

COMMITTEE ON PETITIONS

(SEVENTH LOK SABHA)

EIGHTH REPORT



[Presented to Lok Sabha on 16 March, 1982]

**LOK SABHA SECRETARIAT
NEW DELHI**

March, 1982/Phalguna, 1903 (Saka)

Price : Re. 1.60 P.

CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE ON PETITIONS	(iii)
I. INTRODUCTION	1
II. Petition No. 14 regarding restoration of Sangli-Miraj and Nandre-Madhavnagar—New Sangli rail link	3
III. Petition No. 15 regarding setting up of an autonomous Commission on women with statutory powers	7
IV. Petition No. 18 regarding sale of essential commodities through public distribution system, living wage for agricultural and industrial workers, introduction of unemployment allowance for unemployed, ban on retrenchment and closures and guarantee of trade union rights	12
V. Representation regarding loss of Rs. 60,000 due to alleged negligence of Postal Department	13
VI. Action taken by Government on the recommendations of the Committee on Petitions contained in their Twenty-fifth Report (5LS) on the representation regarding payment of arrears of Pay and Provident Fund to the ex-employees of Panipat Woollen Mills, Kharar	17
VII. Action taken by Government on the recommendations of the Committee on Petitions contained in their Sixth Report (6LS) on representations regarding non-settlement of claim cases of displaced persons from West Pakistan	20
APPENDICES	
I. Petition No. 14 regarding restoration of Sangli-Miraj and Nandre-Madhavnagar—New Sangli rail link	28
II. Petition No. 15 regarding setting up of an autonomous Commission on women with statutory powers	30
III. Petition No. 18 regarding sale of essential commodities through public distribution system, living wage for agricultural and industrial workers, introduction of unemployment allowance for unemployed, ban on retrenchment and closures and guarantee of trade union rights	33
IV. Extracts from para 6.2 of the Twenty-fifth Report of the Committee on Petitions (5LS)	36
V. Statement showing compensation cases pending in the Settlement Organisation under the Department of Rehabilitation as on 30-6-1981 for want of information etc. from the State Governments and other sources	37

COMPOSITION OF THE COMMITTEE ON PETITIONS

(1981-82)

CHAIRMAN

Shri R. L. Bhatia

MEMBERS

2. Shrimati Vidya Chennupati
3. Shri A. C. Das
4. Shri Bindeshwari Dubey
5. Shri Udaysingrao Gaikwad
6. Shri D. M. Putte Gowda
7. Shri Seth Hembram
8. Shri Ghulam Rasool Kochack
9. Shri K. Mallanna
10. Shri Muzaffar Hussain
11. Shri N. Kudanthai Ramalingam
12. Shri Navin Ravani
13. Shri N. Soundararajan
14. Shri Suraj Bhan
15. Shri Raghunath Singh Verma

SECRETARIAT

Shri S. D. Kaura—*Chief Legislative Committee Officer*

Shri S. S. Chawla—*Senior Legislative Committee Officer*

EIGHTH REPORT OF THE COMMITTEE ON PETITIONS

(SEVENTH LOK SABHA)

I

INTRODUCTION

1.1 I, the Chairman of the Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Eighth Report of the Committee to the House on the following matters:—

- (i) Petition No. 14 regarding restoration of Sangli-Miraj and Nandre-Madhavnagar-New Sangli rail link.
- (ii) Petition No. 15 regarding setting up of an autonomous Commission on women with statutory powers.
- (iii) Petition No. 18 regarding sale of essential commodities through public distribution system, living wages for agricultural and industrial workers, introduction of unemployment allowance for unemployed, ban on retrenchment and closures and guarantee of trade union rights.
- (iv) Representation regarding loss of Rs. 60,000/- due to alleged negligence of Postal Department.
- (v) Action taken by Government on the recommendations of Committee on Petitions contained in their Twenty-fifth Report (5LS) on the representation regarding payment of arrears of Pay and Provident Fund to the ex-employees of Panipat Woollen Mills, Kharar.
- (vi) Action taken by Government on the recommendations of the Committee on Petitions contained in their Sixth Report (6LS) on representations regarding non-settlement of claim cases of displaced persons from West Pakistan.

1.2 The Committee considered the above matters at their sittings held on 29 August, 1977, 23 March and 26 May, 1981 and 7 and 23 January, 1982.

1.3 The Committee considered their draft Report at their sitting held on 11 March, 1982 and adopted it.

1.4 The observations/recommendations of the Committee on the above matters have been included in this Report.

NEW DELHI;
11 March, 1982.

20 Phalguna, 1903 (S).

R. L. BHATIA,
Chairman,
Committee on Petitions.

PETITION NO. 14 REGARDING RESTORATION OF SANGLI-MIRAJ AND NANDRE-MADHAVNAGAR-NEW SANGLI RAIL LINK

2.1 Petition No. 14 signed by Shri Ramesh K. Kulkarni and other residents of Madhavnagar regarding restoration of Sangli-Miraj and Nandre-Madhavnagar-New Sangli rail link, was presented to Lok Sabha on 2 September, 1981, by Shri R. K. Mhalgi, M.P.

A. Petitioners' Grievances and Prayer

2.2 In their petition (Appendix I), the petitioners stated as follows:—

“The Rail line between Miraj Jn. and Sangli, and between Nandre and Madhavnagar was dismantled in 1971 on or about 12th day of April. We the citizens of Sangli-Miraj-Madhavnagar made representations before dismantling, but of no avail. During the last ten years we have been suffering the inconvenience due to inadequate transport facilities, especially the students, ladies and the surrounding rural areas. We have made number of representations to the Railway Board, the Railway Ministry and after long long period of waiting, by our good fortune, the Hon. Railway Minister Shri Dandavate gave the Government sanction in the last week of June, 1979, for the reinstatement of the Sangli-Miraj Railway link and Nandre-Madhavnagar-New Sangli link.

The Hon. Minister for Railway Shri Tripathi including the same in the Railway Budget 1980-81 which was presented to Lok Sabha on 12-3-1980.

We understand that the Railway Board also gave its clearance and the work was to be started early this year. The survey, estimates etc. have been completed and sanctioned, but as yet the work has not been taken up by the Railway authorities.

A few days back we received a letter from the State Government stating that the Railway authorities want free land and the required number of sleepers from the State Government and then only the work will be taken up.

We cannot understand why the Railway authorities are waiting for some free land and sleepers when the scheme of reinstatement was already sanctioned by the Lok Sabha.

We do not know the Government and Railway official procedures. But we the citizens are constantly suffering due to the lack of Railway facility between Miraj-Sangli and Madhavnagar-New Sangli.

By this facility, the public of 60,000 in the surrounding—26 villages: Madhavnagar, Budhgaon, Bisur, Kawalapur, Soni, Bhole, Tasgaon, Vita etc. will be at an advantage of this benefit and Madhavnagar being surrounded by an Industrial area, situating Textile Mills, Powerlooms, Engineering Industry, Timber Industry etc. will meet the easy supply of coal, oil etc. and moreover the Railway will run in the benefit by Rs. 1,00,00,000/- (One crore) yearly

We have now the last resource left to us that of sending petition to Lok Sabha with a request to please consider our hardships and move the Railway authorities to take up the work in hand at the earliest.

Accordingly, your petitioners pray that Lok Sabha may kindly consider the case and help us in getting the transport facilities reinstated which already existed but taken away from us for some reasons."

B. Comments of the Ministry of Railways (Railway Board)

2.3 The petition was referred to the Ministry of Railways (Railway Board) for furnishing their factual comments thereon for consideration by the Committee on Petitions. The Ministry of Railways (Railway Board) furnished their factual comments *vide* their note dated 12 October, 1981, as follows:—

"The metre gauge line between Poona and Miraj was converted into broad gauge in the late sixties and opened for broad gauge traffic in 1971. At the time of conversion, alignment between Nandre and Miraj was changed on technical considerations by-passing old Madhavnagar. As

a matter of fact, a new Madhavnagar station was established on the new broad gauge line.

Sangli-Miraj was a metre gauge branch line which was abandoned after the above conversion and was removed. A map showing the location of the old and new Madhavnagar stations and Sangli-Miraj branch line is enclosed.*

Due to pressing demands for the restoration of these facilities, the proposals of restoration of these two lines were considered in 1978-79 and the under-mentioned works were included as new works in the Budget for 1980-81:—

Figures in thousands of Rs.

Name of work	Anticipated cost	Detailed estimated cost
1. Bringing old Madhavnagar station on the trains line by providing a chord line between Nandre and New Sangli on Pune-Miraj section	7275	12414
2. Restoration of Miraj-Sangli rail link (7.77 kms)	5352	13700

The clearance of the Planning Commission was not considered necessary as the cost of the work was less than Rs. 1 crore. However, as it was noticed that the cost of each work has gone up more than Rs. 1 crore, while preparing the detailed estimate, the question of obtaining the Planning Commission's clearance is under examination.

A sum of Rs. 10 lakhs approx. has been spent on each of the two projects by 31-3-1981.

Normally a detailed estimate is prepared after a work is approved through the Budget and the Budget cost is at best only an approximation. The detailed estimates were prepared for these two works after inclusion in Works Programme and the costs as per the detailed estimates is indicated above.

*Circulated to the Committee on 15 January, 1982.

No time limit can be fixed as the completion depends *inter alia* on availability of funds and materials and transfer back of the land which as relinquished earlier.

The question of taking back the Railway land for these projects from the Maharashtra Government at the same cost at which it was relinquished when the lines were dismantled, is under correspondence with the Chief Minister of the State. This is mainly to reduce the cost of the work and expedite it."

C. Observations/Recommendation of the Committee

2.4 The Committee note from the factual comments furnished by the Ministry of Railways (Railway-Board) stating *inter alia* that the proposals for restoration of lines of Sangli-Miraj and Nandre-Madhavnagar-New Sangli were considered in 1978-79 and the works were included as new works in the Budget for 1980-81. The clearance of the Planning Commission was not considered necessary at that time as the cost of the work was less than Rs. 1 crore. However, as it was noticed that the cost of each work had gone up to more than Rs. 1 crore, while preparing the detailed estimate, the question of obtaining the Planning Commission's clearance was under examination by the Railway Board.

The Committee further note that the question of taking back the Railway land for these projects from the Maharashtra Government at the same cost at which it was relinquished when the lines were dismantled is under correspondence with the Chief Minister of the State.

The Committee feel that delay in execution of the projects would result in further escalation of cost of the projects. The Committee recommend that the Ministry of Railways (Railway Board) should give due priority to these projects and if necessary take up matter at higher level with the Planning Commission for availability of funds required for completion of the projects. The State Government of Maharashtra should also be persuaded to return the land at relinquished cost without any delay.

III

PETITION NO. 15 REGARDING SETTING UP OF AN AUTONOMOUS COMMISSION ON WOMEN WITH STATUTORY POWERS

3.1 Petition No. 15 signed by Shrimati Suman Krishan Kant, Secretary, Mahila Dakshata Samiti, Shrimati Kishori Sinha, Shrimati Geeta Mukherjee, Shrimati Suseela Gopalan, Shrimati Bibha Ghosh Goswami, M.Ps. and others regarding setting up of an autonomous Commission on women with statutory powers was presented to Lok Sabha on 11 September, 1981, by Shrimati Pramila Dandavate, M. P.

A. *Petitioners' Grievances and Demands*

3.2 In their petition (Appendix II), the petitioners stated *inter alia* as follows:—

“That the deterioration of the law and order situation in recent times has been disturbing all citizens of India. The atrocities on women especially tribals and Harijans have been most shameful.

xxx

xxx

xxx

Women have been neglected in all spheres of life in India... women were conferred equal rights by the Indian Constitution. However, the story of its implementation has been very pathetic.

...the Plan provision for the welfare programme of women and children was reduced from 24% in the First Five Year Plan to 11.2% in the Fifth Plan.”

3.3. The petitioners prayed for:—

“(1) The immediate setting up of an autonomous National Commission on Women with statutory powers at Centre and State level as already recommended in the Report of ‘Committee on the Status on Women’ as far back as 1975—

- (a) to promote corrective steps with regard to the inferior position of women in the sphere of (i) education, (ii) health services, (iii) employment opportunities and (iv) the representation of women in all decision-making bodies;

- (b) to evaluate the impact of social legislation and suggest ways and means for effective implementation including recommending new laws and policies; and
 - (c) to collect and maintain up-to-date information with regard to the status of women in various fields.
- (2) To form Vigilance Committees of women's organisations and social workers attached to every police station with a view to preventing crime against women and assisting in investigation.
- (3) Establishment of Family Courts."

B. Comments of the Ministry of Social Welfare

3.4 The petition was referred to the Ministry of Social Welfare for furnishing their factual comments thereon for consideration by the Committee on Petitions. The Ministry of Social Welfare have furnished a note dated 22 December, 1981 giving factual position, item-wise, as follows:—

"Item No. 1

The immediate setting up of an autonomous National Commission on Women with statutory powers at Centre and State level as already recommended in the Report of 'Committee on the Status of Women' as far back as 1975:

- (a) to promote corrective steps with regard to the inferior position of women in the sphere of (i) education, (ii) health services, (iii) employment opportunities and (iv) the representation of women in all decision making bodies;
- (b) to evaluate the impact of social legislation and suggest ways and means for effective implementation including recommending new laws and policies; and
- (c) to collect and maintain up-to-date information with regard to the status of women in various fields.

The Government have been concerned with the problem of status, rights and interests of women and have taken adequate steps to promote the welfare and development of women in the country. A Committee on the Status of Women in India was constituted in 1971 to examine the legislative, administrative and constitutional provisions

which had a bearing on the status of women. This Committee presented its report in 1975 and emphasised on the need of national machinery to advise the Government on policies and programmes relating to women and to coordinate and intensify efforts and measures needed for women's development. The Government had already set up such a machinery in the form of a National Committee on Women under the Presidentship of Prime Minister and a Women's Welfare and Development Bureau in the Ministry of Social Welfare to service this Committee and to take other steps with the concerned Ministries relating to various aspects of women's education, health, employment etc. Several legislative measures have also been undertaken to reform the laws many of which relate to right to equality but were discriminatory on ground of sex. Equal Remuneration Act has been passed in 1976 and its implementation is being monitored from time to time. Most of the States have set up Advisory Committees under this Act and have also initiated action to notify claims authorities. There are protective legislations enacted from time to time relating to women's working conditions. The question of amendment to the Dowry Prohibition Act and the Criminal Law (Amendment) Bill are already before the Joint Committees of both Houses of Parliament.

In the circumstances, setting up of Commission cannot be anything more than giving a Statutory Body in place of the existing arrangements. The Commission by itself cannot produce any impact without giving it substantial powers and resources. The resources cannot be overcome by the character of the institutional arrangements. What is necessary is the change of attitudes in the society which have led to in perpetration of discrimination against women. If despite the legislative measures already taken, disparities still continue in the status and rights of women, it requires action by public spirited bodies and voluntary organisations to assist the implementing authority to take up these cases and also to assist concerned women to make use of the legal provisions and other promotional measures becoming available to them. A statutory body at the national level cannot be the answer for these problems.

Item No. 2

To form Vigilance Committees of women's organisations and social workers attached to every police station with a view to preventing crimes against women and assisting in investigation.

The suggestion has a close bearing on prevention and investigation of crime and as such impinges on the subject of law and order which is primarily the responsibility of the State Governments. Any view in this regard cannot be taken without obtaining and evaluating comments of the various State Governments.

Item No. 3 Establishment of Family Courts.

The establishment of Family Courts lies within the sphere of legislative competence of State Governments. As regards setting up of Family Courts in a Union Territory on an experimental basis, the Ministry of Law (Department of Justice) had intimated that the institution of cases which fall within the purview of Family Courts in all the Union Territories except Delhi is not large and there may not be adequate justification for establishment of such courts in these territories. As regards Union Territory of Delhi, the Delhi High Courts have already segregated cases arising out of disputes affecting family and assigned these cases for trial to three subordinate courts exclusively."

C. Observations of the Committee

3.5 The Committee note from the factual comments furnished by the Ministry of Social Welfare stating inter alia that the Government have already set up a National Committee on Women under the Presidentship of the Prime Minister and a Women's Welfare and Development Bureau in the Ministry of Social Welfare to service this Committee and to take other steps with the concerned Ministries relating to various aspects of women's education, health, employment etc. Several legislative measures have also been undertaken to reform the laws many of which relate to right to equality but were discriminatory on ground of sex.

The Ministry of Social Welfare have further stated that a Statutory Commission in place of the existing arrangements would not produce any impact without giving it substantial powers and resources. The resources cannot be overcome by the character of the institutional arrangements. What is necessary is the change of attitudes in the society and action by public spirited bodies and voluntary organisations to assist the implementing authorities for removal of discrimination against women.

The Committee also note the position stated by the Ministry of Social Welfare on other demands made in the petition.

The Committee feel that the setting up of the National Committee on Women under the Presidentship of the Prime Minister is a better arrangement than the statutory Commission. The Committee, however, directed that a copy of the petition might be sent* to the Ministry of Social Welfare for being placed before the National Committee on Women.

*Sent to the Ministry of Social Welfare on 17-2-1982.

IV

PETITION NO. 18 REGARDING SALE OF ESSENTIAL COMMODITIES THROUGH PUBLIC DISTRIBUTION SYSTEM, LIVING WAGE FOR AGRICULTURAL AND INDUSTRIAL WORKERS, INTRODUCTION OF UNEMPLOYMENT ALLOWANCE FOR UNEMPLOYED, BAN ON RETRENCHMENT AND CLOSURES AND GUARANTEE OF TRADE UNION RIGHTS

4.1 Petition No. 18 (Appendix III) signed by Shri Brij Mohan Toofan and others regarding sale of essential commodities through public distribution system, living wage for agricultural and industrial workers, introduction of unemployment allowance for unemployed, ban on retrenchment and closures and guarantee of trade union rights, was presented to Lok Sabha on 24 December, 1981 by Shri E. Balanandan, M.P.

4.2 The Committee considered the petition at their sitting held on 7 January, 1982 and directed* that the petition be circulated in extenso to the members of Lok Sabha under rule 307(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.

*The petition was circulated *in extenso* to all members of Lok Sabha on 19-1-1982.

REPRESENTATION REGARDING LOSS OF RS. 60,000 DUE TO ALLEGED NEGLIGENCE OF POSTAL DEPARTMENT

5.1 Manager, Sri Ram Press Pariksha Sadan, P.O. Sri Ram Press, via-Begusarai addressed a representation dated, 9 April, 1981 regarding loss of Rs. 60,000 due to alleged negligence of Postal Department.

A. Petitioners' Grievances and Demands

5.2 In his representation, the petitioner stated as follows:—

- “(1) That our main business is to supply question paper of different examinations to High, Middle and Primary schools of Bihar Rajya.
- (2) That between 24-11-80 to 13-12-80, we despatched about 1,900 insured V.P. Parcels containing annual examination question papers from P.O. Sri Ram Press. Out of which about 1,375 V.P. Parcels were delivered to the addressee schools in time but the intimation of 516 V.P. Parcels were presented to the schools after the commencement date of the examination with the result that the schools refused to accept 516 V.P. Parcels valued Rs. 48,200.50 p.
- (3) That the refused V.P. Parcels were lying with us and the same are of no value to us, or to any body.
- (4) That, 150 letters containing the order of annual examination questions were delivered to us by Begusarai Head Post Office after the commencement date of examination. The value of the above ordered questions comes to Rs. 11,969/-
- (5) That on the basis of previous years supplied orders, we managed to print the question papers of different examinations in advance the receipt of the order so that the ordered questions papers may be despatched in time and due to negligence of the Postal Department, the printed questions papers of the above mentioned orders are lying with us and now the same are of no use to any body.

- (6) That apart from the above mentioned losses the 666 schools will never place their questions orders in future with us because their annual examination had been dislocated and they had to face humiliation by the guardians and the students. Thus, we will suffer permanent heavy monetary losses besides the loss of reputation of our firm.
- (7) That this is first unique case of its type in India where 516 V.P. Parcels of a particular small firm were refused and 150 letters containing questions orders were delivered after a month.
- (8) That we have already filed our claims of the value of 516 refused V.P. Parcels and value of non-supplied question papers of 150 schools to the Department concerned.
- (9) We are the middle class people and running this business with a small capital. Due to negligence of the Postal Department, we have suffered a net loss of about Rs. 60,000/- and you can also think that such a heavy loss at a time, will collapse our business due to finance.
- (10) We request you to look into the matter and take suitable action as you think proper in our interest."

B. Comments of the Ministry of Communications (Office of the Director General, Posts and Telegraphs)

5.3 The representation was referred to the Ministry of Communications (Office of the Director General, Posts and Telegraphs) for furnishing their factual comments thereon for consideration by the Committee. In their factual comments dated 5 November, 1981, the Ministry of Communications (Office of the Director General, Posts & Telegraphs) stated as follows:—

- "(1) Our enquiries made through the PMG Bihar Circle Patna revealed that Sri Ram Press Pariksha Sadan is engaged in the business of printing and setting question papers for schools and sending them to the schools as per their orders. In this case it was found that they had posted 1898 insured V.P. Parcels in two batches viz. 1512 V.P. parcels posted during the period 24-11-80 to 5-12-80 for the examination to be held on 10-12-80 and 386

V.P. parcels posted during 6-12-1980 to 16-12-1980 for examination to be held on 20-12-80. Out of these 1382 parcels were delivered to the addressees in time without any complaint and 516 were delivered back to the sender as the addressees 'refused' to take delivery. Sri Ram Press Pariksha Sadan has alleged that the parties refused to take delivery as the parcels were delayed by the Post Office and as a result, the sender has been put to a loss in their business to the tune of about Rs. 48,000/-. Further, it has been alleged that 150 letters were delivered late to the party with the result that they could not comply with the orders from the schools and consequently they have been put to a further loss in their business.

- (2) It was found that the parcels in question were meant for all places in the State, including those in remote corners and in many cases they were not posted sufficiently in advance of the examination dates. The parcels which were refused by the addressees mostly related to the period close to the dates of examination and some parcels could not either reach the remote places in the far-flung areas in time or reached at the last moment by which time the addressees had already made alternative arrangements for the question papers. These parcels were, therefore, refused by the addressees and delivered back to the sender.
- (3) Further enquiries have revealed that during the period in question the RMS staff of the Bihar Circle had resorted to the 'Work-to-Rule' agitation and 'refusal to perform overtime work'. As a result, a lot of mails had accumulated in various RMS offices and it took some time to clear the backlog even after the agitation was called off. It is further found that during this period the late running and misconnection of the train services which carry mails also aggravated the situation of transmission of mails.
- (4) It may further be pointed out that the parcels are treated as second class mails and given lower priority in sorting and transmission than the letters which are first class mails. Higher postage has to be paid for an article posted as letter mail than one posted as parcel mail. As the party had posted the articles as parcel mail they received lower priority in handling, particularly in the situation created due to the staff agitation and the ir-

regular running of train services. Even so, the Postmaster General had given specific orders for speedy disposal of these parcels at Barauni RMS Office, to which they had been despatched after booking at Begusarai Head Post Office. Despite the staff agitation there, the parcel bags containing these articles were opened the same day and the next day and disposed of to various destinations.

- (5) It will thus be seen that there was no negligence or deliberate attempt to hold up these articles and the delay which might have been suffered by some articles due to reasons beyond the control of the Department. As per section 6 of the Indian Post Office Act, 1898 the Government shall not incur any liability by reason of loss, mis-delivery, delay or damage to any postal articles in course of transmission by post, unless the same has been caused fraudulently, wilfully or by default. The Post Office had not undertaken to deliver the articles by any appointed date. Also under Section 34 *ibid* the Government shall not incur any liability for payment of specified amounts in respect of V.P. articles unless and until the sum has been recovered from the addressees. Therefore, the claim of the party to compensate it for the loss suffered in their business due to alleged delay is not payable by the Department.
- (6) Similarly, it is not possible to find out the exact reasons for alleged delay in the delivery of 150 ordinary letters to the party. The party claims that these letters contained orders from various schools for supply of question papers which they could not execute and therefore suffered a loss. The Department is not liable to compensate such hypothetical and consequential losses."

Observation of the Committee

5.4. The Committee note the position stated by the Ministry of Communications (Office of the Director General, Posts and Telegraphs) in their factual comments on the points made in the representation.

VI

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR 25TH REPORT (FIFTH LOK SABHA) ON THE REPRESENTATION REGARDING PAYMENT OF ARREARS OF PAY AND PROVIDENT FUND TO THE EX-EMPLOYEES OF PANIPAT WOOLLEN MILLS, KHARAR.

6.1 In their Twenty-fifth Report (Fifth Lok Sabha), presented to Lok Sabha on 6-1-1976, the Committee, after considering the representation regarding payment of arrears of pay and provident fund to ex-employees of Panipat Woollen Mills, Kharar, and comments of the Ministries of the Labour and Industry and Civil Supplies (Department of Industrial Development) thereon, had recommended as follows:—

“The Committee note that the Panipat Woollen Mills, Kharar, is one of the Sick Textile Undertakings which have been taken over by the Central Government under the Sick Textile Undertakings (Nationalisation) Act, 1974. The Committee desire the Government to expedite the process for payment of arrears of pay and provident fund to the ex-employees of the Panipat Woollen Mills, Kharar. The Committee also desire the Government to look into the other allegations made by the petitioner in his representation and to inform the Committee of the position in the matter at an early date.”

[Para 6.4, page 23 , Twenty-fifth Report (5LS)]

6.2 The above recommendations were taken up for implementation with the Ministries of Labour and Commerce. In their communications dated 23 April and 27 July, 1977, the Ministries stated as follows:—

Ministry of Commerce (Department of Textiles)

“Insofar as it relates to payment of arrears of pay and provident fund to the ex-employees of Panipat Woollen Mills, Kharar with which this Ministry is concerned, it may be stated that the physical possession of the Mill has since been taken over by the Central Government and it is being managed by the National Textile Corporation (Delhi, Punjab and Rajasthan) Ltd., a subsidiary of the National Textile Corporation Limited. Claims against the

owners of the nationalised sick textile undertakings have been invited with effect from 1st April, 1977. The claims in respect of this Mill have to be filed with the Commissioner of Payments, New Delhi. After receipt of the claims, the Commissioner of Payments will make necessary payment after investigation as laid down in Chapter VI of the Sick Textile Undertakings (Nationalisation) Act, 1974."

Ministry of Labour

"The matter has been examined in consultation with the Provident Fund Authorities. It has been reported that the claims on account of arrears of Provident Fund dues in respect of M/s. Panipat Woollen Mills, Kharar have since been filed with Assistant Commissioner of Payments, New Delhi."

6.3 The Committee on Petitions at their sitting held on 29 August, 1977 considered the above matter and decided that the following information might be obtained from the Government for their consideration:—

- (i) Whether payments of claims on account of arrears of pay and provident fund dues in respect of M/s. Panipat Woollen Mills, Kharar, had since been made to the concerned employees; and
- (ii) Action taken by Government on other allegations made by the petitioner in his representation as recommended by the Committee in paragraph 6.4 of their 25th Report (Fifth Lok Sabha).

6.4 In regard to (i), the Ministry of Labour in their communication dated 8 January, 1981 has stated as follows:—

"As per information furnished by the Ministry of Commerce, (Department of Textiles) as the claims of workmen were falling under Category III of the Schedule II of the Sick Textile Undertakings (Nationalisation) Act, 1974, the claims of arrears of pay and provident fund cannot be considered in accordance with the provisions of Section 22(2) of the said Act. They have also informed us that the entire compensation amount available at Credit of the Panipat Woollen Mills and Kharar Textile Mills, Kharar has been fully exhausted under Section 10(3) of the Act."

6.5 In regard to (ii) the Ministry of Commerce (Department of Textiles) in their communication dated 10 November, 1981 stated as follows:—

“The matter has been examined in consultation with the NTC Ltd. In this connection it may be mentioned that the Lok Sabha Secretariat had called for action taken by Government on other allegations made by the petitioner in his representation as recommended by the Committee on Petitions in paragraph 6.4 of their 25th Report (5th Lok Sabha). It is found from the Report that out of the four allegations made by the petitioner in para 6.2 (a to d), reply of the Ministry in respect of the allegations for paras (a) and (b) has already been furnished as will be found from para 6.3 of the Report. The position in respect of the allegations as contained in paras (c) and (d) of para 6.2 (Appendix IV) is as follows:

- (c) It has been found from the order dated 5-6-1972 of the High Court of Punjab and Haryana that there were no such directions for preparation of scheme by Industrial Finance Corporation|Padamshree Textiles Industries Ltd. for payment of arrears of salary and provident fund; and
- (d) NTC is not aware whether M/s. Padamshree Textiles Industries Ltd. defaulted in paying lease money to the Industrial Finance Corporation regularly. However, this allegation is not relevant after nationalisation of the mill.”

6.6 The Committee note replies of the Ministries of Commerce (Department of Textiles) and Labour on the recommendations contained in their Twenty-fifth Report (5LS) on the matter.

The Committee note from the reply of the Ministry of Commerce (Department of Textiles) stating that claims of arrears of Pay and Provident Fund of workmen which were falling under Category III of the Second Schedule to the Sick Textile Undertakings (Nationalisation) Act, 1974, could not be considered in accordance with the provisions of Section 22(2) of the said Act as the entire compensation amount available at credit of the Panipat Woollen Mills and Kharar Textile Mills. Kharar had been fully exhausted under Section 10(3) of the Act.

The Committee would, however like the Government to consider the feasibility of ad hoc payment to workers in lieu of arrears of pay and provident fund of workers of pre-take-over management period.

VII

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR SIXTH REPORT (SIXTH LOK SABHA) ON REPRESENTATIONS REGARDING NON-SETTLEMENT OF CLAIM CASES OF DISPLACED PERSONS FROM WEST PAKISTAN.

7.1 In their Sixth Report (Sixth Lok Sabha) presented to Lok Sabha on the 4th December, 1978, the Committee on Petitions, after considering representations regarding non-settlement of claim cases of displaced persons by the Department of Rehabilitation, had recommended as follows:—

“The Committee note that a large number of representations regarding non-settlement of claim cases of displaced persons by the Department of Rehabilitation are being received by the Committee. The Committee regret that the Department of Rehabilitation has not so far settled the outstanding cases of the displaced persons pending for more than two decades. In many cases, the original claimants have died without getting their claims for compensation settled. This is a sad reflection on the functioning of the Department of Rehabilitation. The Committee recommend that the Department of Rehabilitation should draw up a time-bound programme for expeditious settlement of pending claim cases of displaced persons.

The Committee would like to be informed of the steps taken by the Department of Rehabilitation in this respect.”

[Para 6.3, page 21, Sixth Report (6 L.S.).]

7.2 The Ministry of Supply and Rehabilitation (Department of Rehabilitation) with whom the recommendation was taken up for implementation, stated in their reply dated 25 October, 1979, as follows:—

“The Scheme for payment of compensation to the displaced persons from former West Pakistan is governed by the Displaced Persons (Compensation and Rehabilitation) Act, 1954 and the Rules framed thereunder. Before payment of compensation under the said Act, the claims were

registered and verified under the Displaced Persons (Claims) Act, 1950, and the Supplementary Claims Act, In all, 5,07,133 applications for payment of compensation and rehabilitation grant were registered. All these compensation applications and rehabilitation grant applications numbering over 5 lakhs have been settled by payment of compensation, adjustment of dues or issue of Statement of Account. The compensation was paid in the form of cash, National Saving Certificates and Zamindari Abolition Bonds etc. as also by adjustment against public dues and price of properties. For the balance amount or the net amount of compensation where no cash payment or adjustment was involved, the cases were finalised by issue of Statements of Account. The problem being faced today basically arises out of these cases in which the Statements of Account have been issued to the claimants. Although bulk of Statements of Account cases have also been settled, yet in some cases the Statements of Account are still wholly or partly un-adjusted.

- (2) At present this Department is having 1128 cases in hand which require adjustment of Statements of Account or which otherwise require reprocessing as a result of judicial action etc. These cases are being dealt with by two Processing Units at a rate of 100 per month by each unit and this target of disposing of 200 cases per month is being maintained regularly. In addition to these cases, which are in hand and are being dealt with, it is estimated that about 15,000 more cases where balance compensation was still payable but cases were not pursued by the claimants, have been consigned to the Records. In all these cases before consignment, however, the notices were issued to the claimants and only when no response was forthcoming, these cases were consigned to Record during 1974-75.
- (3) The problems in these cases are numerous and a few main aspects are enumerated below:—
 - (i) In a large number of cases, the claimants had associated their claims for the purchase of Compensation Pool Properties or the payment of public dues. The concession to associate claims was made available upto 31-1-70 by extending it from time to time. Many cases, however,

became subject matter of dispute before the Departmental Tribunals and the Civil Courts including High Courts. There have been cases where a claimant himself after associating the amount of his compensation or part thereof had received payment with whom he had associated agitated the matter and the Departmental Tribunals passed orders for recovery of the amount of compensation paid to the claimant and or adjustment of the amount in favour of the party concerned. With the lapse of time recovery in such cases has become increasingly difficult with the result that finalisation of such matters takes time.

- (ii) In many cases a claimant associated with more than one person for the same amount with the result that he is no longer interested in coming forward and co-operating in the correct adjustment of the amount.
- (iii) In cases where a wrong adjustment already carried out has to be written back in accordance with the judicial orders and the adjustment asked for by the aggrieved party is to be carried out, implementation of such an order requires a 'No Refund Certificate' from the authorities concerned on whose behalf the earlier adjustment had been carried out. This process of getting 'No Refund Certificates' entails considerable delay and prolonged correspondence continues with the various State Government officers and other authorities concerned.
- (iv) There are cases where the original claimants have died, but their successors in interest are not coming forward for being substituted as legal heirs of the deceased claimants.
- (v) In spite of repeated notices, the claimants have not furnished the necessary particulars regarding utilisation or otherwise of the balance amount of compensation still available in their Statements of Account.
- (vi) Before carrying out adjustment of the amount for which the claimant had associated in the purchase of a property, the authority concerned in whose charge the property is situated is required to furnish an adjustment proposal, but such proposals are not received from the various State Government authorities in spite of issue of reminders to them.

(vii) The disposal of cases pending in the various courts including High Courts, takes a long time and the Department is not able to finalise such cases till the matters are finally disposed of by the courts.

(viii) Non-availability of the original compensation applications in some cases is another bottleneck and reconstruction of the files which requires cooperation of the claimants is a time consuming process.

(4) The possible efforts under these circumstances that could be made by the Department automatically get restricted and retarded. However, since the problem does exist, a solution has to be found and as such the Department has decided to take the following steps:—

(a) As stated in para 3 above, a time bound programme has been drawn up whereby Processing Units are required to dispose of about 200 cases every month and this progress is being maintained. However, it may be pointed out that this is a continuous process and while 200 cases are being disposed of every month, roughly 80 to 100 cases are added to the pending list out of the estimated number of 15,000 cases in which balance compensation was till payable and the cases were sent to Record for want of response from the claimants.

(b) It has been decided to segregate all the 15,000 cases which had been consigned to record and to pursue these cases individually. In cases where the settlement is held up for want of information from the various State Government authorities, it is proposed to pursue the matter at higher levels.

(5) The problem of those cases which had been consigned to the Record Room can be tackled only after getting all these cases from the Record Room and pursuing these cases once again. Efforts to segregate these cases are under way and so far 15,689 cases have been scrutinised out of which 359 cases where balance amount of compensation is still payable have been segregated. On the basis of the experience gained in this process, the matter is under further detailed scrutiny and examination in order to find out ways and means to get this work expedited so that the problem can be solved under a time bound programme instead of allowing it to linger on indefinitely.

(6) In the above context, this Department would like to assure the Committee on Petitions that delay in the finalisation of the

remaining cases is not because of any slackness of efforts on the part of the Department. It has become unavoidable due to the non-availability of the relevant records or non-recéipt of information from the displaced persons themselves or the various State Governments. If the displaced persons extend full cooperation in the settlement of their claims, it would be possible to finalise the remaining cases expeditiously. The Department would also like to point out that in these hard core cases which still remain to be processed primarily due to lack of cooperation on the part of claimants themselves or their successors in interest or due to non-receipt of some information from the various State Government authorities, experience has shown that some of the representations/complaints being received from the displaced persons are in fact repetitions as the claimants continued to prefer their claims even after the cases have been considered and decided according to rules and even after the claimants have exhausted all legal remedies under the law.

This issue with the approval of the Minister of Works, Housing, Supply and Rehabilitation."

Evidence before the Committee

7.3 The Committee, at their sitting held on 26 May, 1981 examined the representatives of the Ministry of Supply and Rehabilitation (Department of Rehabilitation) on action taken by Government on the recommendations of the Committee on Petitions contained in their Sixth Report (6LS) on the matter.

7.4 Explaining the reasons for delay in settlement of claim cases of displaced persons from West Pakistan, the Secretary, Ministry of Supply and Rehabilitation (Department of Rehabilitation) stated that they had received five lakh claim cases. During this period all the applications which were received were processed for payment of compensation at least once. After making payment in cash, the statements of accounts were issued. The claimants could utilise this amount by way of purchase of properties etc. According to rough estimates, there were about 15,000 cases out of 5 lakh cases where balance compensation was still payable but they were not pursued by the claimants in spite of notices having been issued to them. They were partly paid upto Rs.8,000/- which was prescribed at that time for making cash payments. Difficulties had arisen because statements of accounts were issued and people were asked to associate with others. All these cases were processed and by and large they had been settled. However, there were 2,000 cases which were

still pending.

7.5 As regards the progress of disposal of cases, the Secretary of the Department of Rehabilitation informed that between April, 1975 to April, 1981, a total of 11,185 cases had been processed and action taken. The balance figure was 1353. After going through the records on experimental basis, they found that there were 359 cases where some action was required to be taken and even out of those 359 cases, only in 27 cases further action was called for. In 221 cases, nothing else could be done. Only one case had been referred to the Judicial Officer. On an average 100 cases were being disposed of every month. The representative submitted that they were very keen to settle them as quickly as possible and in a year's time, it would be completed.

7.6 When asked to state the efforts made by the Department in tracing the claimants so that their claims could be settled, the Secretary of the Department of Rehabilitation informed the Committee that in every case they had given at least two registered notices. They also issued a Press Note in 1977, as a result of which they received 700 applications. They processed those applications. In reply to a query, the Secretary informed the Committee that there might be 3000 to 4000 cases where addresses were not traceable and claimants were not coming forward to claim their dues.

7.7 The Committee enquired whether it was not possible for the Minister for Rehabilitation to write to the Chief Ministers of the States or for the Rehabilitation Secretary to write to the Chief Secretaries of the States for disposal of the cases expeditiously. The Secretary, Department of Rehabilitation stated that he had talked to the Chief Secretaries but the progress was not entirely satisfactory. A lot of work had been done during the last one year. They tried their best in that regard. Even if the Minister wrote to the Chief Ministers, ultimately it was the same thing. When the Chief Ministers came for the Conference, he talked to them.

7.8 When pointed out that representations had been received from various claimants that time and again their representations addressed to the Rehabilitation authorities were not traceable or were not being attended to by them or that no reply had been received by them, the Secretary, Department of Rehabilitation stated that that was the feeling. The same application came 3 or 4 times or 5 times as the claimants were not satisfied with the payment of claim because they felt that they had not got full money. Their Minister had also desired that these cases must be decided quickly. They were trying their best, but if there was

any case which came to the notice of the Committee, they certainly would go through it and satisfy everybody. Sometimes records were not available and so it might take some time more.

7.9 When asked to state the remedy open to the claimant in cases where wrong adjustments were made, the Secretary, Department of Rehabilitation stated that actually in such cases 'No Refund Certificate' from the State Governments was required and that certainly was not coming forth very easily. They discussed that matter with the Rehabilitation Minister saying that the number of cases was not very large and they were not getting the 'No Refund Certificate' for a long time and as such the requirement of Certificate should be done away with. They would consult the Law Ministry also in that regard. If they could do away with the requirement of 'No Refund Certificate', they would be able to dispose of cases quickly.

7.10 As to the number of cases wherein the judicial orders had been passed in favour of claimants but not implemented by the Department of Rehabilitation, the Secretary stated that the number of such cases was 50. He, however, assured the Committee that they would pursue the matter vigorously for disposal of pending cases.

7.11 On being asked to state that action had been taken by the Government in those cases where settlement was held up for want of information from the State Government authorities, the Secretary of the Department of Rehabilitation stated that the Chief Settlement Commissioner had been writing to his counterparts in States, i.e., the Settlement Commissioners. In many cases, he had held discussions with the Secretaries of Rehabilitation in the States and also with the Collectors directly. So, that was a continuing exercise. He informed the Committee that as a result of that, 665 cases had been settled in different States.

7.12 Subsequently, as desired by the Committee, the Ministry of Supply and Rehabilitation (Department of Rehabilitation) have furnished on 24th July, 1981 a statement (Appendix V) showing 1246 compensation cases pending in the Settlement Organisation under the Department of Rehabilitation for want of information etc. from the State Governments and other sources.

7.13 The Committee note that the Government have already taken steps in pursuance of their recommendation for expeditious settlement of pending claim cases of displaced persons from West Pakistan. However, a number of compensation cases are pending

in the Settlement Organisation under the Department of Rehabilitation for want of information from the State Governments and other sources. The Committee desire that the Government should take up the matter at higher level in those claim cases which are pending for want of information from the State Governments for expeditious settlement and the Committee be apprised of the progress made in settlement of pending claim cases.

NEW DELHI;
11 March, 1982.

20 Phalguna, 1903 (S).

R. L. BHATIA,
Chairman,
Committee on Petitions.

APPENDIX I

[Petition No. 14 regarding restoration of Sangli-Miraj and Nandre-Madhavnagar-New Sangli rail link]
(See para 2.2 of the Report)

LOK SABHA

Petition No. 14

(Presented to Lok Sabha on 2-9-1981)

To

LOK SABHA,
NEW DELHI.

The humble petition of Shri Ramesh K. Kulkarni and others
SHEWETH

The Rail line between Miraj Jn. and Sangli, and between Nandre and Madhavnagar was dismantled in 1971 on or about 12th day of April. We the citizens of Sangli-Miraj-Madhavnagar made representations before dismantling, but of no avail. During the last ten years we have been suffering the inconvenience due to inadequate transport facilities, especially the students, ladies and the surrounding rural areas. We have made number of representations to the Railway Board, the Railway Ministry and after long long period of waiting, by our good fortune, the hon. Railway Minister Shri Dandavate gave the Government sanction in the last week of June, 1979, for the reinstatement of the Sangli-Miraj Railway link and Nandre-Madhavnagar-New Sangli link.

The Hon. Minister for Railways Shri Tripathi included the same in the Railway Budget 1980-81 which was presented to Lok Sabha on 12-3-80.

We understand that the Railway Board also gave its clearance and the work was to be started early this year. The survey, estimates etc. have been completed and sanctioned, but as yet the work has not been taken up by the Railway authorities.

A few days back we received a letter from the State Government stating that the Railway authorities want free land and the required number of sleepers from the State Government and then only the work will be taken up.

We cannot understand why the Railway authorities are waiting for some free land and sleepers when the scheme of reinstatement was already sanctioned by the Lok Sabha.

We do not know the Government and Railway officials procedures. But we the citizens are constantly suffering due to the lack of Railway facility between Miraj-Sangli and Madhavnagar-New Sangli.

By this facility, the public of 60,000 in the surrounding—26 villages: Madhavnagar, Budhgaon, Bisur, Kawalapur, Soni, Bhoze, Tasgaon, Vita etc. will be at an advantage of this benefit and—Madhavnagar being surrounded by an Industrial area, situating Textile Mills, Powerlooms, Engineering Industry, Timber Industry etc. will meet the easy supply of coal, oil etc. and moreover the Railway will run in the benefit by Rs. 1,00,00,000/- (One Crore) yearly.

We have now the last resource left to us that of sending petition to Lok Sabha with a request to please consider our hardships and move the Railway authorities to take up the work in hand at the earliest.

Accordingly your petitioners pray that Lok Sabha may kindly consider the case and help us in getting the transport facilities reinstated which already existed but taken away from us for some reasons.

And your petitioners as in duty bound will ever pray.

Name of petitioners	Address	Signature or thumb impression
1. Shri Ramesh K. Kulkarni	Madhavnagar	Sd/-
2. Dr. Ramchandra V. Phadnis	Do.	Sd/-
3. Shri Prabhakar R. Bhide	Do.	Sd/-
4. Shri Gangadhar N. Kelkar	Do.	Sd/-
5. Shri Vinayak M. Gadre and others	Do.	Sd/-

Counter signature of member presenting :

R. K. Mhalgi
D. No. 547

APPENDIX II

(See para 3.2 of the Report)

[Petition No. 15 regarding setting up of an autonomous Commission on Women with statutory powers.]

LOK SABHA

PETITION NO. 15

[Presented to Lok Sabha on 11-9-1981]

To

**LOK SABHA,
NEW DELHI.**

The humble petition of members, associates workers and sympathisers of Mahila Dakshata Samiti, Mahila Jagriti Parishad, Samajwadi Mahila Sabha and several groups of women all over the country.

SHEWETH

That the deterioration of the law and order situation in recent times has been disturbing all citizens of India. The atrocities on women especially tribals and Harijans have been most shameful. The treatment of some women at Baghpat and Dabwali by police officers, the ill-treatment of women at Haryana, at Gonda, at Modinagar, latest at Bikaner and other places have given a rude shock to every decent human being. That such heart rending incidents of dishonouring women should have happened under a woman Prime Minister is all the more deplorable.

Women have been neglected in all spheres of life in India, social reformers including Mahatma Gandhi took the women out from their seclusion and brought them out in the mainstream of public life. During the non-violent struggle for freedom under Mahatma Gandhi's leadership, women from all strata of society participated along with men in various satyagrahas and in movement of social reforms. As a result, women were conferred equal rights by the Indian Constitution. However, the story of its implementation has been very pathetic.

The neglect of women is substantiated by the glaring fact that the Plan provision for the welfare programme of women and children

was reduced from 24 per cent in the First Five Year Plan to 11.2 per cent in the Fifth Plan.

The statistics show that the percentage of illiteracy among the women, the number of drop-outs among girls is more than that in the case of men and boys respectively. Employment figures show that the number of women unemployed has increased. Maternal mortality and infant mortality (which is related to mother's health) are almost the highest in the world. India is perhaps the only country where life expectancy for the female at birth is almost two years less than that for the male. The number of women in India is less than that of the male while the reverse is true of the developed countries.

It is unfortunate reality that a baby girl is given less nourishment than her brother. The nutrition of the expectant mother is neglected and she does not get the rest that she needs. Infanticide of female infants is still practised in some areas, child marriages are rampant in certain parts of the country and obnoxious system like 'Sati' is being revived.

The evil system of dowry makes the parents consider that a daughter is a liability while the son is an asset. Protective legislations like Equal Remuneration Act or Maternity Benefits Schemes or provision of creches have not only been observed in violation but have given rise to the belief that employment of women is a burden for the employer. Illiteracy, lack of vocational training together with the sad attitude of the employers has resulted in throwing women out of jobs.

Widows and abandoned women are adding to number of the destitutes or prostitutes. The inferior status of women, her neglect in the field of education, employment opportunities is reflected in the census reports of 1901 to 1981. These results reveal that the ratio of women against 1000 men was 972 in 1901 whereas in 1971 ratio was 932 women against 1000 men and 935 women in 1981. In view of this sickening depressing state of affairs we demand urgent action for its rectification, and accordingly your petitioners pray for:—

- (1) The immediate setting up of an autonomous National Commission on Women with statutory powers at Centre and State level as already recommended in the report of "Committee on the Status on Women" as far back as 1975:—
 - (a) To promote corrective steps with regard to the inferior position of women in the sphere of (i) education,

health services, (iii) employment opportunities and (iv) the representation of women in all decision making bodies;

- (b) To evaluate the impact of social legislation and suggest ways and means for effective implementation including recommending new laws and policies; and
- (c) To collect and maintain upto-date information with regard to the status of women in various fields.
- (2) To form Vigilance Committees of women's organisations and social workers attached to every police station with a view to preventing crime against women and assisting in investigation.
- (3) Establishment of Family Courts.

And your petitioners as in duty bound will ever pray.

Name of petitioners	Address	Signature or thumb impression
1. Shrimati Suman Krishan Ka	Secretary, Mahila Dakshata Samiti, 2-Telegraph Lane, New Delhi.	Sd/-
2. Shrimati Kishori Sinha, M.P.	28, Akbar Road, New Delhi	Sd/-
3. Shrimati Suseela Gopalan, M.P.	2, Janpath, New Delhi	Sd/-
4. Shrimati Geeta Mukherjee, M.P.	5, Ferozeshah Road, New Delhi-1.	Sd/-
5. Shrimati Bibha Ghosh Goswami, M.P.	501, V.P. House, New Delhi	Sd/-
and others.		

Countersigned by: Pramila Dandavate, M.P.
Division No. 401.

APPENDIX—III

(See para 4.1 of the Report)

[Petition No. 18 *re.* sale of essential commodities through public distribution system, living wage for agricultural and industrial workers, introduction of unemployment allowance for unemployed, ban on retrenchment and closures and guarantee of trade union rights.]

LOK SABHA

Petition No. 18

[Presented to Lok Sabha on 24-12-1981]

[Considered by the Committee on Petitions, Lok Sabha at their sitting held on 7 January, 1982 and circulated in pursuance of the Committee's direction under rule 307(1) of the Rules of Procedure and Conduct of Business in Lok Sabha]

To

LOK SABHA
NEW DELHI.

The humble petition of Sarvashri Brij Mohan Toofan, Secretary HMS; J. S. Dara, President, INTUC; Ram Naresh Singh, General Secretary, BME; M. K. Pandhe, Secretary, CITU; B. P. Joshi, Vice-President, AITUC; D. D. Shastri, Secretary, TUCC; Pratul Chaudhari, Member, Working Committee, UTUC.

SHEWETH

That the historic and united rally at Boat Club, New Delhi on November, 23, 1981 of working people from all over the country has been convened by the National Campaign Committee of Trade Unions in pursuance of the decisions adopted at the National Convention of Central Trade Unions and Industrial Federations held at Bombay on June 4, 1981.

That we having come here from all corners of the country to register our protest against the Central Government's policies which are (a) daily aggravating the burden of galloping prices of essential commodities causing unbearable suffering to the toiling masses, and (b)

attacking the workers' wages, emoluments, living standards, trade union rights and democratic rights of the people which have been secured through decades of bitter struggles and heroic sacrifices.

That since the Bombay Convention the Government that enacted the Essential Services Maintenance Act which empowers it to negate the workers' basic right of strike.

That the crisis is intensifying every day due to the heavy concessions being made to the monopolies, multinationals and other such bodies resultant further concentration of economic power and wealth. It is, therefore, of paramount importance that the working class should carry forward a country-wide united movement against the continuing price-rise and the Government's policies.

Accordingly your petitioners pray that the following measures and policies be adopted in the interests of the vast majority of the people:—

Sale of all essential commodities such as foodgrains, edible oil, cloth, sugar, etc. at subsidised prices through a network of shops in a comprehensive public distribution system under the control and supervision of popular Committees to ensure adequate and uninterrupted supply of essential commodities;

Remunerative prices to the peasants and guaranteed supply of inputs;

Enactment and implementation of legislation to guarantee a minimum living wage and job security for the agricultural workers;

Stringent measures against black-marketeers, hoarders, smugglers, speculators and officials protecting them;

Repeal of the National Security Act, 1980, and the Essential Services Maintenance Act, 1981;

Need-based minimum wages for the working class on the basis of the norms laid down by the 15th Indian Labour Conference;

Full neutralisation of the rise in the cost of living, and removal of the ceiling of Rs. 1.30 per point rise in the price index (1960 base) arbitrarily fixed by the Bureau of Public Enterprises;

Amendment of the Payment of Bonus Act providing bonus to all workers without ceiling or preconditions;

Ban no retrenchment and closures, introduction of unemployment allowance to the unemployed;

Withdrawal of all victimisation measures against trade union workers and activists;

Rectification of the cost of living indices;

Recognition of trade unions on the basis of secret ballot; and

Full guarantee of collective bargaining and trade union rights.

And your petitioners as in duty-bound will ever pray.

Name of petitioner	Address	Signature or Thumb impression
1. Shri B. M. Toofan	Secretary, H.M.S. 12, Chelmsford Road, New Delhi.	Sd/-
2. Shri J. S. Dara	President, INTUC' 44, Ashoka Road, New Delhi.	Sd/-
3. Shri Ram Naresh Singh	General Secretary, BMS, 24, Vithalbhai Patel House, New Delhi-110001	Sd/-
4. Shri M. K. Pandhe	Secretary, CITU, 6, Talkatora Road, New Delhi.	Sd/-
5. Shri B. D. Joshi	Vice-President, All India Trade Union Congress, 24, Canning Lane, New Delhi.	Sd/-
6. Shri D. D. Shastri	Secretary, T.U.C.C., 216, North Avenue, New Delhi-110001.	Sd/-
7. Shri Pratul Chaudhari	Member, Working Committee, U.T.U.C., 249, B.B. Ganguli Street, Calcutta-12.	Sd/-

Counter signature of E. Balanandan, M.P.
member presenting: Div. No. 446

APPENDIX IV

(See para 6.5 of the Report)

[Extracts from para 6.2 of the 25th Report of the Committee on Petitions (Fifth Lok Sabha)].

6.2 In his representation, the petitioner stated as follows:

* * * * *

- (c) That no scheme for the payment of arrears of salary and Provident Fund has been prepared by I.F.C./Padamshree Textile Industries Ltd., Kharar as per the orders of the High Court on 5th June, 1972; and
- (d) That to the best of the knowledge of the petitioner Padamshree Textile Industries Ltd. has not been paying regularly the lease money to the I.F.C.

* * * * *

APPENDIX V
(See para 7.12 of the Report)

[Statement showing compensation cases pending in the Settlement Organisation under the Department of Rehabilitation as on 30-6-1981 for want of information etc. from the State Governments and other sources].

Sl. No.	No. of pending cases	Name of State Govt. from whom information awaited	Remarks
1.	144	Maharashtra	Pending for want of information from the State Government.
2.	58	Gujarat	Do.
3.	4	Tamil Nadu	Do.
4.	4	Andhra Pradesh	Do.
5.	68	Rajasthan	Do.
6.	2	Mysore	Do.
7.	39	Uttar Pradesh	Do.
8.	2	Bihar	Do.
9.	62	Madhya Pradesh	Do.
10.	265	Punjab	Do.
11.	123	Haryana	Do.
12.	6	Himachal Pradesh	Do.
13.	53	Delhi	Do.
14.	416		
TOTAL	1246	@	@These cases are pending in Settlement Organisation for the following reasons :-
		(i) Information awaited from claimants 190
		(ii) Under judicial action 42
		(iii) For want of linking with duplicate CAF/Co-Share file 96
		(iv) Miscellaneous 88
			<u>-----</u> =416 <u>-----</u>