

COMMITTEE ON PETITIONS

(FIFTH LOK SABHA)

THIRTEENTH REPORT



**LOK SABHA SECRETARIAT
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COMPOSITION OF THE COMMITTEE ON PETITIONS
(1973-74)

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Shri J. R. Kapur—*Under Secretary.*

THIRTEENTH REPORT OF THE COMMITTEE ON PETITIONS

(FIFTH LOK SABHA)

INTRODUCTION

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

- (i) Petition No. 2 signed by Sarvashri Dilip Chakraborty and Jayanta Kumar Gan, Editor and Printer & Publisher respectively, of the Bengali news weekly, *Bangla Desh*, Calcutta, regarding freedom of the Press.
- (ii) Petition No. 5 from Shri C. Rajeswara Rao and others regarding rising prices, unemployment and other problems.
- (iii) Representation regarding proposed closure of Railway track between Jawanwala Shahr and Joginder Nagar, consequent on construction of Pong Dam in Himachal Pradesh.
- (iv) Representation regarding apprehended closure of Ghazipur Opium Factory in Uttar Pradesh, consequent on setting up of the new Alkaloid Factory at Neemuch in Madhya Pradesh.
- (v) Representation for ensuring security of service to the employees of the Department of Rehabilitation posted at Mana Camp, District Raipur (M.P.).
- (vi) Representation regarding introduction of the system of Postal Zone Numbers in India.
- (vii) Representation regarding admissions to Medical Colleges in Delhi.
- (viii) Representation from Shri T. M. Nagarajan, Convenor and other six members of the Coordination Committee of Six Building Workers Unions, Delhi, re. grievances and demands of building workers.
- (ix) Representation from Shri K. Visweswara Rao, President, Andhra Pradesh G.D.R. Tractors Owners' Association, Golapalli, District Krishna, re. return of RS-09 tractors imported from East Germany.

- (x) Representation from Shri N. Ganapathy, President, Kerala State Cardamom Planters' Association, Munnar re. registration of small scale cardamom cultivators and rules relating to assignment of land for cultivation of cardamom in Kerala.
- (xi) Representation from Shri Ashok Joshi and other employees of Birla Brothers (Pvt.) Ltd., and its allied Concerns at Calcutta, re. Re-opening of closed offices of the Birlas in Calcutta with all employees on roll prior to the closure.
- (xii) Representations inadmissible as Petitions.

2. The Committee considered the above matters at their sitting held on the 14th June and 29th November, 1972 and 29th January, 28th March and 16th May, 1973, and adopted the draft Report at their sitting held on the 6th July, 1973.

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

PETITION NO. 2 SIGNED BY SARVASHRI DILIP CHAKRABORTY AND JAYANTA KUMAR GAN, EDITOR AND PRINTER & PUBLISHER, RESPECTIVELY, OF THE BENGALI NEWS WEEKLY *BANGLA DESH*, CALCUTTA, REGARDING FREEDOM OF THE PRESS.

1.1. Petition No. 2 (See Appendix-I), signed by Sarvashri Dilip Chakraborty and Jayanta Kumar Gan, Editor and Printer & Publisher respectively, of the Bengali news weekly *Bangla Desh*, Calcutta, on the above subject, was presented to Lok Sabha by Shri Jyotirmoy Bosu, M.P., on the 2nd September, 1972.

A. Petitioners' grievances and prayer

1.2. In their petition, the petitioners had stated *inter alia* as follows:—

“That since 1st May, 1971, the petitioners have been publishing the news weekly called *Bangla Desh* in Bengali language under Registered No. R.N. 18502-71 (Registered with the Registrar of Newspapers for India at New Delhi) having the largest circulation amongst news weeklies in Bengali.

That your petitioners cater news and views with a view to eliminate corruption, nepotism, bribery, jobbery, favouritism from public and private sectors and seek to discharge their duties as honest journalists without fear or favour.

That in course of such duties your petitioners had to publish revealing facts against Honourable Central and State Ministers, Hon'ble Members of the Parliament and State Legislatures, high executives and the bureaucracy and earned their displeasure.

As an outcome of this we are getting continuously threats and our journalists and hawkers are being harmed. This is also being done in the public meetings by people belonging to ruling party, who have been criticised by us and, as a result of this, the freedom of the Press is in great danger.

Papers have been burnt repeatedly. Only the other day 1,000 copies of the paper were burnt by a set of people at Sealdah Station. We have not been able to get any protection from any quarter. Parliament is an instrument of democracy and the first item in democracy is the freedom of Press.”

1.3. The petitioners had *inter alia* prayed that adequate steps should be taken to preserve freedom of the Press and that threats, intimidations and attacks against the petitioners and their news weekly *Bangla Desh* should be stopped.

B. Factual Comments of the concerned Ministries

1.4. The petition was referred to the Ministries of Information and Broadcasting and Home Affairs for furnishing their factual comments.

1.5. The Ministry of Information and Broadcasting intimated to the Committee that the allegations contained in the petition related to the sphere of law and order and that that Ministry had nothing to report in the matter.

1.6. The Ministry of Home Affairs forwarded to the Committee a copy of the Report of the Commissioner of Police, Calcutta, received by that Ministry through the Government of West Bengal, in which it had been stated as follows:—

“Re. Para 6 of the petition—Burning of papers at Sealdah Station

A reporter of *Satyayug* lodged a complaint with the Muchipara Police Station on 23-8-72 to the effect that at about 10.45 hrs. the same day, some unknown boys led by Pradip Ghosh threatened Shri Panakaj Kr. Dey and Shri Paritosh Das, owners of newspaper—stalls in the vicinity of Sealdah Railway Station, not to sell *Darpan*, *Desh Hitaishi*, *Satyayug* and *Bangla Desh*. They took away some copies of the aforesaid papers from their stalls and burnt the same in the Sealdah Railway Station Compound.

Another hawker of the aforesaid newspapers also alleged that some unknown boys took away 12 copies of *Darpan* from his stall at 241, A.P.C. Road and burnt those copies at about 11.00 hrs. on 23-8-72.

This refers to Muchipara PS G.D. Entry No. 2313 dated 23-8-72.”

1.7. The Government of West Bengal had also intimated to the Ministry of Home Affairs in a teleprinter message that “the Police has intensified its vigilance to forestall resurgence of such incidents”. A copy of the information received through the Ministry of Home Affairs is enclosed (Appendix-II).

C. Recommendation of the Committee

1.8. The Committee are unhappy to learn of the incidents in which copies of the news weekly Bangla Desh and some other newspapers were burnt in the vicinity of the Sealdah Railway Station compound. The Committee would like to emphasise the need for taking adequate steps to ensure freedom of the Press and also to ensure that such incidents do not recur. The Committee, however, feel that in view of the assurance given by the Government of West Bengal that the Police has intensified its vigilance to forestall resurgence of such incidents, no further action is needed on the part of the Committee.

II

PETITION NO. 5 FROM SHRI C. RAJESWARA RAO AND OTHERS REGARDING RISING PRICES, UNEMPLOYMENT AND OTHER PROBLEMS.

2.1. Petition No. 5 on the above subject (*See Appendix III*) was presented to Lok Sabha by Shri Indrajit Gupta, M.P., on the 27th March, 1973.

2.2. The Committee considered the petition at their sitting held on the 28th March, 1973.

2.3. The Committee directed that the petition be circulated* *in extenso* to all 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 to all the Members of Lok Sabha *in extenso* on the 28th March, 1973.

III

REPRESENTATION REGARDING PROPOSED CLOSURE OF RAILWAY TRACK BETWEEN JAWANWALA SHAHR AND JOGINDER NAGAR, CONSEQUENT ON CONSTRUCTION OF PONG DAM IN HIMACHAL PRADESH.

A. Petitioner's grievances and prayer

3.1. Shri Narain Chand Parashar, M.P., had submitted a representation, dated the 22nd November, 1972, on the subject noted above, in which he had stated as follows:—

“The people of Himachal Pradesh are greatly agitated over the proposed closure of the Kangra Valley Railway (from Pathankot to Joginder Nagar) because of the expected rise in the water level in the catchment area of Pong Dam. This will paralyse the economy of the State of Himachal Pradesh and nearly 80 per cent of the total population of the State living in eight out of the 12 districts of the State would be put to extreme inconvenience and hardship. Therefore, I request that the proposal may be reconsidered.

I, further request that the railway line be kept open by expediting the construction of the alternate railway track, under construction. If necessary, the raising of the height of the Pong Dam may be postponed, till the alternate track is ready.

I hope that the people of the State will find a quick response in this regard.”

B. Factual Comments of the concerned Ministries

3.2. The Ministry of Railways (Railway Board) and the Ministry of Irrigation and Power, to whom the representation was referred for furnishing factual comments had, in their comments, stated as follows:—

(i) Ministry of Railways (Railway Board)

“The construction of an alternative rail alignment on higher level between Jawanwala Shahr and Guler (NG. 29.89 kms.) on Pathankot-Joginder Nagar section (Kangra Valley Railway), necessitated due to the construction of the Beas Dam (Pong Dam) on Beas river, was planned and sanctioned on 11-4-1969, at an estimated cost of Rs. 3.62 crores, as a ‘Deposit Work’, entirely chargeable to the Beas Dam Authorities. The target date for completion of this realignment as originally fixed was 30-6-1973. The work, however, could not be progressed and com-

pleted as the land duly acquired for the realignment could not be placed at the disposal of the Northern Railway by the Beas Dam Authorities. After prolonged correspondence with the State Government of Himachal Pradesh and the Ministry of Irrigation and Power the handing over possession of land was very recently started by the Beas Dam Authorities and only 671 acres of land out of a total of 706 acres has been taken over by the Northern Railway upto end of October, 1972. The overall progress on this realignment project upto end of October, 1972 is 2.6 per cent. The target date for completion of the realignment was accordingly revised to December, 1974.

As per the indications given by the Ministry of Irrigation and Power during August, 1972, the Pong Dam is expected to be completed by June, 1973 and it will start impounding of water in the reservoir thereafter. The track between Jawanwala Shahr and Guler stations near Guj bridge will thus be submerged under water in the rainy season of 1973. It is, therefore, proposed by the Northern Railway to close the line between Jawanwala Shahr and Joginder Nagar with effect from 1-4-1973, so that by 30-6-1973, Railway track materials and girders are dismantled and removed to safety in time.

It is now upto the Ministry of Irrigation and Power and the State Government of Himachal Pradesh to decide whether the impounding of water in the reservoir can pend till the realignment is completed and opened to traffic at the end of December, 1974. However, the Railways will do their best to expedite the construction of realignment."

(ii) *Ministry of Irrigation and Power*

"The question of closure of railway line in the Pathankot—Joginder Nagar Section of the Kangra Railway Valley is linked up with the programme/schedule of construction of Beas Dam at Pong. It has been estimated that with the impounding of waters in the reservoir, it would be possible to irrigate about 10 lakh of acres at least even in the first year, which would yield crops worth about Rs. 75 crores, increasing progressively in the following years. In the present context of food shortage and import of foodgrains from abroad, it would be difficult to forego the advantages of early commissioning of the project. Apart from relieving the food shortage, the additional production will go a long way in helping early development of Rajasthan Canal area which in turn would also help early rehabilitation of the Pong Dam oustees. It is thus evident that the advantages which would accrue from early storage of waters at Pong would far outweigh a little inconvenience that might be caused to a small section of people due to interruption of rail traffic.

Only a section of Pathankot—Jogindernagar narrow gauge railway line between Jawanwala Shahr and Guler railway stations would come

under submergence in a length of about 30 kilometers at full reservoir level (EL 1410). This portion of the railway line is to be realigned at higher levels. The work was programmed to be completed by the summer of 1973. However, the work of realignment of the railway line could not be taken in hand till about a few months back on account of prolonged delay on the part of Government of Himachal Pradesh in handing over the possession of the land. The Railway authorities have informed that it will not be possible to commission the new line before December 1974. The Railway authorities had asked this Ministry to deposit a sum of Rs. 1 crore for realignment of railway line between Guler and Jawanwala Shahr. Accordingly, the project authorities have already placed a sum of Rs. 50 lakhs at their disposal and a further sum of Rs. 50 lakhs will be placed at their disposal during the first week of March, 1973. It would thus be evident that this matter primarily relates to the Ministry of Railways.

The Railway authorities are already in direct touch with the Government of Himachal Pradesh with a view to arrive at a long term solution of the problem. In fact the Railway Minister has already written to Dr. Parmar offering subsidy for expansion of road transport in Himachal Pradesh as the Pathankot—Jogindernagar Railway is running at a loss."

C. Recommendations of the Committee

3.3. The Committee have noted the facts furnished by the Ministries of Irrigation and Power and Railways. The Committee recommend that the Ministry of Railways should take necessary steps for the construction of the new rail alignment even before the target date of December, 1974, so that inconvenience caused to the commuters is minimised and, in the meantime, steps should be taken by the Government of Himachal Pradesh to provide adequate road transport in the area.

IV

REPRESENTATION REGARDING APPREHENDED CLOSURE OF GHAZIPUR OPIUM FACTORY IN UTTAR PRADESH, CONSEQUENT ON SETTING UP OF THE NEW ALKALOID FACTORY AT NEEMUCH IN MADHYA PRADESH

A. Petitioners grievances and prayer

4.1. Shri Sarjoo Pandey, M.P., had forwarded a representation, signed by Shri Ram Sundar Shastri and others of Ghazipur on the subject noted above. In their representation*, the petitioners had stated as follows:—

“The Government of India had assured during the Second Five Year Plan that the opium factory at Ghazipur will be expanded further with a view to providing employment to the people of the State and Government may earn foreign exchange by exporting its products. But instead of expanding this factory the Government have set up a new factory at Neemuch in Madhya Pradesh and the Government are making every effort to expand that factory at Neemuch and they are paying the least attention towards the expansion of the opium factory at Ghazipur which is resulting in deterioration to the factory. We, therefore, request that this matter may be considered.”

B. Factual comments of the Ministry of Finance (Department of Revenue and Insurance)

4.2. The Ministry of Finance (Department of Revenue and Insurance), to whom the representation was referred for furnishing a factual note on the matter, in their comments (See Appendix IV) stated *inter alia* as follows:—

“This Ministry is not aware of the Government having ever given an assurance that the expansion of the Ghazipur Opium Factory would be undertaken with a view to provide employment to the people of that region. Apprehensions have, however, been expressed by the residents of Ghazipur in the past that with the setting up of the new Alkaloid Factory at Neemuch, the Ghazipur Factory may be closed down. In response to various representations sent by the residents of Ghazipur and M.Ps. to the Prime Minister/Minister in the Ministry of Finance, and in response to Parliament Questions, it has been repeatedly stated that there is no intention to

*Original in Hindi.

close the Ghazipur Factory, that the setting up of the new Alkaloid Factory at Neemuch was unlikely to affect adversely the factory at Ghazipur in any real sense and that the Government of India would consider taking up the modernisation of this factory also after the new Alkaloid Factory at Neemuch goes into full production and some experience has been gained.

About 80 per cent of the total opium produced in India is at present being cultivated in a few contiguous districts of Madhya Pradesh and Rajasthan and Neemuch is a centrally located place in this opium growing areas. The transport of opium from Madhya Pradesh and Rajasthan to far off Ghazipur Factory not only entails huge transportation charges but security precautions have also to be taken and Departmental Officers and armed security guards have to be sent with each consignment of opium. Normally it would, therefore, neither be economical nor desirable to transport opium grown in Madhya Pradesh and Rajasthan areas to Ghazipur especially when the drying facilities are available at Neemuch Factory located in the midst of the opium growing areas of Madhya Pradesh and Rajasthan. However, despite these considerations, the opium cultivated in Ratlam I and Ujjain divisions of the Madhya Pradesh and the entire opium cultivated in Rajasthan (excepting Partapgarh Division) has been sent to Ghazipur Opium Factory during the crop season 1971-72 for processing in order to keep the Ghazipur Factory running.

It would be observed from the position explained above that the residents of Ghazipur have no cause for any apprehension."

C. Recommendations of the Committee

4.3. The Committee have noted the factual comments furnished by the Ministry of Finance (Department of Revenue and Insurance). In view of the assurance given by the Ministry of Finance that the Ghazipur Opium Factory in Uttar Pradesh would not be closed consequent on the setting up of the Alkaloid Factory at Neemuch in Madhya Pradesh, the Committee feel that no further action is called for on their part in the matter.



**REPRESENTATION FOR ENSURING SECURITY OF SERVICE TO
THE EMPLOYEES OF THE DEPARTMENT OF REHABILITATION
POSTED AT MANA CAMP, DISTRICT RAIPUR (M.P.)**

A. Petitioners' grievances and prayer

5.1. The Non-Gazetted Staff Welfare Association of Mana Group of Transit Centres and the Technical Training Centre, Mana Camp, District Raipur, had submitted a representation (See Appendix V) dated the 26th February, 1973, on the subject noted above. In their representation, the petitioners had stated *inter alia* as follows:—

“.....Most of the employees of Mana Group of Transit Centres have completed more than five years to nine years service and in some cases more than 14 years. These employees are under Government of India service.

Their services are terminated or about to be terminated shortly on resettlement of the displaced persons (Refugees) without any assurance of their absorption in other Departments or new Organisations of Government of India.

The Department of Personnel of Cabinet Secretariat are not allowing these employees to have them registered in the Surplus Cell of staff of the Government of India, whereas that Department is responsible to see and regulate employment of all the Government of India servants whether they are posted in Delhi or outside anywhere in India including subordinate Organisations under various Ministries.

This sort of treatment on the part of the Department of Personnel will lead to unnecessary agitations, disappointments, discontentment etc. among the employees who have rendered the best part of their youth to the Public Service . . .

We, therefore, pray that the employees of the Mana Group of Transit Centres, should get permanent status in Government Service.

B. Factual Comments of the Ministry of Labour and Rehabilitation (Department of Rehabilitation)

5.2. The Ministry of Labour and Rehabilitation (Department of Rehabilitation) to whom the representation was referred for factual comments, had in their comments stated as follows:—

“The Department of Personnel who were requested to include the surplus staff of this Organisation in their Surplus Cell, did not

agree to the proposal. That Department is being requested to reconsider the matter. The surplus staff who have rendered a continuous service for a period of six months or more are, however, eligible for Priority III for purpose of seeking alternative appointment through Employment Exchange.

The question of declaring posts in the Mana Group of Transit Centres, Mana, as permanent is under consideration in consultation with the Ministry of Finance."

C. Recommendations of the Committee

5.3. The Committee have noted that facts furnished by the Ministry of Labour and Rehabilitation (Department of Rehabilitation). In view of the fact that the employees of the Mana Group of Transit Centres and the Technical Training Centre at Mana Camp have rendered five to nine years of service and, in some cases, 14 years of service the Committee desire that Government should consider their cases for absorption in other Departments sympathetically. The Committee also recommend that the Cabinet Secretariat (Department of Personnel and Administrative Reforms) may consider enrolling the employees at Mana Camp, in their Surplus Cell for providing them alternative jobs.

VI

REPRESENTATION REGARDING INTRODUCTION OF THE SYSTEM OF POSTAL ZONE NUMBERS IN INDIA

A. Petitioner's grievances and prayer

6.1. Shri C. Kesaviah Naidu of District Chittoor (Andhra Pradesh), had submitted a representation (*See* Appendix VI) dated the 21st March, 1972, counter-signed by Shri P. Narasimha Reddy, M.P., on the subject noted above. In his representation, Shri Naidu had *inter alia* stated as follows:—

“Recently, a computer committed a mistake (actually it should be a mistake in programming) in processing one-invoice for a party in Calicut and sent the goods to a party at Calcutta. Such a mistake could be avoided by adopting the simple and effective system of postal zone numbers existing in West Germany.”

6.2. The petitioner had prayed that postal numbers might be allotted for each Sub Post Office at present, and, on experience, it might be extended to Branch Post Offices.

B. Factual Comments of the Posts & Telegraph Board

6.3. The representation was referred to the Posts and Telegraphs Board for furnishing their comments for consideration by the Committee on Petitions. With their reply dated the 29th May, 1972, the Posts and Telegraphs Board forwarded a note on the “National Postal Code” (*See* Appendix VII) in which it was stated *inter alia* as follows:—

“The evolution of the National Postal Code is in its initial stages and the problems are to be studied in great detail before a tentative decision could be taken. This is because once the Postal Code is developed it cannot be changed too frequently depending on the future changes in the routing pattern, transport system etc.”

6.4. The Committee considered the matter and decided that Government might expedite examination of the Postal Code System and introduce it in the country as early as possible.

6.5. Subsequently, the Posts and Telegraphs authorities announced the introduction of the Postal Index Number code system of addressing letters in the country with effect from the 15th August, 1972.

6.6. On being asked to intimate the details of the PIN Code System, the Posts and Telegraphs Department furnished the following note to the Committee:—

“The P&T Department has decided to introduce a code number for all delivery post offices. This system will be introduced from

15-8-1972, the 25th anniversary of Independence. In the initial stages the numbering will not extend to extra-departmental Branch Post Offices. Similarly, the public will be advised and expected to write the full address as at present during the transitional stage and add the PIN code number as the last line in the address.

The country has been divided into eight Postal regions and to each region a number has been assigned which will be the first digit of the six-digit-numbers of Posts Office in that region. The Regional Numbers are distributed as follows:—

No. 1 comprises of Delhi, Haryana, Punjab, Himchal Pradesh and J&K.

No. 2 comprises of Uttar Pradesh,

No. 3 comprises of Rajasthan and Gujarat,

No. 4 comprises of Maharashtra and Madhya Pradesh,

No. 5 comprises of Mysore and Andhra.

No. 6 comprises of Tamil Nadu and Kerala.

No. 7 comprises of West-Bengal, Assam, Orissa, Arunachal, Meghalaya, Nagaland
Mizoram, Manipur, Tripura & Sikkim.

No. 8 comprises of Bihar.

The second digit indicates a subregion as well as a routing process. The third digit pinpoints a definite area in each region and indicates the post offices contained therein.

The next three digits in each six-digit-number pinpoint specific Post Office. All Post Offices to be opened in future as delivery offices will be given a number at the time of its opening. All the present Zonal delivery numbers are made an integral part of the code without any change in them.

Since geographical knowledge for each sorter will not be necessary under the Code, the job at that level will become easier.

As an example the Delhi town delivery district is being given a number 110. New Delhi No. 11 will, therefore, be 110011, or Madras No. 7 will be Madras 600007.

Directories showing the PIN Code number of all delivery Post Offices will be made available for sale to the public like Post Office Guides.”

6.7. The Posts and Telegraphs Department also expressed their regret for not having informed the Committee in advance, before introducing the PIN code system, when the matter was still under consideration of this Committee.

C. Observations of the Committee

6.8. The Committee note that the Government have introduced the Post Index Number code system in the country, with effect from the 15th August 1972, for speedy sorting and correct delivery of mail, which was also the demand of the petitioner. The Committee desire that adequate publicity should be given and all necessary steps taken to popularise the new system so that the objectives of correct and prompt delivery of mail are achieved quickly.

6.9. The Committee would have liked that they should have been informed in advance by the Post & Telegraphs Department about the introduction of the system of Postal Code Number w.e.f. 15th August, 1972, when the matter was still under consideration of the Committee. However, in view of the regret expressed by the Posts and Telegraphs Department for not having informed the Committee earlier, the Committee do not wish to pursue the matter further.

VII

REPRESENTATION REGARDING ADMISSIONS TO MEDICAL COLLEGES IN DELHI

A. Petitioner's grievances and prayer

7.1. Shri H. S. Gaur and four other members of the Delhi Parents Association, Delhi, had submitted a representation, counter-signed by Shri Atal Bihari Vajpayee, M.P., regarding admission of the pre-medical first divisioners of the University of Delhi to the M.B.B.S. Course in the Medical Colleges of Delhi.

7.2. In their representation (Appendix VIII) the petitioners had *inter alia* stated as follows:—

“That on 24th August, 1972, Union Health Minister Shri Uma Shankar Dixit assured our Association that in order to absorb the 161 students who had secured 1st Division in their Pre-Medical examination but still had not been able to secure admission to any Medical College, the Government was agreeable to opening of a second shift at the Maulana Azad College, Delhi, provided Delhi University clears the proposal from the Academic point of view and Delhi Administration endorses it from the point of view of administrative practicability. The Minister's assurance given in the course of discussions was formally confirmed through an official communication to us *vide* letter No. U: 14019|13|72, dated 25th August, 1972, stating very categorically ‘I am directed to say that the Minister indicated during the discussions that he agreed in principle to a second shift at the Maulana Azad Medical College. However the Academic Council of the Delhi University would first have to clear it from the point of view of academic feasibility and the Delhi Administration from the point of view of administrative practicability’. The same fact was re-confirmed in another letter No. U. 14019|13|72-ME (U.G.), dated 29th August, 1972, which also indicated that the Ministry had written directly to the University and Delhi Administration requesting them to examine the proposal for a second shift on priority basis.

That on 30th August, 1972, the Chief Executive Councillor of Delhi gave to us in writing the following assurance: ‘The question of admission of the first division pre-medical students was considered by the Executive Council. The Executive Council keenly felt that the admission of the students be arranged subject to the concurrence of the Academic Council which is already seized of the matter. Recommendation to this effect be made to the Health Ministry’.

That on 1st September, 1972, the Vice-Chancellor of Delhi University also expressed his concurrence with the proposal in the course of a letter to the Chief Executive Councillor . . .

That, however, on 9th September, 1972, the Health Ministry sent a communication *vide* letter No. U. 1401903072 dated 9th September, 1972, resiling from their commitment saying that a second shift was not possible and that only 25 of the 161 first divisioners could be accommodated.

That this attitude amounts to a flagrant breach of commitment. . . . as a result of which the career of over one hundred bright young students has been blighted.

That under such circumstances. . . . your petitioners pray that the Government be directed to honour its assurance and save the future of the young students. . . .”

B. Factual comments of the Ministry of Health and Family Planning

7.3. The Ministry of Health and Family Planning, to whom the representation was referred for furnishing factual comments, have furnished a detailed note on the subject. A copy of the note is appended to the Report (Appendix IX). In their factual comments, the Ministry have *inter alia* stated as follows:—

It is not a fact, as alleged in the petition that the Union Health Minister ‘assured’ the Association that the Government was agreeable to the opening of a second shift at Maulana Azad Medical College, Delhi. What, in fact, the Minister had told them was that he agreed in principle to consider the question of opening of a second shift at the Maulana Azad Medical College, on condition that the Academic Council of the Delhi University would first have to clear it from the point of view of academic feasibility and that the Delhi Administration would have to clear it from the point of view of administrative practicability. . . . The Health Ministry wrote to the Delhi University on 26th August, 1972, requesting them to have the question of starting of second shift at Maulana Azad Medical College discussed in the Academic Council as a matter of priority. The Vice-Chancellor of Delhi University, in his letter No. VC-7337-38 dated the 1st September, 1972, addressed to Shri Radha Raman, Chief Executive Councillor, Delhi Administration, of which he sent a copy to Shri Uma Shankar Dikshit, Union Health Minister, by way of a reply to Health Ministry’s letter in this connection, *inter alia* stated that he would be able to accept any of the following suggestions:

- (1) Starting of a new medical college;
- (2) Starting of second shift in Maulana Azad Medical College; and

- (3) Distributing these students over the four medical colleges in Delhi including the All India Institute of Medical Sciences, New Delhi. Copy of this letter is enclosed.

.....The Vice-Chancellor's letter to the Chief Executive Councillor referred to above could not be treated as 'recommendation of the Academic Council' of the University.

Another letter was written to the Delhi Administration requesting them to have the administrative practicability of the matter examined by the Delhi Administration. Delhi Administration in their reply forwarded the text of a resolution passed by the Executive Council of Delhi Administration on 30-8-1972. The resolution made a general reference to the problem of admission of first division pre-medical students, but did not specifically recommend the opening of a second shift at Maulana Azad Medical College.

It will thus be seen that neither of the two conditions on which hinged the Minister's acceptance, in principle, of the opening of the second shift, was fulfilled.

Yet prompted by a keen desire to do everything possible to alleviate the difficulties of the pre-medical first divisioners, the question of starting of a second shift in the Maulana Azad Medical College was examined and discussed very carefully and in detail with all the authorities concerned including the University, the Delhi Administration and the Maulana Azad Medical College. But the proposition was not found practicable because of insurmountable practical difficulties pointed out by the authorities concerned.

In order not to leave any possibility unexplored, the entire issue was placed before the Union Cabinet by the Union Health Minister in his note dated the 18th September, 1972. Accordingly, the Cabinet set up a Committee.

Amongst the seven alternative possibilities examined by this Committee the question of starting a second shift at either Maulana Azad Medical College or at Lady Hardings Medical College was one.

The difficulties weighed heavily against implementation of this alternative. In any case, the Committee's Report examining all the possible alternatives including that of starting of a second shift was considered by the Union Cabinet at its meeting on 3-11-1972 and it was decided that no further steps were required to be taken in the matter."

7.4. In reply to Unstarred Question No. 3906, dated 11-12-1972 in Lok Sabha, the Minister of State for Health and Family Planning (Prof. D. P. Chattopadhyaya) stated as follows:—

“596 students had passed the pre-medical examination of the Delhi University this year in the first division out of 800 students who had appeared. 438 of them got admission to the M.B.B.S. Course in Medical Colleges in Delhi and outside including 50 students sent to Medical College, Meerut. 25 more are being admitted at the Delhi University Medical College. The University of Delhi was persuaded to reserve 100 seats in the Second Year B.Sc. (Hons.) courses in Zoology and Botany for facilitating the admission of the rest of the 133 students of this category. Besides this, they had the option of joining the B.Sc. (General) course, in any case.

The demand for providing admission in M.B.B.S. to all the first divisioners has been considered in great detail by the Health Ministry over the past few months in consultation with all the authorities concerned. The following specific suggestions were gone into:—

- (1) Securing seats in medical colleges of other States;
- (2) Distributing the residual first divisioners among the four medical colleges in Delhi, including the All India Institute of Medical Sciences, New Delhi;
- (3) Starting a second shift in the Maulana Azad Medical College; and
- (4) Opening of a new Medical College.

These were discussed with Vice-Chancellor, Delhi University, representatives of the Ministry of Education, Chief Executive Councillor, Delhi, Chief Secretary, Delhi Administration, Chairman University Grants Commission and Director of the All India Institute of Medical Sciences, New Delhi. The first possibility was also discussed and taken up officially with the State Governments of Uttar Pradesh, Madhya Pradesh, Rajasthan and Himachal Pradesh. After thorough examination of their pros and cons, none of these alternatives was found feasible. However, in order to continue its efforts to help the concerned students in any possible manner, the Ministry of Health placed the matter before the Union Cabinet with the request to set up a high-power committee to examine the possibilities of admission to the M.B.B.S. course of the 133 first division pre-medical students who had not been able to secure admission in the medical colleges. Accordingly, the Cabinet set up a High Power Committee consisting of Secretary, Health Ministry, Secretary, Education Ministry,

Secretary, Finance Ministry, Secretary, Planning Commission, Chairman, University Grants Commission, Vice-Chancellor, Delhi University, Chief Secretary, Delhi Administration, Director, Postgraduate Institute of Medical Education and Research, Chandigarh, and Dr. K. L. Wig, Ex-Director, All India Institute of Medical Sciences, New Delhi.

After careful consideration of the report of the Committee, the Cabinet decided that there was no necessity to take any further steps in the matter. In view of this decision of the Cabinet no further steps are required to be taken in the matter."

7.5. On the 5th March, 1973, the Deputy Minister of Health and Family Planning (Prof. A. K. Kisku) stated in Lok Sabha in response to Unstarred Question No. 1875, that the University of Delhi had decided to discontinue the pre-medical course. Explaining the reasons for taking that decision, the Deputy Minister stated that as the pre-medical course of Delhi University was being conducted in Science Colleges, there was no co-relation—between the number of seats available in the Medical Colleges and the number of admissions to the pre-medical course. Further, the designation of the course as "Pre-medical" gave an erroneous impression to the students that their subsequent admission to the M.B.B.S. course was guaranteed. Hence, when they did well in the Pre-medical Examination but later failed to get admission to M.B.B.S. course, they felt frustrated. In order to remove the cause of this anomaly, the University of Delhi, on a suggestion from the Government, had decided to abolish the Pre-medical course from the academic session of 1973-74 and to introduce B.Sc. (Hons.) in Botany Zoology|B.Sc. (General) 'B' in Botany, Zoology, Chemistry course with additional Physics, so that students wishing to take up medical education at the end of the first year of the B.Sc. (Common) course would be eligible to seek admission to the M.B.B.S. course. The admission to the M.B.B.S. course was proposed to be made on the basis of an entrance examination to be conducted by the University to which students who had passed the examination of first year B. Sc. (Hons.)/B. Sc. (General) 'B' would be eligible to appear subject to the conditions to be laid down in that behalf by the University.

Government considered this as a reasonable solution of the problems connected with admission to medical colleges in Delhi.

C. Observation of the Committee

7.6. The Committee have noted the facts furnished by the Ministry of Health and Family Planning and also the fact that from the 1973-74 academic session, the University of Delhi has decided to do away with the Pre-Medical Course. In future, selection for M.B.B.S. course will

be made on the basis of performance of students in an entrance examination to be conducted by the University to which students who have passed the first year examination of B.Sc. (Hons.)|B.Sc. (General) 'B' with the requisite subjects will be admitted. In view of these facts, the Committee feel that no further action is needed on their part.

VIII

REPRESENTATION FROM SHRI T. M. NAGARAJAN, CONVENOR AND OTHER SIX MEMBERS OF THE COORDINATION COMMITTEE OF SIX BUILDING WORKERS UNIONS, DELHI, REGARDING GRIEVANCES AND DEMANDS OF BUILDING WORKERS

8.1. Shri Jagadish Bhattacharyya, M.P., forwarded a representation signed by Shri T. M. Nagarajan, Convenor and other six members of the Coordination Committee of six Building Workers Union, Delhi, regarding grievances and demands of building workers.

A. Petitioners' Grievances and Prayer

8.2. In their representation (See Appendix X), the petitioners stated *inter alia* as follows:

"Though the Government has fixed Rs. 4.50 per day as minimum wages, the contractors have not implemented this rate and they are exploiting the workers by paying the old rate of Rs. 3.50 per day. Other Government decisions relating to accident compensation, provision of milk for the children of workers at work site and creches for children, weekly Sunday off or payment of overtime wages in lieu of working on an off day are still on paper. No steps have been taken to enforce them.

The Labour Commission had submitted its Report in August, 1969. But nothing has been done to implement these recommendations.

This Conference appeals to the Hon'ble Speaker and members of Parliament to ensure the fulfilment of the following demands:

- (i) Payment of Rs. 4.50 a day per worker, whether male or female.
- (ii) Sunday weekly off or overtime wages at double rate in Lieu of working on Sunday.
- (iii) Pucca quarters for construction workers.
- (iv) Education facilities for children of construction workers.
- (v) Provision of milk for the children of workers at work sites.
- (vi) Provision of ayahs to look after the children of construction workers at work sites.

- (vii) Provision of free transport to workers from quarters to work sites.
- (viii) Prompt payment of adequate compensation to workers involved in accidents while at work.
- (ix) Medical facilities on the lines of E.S.I.
- (x) Payment of bonus to workers.
- (xi) Measures to ensure regular employment to construction workers as recommended by the National Commission on Labour.
- (xii) Legislation for protective, welfare and safety measures for building workers."

B. Comments of the Ministry of Labour and Rehabilitation (Deptt. of Labour and Employment)

8.3. The Ministry of Labour and Rehabilitation (Department of Labour and Employment) with whom the matter was taken up, sent their demand-wise comments (*See* Appendix XI) on the representation. In their factual comments, the Ministry stated *inter alia* as follows:

"The workers employed in the following employments are covered by the Minimum Wages Act, 1948:—

- (i) Construction of maintenance of roads or in building operations;
- (ii) Stone breaking and stone crushing;
- (iii) Maintenance of buildings; and
- (iv) Construction and maintenance of runways.

* * *

... As far as the Central sphere is concerned, draft proposals for revising the wage rates have been drawn up and have been notified on the 20th May, 1972 with a view to inviting comments|objections within a period of three months. The rates will be finalised after considering the comments that may be received. It will also be necessary to consult the Central Advisory Board before finalising the revised wage rates. This is the prescribed procedure for revision of wages under the Minimum Wages Act, 1948.

* * *

There is already provision of creches for children, shelters, canteens and other welfare measures in the Contract Labour (Regulation and Abolition) Act, 1970.

* * *

The workers employed on construction work and getting a monthly wage not exceeding Rupees five hundred are covered under the Workmen's Compensation Act, 1923 and are entitled to compensation under the Act.

...In order to discourage employers from trying to evade or delay payment of compensation, the following provision [Section 4A(3)] was made in the Workmen's Compensation Act in 1959:—

'Section 4A(3): Where any employer is in default in paying the compensation due under this act within one month from the date it fell due the Commissioner may direct that, in addition to the amount of the arrears, simple interest at the rate of six per cent per annum' on the amount due together with, if in the opinion of the Commissioner there is no justification for the delay, a further sum not exceeding fifty per cent of such amount, shall be recovered from the employer by way of penalty.'

The employing Ministries have been requested to review the position and issue suitable instructions to their officers for ensuing prompt payment of compensation/half monthly wages. The matter is being pursued with them.

CPWD Contractors' Labour Regulations which form part of CPWD contracts provide for the payment of adequate compensation to workers involved in accidents while at work.

* * *

The question of extension of coverage under the ESI Scheme has at present been entrusted to a Committee of the ESI Corporation on Perspective Planning, for consideration *de novo*. Its report is awaited.

* * *

The Committee has been set up to review the operation of the Payment of Bonus Act, 1965. Trade Unions can put before the Committee their suggestions for payment of bonus to building workers.

* * *

The National Commission on Labour recommended that the possibility of decasualisation scheme should be explored to ensure greater security of employment. This recommendation has been accepted by the Government of India and forwarded to all State Governments and Union Territories for necessary action.

* * *

A proposal for legislation to provide for the safety of the workers employed in the construction industry is under consideration."

C. Observation of the Committee

8.4. The Committee, while taking note of the factual comments furnished by the Ministry, desire that Government should expedite the necessary executive and legislative measures to ameliorate the living and working conditions of the building workers.

REPRESENTATION FROM SHRI K. VISWESWARA RAO, PRESIDENT ANDHRA PRADESH G.D.R. TRACTORS OWNERS' ASSOCIATION, GOLAPALLI, DISTT. KRISHNA, RE RETURN OF RS-09 TRACTORS IMPORTED FROM EAST GERMANY

A. Petitioner's Grievances and Demands

9.1. Shri K. Visweswara Rao, President, A.P. GDR Tractors Owners' Association, Golapalli, Distt. Krishna submitted a representation (See Appendix XII) regarding return of defective RS-09 tractors imported from East Germany. In his representation, Shri Rao stated *inter alia* as follows:—

“Government of India imported 1998 tractors from East Germany. The purchasing price of the tractor is Rs. 10,600/- and selling price is Rs. 14,750/-. The balance goes to various Government agencies....

416 tractors were allotted to the Andhra Pradesh Agro Industries Corporation. From November, 1969, the Corporation sold 164 tractors to the farmers. The remaining are unsold with the Corporation. Within two months of the delivery of these tractors all the tractors went out of order. The corporation has suspended sale of these tractors....

On Lok Sabha question No. 112, dated 12th November, 1970, a technical report was also submitted to Lok Sabha, which points out the technical and manufacturing defects. Krishi Mantralaya and G.D.R. Government signed a protocol on 21st February, 1971. There are two important terms in the protocol. (1) German Government will take back those vehicles which are not to the satisfaction of the farmers, after modification. (2) At the time of modification, the defective tractors should be kept in a roadworthy condition at the cost of the farmers. G.D.R. has accepted to take back modified tractors and pay Rs. 9,700/- to the farmers after deducting 8 per cent of the price as depreciation....

Taking advantage of the above protocol, Germans are taking retaliatory steps to curb the farmers who have demanded the return of tractors. They are delaying modification intentionally because after modification only tractors will be taken

back, as per the terms of the protocol. At the time of modification G.D.R. Technicians are demanding Rs. 1000 to 5000/- for vehicle to put the tractor in a roadworthy condition. . . . In this way the G.D.R. is putting the farmers in a miserable position compelling them either to retain the tractors or return them at a nominal price so that they can sell the returned tractors again at a cheaper rate. . . .

It is unfortunate that at the time of signing the protocol neither the farmers nor the Corporation were consulted. This gave the G.D.R. traders an upper hand and they are dictating terms to the Corporation and the farmers."

9.2. The petitioner, in his representation, made the following requests:—

- “(i) All the tractors should be returned whether modified or not.
- (ii) Entire money should be paid back to the farmers.
- (iii) New tractors should be allotted immediately.
- (iv) Price of the Zetor tractors should be fixed at par with other States.
- (v) Farmers have no responsibility to replace the defective parts.
- (vi) The payment of instalments to be paid to the bank has to be deferred for one year from the date of final settlement.
- (vii) To appoint a Parliamentary Committee to assess the losses sustained by the farmers and the Corporation in this deal and suggest suitable compensation to the victims.”

B. Factual Comments of the Ministry of Agriculture (Department of Agriculture)

9.3. The representation was referred to the Ministry of Agriculture (Department of Agriculture) for furnishing their factual comments for consideration of the Committee. The Ministry furnished a note, dated the 20th August, 1971 (See Appendix XIII) in which they stated *inter alia* as follows:—

“A protocol was signed between the State Trading Corporation and the G.D.R. Suppliers on 21st February, 1971, about the return of modified RS-09 tractors. The G.D.R. Representatives have since started inspecting these tractors and making refunds to the Corporations.

The concerned State Agro-Industries Corporations were advised to replace RS-09 tractors with other makes of tractors viz. Zetor

and Ursus tractors to the extent possible. Additional allocations have also been made for the purpose. In case the farmers do not wish any other tractor, the Corporations were requested to consider the question of refund of money in cash.

After protracted negotiations and persuasions the G.D.R. has agreed to the return of modified RS-09 tractors with depreciation of 8 per cent on the C&F cost of the tractors. It has not been possible to secure 100 per cent refund of the cost of these tractors."

C. Recommendations of the Committee on Estimates

9.4. The Committee on Estimates, in their Fifth Report (5LS) on the Ministry of Agriculture (Department of Agriculture)—Tractors and other Agricultural Machinery and Implements, examined *inter alia* the Import of Tractors including RS-09 tractors from East Germany and made the following recommendations (in paras 3.48 to 3.56):—

"The Committee are distressed to note that RS-09 tractor which was tested at Budni Tractor Training and Testing Station is different from RS-09 tractor imported from the German Democratic Republic. The Committee consider this as a very serious matter as the import and licensing policy was decided on the basis of these tests. . . . The Committee, therefore, urge that Government should investigate the whole matter and fix responsibility as to why thorough tests were not carried out on the modified RS-09 tractors and why tractors with different specification were allowed to imported in the country.

Further even after carrying out the modifications on RS-09 tractors by the technicians of the supplier firm the reports about their working have not been encouraging. The Committee, however, note that the State Trading Corporation have recently signed a protocol with the G.D.R. suppliers which provides *inter alia* that tractors modified upto the date of signing the protocol would be taken back by the supplier firm on the basis of the C&F price at Bombay Port after deducting 8 per cent depreciation. The Committee trust that in this process Government would fully safeguard the interests of the farmers who have purchased the tractors in good faith from the Agro-Industries corporations and would provide adequate facilities to them to return their tractors. The period of operation of the agreement may be got suitably extended so that farmers spread all over the villages get adequate opportunity to avail of it and get full refund for the tractors which they do not want.

Government should ensure implementation in letter and spirit of the Agreement and also see that the farmers who purchased the tractors are paid the due amount without delay. In settling the amount; the Committee have no doubt that the Government would keep in mind the fact that the farmers who invested their precious money in these tractors suffered as they were not able to put these tractors to productive use."

9.5. The action taken replies furnished by Government on the above recommendations contained in the Fifth Report of the Committee on Estimates, have been considered by that Committee and are contained in their Twenty-Fifth Report (5LS). In their action taken replies, the Ministry of Agriculture (Department of Agriculture) have stated *inter alia* as follows:—

"The case pertaining to the preliminary enquiry into the RS-09 tractors has been entrusted to the Central Bureau of Investigation... Further action will be taken in the light of the report of the CBI.

All possible efforts are being made by the Government of India to ensure implementation of the protocol and also to the payment of the amounts to the RS-09 tractor owners'.

The following amounts are reported to have been paid to the various State Agro-Industries Corporations for the return of RS-09 tractors by the GDR Suppliers' Agents in India:—

Name of the Corporation	Amount paid
	Rs.
Andhra Pradesh	2,42,164
Gujarat	11,39,108
Punjab	9,79,541
Rajasthan	1,95,655
TOTAL	25,56,468

According to the information received from the Andhra Pradesh State Agro-Industries Corporation, refund was accorded to all the 28 farmers who were covered under protocol signed on 21st February, 1971. The Rajasthan Corporation has reported that amounts have been disbursed to the owners of 23 RS-09 tractors.

The Gujarat Corporation has reported that it has taken over 250 RS-09 tractors from their owners who have already been paid the value

of their tractors after taking into account the deductions for the damages or short supply of loose items returned with the tractors etc.

The Mysore Corporation has taken over all the 8 RS-09 tractors sold to farmers by replacing with 6 Zettor-2011 tractors. In the case of the remaining 2 tractors, the cost of tractors had been refunded to the parties/financiers concerned.

The Punjab Corporation has refunded the amount in the case of 80 tractors where the ownership/titleship of tractors was completely transferred."

D. Observation of the Committee

9.6. The Committee note that the Committee on Estimates have also considered the Memorandum submitted by the A.P. RS-09 Tractors Owners' Association who are the petitioners in the present case. The Committee also note that all the points raised by the petitioners have been dealt with by the Committee on Estimates in their Fifth Report (5LS) and they have made certain recommendations thereon. On the basis of those recommendations, amounts have been refunded to owners of RS-09 tractors. The matter is also being investigated by C.B.I. to fix responsibility on guilty persons. In view of the fact that all the points raised by the petitioners have been covered by the Fifth and Twenty-Fifth Reports of the Committee on Estimates (Fifth Lok Sabha) and the main grievances of the petitioner have been redressed, the Committee feel that no further action is needed on their part.

REPRESENTATION FROM SHRI N. GANAPATHY, PRESIDENT,
KERALA STATE CARDAMOM PLANTERS' ASSOCIATION, MUNNAR
RE. REGISTRATION OF SMALL SCALE CARDAMOM CULTIVATORS
AND RULES RELATING TO ASSIGNMENT OF LAND FOR
CULTIVATION OF CARDAMOM IN KERALA

10.1. Shri N. Ganapathy, President, Kerala State Cardamom Planters' Association, Munnar, submitted a representation regarding registration of small scale cardamom cultivators and rules relating to assignment of land for cultivation of cardamom in Kerala.

A. Petitioner's Grievances and Prayer

10.2. In his representation (*see* Appendix XIV), Shri Ganapathy submitted *inter alia* as follows:—

“Within the Indian Union the cardamom cultivation of Kerala are facing stiff competition from their counterparts in Tamil Nadu and Mysore. The Governments of these States are encouraging the production of cardamom. They are assigning the lands on registry to the cultivators. They are giving all financial and technical assistance to the cultivators. The Financing Agencies and the Cardamom Board come to their help as the lands belong to them. They can obtain the required finance on the security of their lands.

But in Kerala as pointed out earlier the cultivators have only leasehold rights on the land. They have frequently to face the threat of eviction. The cultivators in the Cardamom Hill Reserves and other places are discriminated. When the cultivators of the Cardamom Hill Reserve will have to pay a large amount by way of premium and pattom the cultivators elsewhere will have to pay a nominal sum.

On a previous representation in 1966 the Cardamom Board has also considered the question of giving registry and recommended the State Government to sanction registry the lands suitable for cardamom cultivation to the respective lessees in the interest of replantation, labour welfare, better production effective competition with the counterparts in Madras and Mysore, to gain more foreign exchange and to secure assistance from the Cardamom Board and the Government of India.”

10.3. The petitioner prayed that "The Governments of Tamil Nadu, Mysore and Kerala may be directed to assigned on registry the lands suitable for cardamom cultivation in uniform basis including frame uniformity Bill so that the respective lessees in the interest of replantation, labour welfare, better production, effective competition with their counterparts of Kerala, Tamil Nadu and Mysore to gain more foreign exchange and to secure assistance from the Cardamom Board and the Government of India."

B. Factual Comments of the Ministry of Foreign Trade

10.4. The representation was referred to the Ministry of Foreign Trade for furnishing their factual comments on the representation for consideration by the Committee. In their factual comments, the Ministry of Foreign Trade have stated as follows:—

"As will be seen from the representation, the points raised therein for consideration of this Ministry were as under:—

- (i) Registration of small growers of cardamom with a view to enabling them to sell their produce which was not permissible under the Cardamom (Licensing and Registration) Rules, 1968 otherwise

and

- (ii) Amendment of the Cardamom Act by replacing the word 'owner' appearing in section 11(1) of the Cardamom Act by the word 'grower' to enable the small growers to get themselves registered with concerned Registering Officer of the State Government concerned.

So far as the point at (i) above is concerned, this Ministry is issuing necessary notifications on yearly basis with a view to enabling the planters to sell their produce and thus removing the hardships caused to them on the enforcement of the Cardamom (L&R) Rules, 1968. This has solved the problem of the small growers of cardamom and there is no complaint from any quarter in this matter now. The notifications in question are issued by the Government on year to year basis.

As regards the point at (ii) above, it may be stated that the State Governments of Kerala, Mysore and Tamil Nadu have already been consulted and their consent to the proposed amendment of Cardamom Act, 1965 to replace the word 'owner' by the word 'grower' has been obtained.

It may, however, be stated in this connection that as the piecemeal amendment of the Act is not considered desirable taking into account the fact that the procedure for amending the Act is very tedious and cumbersome. As such, the Cardamom

Board was requested to let this Ministry have a statement of all amendments which they may be having in view so that all amendments are considered together and a consolidated amendment bill is introduced in Parliament. The Board has written, in reply, to say that the proposed amendment may be held in abeyance keeping in view the fact that a Sub-Committee has been set up by the Board to review the entire working of Cardamom Act and the Rules framed thereunder read along with other commodity Acts like Coffee Act, Tea Act and Rubber Act etc. and to suggest appropriate amendments necessitated by the experience of the working of the Act since the inception of the Board.

Moreover, the Chief Minister of Mysore has advocated pooled marketing of cardamom. The cardamom growers of Mysore State have been pressing for pooled marketing of cardamom. Their representative in the Cardamom Board Shri D. B. Chandra Gowda, Member, Lok Sabha, is also of the firm view that pooled marketing of cardamom is very necessary for the development of the cardamom plantation industry in India as a whole and in Mysore, in particular. If this is agreed, a complete chapter on Marketing of Cardamom will have to be inserted in the Act along with other minor amendments.

In the circumstances explained above, the Amendment of Cardamom Act for substituting the word 'Owner' by the word 'Grower' will be taken up along with other amendments expected to be made on the recommendations of the Sub-Committee appointed by the Board for this purpose."

C. Observation of the Comitée

10.5. The Committee note that the Cardamom Board has already set up a sub-Committee to review the entire working of the Cardamom Act, 1965 and the rules made thereunder. The Committee desire that the Ministry of Commerce may ask the Cardamom Board to have the report of that Sub-Committee expedited so that a comprehensive amending Bill may be introduced in Parliament incorporating therein also the suggestions made by the petitioner.

XI

REPRESENTATION FROM SHRI ASHOK JOSHI AND OTHER EMPLOYEES OF BIRLA BROTHERS (PVT.) LTD., AND ITS ALLIED CONCERNS AT CALCUTTA, RE: RE-OPENING OF CLOSED OFFICES OF THE BIRLAS IN CALCUTTA WITH ALL EMPLOYEES ON ROLL PRIOR TO THE CLOSURE

11.1. Shri Mohammad Ismail, M.P., had forwarded a representation signed by Shri Ashok Joshi and other employees of Birla Brothers (Pvt.) Ltd., and its allied concerns at Calcutta regarding re-opening of those offices with all the employees on roll prior to their closure.

A. Petitioners' Grievances and Prayer

11.2. In their representation, the petitioners stated *inter alia* as follows:—

“The Birlas closed their offices on 23-2-70 arbitrarily throwing about 2000 of their employees out of employment. The only offence of the petitioners was that they just wanted to exercise their fundamental right guaranteed by the Constitution of India. They formed their Union, registered it with the Government and requested the Management of the Birlas to recognise the same. Instead of recognising it, they closed down their offices with a view to victimise them. Consequently, the employees under the baner of their Union namely, ‘Birla Brothers and its allied Concerns Employees Union’ have been struggling for the last twenty-one months.”

11.3. The petitioners prayed *inter alia* that the Birlas might be induced to reopen their offices with all the concerned employees and their fundamental rights might be protected.

B. Factual comments of the Ministry of Labour and Rehabilitation (Deptt. of Labour and Employment)

11.4. The representation was referred to the Ministry of Labour and Rehabilitation (Department of Labour and Employment) for furnishing their factual comments for consideration by the Committee. In their reply, the Ministry of Labour and Rehabilitation (Department of Labour and Employment) stated that the appropriate Government in this case under the Industrial Dispute Act continued to be the State Government (i.e. Government of West Bengal) even after the imposition of President's Rule and that the matter had been brought to the attention of the State Government by them. The Ministry of Labour and Rehabilitation (Department of Labour and Employment) also forwarded a note regarding the dispute, furnished to them by the Government of West Bengal (See Appendix XV).

11.5. Subsequently, on the 11th September, 1972, the Ministry of Labour and Rehabilitation (Department of Labour and Employment) furnished a copy of the Note (See Appendix XVI) of the Joint Labour Commissioner, Government of West Bengal, stating the position in the matter wherein it had been stated *inter alia* as follows:

“In terms of the understanding reached for reopening of the offices, the managements of the Birla Offices agreed to take back as many of the left out employees as they can after reopening of the offices. As regards remaining employees, who cannot be taken back, it was agreed that their cases would be taken up for conciliation failing which such cases would be referred to adjudication by the Government. In order, therefore, to enable the Government to take necessary action in this regard the management of the main Birla Offices were requested to furnish the following information to the Labour Directorate by 30th June, 1972:

- (i) Date of re-opening of Calcutta Office.
- (ii) Number of employees employed immediately prior to the closure or shifting of office.
- (iii) Number of employees employed after reopening including new recruits, if any.
- (iv) Number of employees, who were employed prior to closure or shifting but not taken in on re-opening of the office with reasons therefor.
- (v) Number of employees who have not been taken back upto now with their service particulars.

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**

All the information requested have not been furnished. Only the names of employees who are stated to have abandoned their services have been given.

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**

**

.....The representatives on behalf of the offices who discussed this matter at Government level indicated that after reopening they will try to absorb as many as possible.”

C. Observation of the Committee

11.6. The Committee note the position intimated by the Government and hope that necessary steps would be taken urgently to ensure that all the remaining affected employees of the involved concerns are taken back and given work without any undue delay.

XII

REPRESENTATIONS INADMISSIBLE AS PETITIONS

12.1. During the period under report, the Committee have considered four other representations and letters addressed to the House, the Speaker or the Committee, by different individual which were inadmissible as petitions.

12.2. The Committee observe that through their intervention, the petitioners have been provided expeditious, partial or complete relief or due redressal of their grievances, or that the Ministries/Departments concerned have explained satisfactorily the grounds for not being able to remove the petitioners' grievances (See Appendix XVII).

NEW DELHI;

Dated the 6th July, 1973.

ANANT PRASAD SHARMA,
Chairman,
Committee on Petitions

APPENDIX I

(See para 1.1 of the Report)

PETITION No. 2

(Presented to Lok Sabha on 2-9-1972)

To

LOK SABHA
NEW DELHI

The humble petition of Shri Dilip Chakraborty and Shri Jayanta Kumar Gan, Editor and Printer & Publisher, respectively, of the news weekly *Bangla Desh*, printed and published from No. 9 Lalbazar Street Calcutta.

SHEWETH

That since 1st May, 1971, the petitioners have been publishing the news weekly called *Bangla Desh* in Bengali Language under Registered No. R. N. 18502-71 (Registered with the Registrar of Newspapers for India at New Delhi) having the largest circulation amongst news weeklies in Bengali.

That your petitioners cater news and views with a view to eliminate corruption, nepotism, bribery, jobbery, favouritism from public and private sectors and seek to discharge their duties as honest journalists without fear or favour.

That in course of such duties your petitioners had to publish revealing facts against Honourable Central and State Ministers, Hon'ble Members of the Parliament and State Legislatures, high executives and the bureaucracy and earned their displeasure.

As an outcome of this we are getting continuously threats and our journalists and hawkers are being harmed. This is also being done in the public meetings by people belonging to ruling party, who have been criticised by us and, as a result of this, the freedom of the Press is in great danger.

Papers have been burnt repeatedly. Only the other day 1,000 copies of the paper were burnt by a set of people at Sealdah Station. We have not been able to get any protection from any quarter. Parliament is an instrument of democracy and the first item in democracy is the freedom of the Press.

Your petitioners most respectfully submit that freedom of expression being a fundamental right guaranteed by the Constitution should be preserved with great care and more so in a professed democratic country which claims to move towards Socialism.

Your petitioners also submit that freedom of the Press including the freedom of news weeklies should be zealously protected from attacks from all quarters and steps should be taken against persons encroaching upon such rights.

and accordingly your petitioners most fervently pray that the threats, intimidations, attacks against your petitioners and *Bangla Desh* be stopped and adequate steps be taken to preserve the freedom of the Press, Newspapers, News weeklies of India (including those of *Bangla Desh*) and ensure safety of the Editors, Printers, Publishers of such papers (including those of your petitioners) so that they may discharge their onerous duties honestly and faithfully without fear or favour and your petitioners as in duty bound shall ever pray.

Sl. No.	Name of petitioner(s)	Address	Signature or thumb impression
1.	Dil'p Chakraborty	9, Lal Bazar Street, Calcutta	Sd/-
2.	Jayanta Kumar Gan	Do.	Sd/-

Countersigned by: Shri Jyotirmoy Bose,
M.P.

APPENDIX II

(See para 1.7 of the Report)

Comments of the Government of West Bengal on Petition No. 2,
received through the Ministry of Home Affairs.

MINISTRY OF HOME AFFAIRS

POLL. I SECTION

SUBJECTS: Petition No. 2 signed by S|Shri Dilip Chakraborty and Jyanta
Kumar Gan, Editor and Printer and Publisher, respectively,
of the Bengali news weekly *Bangla Desh*, Calcutta, regarding
preservation of the freedom of Press.

Will the Lok Sabha Secretariat kindly refer to their O.M.No. 51|2|CI
72, dated the 24th March, 1973, on the subject noted above?

A copy of the State Government report in the matter is sent here-
with.

Sd/-
(T. R. Agnani)
Under Secretary.

Lok Sabha Secretariat (Shri P. K. Patnaik, Joint Secretary). M.H.A.
U.O.No. 49|34|72-Poll. I, dated 9-4-1973.

Enclosure I to Appendix II

(See para 1.6 of the Report)

Shrimati L. Chakrabarti,
Deputy Secretary.

West Bengal Secretariat
Home Department (Police)
Calcutta, the 23rd March, 1973.

D.O. No. 1884-P1

Dear Shri Vasudevan,

Kindly refer to your D.O. letter No. 49|34|72-Poll. I, dated 12th March,
1973 addressed to Shri M. M. Kushari regarding two petitions received
by Lok Sabha from Shri Dilip Chakraborty and Shri Jayanta Kumar
Gan of weekly "Bangla Desh". The specific allegations contained in the
said two petitions relating to Calcutta area have already been enquired
into. I am enclosing a copy of report from the Commissioner of Police,
Calcutta, in this connection. It may be mentioned here that in August,
1972, a teleprinter message bearing No. 5498-P1, dated 30th August, 1972

was sent to the Government of India in connection with an adjournment motion in the Parliament (copy enclosed).

With regards,

Yours sincerely,
Sd/-

Shri R. Vasudevan,
Deputy Secretary,
Government of India,
Ministry of Home Affairs,
New Delhi.

Enclosure II to Appendix II
(See para 1.7 of the Report)

Copy of Report

Re: *Para 6 of the petition No. 2. Burning of papers at Sealdah Station*

A reporter of *Satyayug* lodged a complaint with the Muchipara Police Station on 23rd August, 1972 to the effect that at about 10.45 hrs. the same day, some unknown boys led by Pradip Ghosh threatened Shri Panakaj Kr. Dey and Shri Paritosh Das, owners of newspapers-stalls in the vicinity of Sealdah Railway State, not to sell *Darpan*, *Desh Hitaishi*, *Satyayug* and *Bangla desh*. They took away some copies of aforesaid papers from their stall and burnt the same in the Sealdah Railway Station Compound.

Another hawker of the aforesaid newspapers also alleged that some unknown boys took away 12 copies of *Darpan* from his stall at 241, A.P.C. Road and burnt those copies at about 11.00 hrs. at 23rd August, 1972.

This refers to Muchipara PS G.D. Entry No. 2313 dated 23rd August, 1972.

Enclosure III to Appendix II
(See para 1.6 of the Report)

TELEPRINTER MESSAGE

CRASH

FROM: CHIEF SECRETARY, CALCUTTA. TO: HOME, NEW DELHI.
MESSAGE BEGINS(.) NUMBER 5498-P1. DT. 30, AUGUST, 1972.(.)

Reference Ministry's Number 11158/72, Poll. 2 dated 28th August, 1972

The following are the materials in respect of the adjournment Motion. Some unknown youths, alleged to be supporters of the Yuba Congress and the Chhatra Parishad, made a Bon fire of some copies of the *Darpan*, the *Desh Hitaishi*, the *Bangladesh* and the *Satyayug* on 23rd August, 1972 on the Acharya Prafulla Chandra Road and the vicinity of the Sealdah Railway Station after snatching the same from some unlicensed Hawkers. Those Youths also shouted slogans decrying the said papers

***Omitted. This portion relates to another case.

for publishing false & slanderous reports against the Leaders of the ruling party. On the information lodged by some newspapers Hawkers entries in the General diary were made at Muchipara P.S. and Sealdah G.R.P.S.

The *Satyayug* & *Ganasakti* have described those incidents as ominous portent for Muzzling the voice of dissent and infringement on the freedom of press. The *Satyayug* in its issue dated 27th August, 1972 published a statement purporting to have been issued by the West Bengal News paper Sellers' association which *inter alia* condemned the Nefarious activities of some Anti-social elements for snatching copies of the above-mentioned newspapers from the Hawkers of Sealdah, college St. and some other areas in Calcutta and making a bonfire of the same. On 28th August, 1972 a section of newspaper hawkers handed over a Memorandum addressed to the Chief Minister of West Bengal to an official containing the above-mentioned allegations.

The Police has intensified its vigilance to forestall resurgence of such incidents.

Sd/- B. C. Sarma,
Joint Secretary to the Govt.
of West Bengal (Home Department).

APPENDIX III

(See para 2.1.of the Report)

PETITION NO. 5

(Presented to Lok Sabha by Shri Indrajit Gupta, M.P. on 27-3-1973)

[Considered by the Committee on Petitions, Lok Sabha, at their sitting held on the 28th March, 1973, 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 Shri C. Rajeswara Rao and others SHEWETH.

Whereas our country is in deep crisis, our people's sufferings are increasing, prices are rising and unemployment is growing;

Whereas the offensive of the landlords in the villages has been stepped up against the peasants and agricultural labourers;

Whereas the ruling party's *garibi Hatao* slogan still remains on paper;

Whereas the decision to take over the wholesale trade in rice and wheat and to control prices, to carry out land reforms and to provide jobs are not being properly carried out;

Whereas even some Chief Ministers are not implementing the above-mentioned decisions;

Whereas corruption is spreading at all levels and the bureaucracy maintains its deadly grip on the administration acting as tools of reaction;

Whereas the Government is taking no effective steps to curb the power of landlords and monopolists, and that, on the contrary, it is going back on its proclamation and giving concessions after concessions to landlords and capitalists, thereby aggravating the crisis;

Whereas the dark forces of reaction are utilising the situation to launch a big offensive in various forms, are opposing the limited ceiling laws brought forward by the State Governments, opposing the very concept of State take-over of trade in foodgrains, opposing any ceiling on urban property, opposing Raj Committee's recommendations on taxation of the rural rich, fomenting linguistic, regional and communal conflicts in order to divide the masses and want to disrupt the unity of the working

people and to reverse the advance the democratic forces have made in recent years;

Whereas American imperialism is preparing to take advantage of our difficulties for its neo-colonialist offensive against our sub-continent;

Whereas in view of the situation as stated above, several million workers, agricultural labourers, peasants artisans, office employees, students, teachers, small traders and other sections of our working people in all the States and Union Territories of India have signed a charter of urgent demands, the acceptance and implementation of which by the Government and other concerned authorities are of paramount importance for the well-being of our people and for the all-round progress of our country;

Whereas tens of thousands of such working people on their own behalf and on behalf of the other signatories have converged from all parts of the country, carrying with them the above-mentioned charter of demands so signed, to stage a march to Parliament and to thus voice the popular demands on March, 27, 1973 in order to call upon the Government and others concerned to accept and implement them;

and accordingly your petitioners pray that the following measures be taken immediately:

For bringing down prices and providing relief to the masses

Immediate take-over of wholesale trade in wheat, rice, coarse grains, pulses, sugar, edible oils, kerosene, standard cloth, matches and essential drugs;

Distribution of essential commodities through a public distribution system of fair price shops which must be opened in adequate numbers in rural and urban areas;

Direct procurement by the State from the producer of the marketable surplus at remunerative prices; it must also take over the entire stocks of the other commodities mentioned above;

Dehoard the hidden stocks of big wholesalers and landlords and arrest the hoarders, blackmarketeers and speculators; and

Nationalise immediately the sugar, textiles and drugs industries.

For necessary and adequate relief

Provide necessary and adequate relief for all areas affected by drought and natural calamities, including remission of land revenue and of fees of needy students in those areas.

For Abolishing landlordism, giving land to the Tiller

Implement immediately the recommendations of the working group on agrarian reforms of the National Commission on Agriculture and the nine-man Committee appointed by the Congress;

Implement these reforms with the help of statutory popular Committees and provide for penal provisions against landlords who violate these laws as has been done by the United Front Government of Kerala;

Grant ownership rights and full protection to tenants and sharecroppers and ban all evictions;

For adequate statutory wage for agricultural labourers and ensure implementation through proper administrative machinery.

For working class interests

Establish a democratic industrial relations system, including unconditional recognition of trade unions by ballot;

Provide a need-based minimum wage.

For solving, the unemployment problem, giving more rights to youth.

Speedy expansion of employment opportunities by rapid industrialisation, radical land reforms, implementation of compulsory primary education and eradication of illiteracy;

Vocational training and more employment opportunities for women;

Legislate to grant voting rights at the age of 18.

For Educational Reforms

Replacement of the present out-moded educational system by a secular and democratic system geared to national objectives and needs along with full political and democratic rights for teachers and students and their adequate representation in all the academic and administrative bodies of colleges and universities.

For stopping social oppression

All social oppression against the Harijans, tribals and backward communities should be put an end to forthwith; deterrent punishment should be imposed on those responsible for discrimination and violence against them;

Committees of committed public men with adequate representation to these castes and communities should be established at the Central and State levels to go into all cases of social oppression and take measures for redressal;

Free legal aid to all victims of social oppression.

For curbing communal forces

Ban communal propaganda and all paramilitary communal organisations;

Deterrent punishment should be meted out to those who incite communal riots;

Purge the state apparatus of all communal elements;

Ensure the full protection of the economic and cultural rights of the Muslims and other minorities.

For fighting Neo-colonialism

Moratorium on all foreign debt repayments involving the expenditure of foreign exchange;

Nationalisation of foreign oil companies;

Firm and resolute steps against those organisations, individuals, journals, etc. which are known to be operating as CIA agencies, identify and weed out CIA elements occupying important posts in the administration and educational institutions;

Stop the use of PL-480 funds in India by the U.S. mission for unaccounted purposes.

We call upon the Government of India to implement these demands.

We appeal to our toiling people, all patriots and democrats to rally, unite and fight to win these demands and take our great country forward to its bright destiny.

and your petitioners as in duty bound will ever pray.

Names of Petitioners	Address	Signature
1 C. Rajeswara Rao	Ajoy Bhavan, Kotla Marg, New Delhi	Sd/-
2 Y. V. Krishna Rao	24-Janpath, New Delhi	Sd/-
3 Satish Loomba	24-Canning Lane, New Delhi	Sd/-
4 Sudhakar Reddy	4/7 Asaf Ali Road, New Delhi	Sd/-
5 Ranajit Guha	4/7, Asaf Ali Road, New Delhi	Sd/-
6 P.K.Kodiyan	Ajoy Bhavan, Kotla Marg, New Delhi and others	Sd/-

Countersigned by : Shri Indrajit Gupta, M. P.
26-3-1973

Appendix IV

(See para 4.2 of the Report)

[Comments of the Ministry of Finance (Deptt. of Revenue & Insurance) as the representation regarding apprehended closure of Ghazipur Opium Factory]

MINISTRY OF FINANCE

(DEPARTMENT OF REVENUE AND INSURANCE)

SUBJECT:—*Petition from Shri Ram Sundar Shastri and other regarding expansion of the Opium Factory at Ghazipur.*

Lok Sabha Secretariat may please refer to their U.O. No. 53|CI|72 dated 14th December, 1972, on the above subject.

2. This Ministry is not aware of the Government having ever given an assurance that the expansion of the Ghazipur Opium Factory would be undertaken with a view to provide employment to the people of that region. Apprehensions have, however, been expressed by the residents of Ghazipur in the past that with the setting up of the new Alkaloid Factory at Neemuch, the Ghazipur Factory may be closed down. In response to various representations sent by the residents of Ghazipur and M.Ps. to the Prime Minister/Minister in the Ministry of Finance, and in response to Parliament Questions, it has been repeatedly stated that there is no intention to close the Ghazipur Factory, that the setting up of the new Alkaloid Factory at Neemuch was unlikely to affect adversely the Factory at Ghazipur in any real sense and that the Government of India would consider taking up the modernisation of this factory also after the new Alkaloid Factory at Neemuch goes into full production and some experience has been gained. Replies given to Shri Jyotirmoy Bosu, M.P. on 4th March, 1970 and Shri Sarjoo Pandey M.P., on 21st October, 1972 are enclosed for perusal.

3. The decision to set up the new Alkaloid Factory at Neemuch was taken as Neemuch was considered to be the best site mainly for the following reasons:—

- (i) Bulk of the total opium produced in India is cultivated in a few contiguous Districts of Madhya Pradesh and Rajasthan and Neemuch is a centrally located place in the opium growing area;
- (ii) Neemuch is nearer to the Pharmaceutical Industries utilising alkaloids which mostly lie in Bombay-Baroda region;
- (iii) Morphine, Codeine and other alkaloids are essential drugs particularly during times of war and from the point of security, it was not considered advisable to have both the factories at the same place.

The Alkaloid Plant at Neemuch has now reached an advanced stage and its erection is likely to be completed by about August, 1973.

4. It would be observed from the following figures of increasing production of the Government Opium and Alkaloid Works, Ghazipur that Government is paying necessary attention to the Ghazipur Factory:—

Year	Opium (In Tonnes)	Alkaloids (In Kgs.)
1967-68	383	4979
1968-69	394	5209
1969-70	448	5950
1970-71	452	5730
1971-72	464	5733

5. As stated about 80 per cent of the total opium produced in India is at present being cultivated in a few contiguous districts of Madhya Pradesh and Rajasthan and Neemuch is a centrally located place in this opium growing area. The transport of opium from Madhya Pradesh and Rajasthan to far off Ghazipur Factory not only entails huge transportation charges but security precautions have also to be taken and Departmental Officers and armed security guards have to be sent with each consignment of opium. Normally it would, therefore, neither be economical nor desirable to transport opium grown in Madhya Pradesh and Rajasthan areas to Ghazipur especially when the drying facilities are available at Neemuch Factory located in the midst of the opium growing areas of Madhya Pradesh and Rajasthan. However, despite these considerations, the opium cultivated in Ratlam I and Ujjain divisions of the Madhya Pradesh and the entire opium cultivated in Rajasthan (excepting Partapgarh Division) has been sent to Ghazipur Opium Factory during the crop season 1971-72 for processing in order to keep the Ghazipur Factory running.

It would be observed from the position explained above that the residents of Ghazipur have no cause for any apprehension.

Sd/-
(A. P. AGRAWAL),
Deputy Secretary to the Government of
India.

Lok Sabha Secretariat (Committee Branch-I)

Miny. of Fin. (Deptt. of Rev. & Ins.) U.O.F. No. 10|73-C.M., dated 7-3-1973.

ENCLOSURE I
to
APPENDIX IV
(See Para 4.2 of the Report)

No. 3547/MRE/72

Minister of State in the Ministry of Finance,
New Delhi: October 21, 1972.

Please refer to your letter dated the 31st July, 1972, regarding the Government Opium & Alkaloid Works, Ghazipur, and my interim reply thereto bearing D.O. No. 2728/MRE/72, dated 28th August, 1972.

2. I have looked into the points raised by you. I am satisfied that there is no intention to close down the Ghazipur Factory. I may, however, mention that the average per hectare opium yield in Uttar Pradesh has been consistently lower than in the States of Madhya Pradesh and Rajasthan. It has also not been possible to secure adequate area for poppy cultivation in Uttar Pradesh to meet the entire requirement of the Ghazipur Factory although all possible efforts have been made and poppy cultivation has been extended to 10 Districts in Uttar Pradesh as against 5 Districts each in Madhya Pradesh and Rajasthan.

3. The bulk of the total opium produced in India is now cultivated in a few contiguous districts of Madhya Pradesh and Rajasthan. The transport of opium from Madhya Pradesh and Rajasthan to far off Ghazipur Factory entails heavy expenditure on freight and security arrangements as Departmental Officers and armed security guards have to be sent with consignments of opium. Keeping in view this additional expenditure and the fact that Neemuch Factory is located in the midst of the opium growing areas of Madhya Pradesh and Rajasthan, it is neither desirable nor economical to send the entire opium grown in Madhya Pradesh and Rajasthan to Ghazipur. However, keeping in view various relevant factors, large quantities of opium are still being transported from Madhya Pradesh and Rajasthan regions to Ghazipur to keep this factory running.

4. The decision to set up the new Alkaloid Factory at Neemuch was taken after taking into consideration all relevant factors and the construction of the new Alkaloid Factory at Neemuch has now reached an advanced stage. You will undoubtedly appreciate that it is not possible to agree to your suggestion to set up the Alkaloid Factory first at Ghazipur. However, the question of modernisation of the Ghazipur Factory might be taken up after gaining some experience in the new Alkaloid Factory at Neemuch.

With kind regards.

Yours sincerely,
Sd/-
(K. R. GANESH).

Shri Sarjoo Pandey,
Member of Parliament,
GHAZIPUR (U.P.).

Copy also at Delhi address:
201, North Avenue, New Delhi.

ENCLOSURE II

APPENDIX IV

(See para 4.2 of the Report)

No. L|590|MRE|70.

Minister of State in the Ministry of Finance,
New Delhi, 4th March, 1970.

Will you kindly refer to the correspondence resting with my letter No. L|596|MRS|70, dated the 28th February, 1970 regarding the shifting of Opium Factory from Ghazipur.

2. There is no proposal to close or shift the Ghazipur Opium Factory. As more than 2/3rds of the total opium produced in India is cultivated in a few contiguous districts of Madhya Pradesh and Rajasthan, a decision was taken in 1965 to set up the new Alkaloids Project at Neemuch (M.P.). This led to certain misapprehensions in the minds of the residents of Ghazipur that the Ghazipur Factory was being closed or shifted. In reply to the representations received in 1965 and 1966 it was stated that there was no such intention. The same position still holds good. In fact, the new plant is unlikely to come into production during the next three years or so. Even after it is set up both the units are expected to continue, to function to meet the growing demands for Opium Alkaloids. The residents of Ghazipur need, therefore, entertain no fears regarding the closure of the Ghazipur Factory.

Yours sincerely,
Sd/-
(P. C. SETHI).

Shri Jyotirmoy Bosu, M.P.,
1-B, Irwin Road,
New Delhi.

APPENDIX V

(See para 5.1 of the Report)

(Representation for ensuring security of service to the employees of the Department of Rehabilitation posted at Mana Camp)

Non-Gazetted Staff Welfare Association, Mana Group of Transit Centres (Recognised) P.O. Mana Camp District—Raipur, (M.P.)

Ref. No. SWA/72-73.

Date: 26th February, 1973.

To

The Chairman,
Committee on Petitions,
Lok Sabha,
Parliament House, New Delhi.

SUBJECT:—*Security of Government service of employees of Mana Group of Transit Centres including Technical Training Centres, Mana, Raipur (M.P.) under the Ministry of Rehabilitation, Government of India, New Delhi.*

Sir,

The Non-Gazetted Staff Welfare Association, Mana Group of Transit Centres and the Technical Training Centre, Mana Camp, of the Department of Rehabilitation, Ministry of Labour, Employment and Rehabilitation, approach the Committee on Petitions for assistance and regularisation of absorption of the staff in regular cadre under the various Government of India offices and ensure the security of service to them.

In this connection, we have to submit the following points for your kind consideration:—

- (a) Most of the employees of Mana Group of Transit Centres have completed more than five years to nine years service and in some cases more than 14 years. These employees are under Government of India service.
- (b) Their services are terminated or about to be terminated shortly on resettlement of the displaced persons (Refugees) without any assurance of their absorption in other Departments or new Organisations of Government of India.
- (c) The Department of Personnel of Cabinet Secretariat are not allowing these employees to have them Registered in the

Surplus Cell of staff of the Government of India, whereas that Department is responsible to see and regulate employment of all the Government of India servants whether they are posted in Delhi or outside anywhere in India including subordinate Organisations under various Ministries.

- (d) The Department of Personnel, Cabinet Secretariat, New Delhi, has created a Surplus Cell under the Ministry of Home Affairs, New Delhi for providing alternate employment to only those employees who are uprooted from offices *in Delhi only* and they are absorbed in offices of the Government of India throughout the country *i.e.*, outside Delhi also in other States.

But the Government employees of Mana Group of Transit Centres including Technical Training Centres are not allowed by them to get their names registered in the Surplus Cell of the Ministry of Home Affairs.

The fact is being brought to the kind notice of the Committee on Petitions that the attitude of the Department of Personnel towards Government employees posted outside Delhi and retrenched is a total discrimination for no fault of the employees that they have served the Government of India outside Delhi.

It is not known how and why the Department of Personnel is favouring only the employees in Delhi only. Are we not the citizens of India and public servants in the Government of India? We feel that this is grossly against the Principles of a Welfare State and especially of that Department to make such a discrimination amongst the Government servants. We also feel that we are being given a step-motherly treatment by the Department of Personnel.

Permanency in Service

As the Mana Group of Transit Centres is in existence for the last about nine years (since started in 1964), the employees have become part and parcel of the Government of India after putting a decade's service and if they are thrown out of employment, they have no place to go. This will also ruin the career of the employees as well as their families. This sort of treatment on the part of the Department of Personnel will lead to unnecessary agitations, disappointments, discontentment etc. among the employees who have rendered the best part of their youth to the Public Service.

We, therefore, pray that the employees of the Mana Group of Transit Centres, should get permanent status in Government Service.

The Committee may kindly persuade the Government of India to regulate the service conditions and eradicate the discrimination between Departments.

We remain,

Yours faithfully,

Sd/-

(K. UNNIKRISHNAN)

General Secretary,

Non-Gazetted Staff Welfare Association, Mana Camp,
Raipur (Madhya Pradesh)

APPENDIX VI

(See para 6.1 of the Report)

(Representation regarding introduction of the System of Postal Zone-Numbers in India)

To

LOK SABHA,
NEW DELHI.

The humble petition of Shri C. Kesaviah Naidu, Chittoor District, Andhra Pradesh,

SHEWETH

A letter by an Indian in West Germany, under the Caption "POSTAL NUMBERS" appeared in page 8 of "The Hindu" dated 1st December, 1971, which is self-explanatory, is reproduced below:—

"Recently, I read that a computer committed a mistake (actually it should be a mistake in programming) in processing one-invoice for a party in Calicut and sent the goods to a party at Calcutta. Such a mistake could be avoided by adopting the simple and effective system of postal zone numbers existing in West Germany.

Under this system each city, town and village has a definite number and it is quite simple to follow. For example, the big cities are numbered in single digits as follows:—

1. New Delhi, 2, Calcutta, 3, Bombay, 4, Madras, 5, Bangalore etc., but not more than 9, irrespective of the number of States. Thus the whole country is divided into 8 or 9 zones, these single digit numbers referring to a big city or the biggest Town in any Zone. The next bigger town in a zone is given a second digit number, in addition to the first digit of its zone. For example, if Coimbatore comes in the 4th Zone of Madras, it may be numbered as 41 and Madurai as 42, Tiruchi as 43 and so on upto 49. Now the smaller towns around Coimbatore are numbered in the third digit as 411, 412, 413...and around Madurai as 421, 422, 423 and so on. Again if for example, Madukkarai, near Coimbatore, has a number 413, the villages around it get the numbers in the fourth digit, viz., 4131, 4132 and so on. By this simple means, it can easily be seen that a village numbered 4131 lies in Madras Zone (4) in Coimbatore postal district (1) and near Madukkarai (3). Thus the first three digits locate clearly any small place in the country, without any difficulty of writing the State, District, sometimes Taluk, (via)

.....(near).....etc. in the postal addresses.

The small beautiful village, where I am living has a postal number 7992, the first digit referring to the big city Stuttgart in the southern part of West Germany. If only this postal zone system were introduced in India, the mistake in programming or in the processing of the computer (if anybody wants to put the blame on the poor computer), or in reading Calcutta for Calicut or the other way, ail could have easily been avoided. Again it is of great advantage in sorting the mails, where sometimes it is difficult to read the hand-written names of the places on the envelopes. The first sorting can easily be done by looking at only the first digit of the number, the second digit for second sorting and so on.

Tett nang (W. Germany).

R. SANTHANAKRISHNAN"

He took pains and got it published with the fond hope that we should adopt it in India, having already adopted Metric system of weights, measures, coins and so on.

During 1972-73 (this year) Mr. Y. B. Chavan, the Finance Minister wants to allot a permanent number (it costs nothing and it is not a purchasable commodity also) to each Income-Tax Assessee to see that he regularly pays the tax. In such circumstances, why not each Sub-Post Office be served with an uncostly and unpurchasable Number, for each letter to have it to go to the right place (destination), instead of to wrong places like Oofy for Gooty.

Chandragiri (A.P.) for Chandragiri (Orissa) (Mysore)

Madura (South) for Madura (North) (another in A.P.)

Jalgaon for Jalgaon (Orissa) (Maharashtra)

Cheques, Demand Drafts and the like are mis-carried and it takes a month to return back to its proper place.

and accordingly your petitioner prays that

- (1) Postal Numbers may be allotted for each Sub-Post Office at present; and
- (2) on experience, it may be extended to Branch Post Offices after two years.

and your petitioner as in duty bound will ever pray

Name of Petitioner	Address	Signature with date
Shri C. Kesaviah Naidu.	Sarpanch, Bheemavaram Gram Panchayat, Narasingapuram Post, Chittoor Dist. (A.P.)	Sd/- C. Kesaviah Naidu

Countersigned SHRI NARASIMHA REDDY,

APPENDIX VII

(See para 6.3 of the Report)

(Note on the "National Postal Code" received from by the Posts and Telegraph Board)

Postal Code is a means of denoting postal address by certain numerals or letters or a combination of both. Codes are primarily intended to be written by the members of the public on the letters written by them though it is also possible for the members of the public to write addresses in the normal manner which are coded by the Post Office before sorting them. If Postal Codes are written on letters, the sorters will not be required to scan through the whole address but can sort them for different destinations according to the Postal Code written on the letters. This expedites his work.

Postal Code may be purely numeric or it can be an Alpha Code when some letters of the alphabet are used. It could be Alpha-numeric when both alphabets and numerals are used in combination to indicate the Code Number. Initial studies indicate that it may be preferable in a country like India to use purely numerical code in order to overcome the problem that may be posed if alphabets of different languages are used in a multi-lingual country.

Almost all the industrially advanced countries have found it expedient to introduce Postal Code. The code pattern generally in vogue in countries like West Germany, Netherlands, Belgium, America, Japan, Australia, etc. is numerical and is primarily meant to facilitate routing. in U.K., however, an Alpha-numeric code is used for mounting of mail as well as ultimate delivery.

A six digit National Postal Code for India is under consideration. According to this, the first digit will indicate different zones of the country. The zone may be a State or a group of States, according to transportation pattern. The second and third digits are intended to indicate the Region-Region may be a part of a District, a District or a group of Districts. The last three digits are intended to indicate the delivery post office serving a particular area.

The evolution of the National Postal Code is in its initial stages and the problems are to be studied in great detail before a tentative decision could be taken. This is because once the Postal Code is developed it cannot be changed too frequently depending on the future changes in the routing pattern, transport system, etc. etc.

APPENDIX VIII

(See para. 7.2 of the Report)

(Representation regarding admissions to Medical Colleges in Delhi)

To

The House of People,
(Lok Sabha),
NEW DELHI

The petition of Shri H. S. Gaur and four other Members of Delhi
Parents Association.

SHEWETH

1. That on 24th August, 1972, Union Health Minister Shri UMA SHANKAR DIXIT assured our Association that in order to absorb the 161 students who had secured Ist Division in their Pre-Medical examination but still had not been able to secure admission to any Medical College, the Government was agreeable to opening of a second shift at the Maulana Azad College, Delhi, provided Delhi University clears the proposal from the Academic point of view and Delhi Administration endorses it from the point of view of administrative practicability. The Minister's assurance given in the course of discussions was formally confirmed through an official communication to us vide letter No. U. 14019/13/72 dated 25th August, 1972 from Shri V. S. Talwar, Deputy Secretary, Ministry of Health and Family Planning. In this letter Shri Talwar wrote very categorically "I am directed to say that the Minister indicated during the discussions that he agreed in principle to a second shift at the Maulana Azad Medical College. However, the Academic Council of the Delhi University would first have to clear it from the point of view of academic feasibility and the Delhi Administration from the point of view of administrative practicability". The same fact was re-confirmed in another letter No. U.14019|13|72-ME(U.G.) dated 29th August, 1972, which also indicated that the Ministry had written directly to the University and Delhi Administration requesting them to examine the proposal for a second shift on priority basis.

2. That on the 30th August, 1972 the Chief Executive Councillor of Delhi gave to us in writing the following assurance: "The question of admission of the first division pre-medical students was considered by the Executive Council. The Executive Council keenly felt that the admission of the students be arranged subject to the concurrence of the Academic Council which is already seized of the matter. Recommendation to this effect be made to the Health Ministry."

3. That on 1st September, 1972, the Vice-Chancellor of Delhi University also expressed his concurrence with the proposal in the course of a letter to the Chief Executive Councillor which read as follows:

"Please refer to the telephonic conversation I had with you this afternoon. You mentioned that at present there are three proposals under discussion to accommodate all those who have done their Pre-medical from Delhi University and have obtained first class but who have not yet been able to secure admission to any medical college:

1. Starting of a new Medical College.
2. Starting a second shift in Maulana Azad Medical College.
3. To distribute these students over the four medical colleges in Delhi, including the All India Medical Institute.

As I told you on the telephone I will be able to accept any one of the above-mentioned arrangements.

With warm regards, P.S. I am sending a copy of this letter to Shri Dixit also with the request that it may be treated as my reply to the Health Ministry's letter in this connection".

4. That however, on 9th September, 1972, the Health Ministry sent a communication *vide* letter No. U. 140919/3/72 dated 9th September, 1972, resiling from their commitment saying that a second shift was not possible and that only 25 of the 161 1st divisioners could be accommodated.

5. That this attitude amounts to a flagrant breach of commitment involving three as distinguished authorities as the Union Health Minister, Chief Executive Councillor and the Vice-Chancellor, as a result of which the career of over one hundred bright young students has been blighted.

6. That under such circumstances, we are left with no other alternative except to approach the Supreme Legislature of the country and accordingly your petitioners pray that the Government be directed to honour its assurance and save the future of the young students.

Dated November, 1972.

Sl. No.	Name of Petitioner(s)	Address	Signature or thumb impression
1.	H. S. Gaur	B-77, Mansarovar Park, Shahadara, Delhi	Sd/-
2.	T. R. Verma	F-74, Bali Nagar, New Delhi	Sd/-
3.	B. S. Walia	C-222, Greater Kailash, New Delhi	Sd/-
4.	N. K. Rustogi	14/16, Shakti Nagar, Delhi	Sd/-
5.	Mrs. Prathiba Rohare	419, Esplanade Road, Delhi-6	Sd/-

Countersigned by : Shri Atal Bihari Vajpayee, M.P.

APPENDIX IX

(See para 7.3 of the Report)

[Comments of the Ministry of Health and Family Planning on the representation regarding admissions to Medical Colleges in Delhi]

U.14611/27/72-ME(UG)

Government of India
Ministry of Health & Family Planning
(Department of Health)

New Delhi, the 23rd December, 1972

OFFICE MEMORANDUM

SUBJECT: *Petition signed by Shri H. S. Gaur and four other members of the Delhi Parents' Association presented to the Raya Sabha on the 24th November by Shri Lal K. Adwani, M.P., regarding alleged assurance by Union Health Minister to open a second shift at the Maulana Azad Medical College, Delhi.*

The undersigned is directed to refer to the O.M. No. RS8 (9)|72-Com II, dated the 25th November, 1972 from the Rajya Sabha Secretariat on the above subject and furnish the following factual comments of the Ministry of Health and Family Planning:

1. It is a fact that some representatives of the Delhi Parents' Association including Shri H. S. Gaur met the Health Minister on the evening of 24th August, 1972. The problem of admission to MBBS course of pre-medical first divisioners of Delhi University was discussed by the Minister with them.
2. It is not a fact, as alleged in the petition, that the Union Health Minister "assured" the Association that the Government was agreeable to the opening of a second shift at Maulana Azad Medical College, Delhi. What, in fact, the Minister had told them was that he agreed in principle to consider the question of opening of a second shift at the Maulana Azad Medical College, on condition that the Academic Council of the Delhi University would first have to clear it from the point of view of academic feasibility and that the Delhi Administration would have to clear it from the point of view of administrative practicability. Moreover, the Minister also told Shri Gaur and other representatives of the Association that the matter would be taken up with the Planning Commission and the Finance Ministry but only after the recommendations of the Academic Council and the Delhi Administration were received. A copy each of a letter No. nil, dated the 25th August,

1972 from Shri H. S. Gaur, President, Delhi Parents' Association to Shri Uma Shankar Dikshit and letter No. U.14019/13/72-ME(UG), dated the 25th August, 1972 from Shri V. S. Talwar, Deputy Secretary, Ministry of Health and Family Planning, Govt. of India to Shri H. S. Gaur, President, Delhi Parents, Association are enclosed.

3. The Health Ministry wrote to the Delhi University on 26th August, 1972 (copy of letter No. 8716-JSU/72 from Shri M. K. Kutty, Joint Secretary to Dr. Sarup Singh is enclosed) requesting them to have the question of starting of second shift at Maulana Azad Medical College discussed in the Academic Council as a matter of priority. The Vice-Chancellor of Delhi University, in his letter No. VC-7337-38 dated the 1st September, 1972, addressed to Shri Radharaman, Chief Executive Councillor, Delhi Administration, of which he sent a copy to Shri Uma Shankar Dikshit, Union Health Minister, by way of a reply to Health Ministry's letter in this connection, *inter alia* stated that he would be able to accept any of the following suggestions:
 - (1) Starting of a new medical college;
 - (2) Starting of a second shift in Maulana Azad Medical College;
 - (3) Distributing these students over the four medical colleges in Delhi including the All India Institute of Medical Sciences, New Delhi. Copy of this letter is enclosed.
4. It will be seen that what was requested of the Vice Chancellor in Health Ministry's letter dated 26th August, was to have the matter placed before and examined by the Academic Council of the University for examination of its academic feasibility. The Vice-Chancellor's letter to the Chief Executive Councillor referred to above could not be treated as "recommendation of the Academic Council" of the University.
5. Another letter was written to the Delhi Administration (copy of letter No. 8717-JSU/72 dated the 26th August, 1972 is enclosed) requesting them to have the administrative practicability of the matter examined by the Delhi Administration. Delhi Administration in their reply (*vide* d.o. No. F.(22)72-M&PH, dated the 6th September, 1972 copy of which is enclosed) forwarded the text of a resolution passed by the Executive Council of Delhi Administration on 30th August, 1972. The resolution made a general reference to the problem of admission of first division pre-medical students, but did not specifically recommended the opening of a second shift at Maulana Azad Medical College.

6. It will thus be seen that neither of the two conditions on which hinged the Minister's acceptance, in principle, of the opening of the second shift, was fulfilled. So that the question of persuing the matter further with the Planning Commission and the Finance Ministry did not arise what to speak of actually opening the shift.
7. Yet prompted by a keen desire to do everything possible to alleviate the difficulties of the pre-medical first divisioners, the question of starting of a second shift in the Maulana Azad Medical College was examined and discussed very carefully and in detail with all the authorities concerned including the University, the Delhi Administration and the Maulana Azad Medical College. But the proposition was not found practicable because of insurmountable practical difficulties pointed out by the authorities concerned. The Maulana Azad Medical College already has an admission strength of 180 (40 seats having been increased in 1970) which is causing overcrowding the college because adequate facilities have not yet been provided for the existing students. Already the college is working from 8.00 A.M. to 4.30 p.m. by greatly straining its resources and facilities. Some lectures and practical classes were already being held in two or three batches. Adequate out-patient and clinical facilities are not yet available even for the existing strength. The college is thus still struggling to bring its teaching and clinical facilities up to the standard laid down by the Medical Council of India. Any further increase of seats at this college even by way of starting a second shift would have resulted in deterioration in the standard of education and possible de-recognition of the Degrees in future by the Medical Council of India, which is statutorily responsible for maintaining standards of medical education. Moreover, the teachers and students of the college are also strongly opposed to any increase in admission to and to the idea of a second shift. The following resolution was passed at the meeting of the Heads of Department of the Institution held on 19th April, 1972:—

Item No. 10—Lowering of admission to under-graduate courses: The Faculty expressed their deep concern over lowering of standards due to increased admission. The Faculty unanimously decided that steps should be taken to reduce the number of admissions to the MBBS course. Director-Principal agreed to convey the decision of the faculty to the authorities concerned and thanked the members for showing interest in the maintenance of high standards". In this connection, it may not be out of place to refer to the following resolution passed by the Executive Council of the Medical Council of India at its meeting on 27th November, 1972:

"The Executive Committee noted with concern the increase in the

number of seats in the Medical Colleges which have already been inspected and recognised by the Medical Council of India or which are awaiting recognition by the Council. This Council recommends recognition of the Medical Colleges on the basis of the facilities provided for the specific number of students at the time of inspection. Such an increase at a later stage would dilute the facilities and bring down the standard of medical education in these colleges. The Executive Committee, therefore, resolves that whenever there is a proposal for increase in the number of seats in any medical college, the institution concerned should send an intimation about the same to the Medical Council of India with a request for an inspection by the Medical Council of India to ensure that adequate facilities have been provided for the additional number of seats and that such facilities are in conformity with the recommendations of the Council."

8. This position was brought to the notice of the Parents Association in this Ministry's letters No. U. 14019|13|72-ME(UG) dated the 9th September, 1972 from Shri V. S. Talwar, Deputy Secretary to the Govt. of India to Shri H. S. Gaur, President of the Parents Association, a copy of which is enclosed.

9. In order, however, to give some relief to the students, who had passed the pre-medical examination of the Delhi University this year in the first division, but had not yet been able to get admission into medical colleges, 25 seats were increased at the Delhi University Medical College beyond its rated capacity of 100, 50 students were sent to Meerut Medical College and 100 seats were kept specifically ear-marked for them in the IInd year of B.Sc. (Hons) course in Zoology and Botany of the Delhi University. About 70 and odd students had got admission to the MBBS course in the Centrally administered colleges at various places outside Delhi where admission to some seats are made on the basis of open-competition.

10. Despite all these efforts, some students were still left over as they were rather reluctant to join either the Zoology or Botany courses or the B.Sc. general course. In order not to leave any possibility unexplored, the entire issue was placed before the Union Cabinet by the Union Health Minister in his note dated the 18th September, 1972. Accordingly, the Cabinet set up a Committee consisting of the following *vide* its minutes dated 18.9.1972:

1. Shri K. K. Dass, Secretary, Ministry of Health and F.P.
2. Shri Ashok Mitra, Secretary, Planning Commission.
3. Shri M. R. Yardi, Secretary, Ministry of Finance. (Deptt. of Expenditure).
4. Shri I.D.N. Sahi, Secretary, Ministry of Education.
5. Shri T. N. Chaturvedi, Chief Secretary, Delhi Administration.

6. Dr. D. S. Kothari, Chairman, University Grants Commission.
7. Dr. Sarup Singh, Vice-Chancellor, Delhi University.
8. Dr. P. N. Chuttani, Director, Post-graduate Institute of Medical Education and Research, Chandigarh.
9. Dr. K. L. Wig, Ex-Director, All India Institute of Medical Sciences, New Delhi.

11. Amongst the seven alternative possibilities examined by this Committee the question of starting a second shift at either Maulana Azad Medical College or at Lady Hardinge Medical College was one. Relevant extract may be seen at p. 15-16 in the report of the Committee, submitted to the Cabinet as enclosed at Annexure II.

12. It would be seen from that Annexure that the difficulties weighed heavily against implementation of this alternative. In any case, the Committee's Report examining all the possible alternatives including that of starting of a second shift was considered by the Union Cabinet at its meeting on 3.11.1972 and it was decided that no further steps were required to be taken in the matter.

Sd| -
(P. MUKHOPADHYAY),
Under Secretary.

To

The Rajya Sabha Sectt.
Parliament House, New Delhi.

No. U. 14011|27|72-ME (UC).

Copy forwarded for information to the Lok Sabha Secretariat (Committee Branch-I) with reference to their U.O. N. 53|CI|72|R|51 dated the 21st November, 1972.

Sd| -
(P. MUKHOPADHYAY),
Under Secretary
28.12.72.

APPENDIX X

(See para 8.2 of the Report)

[Representation from Shri T. M. Nagarajan, Convenor and other six members of Coordination Committee of six Building Workers Unions, Delhi re. grievances and demands of building workers.]

COORDINATION COMMITTEE OF BUILDING WORKERS

The Speaker & Hon'ble
Members of Parliament,
New Delhi.

Respected Sirs,

We, the members of the Coordination Committee, of the six building workers unions, Building Labour Ekta Union, Road and Building Mazdoor Ekta Union, Building & Road Labour Union, All India Building Karmchari Ekta Union, Road & Building Karmachari Union & Swatantra Building Mazdoor Union, wish to submit the following for your kind consideration and necessary action to alleviate the distress of the much-exploited workers in the Construction industry.

Though we build palatial houses, spacious office buildings and majestic roads are living a life of misery with no roof over their heads and with Rs. 3 to Rs. 3.50 a day as daily wages. After hard day's work, even two square meals a day eludes us.

All we want in the Government's help in getting us Rs. 4.50 a day as wages and other minimum facilities to live like human beings. With so much talk of 'Guribi Hatao' the construction workers look forward to the Government's help, if not in completely removing their 'Garibi', but at least in enabling them to have two square meals a day and live in 'Garibi'.

Though the Government has fixed Rs. 4.50 per day as minimum wages, the contractors have not implemented this rate and they are exploiting the workers by paying the old rate of Rs. 3.50 per day. Other Government decisions relating to accident compensation, provision of milk for the children of workers at work site and creches for children, weekly Sunday off or payment of overtime wages in lieu of working on an off day are still on paper. No steps have been taken to enforce them.

Referring to 'wages and working conditions' of contract labour, The National Commission on Labour says (page 420):

"There is wide disparity in the wages and working conditions of direct labour and contract labour. Wage Boards constituted for different industries have recommended extension of uniform wages rates for both

direct and contract labour. But in the absence of an effective implementation machinery, contract labour is paid wages below the rates prescribed for regular workers in the industry. Often they do not get any payment other than basic remuneration."

"Conditions of work are also far from satisfactory. Working hours are irregular and longer. The period for which payment is made varies from a day to six months. There is no security of employment the job ends with contract. If contract labour is employed on jobs within the premises of an establishment covered by the Factories Act, 1948, they get weekly rest like direct workers. Leave with wages is not available to contract labour. In the matter of housing facilities, contract labour is not treated on par with direct labour. It is entitled to benefits under the Employees State Insurance Scheme, but few establishments extend this facility. Similarly, facilities under the amended Employees Provident Fund Act are not available to contract labour, because they do not fulfil the qualifying conditions of 'regular employment of twelve months in the establishment'. In some areas where the practice of the contractor making advance payments to his labour obtains, contractors are reported to take advantage of the illiteracy and ignorance of workers and manipulate accounts so that at the end of the season the workers still owes to the contractor almost the same amount as initially advanced".

Further the study group on construction industry, set up by the Labour Commission, has pointed out that the unregulated entry of persons in this industry, regardless of qualifications or resources, has been a major cause of chaotic labour conditions and sub-standard or slipshod work. A classification and registration of building contractors may be a remedy against this malaise.

On working conditions, the labour commission observes: "There is, however, no law to regulate service conditions, annual leave, safety provisions and social security benefits. Working and living conditions are also depressing in the absence of any specific legislation. Improvements cannot be enforced; and the enactment, though discussed from time to time in tripartite meetings, has not yet materialised. We would suggest that there should be no further delay in this matter. The absence of any regulatory and protective legislation applicable to the construction industry is responsible for several abuses such as employment of child labour or female labour under conditions which are not permissible in factories and mines".

Stressing the need to ensure permanent employment to construction labour, the commission has observed: "It should be possible, by a suitable phasing of the programmes undertaken, to ensure a reasonably steady volume of work and employment. Simultaneously, to ensure greater security of employment, possibility of introducing decasualisation schemes should be explored".

Referring to the construction workers utter helplessness to get the prescribed minimum wages, despite a fair wage clause in the contract for Government works, the commission has observed "However, in the absence of any effective implementation machinery, these safeguards, quite often, have had only an academic value. The worker can complain only at the risk of losing his job". The Commission has further stated: "There are complaints by workers about non-payment, short payment, short measurement of the work done and harsh deductions."

In the end the commission has made the following recommendations:

"1. We recommend strict enforcement of the 'fair wage clause' by the departmental agency, and a review of the fair wages from time to time. Specific target of inspection should be laid down for all categories of inspecting officers as one of the steps to secure enforcement.

2. To guard against non-payment or delayed payment of compensation to the workers or to the next of kin in case of fatal accidents, maintenance of attendance registers showing permanent and local addresses of labour employed by the principal contractors or the sub-contractor should be enforced".

The Labour Commission has submitted its report in August 1969. But nothing has been done to implement these recommendations.

This conference appeals to the Hon'ble speaker and member of Parliament to ensure the fulfilment of the following demands:—

1. Payment of Rs. 4.50 a day per worker, whether male or female.
2. Sunday weekly off or over time wages at double rate in lieu of working on Sunday.
3. Pucca quarters for construction workers.
4. Education facilities for children of construction workers.
5. Provision of milk for the children of workers at work sites.
6. Provision of ayahs to look after the children of construction workers at work sites.
7. Provision of free transport to workers from quarters to work sites.
8. Prompt payment of adequate compensation to workers involved in accidents while at work.

9. Medical facilities on the lines of E.S.I.
10. Payment of bonus to workers.
11. Measures to ensure regular employment to construction workers as recommended by The National Commission on Labour.
12. Legislation for protective, welfare and safety measures for building workers.

It is hoped that with your help, the construction workers can shake off a bit of their 'Garibi'.

Yours faithfully,
(Members of Co-ordination Committee)
Sd/- T. M. Nagarajan (Convener)
and 6 other Members.

Date: April 12, 1972.

APPENDIX XI

(See para 8.3 of the Report)

[Comments of the Ministry of Labour and Rehabilitation (Department of Labour and Employment) on representation *re.* grievances and demands of building workers].

No. H-11016(16)/72-LWI-I

Government of India

(Bharat Sarkar)

MINISTRY OF LABOUR AND REHABILITATION

(Shram Aur Punarvas Mantralaya)

Department of Labour and Employment

(Shram Aur Rozgar Vibhag)

Dated New Delhi, the 8th August, 1972.

OFFICE MEMORANDUM

SUBJECT: *Committee on Petitions, Lok Sabha—Consideration of representation regarding grievances and demands of building workers.*

In continuation of this Ministry's Office Memorandum of even number dated 1st June, 1972, I am directed to furnish factual comments on the points raised in the representation of the Co-ordination Committee of the sixth Building Workers' Unions forwarded with Lok Sabha Secretariat U.O. No. 53|CI|72|R-31 dated 19th April, 1972 as follows:—

Demand No. 1: *Payment of Rs. 4.50 a day per workmen, whether male or female.*

1. The workers employed in the following employments are covered by the Minimum Wages Act, 1948:—

- (i) Construction of maintenance of roads or in building operations;
- (ii) Stone breaking and stone crushing;
- (iii) Maintenance of buildings;
- (iv) Construction and maintenance of runways.

2. The above employments fall in the Central sphere as well as in the State sphere. As regards the Central sphere, the minimum wage rates were last fixed/revised on 19th May, 1969, on the advice of the Minimum Wage Committee (Construction), appointed under the Act. The wage rates differ from area to area.

3. Of late representations for an upward revision in the wages of building construction workers have been received. As far as the Central sphere is concerned, draft proposals for revising the wage rates have been drawn up and have been notified on the 20th May, 1972 with a view to inviting comments objections within a period of three months. The rates will be finalised after considering the comments that may be received. It will also be necessary to consult the Central Advisory Board before finalising the revised wage rates. This is the prescribed procedure for revision of wages under the Minimum Wages Act, 1948.

4. The wage rate fixed by Delhi Administration for building and construction workers (unskilled) is the same as the Central rate i.e. Rs. 3.50 per day with effect from 1st December, 1969. A Notification under Section 5(1) (b) of the Minimum Wages Act, 1948 has been issued on 9th June, 1972 by the Union Territory of Delhi proposing to revise the minimum rates of wages of unskilled workers in employment on the construction or maintenance of roads in building operations. The rates will be enforced after duly considering suggestions and objections received from the public.

In all the contracts entered into by MES, there is a specific provision that contractors must pay their workers wages which should not be lower than the rates of the minimum fair wage prescribed by the Government and which are invariably reproduced in the contract document. For Delhi which falls in area 'A' the minimum rate proposed is Rs. 4.50 per day both for male and female workers. This rate is inclusive of the wages for the weekly rest day.

Demand No. 2: Sunday weekly off or over-time wages at double rate in lieu of working on Sunday.

In the works of CPWD, it is normally ensured that no worker is asked to work on the weekly day of rest. This control is exercised by the Labour Officers working in the CPWD. Central Public Works Department contracts contain the CPWD Contractors' Labour Regulations which stipulate the payment of wages at double the ordinary rate whenever the worker is made to work for more than 48 hours in any week.

It has also been provided under the Central Rules framed under the Minimum Wages Act, 1948, that if a worker works on the rest day i.e. Sunday, he is to be given a substituted rest day in lieu of the work done on the rest day, and also wages for the rest day on which he worked, at the overtime rate, which is double the ordinary rate of wages in case of construction workers. Any worker deprived of the benefit can file a claim application before the Authority as provided under the Act.

Demand No. 3: Pucca quarters for construction workers.

Under the Integrated Subsidised Housing Scheme, industrial workers and all other persons with income not exceeding Rs. 350/- per month are

eligible for allotment of houses. Due to paucity of funds adequate housing facilities cannot be provided to workers. In the present circumstances, it will not be possible to have a separate housing scheme for the construction workers who normally come from areas surrounding the work-sites—Temporary accommodation is usually provided for them on work-sites.

Demands Nos. 4, 5, & 6: Education facilities, provision of milk and ayahs for children of construction workers.

There is already provision of creches for children, shelters, canteens and other welfare measures in the Contract Labour (Regulation and Abolition) Act, 1970.

There is a special Clause in MES Contracts that the contractors shall comply with the provisions of the Payment of Wages Act, 1936, Workmen's Compensation Act, 1923, Employers' Liability Act, 1938 or any other Acts or enactments relating thereto and rules framed thereunder from time to time. The MES Contractors' Labour Regulations, MES Safety Code and MES Medical Rules also contain provisions for the protection of health and for sanitary arrangements for workers employed by contractors. Contractors are required to maintain elaborate records at the site of works from which it should be possible for the Labour Welfare Officers to ascertain whether or not the provisions of the foregoing enactments have been complied with. Any departures therefrom are reported to the Garrison Engineers concerned who have authority to make payments of wages direct to the aggrieved workers.

CPWD contracts contain the model rules for the protection of health and sanitary arrangements for workers employed by CPWD or its contracts which provide that where the number of female workers is more than 25, ayahs shall be provided to look after their children.

Demand No. 7: Provision of free transport to workers from quarters to work-sites.

As already pointed out, construction workers normally come from areas surrounding the work-sites. It is not considered possible to accede to the request for free transport. No such legal provision exists for workers of other industries. Wherever possible employers make transport arrangements for their workers.

Demand No. 8: Prompt payment of adequate compensation to workers involved in accidents while at work.

The workers employed on construction work and getting a monthly wage not exceeding Rupees five hundred are covered under the Workmen's Compensation Act, 1923 and are entitled to compensation under the Act, the rates of which are briefly as under:—

- (a) *For death:* The amount of compensation payable varies from a minimum of Rs. 1,000 (in case of workmen drawing monthly wages of no more than Rs. 10|-) to a maximum of Rs. 10,000 (in case of workmen in the wage group of Rs. 400—Rs. 500).

- (b) *Permanent total disablement*: The amount varies from a minimum of Rs. 1,400 to a maximum of Rs. 14,000|-.
 (c) *Permanent Partial disablement*: The extent of permanent partial disablement is expressed in percentage of loss of earning capacity. These percentages are percentages of the compensation which would be payable in the case of permanent total disablement.
 (d) *Temporary disablement*: Compensation is payable in the shape of half-monthly payments ranging from a minimum of Rs. 5 to a maximum of Rs. 87.50 for a period not exceeding 5 years. No compensation is payable for the waiting period of 3 days but compensation is payable for this period also if disablement lasts for 28 days or more.

2. In order to discourage employers from trying to evade or delay payment of compensation, the following provision [section 4A(3)] was made in the Workmen's Compensation Act in 1959:—

Section 4A(3): Where any employer is in default in paying the compensation due under this Act within one month from the date it fell due the Commissioner may direct that, in addition to the amount of the arrears, simple interest at the rate of six per cent per annum on the amount due together with, if in the opinion of the Commissioner there is no justification for the delay, a further sum not exceeding fifty per cent of such amount, shall be recovered from the employer by way of penalty.

3. The employing Ministries have been requested to review the position and issue suitable instructions to their officers for ensuring prompt payment of compensation|half monthly wages. The matter is being pursued with them.

CPWD Contractors' Labour Regulations which form part of CPWD contracts provide for the payment of adequate compensation to workers involved in accidents while at work.

Demand No. 9: Medical facilities on the lines of E.S.I.

The provision of medical care is a State subject. The position obtaining under the Employees' State Insurance Act, 1948 is as under:—

The Employees State Insurance Act, 1948, is at present applicable to perennial factories employing 20 or more persons and in which a manufacturing process is being carried on with the aid of power but does not include a mine or a railway running shed.

2. The Employees State Insurance Act is applicable to the labour employed directly by the Principal Employer of a factory covered under

the Employees' State Insurance Act for construction work in the factory premises. However, the employees engaged on such work prior to the start of the manufacturing process in the factory will not be covered. The contractors' employees employed in connection with the construction or extension of a covered factory are also not covered under the Employees State Insurance Act.

3. In accordance with section 1(5) of the Employees State Insurance Act, the appropriate Government may, in consultation with the corporation, and where the appropriate Government is a State Government, with the approval of the Central Government, after giving six months' notice of its intention of so doing by notification in the Official Gazette, extend the provisions of this Act or any of them, to any other establishment or class of establishments, industrial, commercial, agricultural or otherwise.

4. The ESIS Review Committee had, however, recommended extension of coverage under the Employees' State Insurance Act and for this purpose it had suggested the following priorities:

The extension of the Scheme may follow progressively the following order in the next ten years or so:—

(a) *Immediately:*

- (i) Factories using power and employing ten or more persons, factories not using power employing twenty or more persons.
- (ii) Running staff of road transport undertakings not at present covered.

(b) *During the Fourth Five Year Plan Period:*

- (i) All the factories whether or not using power employing ten or more persons.
- (ii) Shops and Commercial establishments employing ten or more persons.
- (iii) Trade and Commerce employing ten or more persons.

(c) *Thereafter:*

- (i) All undertakings under (b) above employing five or more persons.
- (ii) Mines and Plantations employing ten or more persons whether or not power is used.

5. The above recommendation has been accepted in principle by the Employees' State Insurance Corporation and the Central Government. It would be observed, construction workers do not come within the priorities recommended by the ESIS Review Committee for extension of coverage under the Employees' State Insurance Act.

6. The question of extension of coverage under the ESI Scheme has at present been entrusted to a Committee on the ESI Corporation on Perspective Planning, for consideration *de novo*. Its report is awaited.

Demand No. 10: *Payment of Bonus to workers:*

The Payment of Bonus Act, 1965, applies to every factory and every other establishment in which 20 or more persons are employed on any day during an accounting year. Section 32(vi) of the Bonus Act says that nothing in the Act shall apply to employees employed through contractors on building operations.

A Committee has been set up to review the operation of the Payment of Bonus Act, 1965 Trade unions can put before the Committee their suggestions for payment of bonus to building workers.

Demand No. 11: *Measures to ensure regular employment to construction workers as recommended by the National Commission on Labour.*

The National Commission on Labour recommended that the possibility of decasualisation scheme should be explored to ensure greater security of employment. This recommendation has been accepted by the Government of India and forwarded to all State Governments and Union Territories for necessary action.

Demand No. 12: *Legislation for protective, welfare and safety measures for building workers.*

The Contract Labour (Regulation and Abolition) Act, 1970 which has already come into force with effect from 10th February, 1971 in the Central sphere and which applies to building and construction workers provides for provision of canteens, rest rooms, drinking water, latrines and urinals, washing facilities and first aid facilities. Responsibility has also been fixed on the Principal Employer for payment of wages or short payment. Hours of work, wages etc. are regulated through the licence which the contractor is required to secure.

A proposal for legislation to provide for the safety of the workers employed in the construction industry is under consideration.

Sd/-
(Lalfak Zuala),
Under Secretary.

To

The Lok Sabha Secretariat,
(Committee Branch-I),
NEW DELHI.

APPENDIX XII

(See para 9.1 of the Report)

[Representation from Shri K. Visweswara Rao, President, Andhra Pradesh G.D.R. Tractors Owners' Association, Gollapalli, Distt. Krishna, re. return of RS-09 tractors imported from East Germany]

ANDHRA PRADESH G.D.R. TRACTOR OWNERS' ASSOCIATION
GOLLAPALLI (SO) NUZVID TQ. KRISHNA DT.

President:
K. Visweswara Rao

Secretary:
K. Lava Kumar,
M. A., LL.B.

APPEAL SUBMITTED TO THE REPRESENTATIVES OF THE PEOPLE IN THE PARLIAMENT

Respected Sirs,

I am enclosing herewith a leaflet published in this regard. This is intended to submit the latest position in this affair. Government of India imported 1998 tractors from East Germany. The purchasing price of the tractor is Rs. 10,600/- and selling price is Rs. 14750/-. The balance goes to various Government Agencies such as S.T.C. 2½ per cent, Central Sales Tax 3 per cent, Provincial Sales Tax 6½ per cent. Corporations commission 15 per cent, transport and others. 416 tractors were allotted to the Andhra Pradesh Agro Industries Corporation. From November, 1969, the Corporation sold 164 tractors to the farmers. The remaining are unsold with the corporation. Within two months of the delivery of these tractors all the tractors went out of order. The Corporation has suspended sale of these tractors. We have represented the problem through M.Ps. of the dissolved Parliament to the Minister for Agriculture and the Prime Minister also in November, 1970.

Respectable members of the Parliament asked the following questions in the Parliament:

Date	Question No.
12-11-70	750, 762, 743, 739, 660, 100, 112.
19-11-70	1581, 1401, 1462, 1490.
26-11-70	2495.
3-12-70	3150.
10-12-70	4044, 4140.
17-12-70	498, 5012, 785, 804, 807.
1-4-1971	89, 147.
2-4-1971	Rajya Sabha 230.

We thank all those who have helped us in this affair so far. We have approached Dr. K. L. Rao and other distinguished leaders to help us in this matter.

Andhra Pradesh Chief Minister declared in the Assembly that he requested the Union Government to take back all the vehicles and reimburse the money.

On Lok Sabha question No. 112, a Technical Report was also submitted to Lok Sabha, which points out the technical and manufacturing defects. Krishi Mantralaya and G.D.R. Government signed a protocol on 21st February, 1972. There are two important terms in the protocol.

(1) German Government will take back those vehicles which are not to the satisfaction of the farmers, after modification (2) At the time of modification the defective tractors should be kept in a roadworthy condition at the cost of the farmers. G.D.R. has accepted to take back modified tractors and pay Rs. 9,700|- to the farmers after deducting 8 per cent of the price as depreciation. On 12th November, 1970 Shri A. P. Shinde stated in the Lok Sabha (Q. No. 739) that the guarantee period has been extended & modification will be completed before the end of December, 1970. But till today only less than half of the tractors are modified. Germans were also allowed to sell their defective tractors again in India. Taking advantage of the above protocol Germans are taking retaliatory steps to curb the farmers who have demanded the return of tractors. They are delaying modification intentionally because after modification only tractors will be taken back, as per the terms of the protocol. At the time of modification G.D.R. Technicians are demanding Rs. 1000 to 5000|- for vehicle to put the tractor in a roadworthy condition. As the guarantee period has been extended farmers have no responsibility to replace defective parts and put the vehicle in a roadworthy condition before return of the tractor. But Germans are demanding huge amounts to be deducted from the above Rs. 9,700|- towards repairs. In this way they wanted to take back only paying nominal price to the farmers i.e. Rs. 5000 to Rs. 6000 approximately. As per the protocol only those tractors modified before 21st February, 1971 will be considered for return. Out of 164 tractors sold to farmers only 37 have been modified till that date. In this way the G.D.R. is putting the farmers in a miserable position compelling them either to retain the tractors or return them at a nominal price so that they can sell the returned tractors again at a cheaper rate. We request you to represent our case to the leaders and in the Parliament to settle the issue immediately and amicably.

It is unfortunate that at the time of signing the protocol neither the farmers nor the Corporation were consulted. This gave the G.D.R. traders an upper hand and they are dictating terms to the Corporation and the farmers. The G.D.R. traders have deliberately given a political colour to the issue. A front page article in the New Age dated 9th May, 1971 says that the agitation against the tractor is motivated by political

consideration and is a campaign against imports from the socialist countries. We want Zetor tractors from Czechoslovakia. This itself shows the hollowness of the propaganda. Shri A. P. Shinde stated at Vijayawada on 29th April, 1971 that all the tractors will be taken back by the G.D.R. But on 4th May, 1971 the G.D.R. Trade Representatives had denied this and said that only 500 modified tractors will be taken back. We are not in a position to understand which of the statements is correct. The Corporation and the State Government feel that the tractor tested, imported and allotted for sale by the Krishi Mantralaya. And as such the Krishi Mantralaya has either to bear the entire loss or give directive suitably. In the absence of any such step they have to follow only the terms of the protocol. The Krishi Mantralaya takes a stand that as the Corporation is the seller and the commissions, taxes etc. were collected by the Corporation and the State Governments, S.T.C., it is for those agencies to return the amounts. Any way they will be collecting all these taxes, commissions etc. on the replaced vehicles again. Thus everybody accepts the justification of our demands but nobody is taking initiative to settle the issue immediately. In this way we the middle class farmers lost four seasons already and have sustained losses heavier than the cost of the tractor indirectly. We look forward to your kind patronage and cooperation in settling the issue immediately to represent our grievances to the Government. Considering our demands and save us from this man-made calamity.

1. All the tractors should be returned whether modified or not.
2. Entire money should be paid back to the farmers.
3. New tractors should be allotted immediately.
4. Price of the Zetor tractors should be fixed at par with other States.
5. Farmers have no responsibility to replace the defective parts.
6. The payment of instalments to be paid to the bank has to be deferred for one year from the date of final settlement.
7. To appoint a Parliament Committee to assess the losses sustained by the farmers and the Corporation in this deal and suggest suitable compensation to the victims.

Sd|-

(K. Visweswara Rao),
President.

Gollapalli.
12-6-1971.

APPENDIX XIII

(See para 9.3 of the Report)

[Note from the Ministry of Agriculture (Deptt. of Agriculture) on the representation regarding return of RS-09 tractors imported from East Germany]

1. Return of RS-09 tractors whether modified or not:

A protocol was signed between the State Trading Corporation and the GDR Suppliers on 21st February, 1971, about the return of modified RS-09 tractors. The GDR Representatives have since started inspecting these tractors and making refunds to the Corporations.

Inspection of RS-09 tractors offered for return in Gujarat has already been conducted, and the State Agro-Industries Corporation has confirmed that it has already received Rs. 7.50 lakhs from GDR authorities covering the cost of 84 modified RS-09 tractors being returned to them. The Rajasthan State Agro-Industries Corporation has also intimated that 52 numbers of RS-09 tractors were modified upto 21st February, 1971. However, 24 farmers only have offered to return their tractors. The inspection of these tractors has already been carried out and these are being returned to the GDR suppliers' representative, who has sent a cheque for Rs. 84,401.78 as an advance towards the cost of these tractors, to the Corporation. He has also promised to remit the balance amount immediately after receiving the formal bill from the Corporation. In the Punjab, out of 75 RS-09 tractors which have been inspected so far by the GDR representatives, agreement has been reached on the prices of 40 tractors upto 24th July, 1971. Further inspection is in progress. Progress about the return of tractors in other States will be known as soon as the tractors are inspected there.

The Projects and Equipment Corporation (STC) has also been requested to negotiate with the GDR representatives the return of RS-09 tractors modified after 21st February, 1971, unsold tractors, implements, spare parts and tyres and tubes.

2. Supply of new tractors:

The concerned State Agro-Industries Corporations were advised to replace RS-09 tractors with other makes of tractors viz., Zetor and Ursus tractors to the extent possible. Additional allocations have also been made for the purpose. In case the farmers do not wish any other tractor, the Corporations were requested to consider the question of refund of money in cash.

3. *Entire money should be paid back to the farmers:*

After protracted negotiations and persuasions the GDR has agreed to the return of modified RS-09 tractors with depreciation of 8 per cent on the C & F cost of the tractors. It has not been possible to secure 100 per cent refund of the cost of these tractors.

4. *Price of Zetor tractor should be fixed uniformly for all States:*

Prices of Zetor tractor differ from State to State mainly due to transportation cost. A Central sales tax of 3 per cent is also payable by the farmers in States excepting U.P. and Haryana. For these reasons the prices of the Zetor tractors cannot be fixed uniformly.

5. *Replacement of Defective parts:*

A delegation from GDR consisting Senior officials of manufacturers and experts of RS-09 tractors has already arrived in India. The main aim of this delegation is to discuss and settle on the spot problems which have arisen while implementing the protocol on 21st February, 1971. The Andhra Pradesh State Agro-Industries Corporation has already been requested to constitute a technical committee consisting of the representatives of GDR suppliers, P.E.C., this Ministry and of the Andhra Pradesh Corporation. The Committee is to consider the value of shortage of equipment and other accessories to be deducted from the C&F prices less depreciation. The refund value of the tractor will be as mutually agreed between the concerned Corporations and the GDR representatives.

6. *Instalments to be paid to the banks may be deferred for one year from the date of final settlement:*

The matter has already been considered in this Ministry in consultation with the Reserve Bank of India. The proposal is not acceptable to the banks as the element of loss by way of interest is involved.

7. *Adjustment of entire money paid by the GDR representatives towards the return of RS-09 tractors:*

Against the prices of new tractors to be allotted to the farmers, it is for the concerned Agro-Industries Corporations to take action in the matter.

8. *Appointment of a Committee to assess the losses suffered by the farmers, Corporations etc:*

It is not considered necessary to set up such a Committee.

APPENDIX XIV

(See para 10.2 of the Report)

[Representation from Shri N. Ganapathy, President, Kerala State Cardamom Planters' Association Munnar, re. registration of small scale cardamom cultivators and rules relating to assignment of land for cultivation of cardamom in Kerala.]

From

Shri N. Ganapathy,
President,
Kerala State Cardamom Planters' Association,
Munnar P.O. Kerala State.

To

The Chairman, Petitions Committee of Parliament,
New Delhi.

The humble petition of N. Ganapathy, President, Kerala State Small Cardamom Planters' Association, Munnar, Kerala State,
Sheweth.

The Cardamom Hill Reserves having an extensive area of 332 sq. miles is comprised of the whole of Periyar Reserves, Pallivasal Reserves and Chinnacanal Thavalam in the Udumbanchola, Peermade and Divicolam Taluks of the Idukky District. Till recently most of the area of the Cardamom Hill Reserves was neither surveyed nor settled. Though recently the Revenue Department undertook the survey and settlement of this area extensive plots of land comprising of thousands of acres still remain to be surveyed and settled.

Originally the land in the Cardamom Hill Reserve was assigned for cardamom cultivation as per the G.O. dated 12th August, 1905. Subsequently this order was superceded by the rules issued in the order dated the 30th September, 1935. Under these rules assignment on registry of lands suitable for cardamom cultivation was permitted. There were two methods for assignment on registry. One was the assignment of lands to those who entered the land with or without permission of Government and the other was the assignment on registry in public auction. In the case of the former kind of assignment the assignee was liable for annual assessment at the rate of Rs. 1½ per acre for the first 4 years and thereafter the assignee was assessed at the rate of Rs. 3/- per acre. In the case of assignment on registry in public auction an upset price of Rs. 85/- and Rs. 60/- respectively was realised for the lands situated in the Cardamom Hill Reserves and those in the Pallivasal unreserved and Chinnacanal Thavalam.

In G.O. ROC No. 6403/40/Rev. dated 17th July, 1942 the annual assessment was raised to Rs. 3|- per acre and the minimum rate of Tharavila for all lands entered upon for cultivation of cardamom was raised to Rs. 125|- per acre.

In G.O. ROC. No. 4710/40/Rev. dated the 12th October, 1940 it was clarified that no more than 60 acres of cardamom land should be registered in favour of a single person. Subsequently it was ordered that alienation of the registered cardamom land would be liable to be resumed by Government and that cardamom lands should not be registered in favour of persons other than Travancoreans. This was ordered by Maharaj's regime.

While the position explained above was continuing as such the World War II threatened the food situation of the erstwhile Travancore State. All the efforts of the State were centred round "Grow More Food Scheme" and many persons applied for registry of land for the cultivation of food crops. Then Government took a policy decision and by a Press Communique dated 20th October, 1942 further proceedings for the registry of land was stopped. It was made clear therein that lands would be given only on lease.

Then revised rules were issued in G.O. ROC. No. 2439/44/Deptt., dated 10th November, 1944. Under these rules lands suitable for cardamom cultivation were assigned on lease for a period of 12 years on a premium of Rs. 50|- per acre and annual assessment of Rs. 1 1/4 for the first 4 years and Rs. 3|- thereafter.

The rules issued in 1944 were in force till 1958 when a new set of rules was framed. The 1958 rules was superseded by the rules for the lease of Government lands for cardamom cultivation 1961 which is still in force.

By this time there were serious and large scale encroachment on the cardamom hill reserves. The encroachers were given certain concessions. Lands are now being assigned on lease for a period of 20 years. The premium has been fixed at Rs. 375|- hectare if the occupation of the land is prior to 8th January, 1958 and Rs. 1,250|- per hectare if the occupation is thereafter. The pattern payable is Rs. 25|- per hectare in both cases (*Vide* G.O.P. 97/67/Rev. dated 4th March, 1967). The extent of land that can be leased in auction and without auction is 10 hectares. But the extent one can hold together with time-expired lease is 40 hectares (*Vide* rules 3 and 5).

Besides the cardamom lands in the Iddikky District there are Konni Elam tracts on other parts of the erstwhile Travancore State. Cardamom is also grown in the reserve forests of erstwhile Cochin State and Malabar Area. These lands suitable for cardamom cultivation are known as Kanni Elam Tracts and are under the control of Forest Department.

They are leased out for a period of 20 years on a nominal rent. Thus, there is great difference in the premium and rent realised for the lands in Iddikky District and elsewhere.

The practice of assignment of registry of land as pointed out earlier was stopped in 1942 by Sir C. P. Ramaswamy Iyer, the Diwan of Travancore. This ban has since been lifted in the case of all other kinds of lands except lands suitable for cardamom cultivation. All other kinds of lands are now being assigned on registry. It is a matter of wonder and amazement that the ban imposed by a regime at the time of monarchy is being continued in a democratic set up. It may be worthwhile to mention that the ban imposed on the acquisition of lands suitable for cardamom cultivation by non-Travancoreans by the same regime in Proceedings No. 7959/41|Revenue dated 19th June, 1942 has been lifted in G.O. Rt. 622/65|Revenue and all the benami transactions have been regularised or legalised. Yet the ban on registry still continues. It may be noted that lands in the neighbourhood of the cardamom growing areas and the lands within the Periyar Reserves, Chinnakanal Thavalam and Pallivasal unreserves not suited for cardamom cultivation are being assigned on registry after realising Rs. 40 per acre. Thus it is a paradox to realise Rs. 1,250/- and above and lease rent of Rs. 25 per acre for a leasehold right to cultivate cardamom.

Within the Indian Union the cardamom cultivation of Kerala are facing stiff competition from their counterparts in Tamilnadu and Mysore. The Governments of these States are encouraging the production of cardamom. They are assigning the lands on registry to the cultivators. They are giving all financial and technical assistance to the cultivators. The Financing Agencies and the Cardamom Board come to their help as the lands belong to them. They can obtain the required finance on the security of their lands.

But in Kerala as pointed out earlier the cultivators have only leasehold rights on the land. They have frequently to face the threat of eviction. The cultivators in the Cardamom Hill Reserves and other places are discriminated. When the cultivators of the Cardamom Hill Reserve will have to pay a large amount by way of premium and pattom the cultivators elsewhere will have to pay a nominal sum.

The cardamom plants in the Cardamom Hill Reserve are facing a great crisis—the threat of “Khattee disease”. Almost all plants have fallen an easy prey to this disease. Therefore replanting has to be resorted to. None of the cultivators has the required resources to invest money for replanting. And if anyone has resources he is not bold enough to replant as he has to face the threat of eviction. But had the land been owned by them they could have raised the money from the Banks or other financing agency by pledging the land and they could boldly invest money as there is no threat of eviction.

Under the cardamom rules no structure can be raised on the leasehold. This has affected the labourers in as much as the cultivators cannot construct lines to accommodate them.

The various Associations of the cardamom cultivators had had previously represented for the registration of leasehold cardamom lands. But it is understood that this request was not granted due to the fear that the forest wealth might be spoiled and ruined, and the income from the leasehold by way of patta and premium would not accrue in future. But I may point out that there is no ground for this fear. The trees standing in the patta lands in possession of private parties have not so far been ruined. The trees belong to the Forest Department and the consent of Forest Department and the Botanic Cardamom Research Station is required for cutting them. With regard to the loss of income it may be pointed out the Government will get tharavila and they can also assess to higher rate of tax in case lands are given on registry. Thus the Government can compensate the loss. Uniform bill may be formed between cardamom Act and the cardamom land assignment Rules of Kerala, Tamil Nadu and Mysore.

It may be noted that on a previous representation in 1966 the Cardamom Board has also considered the question of giving registry and recommended the State Government to sanction registry the lands suitable for cardamom cultivation to the respective lessees in the interest of replantation, labour welfare, better production, effective competition with the counterparts in Madras and Mysore, to gain more foreign exchange and to secure assistance from the Cardamom Board and the Government of India.

Accordingly your petitioner pray that the Governments of Tamil Nadu, Mysore and Kerala may be directed to assign on registry the lands suitable for cardamom cultivation on uniform basis including frame uniformity Bill so that the respective lessees in the interest of replantation, labour welfare, better production, effective competition with their counterparts of Kerala, Tamil Nadu and Mysore, to gain more foreign exchange and to secure assistance from the Cardamom Board and the Government of India and your petitioner in duty bound will ever pray.

Yours faithfully,

Sd/-

N. GANAPATHY.

President.

APPENDIX XV

(See para 11.4 of the Report)

[Short Note regarding Birla Brothers and its allied concerns Supplied by the Government of West Bengal (Vide Letter No. 5570-IR dt. 23rd November, 1971)].

* * * *

The disputes relating to the major companies were taken up initially in separate meetings. During such separate discussions the management of Birla Jute Mfg. Co. maintained that majority of the employees have accepted transfer to the factory and are working there. The offices which have been shifted can be re-transferred to Calcutta provided there was guarantee of discipline and peace and the Union agreed to retrench| dismiss about 67 employees who have failed to join their duties during the stipulated period or have been criminally proceeded for gross misconduct like intimidation and assault of the officers of the concern. The number of persons against whom there were certain criminal cases is 10 and the company insisted that these 10 employees cannot be taken back and they will be paid an amount equivalent to retrenchment compensation. However, if they so desire approach the management of the Company to reconsider their cases. The Company was not willing to refer these cases to adjudication which was requested by the Union. On the whole, it appeared that the management would have been agreeable to reconsider taking back those employees who failed to join within the stipulated period provided the Union agreed to accept termination of these 10 employees on receipt of compensation.

It appeared that if a settlement could have been reached on this line in Birla Jute Co. it would have been possible to persuade other companies like Kesoram Cotton, Hindusthan Motors, etc. to reach a settlement in respect of those employees who did not report for duty and as a result whose services were terminated. But, however, no agreement could be reached and the stalemate continued.

Dr. Gopal Das Nag, the then Labour Minister, also took up the matter to explore possibility for reaching an amicable settlement and discussions both separate as well as tri-partite were held with the Management of Birla Jute Co., Kesoram Industries & Cotton Mills, and Hindusthan Motors—which are the three major concerns, in the hope that if any settlement is reached with the bigger concerns, settlement in the smaller concerns could be reached without difficulty. Unfortunately, however, his attempt was lack of any understanding of the 10 dismissal cases of Birla Jute Co. According to the companies vast majority of the employees have joined their respective duties where they were transferred

and only a minority section have not so far reported, whereas the Union contended that quite a large section of employees have not been allowed to resume their duties and insisted that they should be taken back. During discussion the Union's representatives were requested to furnish names of those employees together with the names of the respective concerns who have not been allowed to join duties so that further action like reference to adjudication of these cases could be considered. But uptill now their names have not yet been furnished and as such it has not been possible to refer suitable issue for adjudication.

The management during discussion stated that no useful purpose would be served by discussing the cases of units which have been permanently closed like Bengal Stores etc. and there was no scope for re-considering their decision regarding such closure

The stalemate is still continuing.

APPENDIX XVI

(See para 11.15 of the Report)

[Copy of the note of the Joint Labour Commissioner, Government of West Bengal, received through Ministry of Labour and Rehabilitation (Department of Labour and Employment) containing present position on the representation regarding opening of closed offices of the Birlas in Calcutta with all employees on roll prior to the closure.]

By the end of March Birla Offices which were situated in 15, India Exchange, reopened and later on in the first week of April some other offices situated at Camac Street and other places were also reopened. Particulars of the Offices which have been reopened have not been furnished. Representatives of the Birla and Allied Employees Union reported to the Government that even after re-opening a large number of employees have not been taken back in the offices which have been reopened and urged that the Government should see that all those employees who have been left out are taken back by the companies.

Labour Minister himself discussed this matter with the management. During the absence of the Labour Minister out of India the Union's representatives met the Secretary, Labour Department and reiterated that employees who have been left out should be taken back. It may be stated here that in terms of the understanding reached for reopening of the offices the managements of the Birla Offices agreed to take back as many of the left out employees as they can after reopening of the offices. As regards remaining employees, who cannot be taken back it was agreed that their cases would be taken up for conciliation failing which such cases would be referred to adjudication by the Government. In order, therefore, to enable the Government to take necessary action in this regard the management of the main Birla Offices were requested to furnish the following information to the Labour Directorate by 30th June, 1972:

1. Date of re-opening of Calcutta Office.
2. Number of employees employed immediately prior to the closure or shifting of office.
3. Number of employees employed after reopening including new recruits, if any.
4. Number of employees, who were employed prior to closure or shifting but not taken in on re-opening of the office with reasons therefor.
5. Number of employees who have not been taken back uptill now with their service particulars.

Replies have been received from the following offices:—

Birla Gwalior Private Ltd.,
Jute Investment Co. Ltd.,
Birla Jute Manufacturing Co. Ltd.,
Bally Jute Company Ltd.,
India Linoleums Ltd.,
Ganga Properties Ltd.,
Birla Brothers Private Ltd.

All the information requested have not been furnished. Only the names of employees who are stated to have abandoned their services have been given.

It will thus be seen that no clear indication has been given as to how many employees were working prior to closure or shifting and how many of them have actually been taken back on reopening of the offices. Correct information as to the number of the offices which have since reopened are not also available.

It may be recalled that the representatives on behalf of the offices who discussed this matter at Government level indicated that after reopening they will try to absorb as many as possible. The union is pressing hard so that all those employees who have not been taken back are allowed to resume work.

APPENDIX XVII

(See para 12.2 of the Report)

Representations inadmissible as Petitions—Representations on which the Committees/inter-entention has procured speedy reply from the Ministries Deptts. concerned meeting adequately the petitioners points

Sl. No.	Name and Address of the petitioner	Points raised by the petitioner	Facts perused by the Committee
1	2	3	4
			<i>Ministry of Labour and Rehabilitation (Deptt. of Rehabilitation)</i>
1	Smt. Mayadevi d/o Shri Ladharam, C/o Shri Harbanslal Ladharam, Station Road, P.O. Kalol, District Mehsana (Gujarat)	Payment of compensation on verified claim	The position of the claim is that it was initially verified for Rs. 2,357/- for non-substantial rural properties but was rejected in toto in <i>suo motu</i> revision by the Claims Commissioner on the factum of land allotment. Such claimants whose claims in respect of rural buildings left in West Pakistan had been rejected, by virtue of allotment of agricultural land, four acres or less, were entitled to get rehabilitation grant under Rule 97 of the Displaced Persons (Compensation & Rehabilitation) Rules, 1955, provided that they had not accepted such allotments of agricultural land or such allotment had been cancelled. As the claim of Shri Ladharam Ramchand was rejected on the ground of his being allottee of agricultural land, he rightly availed of the relief provided under Rule 97 for payment of rehabilitation grant and his rehabilitation grant application was registered against No. RG/97/B/N/1. This rehabilitation grant application has already been finalised for payment of Rs. 63/- i.e., the value of the land 2 1/4 units @ Rs. 450/- per standard acre. If the applicant has not received this payment, he may be advised to approach the Regional Settlement Commissioner (Central) Jamnagar House, New Delhi for the purpose. So far as the revival of rural rejected claim is concerned, it is regretted that

Sri. Altaf Hussain
V.&P. Chitrasali,
Distt. Hooghly.

Refund of rent realised by the Custodian E.P. Agra, in respect of Property No. 197, Station Road, Ferozabad, Distt. Agra.

In his representation, Shri Hussain stated that an immovable property No. 197, Station Road, Ferozabad, Distt. Agra, belonging to his ancestors was wrongly declared as an evacuee property by the Custodian General Office in 1953. On his appeal, it was released as non-evacuee property in 1968. Subsequently, he filed an application before the Assistant Custodian, Agra, to refund the rent realised in respect of that property from the occupants which was still pending. He had requested to get him the refund of rent realised in respect of that property.

his request can not be acceded to as he is an allottee of agricultural land, by virtue of which his rural claim was rejected.

One half share in property No. 197, Ferozabad, pertaining to Shri Altaf Hussain, was treated as evacuee property *vide* orders dated 30-4-1953 of the Assistant Custodian (Judicial), Agra. Against this order, S/Shri Ahmed Hussain, Mehni Hussain, Zaffar Hussain and Jainulbuddin filed an appeal before the Assistant Custodian General who accepted the appeal and remanded the case to the Assistant Custodian of Evacuee Property Agra, *vide* his order dated 5-10-1967, with the directions to decide afresh if or not the property was evacuee property.

The Assistant Custodian of Evacuee Property, Agra *vide* orders, dated 29-8-1968 held that the property belonged to Shri Elahi Bux who died in India before partition and declared his property as non-evacuee property. Thus the aforesaid property stands released. The Assistant Custodian of Evacuee Property did not give any finding regarding the shares of the heirs of the deceased. The record shows that there are number of claimants/heirs *viz.*, Smt. Nurenessa Bibi, Mehrenga Bibi Saema Khatoon, Ruhul Amin, Abdul Wahid, Sariyat, Shri Ahmed Hussain, Mehni Hussain, Zaffar Hussain, Jainulbuddin and Sh. Mohd Haneef. Since the property has been held to be a non-evacuee property, it is for the heirs of the deceased to obtain a succession certificate from the court of Law and then claim the refund of amount realised by the Department of Rehabilitation as rent for the property in question.

As regards the case of Shri Altaf Hussain, the record maintained in the office of the R. S. C. (C) reveals that he was only a Pairokar of Shri Ahmed Hussain, one of the sons of Shri Elahi Bux. However, in reply to his representation he was directed to file a copy of the order on the basis of which he

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claims the refund of the amount from the Department (letter No. AC/Refund/Acctt./1409 dt. 28-3-1972 from the office of the Managing Officer, Lucknow, refers. Since no reply was received to this letter, a reminder was issued to him on 22-4-1972. However, he has not filed any order so far to establish his claim.

Since there are a number of claimants in this property and none of the claimants have got their shares determined by the competent Court, of Law, nor have filed succession certificate, it is not possible to make the necessary refund. However, if Shri Altaf Hussain feels that he has got certain share in the property, he may get the same determined by the competent Court of Law and file a succession certificate in support of his claim. Thereafter, it will be possible to take further action in the matter.

3. Dr. Ananda Mohan Dutt, Shibatosh Medical Hall, P.O. Agartala (College), Dhaleswar, A.A. Road, Tripura (West). Grant of pension as a political sufferer.

Ministry of Home Affairs

The Government of Tripura who were consulted in the matter have intimated that Dr. Ananda Mohan Dutt's request for the grant of financial assistance cannot be considered as he could not produce documentary evidence in support of his claim as a freedom fighter. He was informed accordingly by the State Government vide their letter No. F. 13 (21)-P 70, dated the 15th December, 1970. For the same reason, it will not be possible to grant him any financial assistance from the Home-Minister's Discretionary Grant.

The Government of India have a scheme for the grant of pensions to freedom fighters who had suffered imprisonment in jails in the main land for a period of not less than six months before Independence. We have suggested to him to apply for the same, if eligible and has not already done so.

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Ministry of Finance.
(Department of Revenue and Insurance)

4. Sh. Pukhraj Aidan Verma, Akot, Distt. Akola. Issue of goldsmith's certificate.

The facts of the case, as reported by the Collector of Central Excise, Nagpur, are that Shri Pukhraj Aidan Verma of Akot, District Akola applied for the grant of goldsmith certificate under section 39(4) (b) and (c) of the Gold Control Act, on 22nd March, 1972. On inquiry, it was discovered that the applicant was earlier found in possession of primary gold weighing 58.800 gms. and doing goldsmith's business without a valid certificate and had, on 7th February, 1972 been charged for the contravention of the provisions of section 8(1), 11 (1) (b) and 39(1) of the Gold (Control) Act, 1968. The case is at the final stage and adjudication orders are expected to be issued shortly. Pending final orders, the consideration of the application for goldsmith certificate has been stayed.

As regards recovery of loans there is no provision under the Gold (Control) Act to suspend the recovery of loans granted to the affected goldsmith under the Rehabilitation scheme.

In their further communications dated the 24th October and 13th November, 1972, the Ministry of Finance (Department of Revenue & Insurance) stated as follows:—

“The case for contravention of the provision of Section 8(1) 11 (b) and 39 (b) of the Gold (Control) Act, 1968 has since been decided. A penalty of Rs. 100/- has been imposed on Shri Pukhraj Aidan Verma, Akot and the primary gold weighing 58.800 gms. has been confiscated. He has, however, been given the option to redeem the said gold on payment of fine of Rs. 200/-.

The Collector of Central Excise Nagpur, has since informed that the application of Shri Pukhraj Aidan Verma of Akot for issue of goldsmith certificate has been rejected by the competent officer on the 23rd October, 1972 under Section 39(6) of the Gold (Control) Act, 1968’.