of premia received by the Post Office in respect of the policies which are the liability of other country, will be prepared by each H.O. A copy of this schedule duly marked "PAKISTAN/INDIAN LIABILITY P.L.I. POLICIES" will be sent to the Audit for affording credit to the other country along with details of premia received on their policies.

(iv) The amount of premia not paid for any month before the commencement of the agreement can be recovered with interest at 3½% per annum thereon by the country in which the insurant or the assignee resides and the credit passed on to the country whose liability the policy is, with a certificate of continued good health.

(v) In case of lapses in payment of premia after the commencement of the agreement, the arrears of premia and interest at 8% will be accepted by the country in which the insurant resides and passed on to the country whose liability the policy is. A certificate of continued good health will be required to be produced if the lapse exceeds 12 months.

5. *Adjustment of accounts between the two countries as a result of settlement of claims and receipt of premia on behalf of each other.*—As a result of the agreement, premium amount recovered will have to be passed on to the other country whereas if claims are settled, debits have to be raised. A consolidated account will be prepared every month showing the credits and the debits in respect of each policy involved and a balance will be struck showing the net amount payable or recoverable as a result of all the transactions. The net amount will be included in the amount for current settlement between the two countries.

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## ANNEXURE XV TO APPENDIX XXVIII

(Part II. Item 27)

### CLARIFICATIONS ON POINTS RAISED BY THE PAKISTAN DELEGATION

- (i) What the term net credit or net debit implies and at what intervals such adjustments will be made. It was proposed to recover premia on account of Pakistan policies in India and settle claims on account of those policies. When premia are thus realised the total amount so realised would have to be credited to the Pakistan Government. When any claim is settled, the debit would correspondingly be raised against the Pakistan Government. Conse-

quently every month while some amounts would have to be credited to the Pakistan Government, there would be a debit also against that Government, but the final accounts would show whether the net amount in a month is on the credit or debit side. This is why it was suggested that the net credit or net debit might be adjusted with the other Government. These adjustments would be made every month.

- (ii) How the question of interest due on the arrears of premia recovered in one country and creditable to the other country periodically would be dealt with. It is true that the rates of premia have been fixed on the assumption that premia would be paid before the 21st of the month. Since adjustments in accordance with item (i) above would be made monthly by the middle of the month following the month of receipt of premia or of payment of claims, the interest on such premia or arrears of premia recovered during that period will not amount to such a large sum as to effect the structure of the fund. Moreover, as such exchange will be in both directions the overall effect of such interest earning will be negligible and can be ignored.
- (iii) The necessity to obtain payment authority from the other country in each case. As the payment has to be made on behalf of the country which is liable for the policy, it appears necessary that that country should authorise the necessary payment in each case.
- (iv) Whether the liabilities could be transferred to the country where the claimant resides on the basis of actuarial values as on 31-3-1948. Pakistan delegation had made a suggestion that liability for P.L.I. policies may be transferred from one country to the other on the basis of actuarial values as on 31-3-1948.

The question was referred to the actuary who has advised that when a policy liability is transferred from one country to another, the amount to be paid is policy reserve as on the date of actual transfer of liability. The reasons why it is so are explained below.

For purposes of illustration, let it be assumed, as a hypothetical case, that a policy holder who had taken out a policy before 31-3-48, in country 'A' migrated to the other country 'B' on 31-1-1949. He had arrangement for payment of premia in the country 'A' up to 31-3-1951 on which date the liability in respect of the

policy was taken over by the country 'B'. Till 31-3-1951 it was the liability of the country 'A' in other words, if death had occurred before 31-3-1951, the claim would have been paid by the country 'A'.

If the liability had been actually taken over on 31-3-1948, the transferee country agreeing to pay claims from that date, the amount to be transferred on that would have been the policy reserve as on that date. This transfer would relieve the transferer country from all liabilities in respect of that policy and as a corollary it would lose all claims on premiums in respect of that policy after that date. If the transferer country received any premiums after that date, it must naturally transfer all those premiums also.

If, therefore, in the hypothetical case given above, it is proposed to consider 31-3-1948 as the date of transfer, the transferer country will have to hand over the reserves as on that date and the premiums received in respect of that policy after that date. In doing so, the transferer country would be a loser to the extent that it has borne the risk in respect of that policy until 31-3-1951. If, therefore, it is insisted in the hypothetical case that the reserves be calculated with reference to 31-3-1948, what would have to be transferred, would be the policy reserve as on 31-3-1948 plus all the premiums received thereafter, minus the cost of the risk borne after that date and, minus, if so desired, the share of cost of running the Fund. This is a very cumbersome method as it involves calculation of cost of risk but it is noted that its results are theoretically identical with those of the direct method *viz.*, calculation of reserves on the date of actual transfer *i.e.* 31-3-1951 when the risk is actually assumed by the transferee country.

Incidentally it is noted that the Pakistan delegation has used the term 'actuarial values'. There is not such independent concept as actuarial value. It is a term meaning the value of any transaction obtained by the use of actuarial science. In the present case policy reserve is the actuarial value.

## APPENDIX XXXIV

### Minutes of the First to Fourteenth Sitzings of the Committee on Petitions (Fourth Lok Sabha)

#### I

#### FIRST SITTING

The Committee met on Monday, the 10th April, 1967 from 17.00 to 17.45 hours.

#### PRESENT

Shri Diwan Chand Sharma—*Chairman*

#### MEMBERS

2. Shri Sonubhau Dagadu Baswant.
3. Shri Onkar Lal Berwa.
4. Shri George Fernandes.
5. Shri Bhola Raut.
6. Shri S. C. Samanta.
7. Shri N. K. Somani.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. At the outset, the Chairman welcomed the Members of the Committee and explained briefly to them the origin, evolution and existing scope of functions of the Committee in regard to petitions, and representations inadmissible as petitions (Annexure). He urged the Members of the Committee to take keen interest in the working of the Committee and thus make it an effective forum for redressing the grievances of the general public in the country.

3. Shri George Fernandes, a Member, stated that at present *either* the people were not utilising the forum afforded by the Committee to the fullest advantage or that Members of Parliament had not exploited this avenue to ventilate the grievances of the people on the floor of the House. He felt that if the Committee were to be assigned the functions of the Lok Ayukta (The Parliamentary Commissioner for Public Grievances), it could function more effectively as a means for the redressal of public grievances.

4. Shri Fernandes then referred to the petition signed by over 1,200 employees of the Atomic Energy Establishment, Trombay protesting against the decision to transfer the Electronics Production Division, Trombay, Bombay to Hyderabad, which he had desired to present to Lok Sabha, during the last Session but had been treated as a representation to the Committee for its consideration and report, as the matter related to service grievances. The Member urged that this matter did not relate to service grievances and desired that the question of its admissibility might be re-examined and he might be permitted to present it to the House during the next Session. He also suggested that pending examination of this petition in detail by the Committee, the *status quo* should be maintained by the Department.

After some discussion, it was decided that pending examination of the larger issues raised by the Member about the manner in which such representations should be dealt with, the comments of the Atomic Energy Establishment should be obtained by the 30th April, 1967, and thereafter the matter considered by the Committee when they next meet at 15.00 hours on the 4th May, 1967.

5. It was felt that the public at large was not aware of the existence of such a Parliamentary Committee whose forum they could utilise for seeking redress of their grievances. With a view, therefore, to acquaint the public on this aspect, the Committee desired that a Press Note† might be issued so as to bring home to the people the achievements of the Committee in the past and its functioning etc.

The Committee then adjourned.

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#### ANNEXURE

(See Para 2 of the Minutes, dated 10-4-67)

*Address by the Chairman to the Members of the Committee on Petitions on the 10th April, 1967.*

Friends,

It gives me great pleasure to welcome you here today as members of this Committee which is the oldest Standing Committee of the House. There are some old members on the Committee and we shall have the benefit of their experience in the effective working of

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†Issued on the 15th April, 1967.



this Committee. Others who join now will give the benefit of their fresh ideas and new approach.

2. The history of this Committee can be traced to the post 1919 Reforms era. This was constituted for the first time by the President of the Central Legislative Assembly under the Standing Orders in 1923. At that time, its scope was limited inasmuch as the petitions could be submitted by a person in relation to any pending Bill before the then Central Legislative Assembly. If in the opinion of the Committee it contained matters of public importance, which the Members could address themselves to in relation to that Bill, it was circulated. In the words of Sir Frederic Whyte, the then President of the Legislative Assembly, "this is a Committee which has *quasi-judicial* functions of a peculiar character."

3. After Independence, the scope of work of this Committee has from time to time been enlarged to include petitions not only with respect to Bills, but also petitions on other matters coming up before Lok Sabha. Anybody or any set of persons in the public can send a petition direct to Lok Sabha either through the Secretary or the Speaker and if the petition conforms to the Rules of Procedure, it is reported to the House. Similarly, any Member who receives a petition, can countersign it and present it to Lok Sabha.

4. The evolution of this Committee was an important landmark in the gradual adoption of the Parliamentary principle of Select Committees on all important subjects as in the old set-up, the Imperial Legislative Council and the Provincial Legislative Councils could not go into Committee on any subject unconnected with legislation.

5. The Committee now examines petitions on Bills pending before the House or on any other matter connected with the Business pending before the House after their presentation to Lok Sabha after ensuring that these petitions comply with provisions of the Rules relating to petitions, *viz.*, Rule 307 of the Rules of Procedure and Conduct of Business in Lok Sabha. The Committee, as a rule directs the circulation of such petitions, *in extenso* or in summary form when the petitions are of excessive length. The purpose of such circulation, which is done when the Bill or other matter is to be taken up in the House or is under discussion, is to focus the public opinion and feeling. Circulation of the petitions, also shows and stresses the quantum of importance which the public outside are giving to the matter. This apart, the Committee does not go into

the merits of such petitions nor makes any recommendations on the petitioner's suggestions for the consideration of the House or by Government. Moreover, the past experience of the Committee has been that such petitions were invariably received when the Bill was either under discussion or was likely to be taken immediately for discussion and passing and adequate time was not available for the Committee to consider the merits of the petitions before their circulation to Members of the House.

6. The Committee also examines petitions on matters of general public interest in great detail, after their presentation to Lok Sabha. The Committee has comprehensive powers of enquiry—it can call for factual comments of the Ministries/Departments concerned with reference to the specific complaints made in the petitions, based on the fact that normal channels of redress have failed to procure redress to the petitioners. The Committee can summon the petitioners as well as representatives of the Ministries concerned for hearing their oral evidence before the Committee finally comes to its conclusions. Thereafter, the Committee has to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future. Past experience has shown that Government generally accept the recommendations of the Committee.

7. Last, but not the least, an important function of the Committee is to examine all representations which are inadmissible as petitions to Lok Sabha. Representations of the following character are, however, excluded from its purview:—

- (i) Representations regarding service grievances of employees of Governmental and Semi-Governmental bodies, corporations, public undertakings etc.
- (ii) Representations seeking employment.
- (iii) Representations requesting monetary or financial assistance in some form.
- (iv) Representations regarding grievances on matters under control of State Governments.
- (v) Representations on *sub-judice* matters.
- (vi) Representations from anonymous persons or in which signatures are illegible or which do not contain full names and/or addresses.
- (vii) Representations which are mere endorsement copies of letters to other authorities and do not contain a specific request in the endorsement for relief.

- (viii) Representations of a frivolous nature or those not couched in respectful, decorous or temperate language, or on matters beyond the jurisdiction of India's Parliament to provide relief; or which contain complaints against Members of Lok Sabha in relation to their conduct as private persons and not as Members of Parliament.
- (ix) Representations regarding a pending Bill or admitted resolution which are summarised and circulated to all Members of the House on receipt.

8. The Petitions Committee thus serves two principal objects; firstly, to study the merits of a matter of public importance to which the petition seeks to invite the attention of the House, and secondly, to stress the quantum of importance which the public outside will give to the matter. The Committee functions as an important link in bringing specifically to the notice of the House public opinion on several matters of public importance including Bills and in providing an effective means of moving the executive to take quick action in the redress of the genuine grievances of the public.

Now I wish you all success in your labours:

## II

### SECOND SITTING

The Committee met on Thursday, the 4th May, 1967 from 15.00 to 16.50 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman*.

#### MEMBERS

2. Shri Sonubhau Dagadu Baswant
3. Shri Onkar Lal Berwa
4. Shri George Fernandes
5. Shri Jugal Mondal
6. Shri K. Ananda Nambiar
7. Shri A. Nesamony
8. Shri Bhola Raut
9. Shri R. Dasaratha Rama Reddy

10. Shri S. C. Samanta
11. Shri Prakash Vir Shastri
12. Shri R. K. Sinha.

## SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee took up consideration of the petition from over 1,200 employees of the Atomic Energy Establishment, Bombay representing against the decision of the Department of Atomic Energy to shift the Electronics Production Division from Trombay, Bombay, to Hyderabad.

The Committee perused the comments of the Department of Atomic Energy on the various points made out in the petition, as set forth in Memorandum No. 1 (See Annexure) and noted the following justification given by the Department of Atomic Energy in shifting the Electronics Production Division to Hyderabad:

- (a) The Bhabha Atomic Research Centre, Trombay (Bombay) was primarily an organisation for research and development and if it were to continue to perform its functions effectively, there was need to take away from Trombay processes which had reached the stage of industrial production;
- (b) the production of electronic components and instruments, at present developed and produced at a level of pilot plant production at Bhabha Atomic Research Centre, on a commercial scale could more appropriately be carried out by a public sector undertaking than departmentally by Government;
- (c) Hyderabad was ideally suited for setting up the Electronics Factory on account of low dust content, low humidity conditions throughout the year, availability of power, water, chemicals, premises rented by the A.P. Government in their Industrial Estate in Hyderabad, housing etc.;
- (d) Out of 554 employees addressed, 312 had opted to move;
- (e) the shifting of equipment and stores to Hyderabad was expected to involve an expenditure not exceeding Rs. 3.50 lakhs (anticipated expenditure on transfer travelling allowance etc. in respect of personnel who finally moved had not been indicated);

(f) the shifting was not expected to result in loss of production since the manufacturing activities would start immediately in the premises provided by the A. P. Government. In fact, the Atomic Energy Department expected that the production during 1967-68 would be even more than it had been during 1966-67 at Trombay. Thus the question of sustaining heavy losses by Government did not arise.

3. Shri George Fernandes referred the Committee to the point raised by him at the first sitting about the manner in which this petition should be treated viz., as a petition or as a representation. He made the plea that this should be considered as a petition, as it did not affect one employee but 1200 of them and did not merely confine itself to the service grievances but also touched upon larger human considerations, of which the Atomic Energy Department seemed to be quite oblivious. The Chairman explained that once the decision had been taken to treat it as a representation under Rule 160 (iii) (d) of the Rules of Procedure read with Direction 40 of the Directions by the Speaker, the matter could not be reopened, as in actual practice there was not much difference in processing a petition *vis-a-vis* a representation. Both received the same treatment and consideration by the Committee while making a report to the House in respect thereof. The Chairman, however, observed that in future they would carefully scrutinise whether in such a case, a petition could be considered as such within the meaning of Rule 160 and the Directions issued by the Speaker in this behalf, despite the fact that it raised any service matters.

4. Some members pointed out that there were some discrepancies in the comments furnished by the Department of Atomic Energy. They referred in particular to the following points for consideration of the Committee:

(a) Though the Expert Committee had recommended in 1965 for setting up the unit at Hyderabad, it had almost taken 2 years for Government to reach the decision in the matter.

It was significant that the decision to shift the Electronics Production Division to Hyderabad was taken by the Cabinet on March 17, 1967, that is to say, 2 weeks after the petitioners were collecting mass signatures for submitting the petition to the Lok Sabha. Further, a day after the Committee met on 10th April, 1967, the Atomic Energy Department decided on April 11, 1967 to form and regis-

ter the Electronics Corporation of India, Ltd. at Hyderabad.

- (b) It was not true that the expenditure on shifting would be limited only to Rs. 3.50 lakhs. Apart from the additional expenditure on transfer T.A. which the Department visualized and which would be considerable, there would have to be incurred substantial expenditure to the tune of about Rs. 20 lakhs or so on the erection of permanent buildings, residential accommodation for staff etc. of the Electronics Corporation.
- (c) There had been no production at Trombay for the last six months and pending the shifting to Hyderabad, no decision had so far been taken whether production should continue at Trombay, or not, on a commercial scale. This involved considerable loss of public money.

It was not thus correct to say that production during 1967-68 would be even more than it had been at Trombay.

A suggestion was made by some members that the Committee should examine the representatives of the Department and also call for the Expert Committee's Report and after gathering all the facts, the Committee might suggest remedial measures to the House. It was also suggested that the Committee should undertake an on-the-spot study of the Bhabha Atomic Research Centre, Trombay and of the Electronics Corporation of India Ltd., Hyderabad which was now housed in improvised sheds. Some members expressed the fear that the costly Electronics machinery was also liable to be damaged while kept in sheds in Hyderabad due to vagaries of climate etc.

5. After some discussion, the Committee decided to call for the Report of the Expert Committee, which had recommended the shifting of the Electronics Division to Hyderabad. The Committee also approved the suggestion for an on-the-spot study of the working conditions, production etc. at Trombay and to elicit first-hand information from the authorities on the various issues involved in greater detail, particularly, in the context of a complex of units for the production of Electronics equipment being undertaken by Government in the near future. With this end in view, the Committee decided to appoint the following Study Group to undertake an on-the-spot study of the Bhabha Atomic Research Centre, Trombay, subject to the approval of the Speaker, on the 15th May, 1967:—

1. Shri D. C. Sharma, (*Chairman*)
2. Shri George Fernandes

3. Shri Jugal Mondal
4. Shri R. Dasaratha Rama Reddy
5. Shri S. C. Samanta.

The Committee authorised the Chairman to approach the Speaker for his approval to the proposed visit and decided to postpone further consideration of the petition till after the Study Group had submitted its Report after an on-the-spot study of the Trombay Production Centre.

6. The Committee then adjourned to meet sometime early during the next session.

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#### ANNEXURE

(See Para 2 of Minutes dated 4-5-67)

LOK SABHA SECRETARIAT

(Committee Branch-II)

COMMITTEE ON PETITIONS

MEMORANDUM No. 1

**SUBJECT:** *Petition from over 1,200 employees of the Atomic Energy Establishment, Trombay, re: decision of the Department of Atomic Energy to shift the Electronics Production Division to Hyderabad.*

The Committee, at their sitting held on the 10th April, 1967, had considered a petition (Appendix I) received duly countersigned by Sarvashri George Fernandes and Madhu Limaye on the subject noted above for presentation by him to the House. The Committee noted that the petition had not been admitted for presentation to Lok Sabha, as it related to service grievances. Shri George Fernandes, (now himself a member of the Committee), however, urged that the matter did not relate to the service grievances and desired that the question of its admissibility might be re-examined and he might be permitted to present it to the House during the next Session. He had also suggested that pending examination of this petition in detail by the Committee, the *status quo* should be maintained by the Department, i.e. employees should not be transferred to Hyderabad.

After some discussion, the Committee decided that pending examination of the larger issues raised by the Member about the man-

ner in which such representations should be dealt with, the comments of the Atomic Energy Establishment should be obtained by the 30th April, 1967 and thereafter the matter considered by the Committee when they met next on the 4th May, 1967.

2. The Department of Atomic Energy whose comments were invited on the petition, have furnished a detailed brief (reproduced at Appendix II) with two enclosures thereto, explaining the reasons for the decision taken to transfer the Electronics Production Division to Hyderabad.

3. The comments of the Department at Appendix II cover all the specific points raised in the petition. The following facts emerge from the Department's reply:—

- (1) *Point of the Petitioners*:—Decision to shift the Electronics Production Division to Hyderabad is unjustified.

*Department's reply*:—The decision has been influenced by the fact that the Bhabha Atomic Research Centre, Trombay, is primarily an organisation for research and development and if it is to continue to perform its functions effectively, there is need to take away from Trombay processes which have reached the stage of industrial production. An Expert Committee appointed by the Department had recommended in 1965 that Hyderabad would be ideally suited for setting up the Electronics Factory, in view of low dust content, low humidity conditions throughout the year, availability of power, water, chemicals and housing at Hyderabad which would result in economics production. The recommendations were accepted by the Atomic Energy Commission which decided that the Production Units of Trombay should be moved to Hyderabad. The Cabinet approved the decision on March 17, 1967. A new Company styled the Electronics Corporation of India Ltd. has since been incorporated and registered at Hyderabad on April 11, 1967.

The Department have further explained in detail the objectives to be achieved by the shifting and conclude that it is by no means unjustified, but in the best national interest.

- (2) *Point of the Petitioners*:—The shifting would involve untold hardship to several hundred families.

*Department's reply*:—This is incorrect. Out of 554 employees concerned with electronics production in



BARC, Trombay, who were addressed to ascertain whether they were willing to move to Hyderabad, 312 had opted to move. None is being coerced to move nor will anybody retrenched. The Department have forwarded an explanatory memorandum dated the 20th February, 1967 (Annexure I to Appendix II) circularised to all the concerned employees assuring them of the above points and of the arrangements made to provide them residential accommodation as well as to protect their emoluments and a statement of the concessions (Annexure II to Appendix II) which the Government servants would get as a result of change of head-quarters. The Government of Andhra Pradesh has placed 224 flats at the disposal of the Corporation on rent. They have been requested to give special treatment to children of staff moving to Hyderabad in the matter of admission to Schools. No dislocation in their education is expected as the academic session commences only in June. Those unwilling to move have been given an assurance that they will be gainfully employed in other divisions of the BARC.

- (3) *Point of the petitioners:*—The shifting would involve unproductive and avoidable expenditure of considerable amount.

*Department's reply:*—The expenditure on shifting is not expected to exceed Rs. 3.50 lakhs. In addition, expenditure on transfer T.A. will arise for personnel who finally move to Hyderabad. The allegation is therefore not correct. Moreover, the expenditure is non-recurring and will be more than offset by the economic gains resulting on the much larger production that would eventually be possible at Hyderabad.

- (4) *Point of the Petitioners:*—The shifting would involve considerable loss of money to Government as the production would be suspended till the new factory is put up in Hyderabad.

*Department's reply:*—The question will not arise, as the manufacturing activities will start immediately in premises provided on rent by the Andhra Pradesh Government in an Industrial Estate in Hyderabad; while permanent buildings are to be put up at a site provided free of cost by the State Government. No loss in production is envisaged. In fact it is expected

that during 1967-68 production will be more than it had been during 1966-67 at Trombay.

- (5) *Point of the Petitioners*:—The decision to shift is hasty as no permanent arrangements have been made so far to house the production units there.

*Department's reply*:—The Department has repeated the same comments as against point 4 above and have added that preliminary works connected with the construction of permanent building has commenced. Further, the decision to move the units to Hyderabad was taken after very careful consideration and was by no means a hasty one.

The Department concluded by saying that the petition is obviously based on a misunderstanding of the above facts and state that there is no justification for any concern *re*: the merits of the decision of the Government in this regard.

4. It will be noted from the above that the Department have refuted the allegations of the petitioners and have pointed out the facilities to be provided to the employees on transfer to Hyderabad. Further, it will be seen that out of 554 employees addressed, so far only 312 employees had opted to move.

5. The Committee may consider the petition.

New Delhi,  
The 3rd April, 1967.

### III

#### THIRD SITTING

The Committee met on Thursday, the 1st June, 1967 from 16.00 to 17.15 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman*

#### MEMBERS

2. Shri C. T. Dhandapani
3. Shri George Fernandes
4. Shri K. Ananda Nambiar
5. Shri S. C. Samanta.

## SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee took up further consideration of the petition from over 1,200 employees of the Atomic Energy Establishment, Trombay, Bombay representing against the decision of the Department of Atomic Energy to shift the Electronics Production Division from Trombay, Bombay, to Hyderabad, in the light of the Report of the Expert Committee furnished by the Department of Atomic Energy, Trombay\*.

3. On a point raised by Shri George Fernandes, who had sponsored the petition, the Chairman informed the Committee that the Speaker had not given permission to the Study Group of the Committee for undertaking an on-the-spot study of the working of Electronics Production Division of the Atomic Energy Establishment, Trombay. A reference was made to Rule 307(3) of the Rules of Procedure and Conduct of Business in Lok Sabha which laid down as below:—

“It shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it *after taking* such evidence as it deems fit and to suggest remedial measures.....”

The Committee, therefore, authorised the Chairman to see the Speaker and request him for reconsideration of their earlier decision to undertake an on-the-spot study visit to the Trombay unit for a day.

It was urged that the following points might be placed before the Speaker by the Chairman:

- (i) Under Rule 307(3) of the Rules of Procedure & Conduct of Business in Lok Sabha, mentioned above, the Committee could undertake such a visit.
- (ii) Lakhs of rupees worth machinery of a costly nature shifted from Trombay to Hyderabad were lying idle in almost open sheds.
- (iii) The shifting did involve infructuous expenditure worth several lakhs on dismantling of existing structures and consequential loss in production.
- (iv) There still remained in suspense the future of more than 312 employees who had to be shifted to Hyderabad.

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\*Treated as confidential.

Pending the Chairman's meeting with the Speaker, further consideration of the Petition was deferred.

4. The Committee took up for consideration Petition No. 1 from Shri Vasant Vasudeo Kulkarni, Cantonment Board Member, and other citizens of Ahmednagar regarding the proposed shifting of the Vehicle Research Development Establishment from Ahmednagar to Avadi. The petition was presented to Lok Sabha by Shri George Fernandes, M.P., on the 30th May, 1967.

The petitioners had stated that the VRDE performed an important role in research and development of all types of vehicles used by our fighting forces including tanks, heavy duty armoured vehicles, trucks, jeeps etc. and that prior to 1947 it was known as Technical Development Establishment (Vehicles) located at Chaklala (now in Pakistan). The petitioners enumerated the functions and responsibilities allotted to the VRDE and stated that since 1965 when they came to know that Government proposed to shift it from Ahmednagar to Avadi, they had been protesting against the shifting.

The principal arguments put forth by petitioners against the shifting of the VRDE were:—

- (i) Ahmednagar city had no industry worth the name and the Defence Establishment employed 700 persons who received an annual salary of about Rs. 20 lakhs which helped to stimulate the local economy. Shopkeepers, artisans, teachers and hundreds of other people maintained themselves on the money that the VRDE helped circulate in the market.

The proposed shifting would affect the economy of Ahmednagar city and hundreds of families would be financially ruined. Unemployment, already substantial in the region, would increase further.

- (ii) The employees of VRDE had been protesting in their own way against the shifting, most of them being locally recruited people, but their agitation had borne no fruit.
- (iii) Ahmednagar was most suitable for carrying out the functions and responsibilities of the VRDE, as it possessed facilities of sticky black soil, hilly terrain etc. for technical evaluation trials; contiguity of the VRDE to the Chief Inspectorate of Vehicles which assisted in preparation of drawings and specifications for new vehicles and equipment as well as technical assistance to civil trade and

DGOF for production of pre-to-types; investigation of defect reports received from user units, mostly received from the Armoured Corps Centre and School at Ahmednagar, the main users etc.

The shifting of the VRDE would mean additional provision at Avadi of the essential requirements now met by the Chief Inspectorate of Vehicles. Further, the railway freight involved in transit of machinery to Avadi, possibility of damage in transit and subsequent cost for laying foundation etc. at Avadi would involve further expenditure. Arrangements for office and residential buildings at Avadi would also mean considerable expenditure to the tune of a few crores of rupees. The VRDE on shifting, would be located far away from the producers in the North, whereas at present it was centrally situated from both the North and the South. The moderate climate of Ahmednagar as compared with the intemperate climate of Avadi was another factor.

Lastly, the majority of employees were Maharashtrians. Quite a number of persons were displaced persons from West Pakistan. All of them had adopted themselves fully to the environments of Ahmednagar. Shifting would mean dislocation of their families, and that the employees would have to adjust themselves to different kind of food, language, social and cultural habits and to the necessity (in addition to the existing three-languages learnt by them) of learning a fourth, i.e. local language at Avadi. This might also affect their efficiency.

The petitioners, had, therefore, prayer that the VRDE might not be shifted from Ahmednagar to Avadi.

The Committee noted that a copy of the petition after its presentation to Lok Sabha, had been forwarded to the Ministry of Defence for obtaining factual comments thereon for perusal by the Committee. The Committee, therefore, decided to defer further consideration of the petition till the receipt of the Ministry's reply, which should be expedited.

5. The Committee then considered Memorandum No. 8 on an endorsement copy to the Speaker of a memorandum from Shri Ramesh Chandra Vyas, M.P., (Bhilwara), addressed to the Prime Minister re: extension of the period of Government Control over Mewar Textile Mills, Ltd., Bhilwara, due to expire on 15th May, 1967. The Member, while referring to the discussions he had held with the Prime Minister on the subject mentioned above had pointed out that since the taking-over of the Mills by Government, production

had increased and the whole debt of Rs. 33 lakhs incurred during the time of the previous management had been cleared. The parties financing the operation of the Mills had also started granting credit on the surety that this as a mill running under the Government of India. Modernisation of the Mill had also started with an investment of Rs. 50 lakha.

He had further referred to the resolutions passed by the Mill Mazdoor Sangh, Bhilwara and the State Unit of Indian National Trade Union Congress, Rajasthan for granting further extension of the period of control by Government and had stated that if this was not done, the Mill would have to be closed thus adversely affecting the employment situation. As the period of Government control was upto 15th May, 1967, he had prayed for immediate action in the matter.

The Committee perused the factual comments of the Ministry of Commerce on the petition and noted that the Ministry after tracing the reasons for the take-over of the mill on 16th May, 1960 and placing it under an Authorised Controller, had mentioned that the period of take-over which expired on 15th May, 1965 was extended for a further period of two years, i.e. upto 15th May, 1967. A writ petition filed by the shareholders in Rajasthan High court, Jodhpur, was dismissed. The Ministry had also referred to the representations made both by (i) the share-holders for return of the Mill to the previous management and (ii) by the Mill Mazdoor Sangh and the Member, i.e. Shri Ramesh Chandra Vyas for continuance of Government control. The Textile Commissioner, Bombay, who had conducted an on-the-spot survey of the Mill had recommended that as the expansion and modernisation of the mill is not yet complete, and as the State Government had provided large financial cover to the mill, the period of Government Control might be extended by further 2 years.

The Ministry had further pointed out that the right of the Authorised Controller to expand and modernise a mill was under dispute and was awaiting Supreme Court decision. At present, under the law, Government had no power to keep cotton textile mills permanently under their control or take them over permanently. After active consideration of the question, the term of the Authorised Controller of Mewar Textile Mills Ltd., Bhilwara, had been extended for a further period of 3 months with effect from 16th May 1967, in consultation with the Rajasthan Government, as they had to secure Government dues. The question of the future of the mills was being considered further in consultation with the State Government.

The Committee after some discussion directed that Shri Ramesh Chandra Vyas, M.P. might be requested to appear before the Committee at their next sitting to be held on the 8th June, 1967 for placing before them any additional information that he might have in his possession on the subject. Pending this the Committee decided to postpone further consideration of the memorandum.

6. The Committee then took up for consideration Memorandum No. 4 on a representation from Shri Atmaram Namomal Khiani, regarding verification of pension claim under the Part-Earned Pension Claims Scheme and counting his service as signaller from the 23rd April, 1919 to November, 1931, and payment of arrears of pay and leave salary respectively.

The Committee noted that in their Third Report presented to Third Lok Sabha on the 30th April, 1965, the Committee had reported factual comments furnished by the Department of Rehabilitation.

The Committee further noted that subsequently, the petitioner had submitted a fresh representation enclosing copies of official documents in support of his claim that his service as signaller had already been counted as a clerk. He had therefore prayed for re-fixation of his pay counting that service and settlement of his pension claim. This representation was forwarded to the Department of Rehabilitation for factual comments and return. The Department, after protracted correspondence, had intimated that the pension claim of Shri Atmaram Namomal Khiani had since been accepted by the *Ad hoc* Committee. After obtaining Indemnity Bond and further documents from him, the Central Claims Organisation had since issued the payment authority in respect of Shri Khiani's pension claim through the Pay & Accounts Officer (Rehabilitation) under intimation to the claimant [*vide* Ministry of Labour, Employment and Rehabilitation (Department of Rehabilitation)-U.O. No. 22(48)/64-Imp. dated the 25th October, 1966.]

The Committee decided that as this case had been redressed on the intervention of the Committee, facts may be incorporated in their first Report to the House.

7. The Committee then considered Memorandum No. 5 *re*: a representation from Shri Parmatma Sharan Gupta, Ghaziabad, alleging non-implementation of the recommendations of the Committee on his earlier representations.

The Committee noted that in their Fifth Report presented to Third Lok Sabha on the 2nd December, 1966, the Committee after perusing factual comments furnished by the Ministry of Home

Affairs rejecting petitioner's case on an earlier representation submitted by Shri Parmatma Sharan Gupta had recommended as follows:—

"The Committee, however, feel that this is a hard case and there is no point in strict observance of the regulations. The Committee recommend that this case might be re-considered sympathetically."

The Ministry of Home Affairs with whom the recommendation was pursued had sent a reply stating that in view of the observations of the Committee, the minimum age limit was being relaxed in favour of Shri P. S. Gupta and he would be considered along with others for appointment to the post of craft Instructor.

Subsequently the petitioner, to whom a copy of the Fifth Report of the Committee was forwarded after its presentation, submitted three representations. The first two contained requests for interview and arguments and complaints of injustice against the Delhi Administration, as well as a statement that he had not received any letter from the Directorate of Social Welfare, Delhi Administration "according to the decision of the Committee" so far.

In the third letter three allegations were made by the petitioner, viz:

- (i) the Directorate of Social Welfare wanted to reject him after calling him for interview along with other candidates;
- (ii) the reasons for not taking decisions on the interviews held in 1962 and 1963 had not so far been intimated and the post lying vacant in different institutions had not been filled so far and the class remained suspended without any decision; and
- (iii) if he got an appointment only after this interview, it would amount to the Directorate not implementing the Committee's "decision".

As regards the first allegation, the Committee felt that it was presumptuous and did not call for any action on the part of the Committee. It, however, showed that intimation on similar lines as the communication from the Ministry to the Committee had been sent to Shri P. S. Gupta i.e., that he would be considered along with other candidates.



As regards the reasons for the Directorate not filling the post, the Committee felt that it was purely an administrative matter. In fact, earlier the Ministry had stated the reasons in connection with not filling the vacancy after the second interview. The Committee's recommendations were made solely on this consideration that in the absence of suitably qualified candidates fulfilling the prescribed age qualification, a qualified candidate like Shri Gupta should not be rejected solely on the ground that his age was below the prescribed limit and that the case deserved re-consideration. The Committee would, therefore, like to clarify that this recommendation did not, however, amount to a directive or decision of the Committee.

As regards the last allegation, the Committee felt that it was incorrect inasmuch as a prospective offer of appointment to Shri Gupta would be an achievement of the Committee, since notwithstanding his age bar he would be selected on the Committee's intervention.

The Committee felt that, in view of these facts, the matter need not be pursued any further, but that as a matter arising out of the recommendation of the Committee contained in the Fifth Report to Third Lok Sabha, the facts might be reported to the House in their first Report.

8. The Committee then took up for consideration Memorandum No. 6 on two Representations from Shrimati Kalawanti Dwarkadas Pahilajani, Ahmedabad, submitted to Chairman, Committee on Petitions, Third Lok Sabha, regarding payment to her of arrears of pay, leave salary and pension to which her deceased husband, Shri Dwarkadas Sunomal Pahilajani unarmed Police Head Constable, was eligible.

With her first representation she had enclosed copies of her representations to the Minister for Home and Civil Supplies, Gujarat, as well as to the Chief Secretary to the Government of Gujarat. She had put forth her claim in view of the service rendered by Shri Dwarkadas to the composite Government of India in Pre-Partition days, and had pointed out that, as this service was not reckoned for pension purposes, the question of his opting for Old/New Rules of the Gujarat Government did not arise. She had also alleged in her letters to the State Government that service records received from the Government of Pakistan had been lost by the Department in transit. She had finally enclosed a copy of Ministry of Finance, Government of India, Office Memorandum No. F.47(3)-EV/57 dated the 23rd August, 1957, which laid down the principles for grant of pension to displaced persons migrating from Pakistan to India and who had rendered qualifying service in Pre-Partition India.

The Committee noted that as the representation was not complete in several particulars, the petitioner was requested on the 14th November, 1964 to furnish the following information to enable further consideration of the matter:

- (i) Full particulars of service rendered by her late husband in pre-Partition India, for which pension was claimed, but had been paid in view of his not opting for the Old/New Rules.
- (ii) Whether the deceased had registered himself with the Central Transfer Bureau, Ministry of Home Affairs, Government of India, and had obtained his employment under the State Government through the Agency; if so, the particulars thereof.
- (iii) Particulars of service rendered by him under the State Government after Partition upto the date of his death and whether pension was claimed and awarded for it or not.

The petitioner in a reply furnished the required information and also enclosed copies of the following documents:—

- (i) Copy of Resolution No. PEN/1062/15092-B dated 6-5-1963 of the Government of Gujarat, Home and Civil Supplies Department, admitting the service of Shri Dwarkadas Sumomal, (deceased husband of petitioner), Unarmed Head Constable of the Ahmedabad City Police Force, in Pre-Partition India from 15-7-1932 to 27-2-1950 as qualifying for pension, and condoning break in his service from 28-2-50 to 22-1-55 under Rule 250(b) of Bombay Civil Service Rules without counting the breaks for pension purposes.
- (ii) Copy of Letter No. 748/AB/(35/61) 5925 of 1964 dt. 13-2-1964 from the Commissioner of Police, Ahmedabad City, to Shrimati Kalawanti informing her of the final decision of the Government of Gujarat that the deceased was not entitled to family pension as he had not elected any option for pension.

The petitioner had also stated that leave salary for the period from 1-9-1949 to 27-2-1950 and arrears of pay were due to Shri Dwarkadas Sumomal and might be finalised by the Central Claims Organisation expeditiously.

Chairman, Committee on Petitions, Third Lok Sabha (Shri M. Thirumala Rao), after due consideration of the two representations,

had directed that an enquiry be made from the Ministry of Home Affairs as regards the principle regarding award of pension to non-optees for Old/New Rules after Partition and the policy laid down in this behalf by the Government of India, especially with due regard to petitioner's husband's past service with the Government of India. He had also directed that the factual position regarding arrears of pay and leave salary payable to the deceased might be ascertained from the Central Claims Organisation of the then Ministry of Rehabilitation.

Further the Committee on Petitions, Third Lok Sabha, in their Fifth Report presented to the House on the 2nd December, 1966, had recommended that Ministries concerned should expedite the supply of the required information on 162 pending cases (including Shrimati-Kalawanti's case) which should be considered by the successor Committee.

The Committee perused replies of the Ministries concerned and noted that the position had remained unchanged upto the date of the present meeting.

(i) The Ministry of Home Affairs had felt that although service rendered by Shri Dwarkadas had been reckoned as qualifying for pension, it appeared that he did not hold a post under the Gujarat Government in a substantive capacity which might possibly be the basis for non-entitlement to his family pension. Further, displaced persons not confirmed in India in a post under the Government of India were allowed pension under the provisions of the Civil Service Regulations, which did not provide for grant of any family pension to the family of the deceased.

The Committee noted in this connection that Article 361 Chapter XVI: Conditions of Qualifying service of the Civil Service Regulations, laid down that "The service of an officer does not qualify for pension unless it conforms to the following three conditions:—

*First*—The service must be under Government.

*Second*—The employment must be substantive and permanent.

*Third*—The service must be paid by Government."

Under Note below Article 361A of the CSRs, Provincial Governments exercised the powers of the Government of India in respect to officers (who rendered service in non-gazetted capacity) if the pension did not exceed fifty rupees a month.

The Committee, therefore, felt that the Ministry's inference that the service rendered by Shri Dwarkadas under the Gujarat Government was not substantive, was erroneous, inasmuch as his previous service under the Government of Sind could be declared as qualifying for pension, *only* if it was treated as substantive and he would have to render substantive service under the State Government—Rule 250 of Bombay Civil Services Rules—for counting past service towards pension.

The second inference of the Ministry that Shri Dwarkadas was ineligible as he was not confirmed also appeared erroneous. The Committee were satisfied that Shri Dwarkadas was declared ineligible for pension, as he *did not opt* for the old or new pension Scheme.

(ii) The Home Ministry had suggested a reference to the Gujarat Government for clarification. As this was not within the purview of the Committee, in view of the Speaker's directive that representations on State subjects were to be forwarded to State Legislatures concerned for disposal, the Committee directed that the representations might be forwarded to the State Legislature of Gujarat with the recommendation that the matter might be further looked into by the Petitions Committee of the State Assembly after due enquiry from the State Government. (The petitioner was also to be apprised accordingly.) The results of the Enquiry might also be intimated for the information of the Committee.

(iii) As regards pay and leave salary claim of the deceased for 180 days, the Committee noted that, after due processing of the case by obtaining information from the petitioner and from the Central Claims Organisation (Pakistan), the claim had been submitted to the *Ad hoc* Committee of the Department of Rehabilitation for sanction. Further action for arranging payment to the widow would be taken after its approval.

In view of the long interval since the demise of petitioner's husband, the Committee felt that they would express the hope that this matter be settled expeditiously and early payment made to the widow, if not done earlier. The Committee also treated this aspect of the case as closed.

The Committee directed that the above facts be reported in their First Report to the House, together with their decisions and recommendations mentioned above.

9. The Committee considered Explanatory Memorandum No. 7 regarding representations on which facts had been obtained and List No. I: Category 'A', Parts I and II—pp. 52—97 of the Agenda.

The Committee noted that in their Fifth and last Report, presented to Third Lok Sabha, the Committee had noted that 162 representations of which 146 related to displaced persons' grievances were still under reference to the Ministries concerned for factual comments. That Committee had recommended that as with the dissolution of Third Lok Sabha their term would expire the facts as and when obtained from the Ministries concerned in these cases might be placed before the successor Committee (*i.e.* the present Committee).

The Committee, pursued accordingly, List No. 1: Category 'A' containing brief gists and comments of Ministries concerned on 34 representations and divided into two parts, *viz.*:

(i) Part I, containing gists of 23 representations re: grievances of displaced persons redressed by the Department of Rehabilitation; and

(ii) Part II, containing gists of 11 representations re: grievances of the general public pertaining to the Ministries/Departments other than the Department of Rehabilitation and redressed on the Committee's intervention.

The Committee noted the facts with satisfaction and after some discussion, directed that the facts might be appended to the First Report of the Committee with their observations/recommendations in appropriate cases.

10. The Committee then adjourned to meet again on Thursday, the 8th June, 1967, at 16.00 hours.

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#### IV

#### FOURTH SITTING

The Committee met on Thursday, the 8th June, 1967 from 16.00 to 17.05 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman*

#### MEMBERS

2. Shri Sonubhai Dagadu Baswant
3. Shri C. T. Dhandapani
4. Shri R. Dasaratha Rama Reddy
5. S. C. Samanta

6. Shri Prakash Vir Shastri
7. Shri Ram Chander Veerappa.

*Also present by Special Invitation*

Shri Ramesh Chandra Vyas, M.P.

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. Shri Ramesh Chandra Vyas, M.P., who had been invited to place before the Committee any additional information that he had in his possession in regard to his memorandum for the extension of Government Control on Mewar Textiles Mills, Ltd., (*vide* paragraph 5 of Minutes of the Third Sitting of the Committee held on the 1st June, 1967), explained to the Committee the reasons for his pressing for the extension of Government control on the Mills. He mentioned to the Committee the contents of the letter received by him from the Minister of Commerce, Shri Dinesh Singh, wherein the latter had referred to the Government's intention to extend control over the Mills for two more years and had also pointed out that there was some legal difficulty for the Government in this matter. Shri Vyas felt that the present extension of the term of the Authorised Controller over the Mills for three months was not a satisfactory solution to the problem, as it actually stood in the way of the Mills making purchase of cotton etc. from the market on credit apart from creating a sense of instability amongst the workers.

The Committee pursued, in this connection, a telegram from the Mill Mazdoor Sangh, Bhilwara, praying for the replacement of the present Authorised Controller and for the extension of Government control over the Mills.

Shri Vyas further told the Committee that according to his information the injunction order issued by the Supreme Court against the Authorised Controller from further borrowing for modernising and improving the Mewar Textile Mills had since been vacated and the Authorised Controller was free to take further action in regard to the improvement of the Mills. The Committee, however, noted that, earlier, the Government in their brief (perused by the Committee at their sitting held on 1st June, 1967) had mentioned that the Supreme Court's decision in the matter was still awaited. The Committee, therefore, asked Shri Vyas to furnish a certified copy of the relevant judgment of the Supreme Court vacating its earlier Injunction Order. Pending receipt thereof, the Committee deferred further consideration of the matter.

The member also suggested that the Committee might visit the Mewar Textile Mills to see things for themselves on the spot. On this the Chairman pointed out that the Speaker was not in favour of permitting such on-the-spot study visits by the Committee.

*(The Member then withdrew).*

3. The Committee then took up further consideration of the petition from 1,200 employees of the Atomic Energy Department. The Chairman apprised the Committee that the Speaker was not inclined to reconsider his earlier decision not to give his permission to the study group of the Committee undertaking the proposed on-the-spot study of the Bhaba Atomic Research Centre, Trombay.

The Committee perused, in this connection, a letter from Shri George Fernandes sent by him before leaving for Madras on the 8th June (morning), requesting that the decision of the Committee might be deferred to its next sitting. The Committee decided to accede to the Member's request but desired that he might be asked to furnish a list of points on which he would like the Committee to obtain further information from Government in the matter.

4. The Committee then considered List No. II containing brief gists of 10 representations in Category 'A', pertaining to the Department of Rehabilitation, which were pending finalisation as reported in the Fifth Report of the Committee, Third Lok Sabha. The Committee noted with satisfaction that on their intervention, the petitioners concerned had been provided speedy, partial or complete relief or that the Ministries concerned had furnished replies meeting adequately the petitioners' points. The Committee directed that the facts of these cases together with their observations on item 2 in the List might be appended to their First Report.

5. The Committee then adjourned.

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V

FIFTH SITTING

The Committee met on Thursday, the 15th June, 1967 from 16.00 to 17.15 hours.

PRESENT

Shri D. C. Sharma—*Chairman*

MEMBERS

2. Shri Onkar Lal Berwa
3. Shri K. Ananda Nambiar

4. Shri R. Dasaratha Rama Reddy
6. Shri S. C. Samanta.

## SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee took up further consideration of the petition from over 1,200 employees of Atomic Energy Establishment, Trombay, regarding Government's decision to shift Electronics Production Division from Trombay to Hyderabad, consideration of which had been deferred at the instance of Shri George Fernandes, a Member of the Committee, who could not be present at their last sitting held on the 8th June, 1967. The Committee noted that Shri George Fernandes, the sponsor of this petition, could not attend this sitting also due to unforeseen circumstances and that he had already been requested (as decided by them at their last sitting), to furnish a list of points on which he would like the Committee to obtain further clarification from the Ministry. The Committee, therefore, decided to postpone consideration of the petition till their next sitting when Shri Fernandes might be present.

3. The Committee then considered Memorandum No. 8 on Petition No. 1 from Shri Vasant Vasudeo Kulkarni and other citizens of Ahmednagar regarding the proposed shifting of the Vehicles Research Development Establishment from Ahmednagar to Avadi. The Committee perused the brief furnished by the Ministry of Defence and noted the following comments offered by them on the various points raised in the petition:—

- (a) Prior to Independence, the VRDE was moved from Chaklala to Ahmednagar on the ground that vacant work-shop premises and temporary hutments of war time construction were available at Ahmednagar but which were hardly adequate to house a property-equipped engineering development establishment and a complete new set of buildings had to be built to be able to provide adequate facilities for the expected output of the proposed new establishments.
- (b) In 1947, the VRDE had commenced development of Vehicles bodies and minor items required for the maintenance of a fleet of vehicles left behind by the Britishers. It also then undertook a few assessment trials of imported vehicles. The Establishment had no capacity to undertake any large-scale projects like complete design and development of a tank.



- (c) In 1960, it was decided to shift the Technical Development Establishment (Vehs) to Avadi adjacent to the tank factory so that with the planning of the Heavy Vehicles Factory, a complex of fighting vehicles production and development could be created at Avadi. Further TDE (V) had to depend on HVF for manufacture of prototypes for the equipments developed by them and close proximity was very necessary to ensure coordination and quick results.
- (d) For completion of major projects for completely new designs of fighting vehicles, some of which were based on the Vijayanta Tank under manufacture at Avadi, proximity of Heavy Vehicles Factory to the VRDE was essential.
- (e) The other reasons were better availability of skilled personnel for non-gazetted technical and industrial categories at Avadi, availability of sufficient power and water from Madras and close proximity to the Inspectorate of Heavy Vehicles which would be the Authority holding sealed particulars for all vehicles.
- (f) The effect on the economy of Ahmednagar (with a lakh of population) of the shifting of 700 families consisting of about 3000 persons would be insignificant. Only personnel of Class I, II, III and IV categories, who were willing to go, would be shifted and every effort was being made to re-settle them with little inconvenience. About 150 personnel might not be able to move and steps were being taken to provide them alternate employment in Defence Establishments in and around Ahmednagar.
- (g) Most of the models of Heavy Vehicles and 'B' Vehicles mentioned by the petitioners were obsolescent.
- (h) Cross-country trials and other technical evaluation could be undertaken on the beaches near Madras. Further, suitable terrain for trials was also available near Avadi.
- (i) Besides, many other facilities were available at Avadi. As such Avadi was, considered a comparably far better and essential site.

4. The Committee, after some discussion, felt that in view of the larger issues including the human element, viz. shifting of a large number of employees from Ahmednagar to Avadi some of whom were displaced persons from West Pakistan, involved in this case, the official facts were not adequate or did not satisfactorily meet the petitioners' points. The Committee, after careful consideration of the im-

plications of the various issues involved, felt that it would be desirable for them to undertake an on-the-spot study of the conditions of working of the VRDE at Ahmednagar etc.

The Committee decided to form a Study Group consisting of the following five Members to undertake the proposed visit:—

1. Shri D. C. Sharma—*Chairman*
2. Shri George Fernandes
3. Shri Onkar Lal Berwa
4. Shri K. Ananda Nambiar
5. Shri S. C. Samanta.

The Committee authorised the Chairman to seek the approval of the Speaker for the proposed on-the-spot Study Visit.

The Committee then adjourned.

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## VI

### SIXTH SITTING

The Committee met on Friday, the 23rd June, 1967 from 16.00 to 17.15 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman*

#### MEMBERS

2. Shri Sonubhau Dagadu Baswant
3. Shri George Fernandes
4. Shri S. C. Samanta
5. Shri Prakash Vir Shastri.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

2. The Committee took up for consideration the petition from over 1,200 employees of the Atomic Energy Establishment, Trombay, regarding the decision to shift the Electronics Production Division to Hyderabad. The Committee noted that Shri George Fernandes (a member of the Committee) who had been requested to furnish a list of points on which further clarification was sought to be obtained from the Department of Atomic Energy, required some more time for this purpose. Shri George Fernandes drew the attention of the Com-

mittee to a clipping from the "Financial Express" dated the 20th June, 1967 (reproduced below):—

**"ELECTRONICS PLANT  
SHIFTING EXPLAINED**

*By A Staff Reporter*

**BOMBAY, June 19**—The Maharashtra Government was informed by the Centre on August 21, 1964 that the delay in acquisition of land for the Trombay's electronic plant would necessitate the shifting of the unit to some other place. The State Government was further told on September 22, 1966 that the unit would be shifted out of the State.

Disclosing this in the State Assembly today, Mr. R. A. Patil, Minister for Industries said that following the Union Government decision, the unit had already been shifted to Hyderabad.

He explained that when the State Government had begun acquisition proceedings to secure land for the Fertiliser Corporation, the Department of Atomic Energy had made the request that as all the land to be acquired for the Corporation was essential for the fertiliser factory, 105 acres should be acquired near Trombay for the establishment of the electronics unit. Of this area, about 45 acres were required for the construction of houses for the staff of the electronics unit.

The Maharashtra Government felt that 45 acres were too much to house 125 officers and other staff of the electronics unit and particularly so when the Atomic Energy Establishment had not utilised the 300 acres of land given to it previously. The State Government accordingly informed the Centre on October 24, 1963 that while rejecting the demand for 45 acres of land for housing purpose, it was considering the acquisition of 60 acres of land for the unit itself.

The Centre insisted on the acquisition of the entire 105 acres of land, saying that the State Government could not reject any request for land made by it. The State Government stated on February, 1964 that it was within its powers to reject the request.

On October 1963, the State Government asked the Centre to supply it with survey maps of the land that was required for the unit. But these maps were not submitted, and the State Government could not proceed with further action."

The Committee felt that the facts and the material placed before them by the Department of Atomic Energy, Bombay earlier was at

variance with what had transpired in the Maharashtra Legislative Assembly.

The Committee, therefore, decided to call for the representatives of the Department of Atomic Energy to appear before them at their sitting to be held on the 6th July, 1967 for oral examination.

The Committee then postponed further consideration of the petition.

3. The Committee then took up for consideration Memorandum No. 8 on Petition No. 1 from Shri Vasant Vasudeo Kulkarni and other citizens of Ahmednagar regarding proposed shifting of the Vehicle Research Development Establishment from Ahmednagar to Avadi.

The Chairman apprised the Committee that the Speaker had not accorded permission to the Study Group of the Committee to undertake the contemplated on-the-spot visit to the Vehicle Research Development Establishment, Ahmednagar. The Committee decided to defer consideration of this petition to their next sitting.

4. The Committee then considered List No. III: Category 'A' containing brief gist of 17 representations pertaining to the Department of Rehabilitation. The Committee noted with satisfaction that on their intervention, the petitioners concerned had been provided speedy, partial or complete relief or that the Ministries concerned had furnished replies meeting adequately the petitioners' points. The Committee directed that the facts of these cases might be appended to their First Report to be presented to Lok Sabha.

5. The Committee then took up for further consideration the petition from Shri Ramesh Chandra Vyas, M.P. (Bhilwara) regarding the extension of Government control over the Mewar Textile Mills, Ltd., Bhilwara which expired on 15th May, 1967, in the light of Supreme Court Judgment, a copy of which was furnished by Shri Ramesh Chandra Vyas to the Committee.

The Committee noted that the Supreme Court had in its order directed the Authorised Controller *not to borrow any further money* or incur any further monetary liabilities in connection with the expansion scheme or plan. The Supreme Court had also directed him not to order any more machinery, equipment or apparatus in connection with the expansion scheme other than the machinery already received, installed or ordered. The Committee felt that as the matter continued to be *sub-judice* so far as the extension of Government control over the Mewar Textile Mills was concerned, the matter did not

required further intervention of the Committee at this stage. The Committee, therefore, decided to report the facts of the case to the House together with their decision not to pursue the matter further.

The Committee then adjourned to meet again on Thursday, the 29th June, 1967 at 15.00 hours.

## VII

### SEVENTH SITTING

The Committee met on Thursday, the 29th June, 1967 from 15.00 to 16.15 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman*

#### MEMBERS

2. Shri Sonubhau Dagadu Baswant.
3. Shri George Fernandes.
4. Shri S. C. Samanta.
5. Shri R. K. Sinha.
6. Shri N. K. Somani.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee took up further consideration of the petition from over 1,200 employees of the Atomic Energy Establishment, Trombay regarding the decision to shift the Electronics Production Division to Hyderabad. The Committee noted that Shri George Fernandes had since obtained the text of the official proceedings (in Marathi) of the Maharashtra Legislative Assembly sitting held on the 15th June, 1967. At the Committee's earlier sitting held on the 23rd June, 1967, the Member had drawn the attention of the Committee to a Press Report in the "Financial Express" dated the 26th June, 1967 according to which the main reason for shifting the unit to Hyderabad was the inability of the State Government of Maharashtra to acquire and make available the land at Trombay. The Official Proceedings of the State Assembly as now read out by the Member also substantiated this fact.

The Committee desired that a copy of the English version of the relevant proceedings should also be called for from the Maharashtra

Legislative Assembly so that the Departmental witnesses could be confronted with the issue when they appeared before the Committee at their next sitting fixed on the 6th July, 1967.

The Committee also decided to defer further consideration of the petition to its next sitting.

3. The Committee then took up further consideration of Petition No. 1 from Shri Vasant Vasdeo Kulkarni and other citizens of Ahmednagar regarding the proposed shifting of the Vehicle Research Development Establishment from Ahmednagar to Avadi. Shri George Fernandes pointed out that most of the facts mentioned by the Ministry of Defence in their note furnished to the Committee were contrary to what had been and was actually happening in the shifting of the VRDE to Avadi. The Committee, after some discussion, decided to hear the oral evidence of the representatives of the Ministry of Defence on the various points raised in the petition at their sitting held on the 13th July, 1967.

4. The Committee then considered Memorandum No. 9 regarding the action taken by the Ministry of Labour, Employment and Rehabilitation (Department of Rehabilitation) in implementation of the recommendations of the Committee on Petitions, contained in their Fifth Report (Third Lok Sabha) on a representation from one, Shri Ram Dass T. Chugani, a displaced person from West Pakistan. The Committee noted that the Ministry had drawn attention to their U.O. No. 9(1) (21) 65-L&R dated the 22nd February, 1966, wherein it was stated that "the old file where the Committee's recommendations were presumably (by inadvertance the word 'presumably' was typed as 'pesrsonally') considered is not forthcoming." The Ministry had also clarified that what was intended to be conveyed was that the file where the recommendation was considered was not forthcoming and not that the recommendation could not be implemented because the concerned file was not forthcoming. The Ministry had further pleaded that since the relevant old records including the Diary Register had since been weeded out and destroyed according to the rules, further enquiry would not yield any result. The Ministry had further stated that the Committee's recommendation for enquiry into the loss of a number of files relating to other similar cases by efflux of time or by tampering them away had been carefully examined and to the best of the Ministry's knowledge, no other paper or file had been lost.

The Committee were distressed to note that the Ministry were trying now to explain away a deliberate statement of fact to the Committee during Third Lok Sabha as a typing error. The Committee

were not satisfied with the Ministry's explanation and, therefore, decided to send for the Chief Settlement Commissioner for oral examination at their next sitting.

5. The Committee then considered List No. IV: Category 'A' and noted with satisfaction that, on their intervention, two cases of displaced persons and four cases of grievances pertaining to other Ministries, had been redressed. The Committee directed that the facts of these cases might be appended to their First Report.

6. The Committee then adjourned to meet again on Thursday, the 6th July, 1967 at 15.00 hours.

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## VIII

### EIGHTH SITTING

The Committee met on Thursday, the 6th July, 1967 from 14.30 to 15.35 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman*

#### MEMBERS

2. Shri Onkar Lal Berwa
3. Shri George Fernandes
4. Shri K. Ananda Nambiar
5. Shri R. Dasaratha Rama Reddy
6. Shri S. C. Samanta
7. Shri Prakash Vir Sharstri
8. Shri N. K. Somani.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

#### WITNESSES

(*Representatives of the Department of Rehabilitation*)

1. Shri G. D. Kshetrapal, Joint Secretary and Chief Settlement Commissioner.
2. Shri H. R. Nair—Joint Chief Settlement Commissioner.
3. Shri Shiv Kumar Verma—Assistant Settlement Commissioner.

2. The Committee examined the Chief Settlement Commissioner, Department of Rehabilitation, and other representatives of the Department in regard to the action taken by them to implement the recommendations of the Committee contained in their Fifth Report, Third Lok Sabha on Shri Ram Dass T. Chugani's representation.

The Chief Settlement Commissioner stated that the Ministry of Rehabilitation which had originally been formed to deal with the claims of displaced persons from Pakistan, started shrinking in size when the work-load dwindled and a number of officers were retrenched. Later on it was merged in the Ministry of Works and Housing and in 1964, as a sequel to the influx of East Pakistan displaced persons, it was re-formed and became a separate entity. The officers who dealt with the recommendations of the Committee on Petitions (First Lok Sabha) had all left the Ministry and the present set of officers was new. Their attempts to trace the file in which the recommendations must have been considered were not successful. Further, the registers indicating the movement of files had been destroyed in accordance with the procedure laid down in the Secretariat Manual and the movement of the receipt from the Lok Sabha Secretariat could not, therefore, be traced. After a lapse of ten years when the Committee brought the matter to the notice of the Ministry, in the absence of the registers, it was difficult to trace the papers. However, no other files or petitions were missing, he added. He expressed regret for this state of affairs.

On being pointed out that the case had not been treated as closed by the Committee, the Chief Settlement Commissioner stated that in the absence of the relevant papers, he could only act on conjectures in the matter. He pointed out that subsequent to the recommendations of the Committee, the Displaced Persons (Compensation and Rehabilitation) Rules 1955 had been discussed at great length by the House and adopted and he had not been able to find that any member had said anything in respect of this matter. He further explained that the claims for agricultural land were verified in terms of the Standard acres and that proper steps were taken for the valuation of the land by Inspectors supervised by Senior Officers of the Ministry as well as by the Engineers from Central Public Works Department.

On being further pointed out that at the time of discussion of the new Compensation Rules by Lok Sabha, the Ministry could have had the recommendations of the Committee before them, the Chief Settlement Commissioner accepted that the file must have been there but expressed regret for the failure of the Ministry in not informing the Lok Sabha in any form whatsoever that the Committee



on Petitions had made a recommendation in this behalf. He also expressed regret for the typing mistake in the communication sent earlier to the Committee on Petitions (Third Lok Sabha) and appended to their Fifth Report (Appendix XXVI, Fifth Report, Third Lok Sabha).

3. The Committee also pointed out to the Chief Settlement Commissioner that in the recent case of one, Shri W. M. Sethi, a displaced person, whose claim was pending for a long time, the Department of Rehabilitation was insisting on the petitioner to furnish the original documents in his possession to corroborate certain statements made by him to the Settlement Officer concerned in connection with the verification of his claim or for a hearing. The petitioner had apprehended that if he furnished the original document to the Settlement Commissioner, the same might be misplaced and had, therefore, submitted the same to the Committee for its perusal. The Committee felt satisfied with the genuineness of the document and directed that copies thereof (attested by a Notary Public, which had also been furnished by the Petitioner) be handed over to the Chief Settlement Commissioner at the meeting and asked the latter to expedite settlement of the case under intimation to the Committee. (The attested copies were handed over to Shri H. R. Nair, Joint Chief Settlement Commissioner).

(The Witnesses then withdrew).

4. After hearing the Ministry's representatives, the Committee felt that the Ministry's representatives had not satisfactorily explained the omission to implement the recommendations of the Committee on Petition No. 2, First Lok Sabha, nor had they adequately elucidated the reasons for a departure from their later reply furnished to the Committee during the Third Lok Sabha. The Committee decided that:

- (i) the Ministry might be asked to furnish a list of all such cases of displaced persons, not sponsored by the Lok Sabha Committee on Petitions, which were three years old and were still to be finalised; and
- (ii) they might express their opinion in this behalf in their First Report to be presented to the House on the following lines:—

“The Committee are definitely of the view that though the amendments to, as well as the Rules relating to the settlement of Compensation claims, viz., the Displaced Persons

(Compensation & Rehabilitation) Rules, 1955, were discussed by the Lok Sabha, no attempt was made by the Ministry of Rehabilitation to bring the recommendations of the Committee on Petitions, First Lok Sabha, to the notice of the authorities concerned and to initiate action **in** the light of the recommendations for making necessary changes in the said rules. This coupled with the fact that the relevant file is now missing, leads the Committee to conclude that a deliberate attempt had been made to by-pass its recommendations which might have been motivated by some ulterior consideration in view. The Committee would, therefore, suggest that a thorough enquiry should be made in the matter by the Ministry again and the responsibility fixed for this serious lapse. The Committee would also like that the specific action taken by the Ministry in this regard be intimated to them in due course."

5. The Committee then adjourned to meet again on Friday, the 7th July, 1967, at 09.00 hours.

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## IX

### NINTH SITTING

The Committee met on Friday, the 7th July, 1967 from 09.00 to 10.45 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman*

#### MEMBERS

2. Shri George Fernandes
3. Shri K. Ananda Nambiar
4. Shri Bholā Raut
5. Shri R. Rasaratha Rama Reddy
6. Shri S. C. Samanta
7. Shri Prakash Vir Shastri
8. Shri R. K. Sinha
9. Shri N. K. Somani.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

## WITNESSES

*Department of Atomic Energy*

1. Dr. Vikram A. Sarabhai, *Secretary, Department of Atomic Energy and Chairman, Atomic Energy Commission.*
2. Shri R. Bhaktavatsalu, *Additional Secretary.*
3. Shri Y. S. Das, *Director.*

*Bhabha Atomic Research Centre'*

4. Shri A. S. Rao, *Director, Electronics Group.*

2. The Committee examined Dr. Vikram A. Sarabhai, Chairman, Atomic Energy Commission and other representatives of the Department of Atomic Energy on the various points arising out of the comments furnished by the Department on the petition from 1,200 employees of the Atomic Energy Department on the shifting of the Electronics Production Division from Trombay to Hyderabad.

3. Dr. Sarabhai explained that in the Bhabha Atomic Research Centre (which prior to January, 1967 was known as the Atomic Energy Establishment at Trombay), they had eight broad groups and divisions (within which there were 17 divisions viz., Physics, Electronics, Radiation Protection, Metallurgy, Engineering, Biology, Medical and Administrative Groups/Divisions). Within the Electronics group, there were three divisions, of which the Electronics Division and the Electronics Production Division were important. While the Electronics Division dealt with developmental work, fabrication of various nuclear instruments and systems, and established prototype production of semi-conductor devices and resistors, the Electronics Production Division was engaged in the production of instruments and accessories for hospitals for radiation, monitoring etc. along with engineering aspect.

4. Dr. Sarabhai stated that instruments and accessories of total sale value of Rs. 37.13 lakhs had been produced by the Electronics Production Division during 1966, while the value of instruments issued to the various divisions of BARC or which were made available to the hospitals research institutions and laboratories in the country was about Rs. 43 lakhs.

5. Shri A. S. Rao stated that it was round about 1963-64, when it was thought that while the developmental work should continue at Bombay, the commercial activity should be spread out into an industrial public sector project as soon as the full-fledged commercial acti-

vity was attained. But in the case of atomic energy, it was considered more appropriate to do things departmentally, as it would permit the A.E.C. to undertake major responsibilities.

6. In reply to a question, Dr. Sarabhai stated that since 1963 they had been exploring, with the Maharashtra Govt., the possibilities of acquisition of land in Trombay. When the Maharashtra State Government hesitated to provide the land for housing etc. in 1965, an Expert Committee was set up to go into the possibility of sites in Madras, Mysore and Andhra Pradesh, to make a sort of examination from the point of view of climate, of raw materials, power and services and various other things. The Committee's Report\* was examined by the Directors of the Atomic Energy Department and it was approved by the Commission in June, 1965. In March, 1967, the Cabinet had finally approved the proposal contained in the Expert Committee's Report for shifting of the Electronics Production Division (EPD) to Hyderabad. It thus took 2-3 years to finalise the matter.

7. Dr. Sarabhai further elucidated that factors like distance, availability of raw materials, atmospheric conditions and additional costs for air-conditioning of workshops had to be evaluated for selecting the site.

8. On attention being drawn to the news report pertaining to this matter appearing in the "Financial Express" dated 20th June, 1967, Dr. Sarabhai stated that as the Maharashtra State Government could not meet the demand of the Department for 105 acres of land, the State Government's offer of 60 acres of land only for housing the buildings of the Division was rejected by the Department. The late Dr. H. J. Bhabha, who had started negotiations with the State Government for acquisition of more land at Trombay had lost interest in the matter. Dr. Sarabhai, however, admitted that it had been made clear by the State Government that availability of a large area of land near Trombay was going to be a difficult task. He added that the inability of the State Government to provide land was only one of the many considerations, mentioned in the Expert Committee Report, which influenced them to recommend the shifting of the EPD to Hyderabad.

9. On his attention being drawn to the Editorial in the "Financial Express" dt. 8.12.66, Dr. Sarabhai stated that the news reports were based on conjectures and it was difficult to contradict them. He felt that the decision taken to shift the EPD to Hyderabad was a *bonafide* and sound one and there was nothing 'sinister' about it.

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\*Treated as a Secret Document.

10. Dr. Sarabhai stated that in the opinion of Dr. Bhabha, much could be gained by diversifying the activities of the atomic energy establishment wherever possible without sacrificing efficiency.

11. Dr. Sarabhai conceded that diversification was a double-edged sword, as transferring something meant sacrificing some aspect of coordination between research and development. In reply to a question whether electronics would stand the test of diversification or whether it should be concentrated at one place so that research, production and development could be done at one and the same place, Dr. Sarabhai stated that not only electronics, but also the fuel plant, the new uranium fuel plant and the fuel complex were all set up at Hyderabad as one major enterprise in the public sector.

12. Dr. Sarabhai stated that he fully subscribed to the view of Dr. Bhabha that it was not appropriate to conduct electronics production activity on commercial scale in Trombay. He also conceded that Hyderabad was not the only place suitable for commercial production in the country and there were at least a dozen places in Maharashtra which were equally good. Poona was equally as dry a place as Hyderabad.

13. As regards the labour problems, Dr. Sarabhai stated that it was never contemplated by them that as a result of the decision to shift EPD to Hyderabad, there would be any labour problem at all. Nor was anybody to be thrown out of employment. Those who opted for the public sector enterprise would be given preference. Even otherwise they would be protected. They were arranging the transfer of employees purely on voluntary basis.

14. He said that after he took over the Chairmanship of AEC in June, 1966 he wanted to be convinced that Hyderabad was the best site. He was keen to start the project for which Dr. Bhabha had already negotiated with the Andhra Pradesh Government before his death in 1966. Dr. Sarabhai stated that he met the Chief Minister of Andhra Pradesh in that regard. As a result of their discussions, the Chief Minister had offered accommodation in the Industrial Estate occupied by M/s. Hindustan Aeronautics Ltd., as the latter were shifting to their own buildings. The Chief Minister also promised to provide facilities for housing the people to be transferred. On that basis, the deal was finalised.

15. A number of buildings were under construction at Hyderabad and the first building that had been earmarked for the Electronics Production Division would be completed in six months. To meet the tremendous backlog demand of the various institutions like Hospitals, Universities, Laboratories, Rajasthan Atomic Power Project

etc. requiring the electronic goods, it was necessary for the Department to step up production, which would now commence in the first week of July, 1967. He also pointed out that till February, this year, when they started moving, production was going on in Trombay (Bombay). 270 employees had gone over to Hyderabad and 250 men were being recruited at tradesmen level.

16. As regards the possibility of lack of co-ordination between the research and production wings at Trombay and Hyderabad respectively, Dr. Sarabhai clarified that they wanted to intensify both research and development and industrial production. Based on his experience in the private sector, he felt that it was a challenge which he would like to take to see that public sector undertakings everywhere were as efficient as private sector enterprises. In reply to a question, he stated that Shri A. S. Rao was the Managing Director of the Electronics Corporation at Hyderabad as well as of the electronics unit at Trombay. Dr. Sarabhai was the Chairman of the project. Thus co-ordination between the two wings would be maintained.

17. The Committee finally desired the witness to send the copies of the letters referred to in the Maharashtra Legislative Assembly proceedings.

*(Dr. Sarabhai and other witnesses then withdrew).*

18. The Committee, after some discussion, felt that the explanation given by Dr. Vikram Sarabhai and his colleagues in regard to the decision to shift the EPD to Hyderabad was on the whole satisfactory. It was decided to defer further consideration of the matter till the receipt of the official proceedings (in English) from the Maharashtra State Legislative Assembly Secretariat.

19. The Committee then adjourned to meet again on Thursday, the 13th July, 1967 at 15.00 hours, to hear the evidence of the representatives of the Ministry of Defence on the points arising out of their comments on Petitions No. 1 re: shifting of Vehicles Research Development Establishment to Avadi.

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## X

### TENTH SITTING

The Committee met on Thursday, the 13th July, 1967 from 15.00 to 16.15 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman.*

**MEMBERS**

2. Shri Onkar Lal Berwa
3. Shri George Fernandes
4. Shri Jugal Mondal
5. Shri R. Dasaratha Rama Reddy
6. Shri S. C. Samanta.

**SECRETARIAT**

Shri M. C. Chawla—*Deputy Secretary.*

**WITNESSES**

1. Shri M. M. Sen, *Joint Secretary, Ministry of Defence, Department of Defence Production.*
2. Major-General J. R. Samson, *Chief Controller, Research & Development.*
3. Shri K. Ramachandran, *Director of Vehicles, Research & Development Organisation.*

2. The Committee examined the representatives of the Ministry of Defence on the various points arising out of the comments furnished by the Ministry on Petition No. 1 from the citizens of Ahmednagar re: the proposed shifting of the Vehicles Research Development Establishment from Ahmednagar to Avadi.

3. Major-General Samson stated that in 1960-61, a decision was taken to shift the Technical Development Establishment (Vehicles) from Ahmednagar to Avadi along with the Heavy Vehicles Factory and Tank Factory then being set up at Avadi. This was being done with a view to locate the research establishment near the production unit. It was also to ensure that production of prototypes was done in the shortest possible time. He added that only after the Tank Factory had gone into production, the decision to shift the Establishment was being implemented now in 1967.

4. Major-General Samson further clarified that the Technical Development Establishment (Vehicles) was bifurcated in August, 1965 into the Vehicles Research Development Establishment (VRDE) and the Chief Inspectorate of Vehicles. The VRDE was concerned with tracked as well as wheeled vehicles. Government had desired to concentrate all development work connected with such vehicles, like chassis etc., as near the Heavy Vehicles Factory as possible. Since the Inspection work (hitherto done by the CIV) would now be looked after by the Director General, Inspection, which was the

Authority Holding Sealed Particulars, controlling the types of specifications of vehicles, there would be better co-ordination between the VRDE and the AHSP. Finally, the location of the VRDE at Avadi would help the day-to-day collaboration between the design and production agencies.

5. As regards the spurt in expenditure involved in the shifting of VRDE, Shri Sen stated that at Avadi, they already had land as well as temporary accommodation as in Ahmednagar. Now permanent facilities were required to be provided at Avadi for housing the Establishment and its staff.

6. Shri Sen further stated that out of the total number of a little over 700 employees of the VRDE at Ahmednagar, about 450 would be shifted to Avadi. The remaining 250 employees would be provided alternative jobs in the Maharashtra area in Ahmednagar or Poona or elsewhere by absorbing them in other installations which the Government hoped to expand.

7. In reply to a question, it was stated that in regard to the shifting of the VRDE, no discussions were held with the representatives of the employees, as at the time of taking that decision, there were no employees' unions. These unions came into being much later, i.e. only last year.

8. Shri Sen further clarified that because of this shifting, none of the employees were going to lose their jobs. It, however, depended upon the employees whether they wished to go to Avadi or not. Roughly 47 per cent of the persons employed at Ahmednagar were Maharashtrians, 30.5 per cent from Punjab and 22.5 per cent from South India.

9. As regards the difficulties which the employees would be facing as a result of their shifting from their permanent residences at Ahmednagar, the witness explained that Class I to Class III employees were liable for All India Service and could be transferred to any place in India. Class IV and Industrial employees were not, however, liable for such transfers and if they did not want to go to Avadi, they would have to be rehabilitated either in the Ahmednagar region or in other Defence installations in the Maharashtra region. The Ministry would try to help even those who had signed the All-India Service liability agreement by adopting a humane approach to the problem.

10. Nearly 80 per cent of the 250 employees who were unwilling to move to Avadi, were Maharashtrians. There were no question of compelling them. Government would find them alternative jobs in



Ahmednagar or at Poona or elsewhere, lastly the witnesses assured the Committee that none would be sent to Avadi without his consent and those who did not move, would be provided alternative employment at Ahmednagar or elsewhere in Maharashtra.

*(The witnesses then withdrew).*

11. The Committee, after some discussion, felt that an opportunity should be given to Shri Vasant Vasudeo Kulkarni, the first signatory to Petition No. 1, to appear before the Committee *at his own expense*, if he so desired, on Wednesday, the 26th July, 1967, at 15.00 hours to elucidate the petitioners' view point. The Committee also decided that Shri Vasant Vasudeo Kulkarni might be informed accordingly.

12. The Committee then adjourned to meet again on Wednesday, the 26th July, 1967, at 15.00 hours.

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## XI

### ELEVENTH SITTING

The Committee met on Wednesday, the 26th July, 1967 from 15.00 to 16.50 hours.

#### PRESENT

Shri S. C. Samanta—*In the Chair*

#### MEMBERS

2. Shri George Fernandes
3. Shri K. Ananda Nambiar
4. Shri A. Nesamony
5. Shri R. K. Sinha
6. Shri N. K. Somani

[Major Ranjeet Singh Member, Lok Sabha, was also present with the permission of the Chair].

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

#### WITNESSES

1. Shri Vasant Vasudeo Kulkarni, *Member, Cantonment Board, Ahmednagar.*
2. Dr. S. T. Mahale
3. Shri P. D. Deshmukh, *Advocate*
4. Shri Ram Anand Dasare

5. Shri R. K. Ratnakar, *Advocate*
6. Shri V. V. Mirikar, *Advocate*
7. Shri Chamanlal Arora.

2. In the absence of the Chairman, Shri S. C. Samanta was chosen to act as the Chairman for the sitting under Rule 258(3).

3. Shri Vasant Vasudeo Kulkarni, after introducing the other six petitioners to the Committee, requested that the Committee might also hear the two employees of the VRDE who represented the VRDE Union, as they would be in a better position to explain the technical data and information etc. The Committee, however, did not accede to this request as under Rule 160(iii) (d) read with Direction 40, the employees could seek redress through the usual channels only and not through the forum of the Committee, ventilate their grievances.

4. Shri Kulkarni, while furnishing a note regarding the functions and responsibilities of the VRDE, indicated that no design developed by the VRDE could be accepted without its prior approval by the only user unit, i.e., Armoured Corps Centre and School HQ, Ahmednagar. He further stated that the basic designs of the Vijayanta Tank (produced at Avadi), the Shaktiman and Nissan vehicles (produced at Jubbalpur) were all the designs patented by foreign manufacturers, viz. M|s. Vickers Armstrong of England, M|s. Mann of West Germany and M|s. Nissan Motors of Japan, respectively. The VRDE was not authorised to change the basic design of these vehicles for production. On the contrary, it had to carry out development required for the user units only and also to undertake body construction.

He further pleaded that even assuming that the VRDE did research work, in view of the fact that most of the research establishments under the control of the Chief Controller of Research & Development were not situated near the production factory it was not necessary to shift the VRDE to Avadi. He cited three instances to illustrate this point.

5. While repeating the arguments set forth in Petition No. 1, Shri Kulkarni urged that the Chief Inspectorate of Vehicles at Ahmednagar dealt with all A & B type of vehicles, while the Inspectorate of Heavy Vehicles, Avadi dealt only with tanks. A detachment of VRDE was already situated near the Heavy Vehicles Factory at Avadi.

The witness furnished a statement to the Committee showing the estimated expenditure in the shifting of VRDE from Ahmednagar

to Avadi as Rs. 1,59,89,350. This included the expenditure of 2.2 lakhs in moving machinery etc. and the cost of construction of buildings.

He also furnished a list of imported heavy and delicate machinery at VRDE factory and pointed out that if they were damaged in transit by rail, there would be a great loss to the nation. This statement showed Rs. 9,87,800 as the cost of shifting, while the cost of machinery was Rs. 13,63,600 as calculated 5 years ago. He contended that this cost must have increased considerably presently due to devaluation and foreign exchange difficulties.

6. Attention of Shri Kulkarni and other witnesses was then drawn to the fact that all that the Committee had to see was whether the decision had been taken in the interest of the nation and whether it was professionally a competent decision. Further, it was necessary to take the Government's statements of the expenditure at their face value and to accept their plea that the VRDE was a research centre and not a testing centre. The petitioners were also asked to weigh various other considerations which influenced Government's decision. The witnesses were further requested to give definite and rational proof in support of their apprehension that Rs. 1,59,00,000 and odd were being spent in the shifting of the VRDE to Avadi. If the Committee were satisfied that Government's decision to shift the VRDE was based purely on such matters where the public inconvenience (such as dislocation of local economy, education of children etc.) was out of proportion and not commensurate with the benefits accruing from it, the Committee would certainly like to go into it. In regard to the technical factors, the Committee observed that the petitioners, being laymen, could not challenge the soundness of the Government's decision. The more important aspect was how the equipment acquitted under warfare conditions. The petitioners should convince the Committee that the continuance of the VRDE at Ahmednagar would neither vitiate nor limit nor in any way operate a sort of hindrance to the development of fighting equipments.

Shri Kulkarni, while conceding that they were also laymen, invited the Committee to visit Ahmednagar for an on-the-spot study of the conditions obtaining there. He also submitted that the petitioners had collected the information from the workers and officers of the VRDE. However, it was for the Committee to satisfy themselves about the facts in person.

On being further questioned about the correctness of the figures given in the statement furnished to the Committee and how they were arrived at, the witnesses stated that inclusive of Rs. 2.2 lakhs for shifting, the total loss likely to be incurred in the shifting of

the staff and the machinery worth Rs. 13 lakhs, was Rs. 1.68 crores. They also stated that in the past few months, many other heavy machines had arrived and these were not included in the list. The buildings vacated by the VRDE would have to be repaired or reconstructed for different purposes. There would thus be a loss to Government on this account. Shri Kulkarni conceded, however, that the statement furnished by him was a laymen's statement and contained approximate calculations.

On further examination Shri S. T. Mahale another witness, admitted that the actual expenditure for the shifting of the VRDE to Avadi was only Rs. 2.20 lakhs and Rs. 1.60 crores was for new erections of VRDE at Avadi.

Shri Ratnakar, another witness, stated that on return to Ahmednagar they would enquire into the estimates once again and furnish real facts, if they came across.

7. Shri Kulkarni also furnished a map of the location of Ahmednagar and stated that for trials to evaluate the performance of the vehicles, Ahmednagar was well situated. He stated that as compared to Avadi, Ahmednagar had facilities for two mile cross-country trials, 20 mile cross-country track, gradient (hill) trial, mileage testing etc., mud trial and was nearer to Marwa and Zuhu beach of Bombay which were more suitable for sand trials as compared to Avadi.

Shri Kulkarni further pointed out that on the shifting of the VRDE, Chief Inspectorate of Vehicles (CIV) which was testing all the moving parts such as dynamo, motor, engine, electrical equipment, fuel equipment, air clearners and tyres, was also being moved to Jabalpur. With the shifting of the VRDE, everything in Ahmednagar would be dismantled, he added.

8. Shri P. D. Deshmukh, another witness stated that the VRDE was not a research centre at all. At the most, it was a training centre or a testing centre and nothing more. On being pointed out that the petition had referred to the functions of VRDE as "research, design and development of equipment stores", the witness stated that the principal vehicle was neither designed nor manufactured at Ahmednagar. He felt that there was no justification for the shifting.

Shri R. K. Ratnakar stated that they could not appreciate whether it was really the national interest which weighed with the Government to shift the VRDE to Avadi. He urged that in view of the total loss estimated by them, the decision to shift the VRDE to

Avadi should be revised. He further urged that as Ahmednagar had already got buildings, it was unnecessary to have a new construction at Avadi by incurring additional expenditure. Further, the shifting would aggravate unemployment position at Ahmednagar.

9. Shri Kulkarni incidentally mentioned that the petitioners were not agitating against the inhabitants of Madras State and had no provincial feelings but were putting forth their plea in the larger national interest. He stated that they were objecting to the dismantling of the Head Quarters of the VRDE at Ahmednagar. Since there was no research on Vehicles development at Ahmednagar at present, there would be no research at Avadi either. He further stressed that the experience of the recent conflict between India and Pakistan in which Indian tanks proved superior to those of Pakistan, showed that it was essential to have the tanks tested by the user (ACCS) and hence the necessity to continue the location of the VRDE next to it at Ahmednagar. This city also possessed the KK firing range with an area of 40 sq. miles and soldiers and officers got their basic training there.

Shri Kulkarni further stated that Ahmednagar had a vast amount of space available. The new constructions had been made there after spending some lakhs of rupees. Further, constructions were going on every day there.

10. On attention being drawn to the Government's plea that proximity of production and development agencies was necessary to avoid expensive movement of prototypes and personnel to and from Avadi and Ahmednagar, Shri Kulkarni stated that Ahmednagar had facilities for drawing purposes and for designing prototypes for all vehicles.

11. Attention of the witnesses was drawn to the Government's note which categorically stated that major projects for completely new designs of fighting vehicles have now been undertaken. The note also stated that these projects depended on the heavy vehicles factory for prototypes. If proximity of production and development agencies was not maintained, expenditure on movement of personnel and vehicles to and from Ahmednagar would take place and considerable delays would occur in achieving self-sufficiency in the field of development and production of fighting vehicles for the Armed Forces. Shri Kulkarni stated in reply that these were the assurances of the Government.

12. As regards the effect of the proposed shifting on the local economy, Shri P. D. Deshmukh stated that about Rs 25 lakhs were

disbursed as wages to the employees stationed in Ahmednagar and after the shifting of the VRDE to Avadi, this would badly shatter the economy of that place.

13. Before withdrawing, the witnesses once again urged the Committee to undertake an on-the-spot study of the prevailing conditions as Ahmednagar.

*(The witnesses then withdrew.)*

14. The Committee then adjourned.

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## XII

### TWELFTH SITTING

The Committee met on Thursday the 10th August, 1967. from 15.00 to 16.00 hours.

#### PRESENT

Shri Diwan Chand Sharma—*Chairman*

#### MEMBERS

2. Shri Sonubhau Dagadu Baswant
3. Shri C. T. Dhandapani
4. Shri George Fernandes
5. Shri K. Ananda Nambiar
6. Shri Bhola Raut
7. Shri R. Dasaratha Rama Reddy
8. Shri S. C. Samanta
9. Shri R. K. Sinha.

#### SECRETARIAT

Shri M. C. Chawla,—*Deputy Secretary.*

2. The Committee took up further consideration of the Petition from over 1200 employees of Atomic Energy Establishment, Trombay (Bombay) regarding the decision to shift Electronics Production Division from Bombay to Hyderabad. While expressing their satisfaction over the explanation given by Dr. Vikram A. Sarabhai, Secretary, Department of Atomic Energy and Chairman, Atomic Energy Commission and his colleagues during the course of their evidence before the Committee in regard to the decision to shift the Trombay Electronics Production Division, the Committee decided to obtain his comments on the reply of the Maharashtra Government

given in the Maharashtra Legislative Assembly on the 15th June, 1967 to a question regarding shifting of Trombay Electronics Division to Hyderabad and incorporate the same in their Report at an appropriate place.

3. The Committee then took up the consideration of Petition No. 1 from Shri Vasant Vasudeo Kulkarni, and other citizens of Ahmednagar regarding the proposed shifting of the vehicle Research Development Establishment from Ahmednagar to Avadi. After considering the possible effect of the proposed shifting of the Vehicle Research Development Establishment from Ahmednagar to Avadi, as was made out by the seven witnesses led by Shri Vasant Vasudeo Kulkarni, Member, Cantonment Board, Ahmednagar, who had appeared before the Committee on the 26th July, 1967, the Committee were of the unanimous opinion that before any final decision on the subject could be arrived at, an on-the-spot study of the situation should be undertaken by a team consisting of the following Members of the Committee:—

1. Shri Diwan Chand Sharma—*Chairman*
2. Shri Sonubhau Dagadu Baswant
3. Shri George Fernandes
4. Shri K. Ananda Nambiar
5. Shri S. C. Samanta.

In this behalf the Committee authorised the Chairman that he should, once again, place the matter before the Speaker and seek his permission for undertaking such an on-the-spot study of the conditions prevailing at Ahmednagar in relation to the proposed shifting of Vehicle Research development Establishment, about which not only the witnesses appearing before them had urged but also the President of the Ahmednagar Municipal Council.

4. The Committee decided that the oral evidence given before the Committee at their sittings held on the 6th, 7th, 13th and 26th July, 1967 might be laid on the Table of the House during the next session of the Lok Sabha.

5. The Committee also decided to present their Report along with the Minutes to the House during the next session.

6. The Committee then adjourned to meet again on the 21st and 22nd September, 1967 at 15.00 hours daily.

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## XIII

## THIRTEENTH SITTING

The Committee met on Thursday, the 21st September, 1967, from 15.00 to 16.45 hours.

## PRESENT

Shri D. C. Sharma—*Chairman*.

## MEMBERS

2. Shri Sonubhau Dagadu Baswant.
3. Shri C. T. Dhandapani.
4. Shri George Fernandes.
5. Shri Jugal Mondal.
6. Shri K. Ananda Nambiar.
7. Shri Bhola Raut.
8. Shri R. Dasaratha Rama Reddy.
9. Shri S. C. Samanta.
10. Shri R. K. Sinha.
11. Shri N. K. Somani.

## SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

2. The Committee took up for consideration List No. V containing brief gists of representation in (i) Pt. I: 22 cases pertaining to Department of Rehabilitation; and (ii) Pt. II: 11 cases pertaining to other Departments. After some discussion, the Committee decided to append the facts of the cases to their First Report to be presented to the House during the next Session as the facts disclosed that on the Committee's intervention the Government had *either* provided speedy, partial or complete relief to the petitioners or had explained satisfactorily their inability to redress the grievances.

3. The Committee then took up for consideration List No. VI containing brief gists of (i) Pt. 1-2 cases pertaining to the Department of Rehabilitation; and (ii) Pt. II: 1 case pertaining to the Department of Posts and Telegraphs (D.G., P. & T.). As regards the first 2 cases, the Committee accepted the replies of Government and decided to append the facts to their First Report as cases redressed on their intervention or in which cases Government had satisfactorily replied to all the points raised.



As regards the cases pertaining to D.B.P. & T. in Part II, viz. Shri H. P. Gajria's representation regarding the non-payment to him of the amount of 2 P.L.I. policies held by his deceased father who migrated to India in early 1948 and continued to pay the premia in an Indian Post Office from 9|48 to 9|66, the Committee were not satisfied with Government's explanation that they could not make payment thereof pending settlement of the various financial issues with the Government of Pakistan. The Committee felt that undue hardship had been caused to the claimant in this case and that the case merited proper relief. The Committee, therefore, decided to adopt a formal recommendation in this behalf at their next sitting to be held on Friday, the 22nd September, 1967.

4. The Chairman then apprised the Committee that on his re-submission of the Committee's request for permission by the Speaker to undertake an on the spot study of conditions at Ahmednagar with reference to Petition No. 1, the Speaker did not agree to re-consider the matter. The Chairman suggested that the matter might be treated as closed. A number of Members of the Committee, however, pointed out that with a view to ensure the effective functioning of the Committee on Petitions, like the 3 Financial Committees and Select|Joint Committees they should also have the power to undertake as and when necessary, an on the spot study of the various matters raised in the petitions|representations submitted to them and that a recommendation in this regard should be made in the Report of the Committee, so that the House could take a decision in the matter.

5. The Committee then adjourned to meet again on Friday, the 22nd September, 1967 to consider their draft First Report.

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#### XIV

#### FOURTEENTH SITTING

The Committee met on Friday, the 22nd September, 1967, from 15.00 to 16.15 hours.

#### PRESENT

Shri D. C. Sharma—*Chairman*.

#### MEMBERS

2. Shri Sonubhau Dagadu Baswant.
3. Shri C. T. Dhandapani.
4. Shri Jugal Mondal.
5. Shri K. Ananda Nambiar.

6. Shri Bhola Raut.
7. Shri R. Dasaratha Rama Reddy.
8. Shri S. C. Samanta.
9. Shri R. K. Sinha.
10. Shri N. K. Somani.

## SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee took up for further consideration the question of adopting a formal recommendation in regard to Shri H. P. Gajria's representation (List No. VI: Part II of the Agenda:—considered at their earlier sitting held on 21st September, 1967), regarding the non-payment to him by the Directorate General of Posts & Telegraphs of the amount of 2 P.L.I. policies taken by his deceased father, Shri P. M. Bhatia, in Pakistan, for which premia amounts had also been paid in a Post Office in India from 9/49 to 9/66 after his migration to India in 1948. After some discussion, the Committee adopted the following recommendation and directed that it should be included in their Report at an appropriate place (in Appendix XXVIII):—

“The Committee are distressed to observe that the P.L.I. Policy holders who migrated from Pakistan to India in the wake of Partition of the country should have been subjected to such a great hardship by the non-payment of the sums due on the policies held by them in Pakistan. The Committee further note with regret that Government have not provided any relief to Shri Gajria in respect of the policies held by his deceased father, P. M. Bhatia, especially when he had remitted the premia in respect thereof from 9/49 to 9/66 in a Post Office in India. The Committee are not convinced by the explanation given by the D.G.P.&T. in this respect and see no reason why the Government of India should evade the responsibility in extending relief to this and other such affected persons, when once Government accepted payment of the premia in an Indian Post Office. The Committee desire that Government should reconsider the whole matter from the humanitarian point of view and devise some measures whereby such claims could at least be paid *pro rata* to the policy-holders. In the context of the present political situation, the relations with Pakistan being what they are, the Committee doubt whether Government of India could

come to an agreement with Pakistan over Indo-Pakistan Settlement Account in the near future. The Committee are also unable to appreciate as to why this matter should be linked with the settlement of the Partition Debt due from Pakistan. The Committee are further pained to observe that the P.L.I. Policy-holders should be subjected to such hardships for the non-payment of their claims even on a provisional basis, when Government had already paid a sum of Rs. 9,80,000 to the P.L.I. Policy-holders on behalf of Pakistan Government on the basis of valuation certificates issued by that Government."

3. The Committee then took up for consideration and adoption their Draft Report. The Committee adopted the Draft Report without any amendment.

4. The Committee then resumed further discussion about the nature of the recommendation to be made in their Report to the House regarding on-the-spot study of matters raised in the petitions/representations submitted to them. After some discussion, the Committee unanimously decided that a recommendation on the following lines should be included as a fresh paragraph 7 in the Report and that subsequent paragraphs be re-numbered accordingly:—

"7. The Committee would urge that with a view to ensure their effective functioning, as and when they consider it essential, they may be permitted to undertake an on-the-spot study of any matter of which they are seized of by way of a representation|petition submitted to them, just as the three Financial Committees are at present allowed to do. They trust that their suggestion will be approved by the House."

5. In this connection, Shri R. K. Sinha, a Member of the Committee, mentioned that the Committee on Petitions of Rajya Sabha, happened to visit Agra, on the 17th January, 1967, for an on-the-spot study the establishment of a Slaughter House there in connection with a petition received by them.

6. The Committee then decided to present their First Report to Lok Sabha, on Thursday, the 16th November, 1967 and also to lay on the Table of the House on that day, a copy of the Evidence taken by them at their sittings held on the 6th, 7th, 13th and 26th July, 1967. In this behalf, the Committee authorised the Chairman and in his absence Shri S. C. Samanta to present the Report to the House and to lay the Evidence on the Table.

7. The Committee then adjourned *sine die*.

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