

# COMMITTEE ON PETITIONS

(FIFTH LOK SABHA)

TWENTY-SECOND REPORT



सत्यमेव जयते

[Presented to Lok Sabha on the 9th May, 1975]

**LOK SABHA SECRETARIAT  
NEW DELHI**

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# COMPOSITION OF THE COMMITTEE ON PETITIONS

(1974-75)

## CHAIRMAN

Shri Jagannath Rao

## MEMBERS

2. Shri Nathu Ram Ahirwar
3. Shri Chhatrapati Ambesh
4. Shri Biren Engti
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12. Maulana Ishaque Sambhali
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15. Shri S. N. Singh

## SECRETARIAT

Shri Y. Sahai—*Chief Legislative Committee Officer*

Shri J. R. Kapur—*Senior Legislative Committee Officer*

**TWENTY-SECOND REPORT OF THE COMMITTEE  
ON PETITIONS (FIFTH LOK SABHA)**

**INTRODUCTION**

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

- (i) Petition No. 9 regarding elections in Bihar and Gujarat socio-economic rights of the eople, democratic rights and civil liberties, free and fair elections, decentralisation of political power, education reforms and eradication of political corruption.
- (ii) Representation for providing certain railway facilities to the residents of Jhunjhunu and Sikar Districts.
- (iii) Representation re. bringing of domestic servants within the purview of labour laws and amelioration of their service conditions.
- (iv) Action taken by Government on the recommendation contained in Thirteenth Report (5LS) of the Committee on the representation for ensuring security of services to the employees of the Department of Rehabilitation posted at Mana Camp, District Raipur (M.P.).
- (v) Action taken by Government on the recommendation contained in the Nineteenth Report (5LS) of the Committee on the representation regarding payment of claim in respect of shortages of 71 bags of G. N. Seeds in consignments booked from Kurnool Town to Grain Depot (Bombay Port Trust).
- (vi) Action taken by Government on the recommendation of the Committee contained in their Nineteenth and Twentieth Reports (Fifth Lok Sabha) on the representation regarding rail link between Bhildi and Kakosi, Wagrod or Kansa.
- (vii) Other representations.

1.2. The Committee considered the above matters at their sitting held on the 27th January, 1973, 3rd and 28th January and 10th April, 1975, and adopted the draft Report at their sitting held on the 7th May, 1975.

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

## II

### PETITION NO. 9 REGARDING ELECTIONS IN BIHAR AND GUJARAT, SOCIO-ECONOMIC RIGHTS OF THE PEOPLE, DEMOCRATIC RIGHTS AND CIVIL LIBERTIES, FREE AND FAIR ELECTIONS, DECENTRALISATION OF POLITICAL POWER, EDUCATION REFORMS AND ERADICATION OF POLITICAL CORRUPTION.

2.1. On the 7th March, 1975, Shri Atal Bihari Vajpayee, M.P., presented to Lok Sabha a Petition (See Appendix—I) signed by Shri Jayaprakash Narayan and others regarding elections in Bihar and Gujarat, socio-economic rights of the people, democratic rights and civil liberties, free and fair elections, decentralisation of political power, education reforms and eradication of political corruption.

2.2. The Committee considered the petition at their sitting held on the 10th April, 1975.

**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.**

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\*The petition was circulated *in extenso* to all the Members of Lok Sabha on the 11th April, 1975.

### III

## REPRESENTATION FROM SARVASHRI RAMESHWAR RAM AND HUKMA RAM, SARPANCHAS, DISTT. JHUNJHUNU, RE. CERTAIN RAILWAY FACILITIES TO THE RESIDENTS OF JHUNJHUNU AND SIKAR DISTRICTS.

### A. Petitioners' Grievances and Prayer

3.1. Sarvashri Rameshwar Ram and Hukma Ram, Sarpanchas, Distt. Jhunjhunu submitted a representation for providing certain railway facilities to the residents of Jhunjhunu, and Sikar Districts in Rajasthan. The representation was countersigned by Shri Shiv Nath Singh, M.P.

3.2. In their representation, the petitioners stated as follows:—

“Sikar and Jhunjhunu are both District headquarters in Rajasthan and fall on the Sawai Madhopur Loharu Branch line of Western Railway.

One shuttle (Motor coach) used to ply in between Sikar and Loharu Junctions starting from Sikar in the morning hours and returning back from Loharu in the evening hours facilitating passengers going to Delhi and Bikaner sides and taking the passengers coming from these two sides. This facility has been stopped for the reasons best known to the Railway Authorities. At present no train service is available in between Sikar and Lokharu going to Loharu in the morning hours and returning in the evening hours. The two trains come from Loharu in the morning hours and go back in the evening hours within a range of five hours and there is no train service on either side for the remaining 19 hours of the day.

A large number of workers from these two districts works in Ahmedabad mills. They have often to go and come from Ahmedabad. There is no direct coach from Loharu or Sikar to Ahmedabad and they feel a great difficulty to change the trains at Reengus and Phulera Junctions. A direct coach from Loharu to Ahmedabad attached to 3 up/4 Down Mail or Janta will solve the problem.

The proposed New Rail line from Dabla to Singhana specially meant for the Khetari Copper Project, be extended to

Rajgarh Junction *via* Chairawa station to facilitate the traffic and to remove the backwardness of the region and accordingly your petitioners pray that all the above mentioned points are matters of general public interest and no other remedy except this petition are available to the petitioners. So we pray that a shuttle in between Sikar and Loharu be started, a direct coach from Loharu to Ahmedabad be ordered and the new line Dabla Singhana be extended to Churu, and your petitioners as in duty bound will ever pray."

### **B. Factual Comments of the Ministry of Railways (Railway Board)**

3.3. The Ministry of Railways (Railway Board) in their factual comments stated *inter alia* as follows:—

#### **(i) Introduction of an additional train between Sikar and Loharu providing connections with trains for Delhi and Bikaner.**

At present Sikar-Loharu Section is served by one pair of Passenger trains and one pair of Express trains *viz.* 205 Up|206 Dn. Passenger and 17 Up|18Dn. Sawaimadhopur-Loharu Exp. Analysis of the occupation of these trains has revealed that the accommodation provided therein is not fully utilised. Introduction of an additional train between Sikar & Loharu, therefore, is not considered justified.

However, for the convenience of passengers going to Bikaner and Delhi directions, 17 Up|18 Dn. provides convenient connections at Loharu with Bikaner Mail and Jodhpur Mail.

In addition, two Delhi-Sikar through coaches i.e. one First-cum-Second class and one Second Class coach are also running for the convenience of through passengers for Delhi direction. The accommodation available in these two through coaches is also not being fully utilised.

#### **(ii) Introduction of a through coach between Loharu and Ahmedabad.**

It is at present operationally not feasible to introduce a through coach between Loharu and Ahmedabad as there is no room to attach an extra coach as a regular measure by 3 Up|Dn. Delhi Express and 31 Up|32 Dn. Delhi-Ahmedabad Janta Express.

(iii) **Extension of the proposed New Rail line from Dabla to Singhana to and from Churu via Chirawa**

The construction of Debla-Singhana M.G. rail link has been justified exclusively for the traffic of the Copper Complex and the Fertilizer Plant at Singhana and the concerned party has agreed to bear inflation on their traffic to make the line remunerative. *Prima facie*, the proposal for extension of this line upto Churu via Chirawa would not be justified on financial and traffic consideration as adequate traffic is not expected to be generated to make it viable."

**C. Evidence of the representatives of the Ministry of Railways (Railway Board) before the Committee.**

3.4. The Committee, at their sittings held on the 27th January, 1973 and 3rd January, 1975, examined the representatives of the Ministry of Railways (Railway Board) on the points raised in the representation.

3.5. The Committee discussed with them the questions regarding timings of trains running at present in that area, criteria for determining the occupation ratio on trains, the question of discontinuance of a shuttle train plying between Sikar and Loharu earlier, passenger traffic on Sikar-Loharu Section and the feasibility of running an additional shuttle train between Sikar and Loharu and the policy of the Railway Board in respect of construction of new lines for development of backward areas etc.

3.6. In a written note furnished to the Committee, the Ministry of Railways (Railway Board) have stated that instructions had been issued to the concerned Zonal Railway to examine the question of suitability and review of timings of these trains, if necessary, in consultation with the Zonal Railway Time Table Committee to satisfy the interests of the majority of users.

3.7. In his evidence before the Committee on the 3rd January, 1975, Additional Member (Traffic), Railway Board, stated *inter alia* that occupation ratio for the existing two trains between Loharu and Sikar varied between 50 per cent to 85 per cent. In addition to that, bus services were also plying. About 700 passengers travelled daily by buses between Sikar and Loharu. According to their estimate, about 45 per cent to 50 per cent passengers going by buses would get diverted to the railway, if another train was started. On that basis, they had worked out the financial implications and had found that about Rs. 3 lakhs would be the annual loss for running an additional train between Loharu and Sikar.



3.8. The representative of the Railway Board, Additional Member (Traffic) further stated that they could, however, introduce an additional train at convenient timings on an experimental basis and see what the passenger traffic would be. But the witness added that, at present, they were facing a serious coal crisis on the railways and due to coal shortage, some passenger trains had been cancelled. Unless the trains which had already been cancelled were restored and unless they were able to have some reasonable stocks of coal in their sheds, it would not be logical to consider the introduction of an additional train service in the Loharu-Sikar area. The witness added that if the additional train service between Sikar and Loharu proposed to be introduced on an experimental basis continued to sustain losses and adequate passenger traffic was not generated, they would have to review the position and to discontinue it.

#### D. Observations/Recommendations of the Committee

3.9. The Committee note that at present Sikar-Loharu Section is served by one pair of Passenger trains and one pair of Express trains viz., 205 Up/206 Dn. Passenger and 17 Up/18 Dn. Sawaimadhopur-Loharu Express trains having timing connections at Loharu with Bikaner Mail and Jodhpur Mail for the convenience of passengers going to Bikaner and Delhi directions. In addition, two Sikar-Delhi through coaches are also run for the convenience of through passengers for Delhi direction.

3.10. The Committee note that the Ministry of Railways have issued instructions to the concerned Zonal Railway to examine the question of suitability and revision of the timings of these trains, if necessary, in consultation with the Zonal Railway Time Table Committee to satisfy the interests of the majority of users. The Committee hope that the question of suitable revision of timings of these trains will be examined by the concerned Railway administration expeditiously.

3.11. From the factual comments furnished by the Ministry and the oral evidence given before the Committee by the representatives of the Ministry of Railways (Railway Board), the Committee note that the Ministry of Railways can introduce an additional train between Loharu and Sikar at convenient timings on an experimental basis after the coal situation improves. The Committee hope that the Railway Board would introduce this additional train as early as possible.

The Committee would also like the Railway Board to re-examine the present coach capacity of 31 Up and 32 Dn. Delhi-Ahmedabad Janta Express vis-a-vis the actual number of coaches

being put in service in those trains and to examine the feasibility of attaching a direct coach from Loharu to Ahmedabad on those trains. The Committee also desires the Ministry of Railways to consider whether it is feasible for them to attach an extra coach to the Delhi-Mehsana train. The Committee would like to be apprised of the result of these exercises at an early date.

## IV

### REPRESENTATION FOR BRINGING DOMESTIC SERVANTS WITHIN THE PURVIEW OF LABOUR LAWS AND AMELIORATION OF THEIR SERVICE CONDITIONS

#### A. Petitioner's Grievance and Prayer

4.1. Shri Gyan Singh, General Secretary, Gharelu Karamchari Ekta Union, Delhi, had submitted a representation for bringing the domestic servants within the purview of labour laws and amelioration of their service conditions.

4.2. In his representation\*, Shri Gyan Singh had made the following demands:—

- (i) Government should make laws to provide for trade union rights to the domestic servants;
- (ii) The minimum wage of a domestic servant should be Rs. 125 per month with free food and residential quarters;
- (iii) The domestic servants should have a weekly holiday. They should also be given compensatory leave for every festival. They should be granted one month's leave in a year with full pay;
- (iv) Their hours of work should be fixed;
- (v) They should be provided with uniforms and medical facilities;
- (vi) There should be statutory protection of their service conditions;
- (vii) Domestic servants should also be entitled to payment of gratuity; and
- (viii) Domestic servants must be given at least three months' notice before terminating their services.

#### B. Comments of the Ministry of Labour

4.3. The representation was referred to the Ministry of Labour for furnishing their factual comments for consideration by the Commit-

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\*Original in Hindi

tee on Petitions. A detailed note furnished by the Ministry on the subject is at Appedix II. In conclusion, the Ministry have stated *inter alia* as follows in their note:—

“.....The position, therefore, is that while the question of providing statutory protection to domestic servants as well as exploring ways and means of improving their condition has been considered by the State Governments and also by the Central Government from time to time, it has not been found possible to make any statutory provision for the purpose, mainly because of the difficulty of enforcing any such law and the possibility of such an enactment resulting in large-scale retrenchment of domestic workers....”

### C. Observation of the Committee

4.4. The Committee note that Government do not consider it reasonable at present to make any statutory provision regarding service conditions of domestic workers because of the practical difficulties in enforcing any such law and the possibility of such an enactment resulting in large scale retrenchment of domestic workers. The Committee, however, feel that the conditions of domestic workers require sympathetic consideration and, therefore, recommend that Government may review the position periodically and frame a model law which may be enacted as soon as circumstances and conditions may permit.

**ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATION CONTAINED IN THIRTEENTH REPORT (5 LS) OF THE COMMITTEE ON THE REPRESENTATION FOR ENSURING SECURITY OF SERVICE TO THE EMPLOYEES OF THE DEPARTMENT OF REHABILITATION POSTED AT MANA CAMP, DISTRICT RAIPUR (M.P.).**

5.1. In their Thirteenth Report (Fifth Lok Sabha), the Committee, after considering the representation for ensuring security of service to the employees of Department of Rehabilitation posted at Mana Camp, District Raipur, and the factual comments of the Ministry of Labour and Rehabilitation (Department of Rehabilitation) thereon, had recommended as follows:—

“The Committee have noted the facts furnished by the Ministry of Labour and Rehabilitation (Department of Rehabilitation). In view of the fact that the employees of the Mana Camp 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.”

[Para 5.3, Page-11, Thirteenth Report (5 LS)]

5.2. The Ministry of Supply and Rehabilitation (Department of Rehabilitation), with whom the above recommendation of the Committee was pursued, have furnished a copy of the letter dated the 15th April, 1975 (See Appendix III) conveying the approval of the Government of India to the redeployment of surplus staff of Mana Group of Transit Centres, Mana, through the Central (Surplus Staff) Cell.

5.3. The Committee are happy to note that the Government have issued the necessary orders in accordance with their earlier recommendation.

## VI

### ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATION CONTAINED IN THE NINETEENTH REPORT OF THE COMMITTEE (FIFTH LOK SABHA) ON THE REPRESENTATION REGARDING PAYMENT OF CLAIM IN RESPECT OF SHORTAGES OF 71 BAGS OF G. N. SEEDS IN CONSIGNMENTS BOOKED FROM KURNOOL TOWN TO GRAIN DEPOT (BOMBAY PORT TRUST).

6.1. In their Nineteenth Report, the Committee after considering the representation from M/s. Ahmed Oomberhoy, Bombay, regarding payment of claim in respect of shortages of 71 bags of G. N. Seeds in consignments booked from Kurnool Town to Grain Depot (Bombay Port Trust) under Invoices Nos. 26 and 27 RR No. 122969 and 122970, dated 7-6-1967, and the factual comments of the Ministry of Railways (Railway Board) thereon, had recommended as follows:—

“The Committee note from the factual comments furnished by the Ministry of Railways (Railway Board) that the claim has been hit by the statutory provisions of the Limitation Act, 1963, according to which the limitation period for filing a suit in a court of law in respect of claims for compensation is three years, and that, this claim has become time-barred. The Ministry of Railways have also taken the stand that any relaxation of the provisions of the Limitation Act is considered only as a special case where there is a proof on the file to show that the claimant has been pursuing his claim at periodical intervals. As in the present case, the claimants, according to the Ministry of Railways, have failed to pursue their claim for as many as four years, the petitioners were not entitled to any relaxation of rules. The Ministry of Railways have further pleaded that since the records in this case are not now available, the admission or repudiation of the claim cannot be determined.

The Committee do not agree with the above stand taken by the Ministry of Railways. The Committee are of the view that since the petitioners had preferred their claims with the Bombay Port Trust Railways in time, as admitted by

the Ministry of Railways themselves, it cannot be rejected on the ground that the petitioners have failed to pursue their claims periodically, that the claim in this case has become time-barred under the Limitation Act, 1963 and that the old records of the case are not now available. The Committee regret that the records of the case should have been destroyed without taking any final decision in the matter and that fact should now be made the basis of repudiation of the claim. The Committee feel that the principals of natural justice require that the petitioners should not be put to total loss for merely not pursuing their claim from time to time. The Committee desire that the Ministry of Railways should reconsider the claim of the petitioners and, if the old records of the case cannot be traced, efforts should be made to reconstruct the relevant records. Failing that, the Committee would like the Ministry of Railways to settle the present claim of the petitioners on the basis of equity and principles of natural justice by way of a compromise.

In this connection, the Committee hope that the Ministry of Railways would bear in mind the observations made by the Bombay High Court in the case-Kaluram Sitaram v/s. The Dominion of India (A.I.R. 1954 Bombay 50) as quoted by the petitioners in para 19 of his representation."

[Paras 2.6 to 2.8, Pages 6-7, 19th Report (5LS)]

6.2. The Ministry of Railways (Railway Board), with whom the above recommendation of the Committee was taken up for implementation, have stated in their communication dated the 16th January, 1975, that the claim in question has been settled for Rs. 10,470 by the Bombay Port Trust Railway on 29-11-1974.

**6.3. The Committee note with satisfaction that in pursuance of their earlier recommendation the claim in question has been settled by Bombay Port Trust Railway.**

## VII

### **ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATION OF THE COMMITTEE CONTAINED IN THEIR NINETEENTH AND TWENTIETH REPORTS (FIFTH LOK SABHA) ON THE REPRESENTATION REGARDING RAIL LINK BETWEEN BHILDI AND KAKOSI, WAGROD OR KANSA**

7.1. In their Twentieth Report (5 LS) the Committee, after considering the action taken reply of the Ministry of Railways (Railway Board) on the recommendation contained in their Nineteenth Report on the representation regarding rail link between Bhildi and Kakosi, Wagrod or Kansa, had made the following recommendation:—

“The Committee note the action taken by Government on the recommendation contained in their Nineteenth Report. The Committee recommend that Government should try to include the construction of this project at least in the financial year 1976-77.”

[Para 11.3, Page 28, Twentieth Report (5 LS)]

7.2. The Ministry of Railways (Railway Board), in their action taken reply on the above recommendation of the Committee, have stated as follows:—

“The examination of the survey reports of the Delhi-Ahmedabad M.G. to B.G. conversion with which the proposed link referred to above is connected are still in progress. Taking up the conversion of Delhi-Ahmedabad from M.G. to B.G. during 1976-77 depends upon the availability of funds. Unless additional funds are allotted by the Planning Commission, in the near future to the Railways, it may not be possible to take up the proposed conversion during 1976-77 as suggested.”

7.3. The Committee note the position stated by the Ministry of Railways (Railway Board) in the matter.



## VIII

### OTHER REPRESENTATIONS

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

8.2. The Committee observe that through their intervention, the petitioners have been provided expeditious, partial or complete relief or that the Ministries|Departments concerned have explained satisfactorily the position in respect of their representations (See Appendix IV).

NEW DELHI;  
*Dated the 7th May, 1975.*

JAGANNATH RAO,  
*Chairman,*  
*Committee on Petitions.*

## APPENDIX I

(See para 2.1 of the Report)

LOK SABHA

PETITION NO. 9

(Presented to Lok Sabha on 7-3-1975)

To,

LOK SABHA,  
NEW DELHI.

The humble petition of Shri Jayaprakash Narayan and others.

**SHEWETH**

We, the people of India have gathered here to express solidarity with the struggle of the Bihar people which has come to symbolise people's aspirations all over the country. When basic principles of public life and good government are allowed to be trampled, it is the people's duty to protest. We march today to seek justice and preserve democracy.

We pledge ourselves to a total revolution in society which will create a new order of social and economic equality, genuine democracy, and moral values within the Gandhian framework.

In order to advance towards the achievement of these cherished objectives, we focus attention on the following urgent demands:

### *Fresh Elections in Bihar and Gujarat*

The Legislative Assembly of Bihar has forfeited the confidence of the people of the State. The Assembly is fearful of contact with the people. It barricades itself behind fences and bayonets. It has long since ceased to beat with the pulse of the people. It upholds a government that has misadministered the State and has trampled underfoot the cherished rights of the people.

Far from stopping maladministration and widespread corruption in the Government, the Bihar Assembly has unhappily become a party to them. The political sovereign, the people, have for long demanded dismissal of the legal sovereign that now usurps authority.

In Gujarat, the State Government was overthrown and the Assembly dissolved nearly a year ago in the wake of a people's movement. But free elections are yet to be ordered. Therefore our first demand is that the Government in Bihar be dismissed and its assembly dissolved, and fresh elections be ordered at an early date in Bihar as well as Gujarat.

*Securing the Socio-economic rights of the People*

The Government's ruinous policies have led to economic stagnation on the one hand and increasing poverty, soaring prices and growing unemployment on the other. Non-availability of essential commodities has become a permanent feature of the lives of the weaker sections. Nearly 60 per cent of the population lives in conditions of semi-starvation and their number is increasing at an alarming rate. Social inequalities are increasing.

The vital social and economic rights of the people have to be secured ungently and the following steps must be taken for the purpose:—

1. Provision of the basic necessities of life should be ensured to the weaker sections particularly the poorest 60 per cent of the population at prices within their reach.
2. Prices of essential goods should be related to costs and there should be a reasonable balance between agricultural and industrial prices. Prices should be stabilised and prices rise must not exceed the rate of increase in the national income.
3. Need-based minimum wages and incomes should be guaranteed to all.
4. Economic inequalities should be minimised so as to bring them within reasonable limits such as 1:10.
5. Effective land reforms ensuring equitable redistribution of land, securing of tenure based on the principle of land to the tiller, ownership of homestead land to the landless and assurance of fair wage to agricultural labour, a substantial part of which should be paid in kind.
6. Assurance of full employment. Development of Agriculture and of the rural economy through the application of an appropriate technology should be given the highest priority for this purpose programmes of industrialisation should similarly be based on techniques and schemes involving massive mobilisation of manpower.

7. Creation of a regime of national austerity with the Government to set the tone in this regard. This would involve a ban on import of luxury items and their manufacture at home.

### *Democratic rights and civil liberties*

In violation of the spirit of the Constitution, the Government continues to maintain a state of National Emergency. The rule of law has been systematically replaced by the use of MISA, DIR and governance by ordinance. Democratic rights are being denied to large sections, legitimate and peaceful struggles by the people are suppressed by use of Central and State police. In order to restore, defend and expand the content of democracy we demand:—

1. Immediate withdrawal of the emergency as well as MISA, DIR and other laws which militate against civil liberties,
2. Granting full political and trade union rights to the teaching and non-teaching staff of schools, colleges and universities;
3. Granting of full political and trade union rights to workers and employees in the commercial and industrial establishments in the public sector.

### *Free and Fair Elections*

It is essential that Parliament and Assemblies be made more responsive to popular aspirations. Elections must not be allowed to be influenced by use of official machinery, money power and recourse to force. We therefore urge that:—

1. The unanimous recommendations of the Joint Parliamentary Committee on Electoral Reforms in which the Members of the Ruling Party were also present should be implemented without delay.
2. The Government must not be allowed to make major policy statements sanction projects, lay foundation stones and announce other measures to tempt the electorate after elections have been notified.
3. The Election Commission should be a multi-member body manned by persons of indubitable integrity, such as judges of the Supreme Court and the High Courts. They should be selected by a board consisting of the Chief Justice of the Supreme Court, the Prime Minister, and the leader of the Opposition (or a representative of the Opposition acceptable to all groups).

4. Political parties must be required to submit election expense returns. Expenses incurred by parties on individual candidates including the general party programme should be included in the returns filed by candidates.
5. Use of radio-TV, Government vehicles, aircraft and other Government apparatus for party purposes should be forbidden to the ruling party except on terms of parity with opposition parties.
6. Prohibition should be enforced a week before and on the day of polling.
7. On polling day, all vehicles including private cars, excepting those engaged in essential services, must be off the roads.
8. Counting must be done boothwise; the ballot paper account of each polling station should be publicised immediately after polling; and only one ballot box instead of three or four, should be made available at every booth with stand-by arrangement for any contingency.
9. The accounts of total ballot papers polled, or otherwise used, including the numbers of the first and last ballot papers, in each polling station, must be made available to the polling agents of all the contesting candidates in the polling station concerned.
10. The age of voting must be lowered to 18 years.
11. The right of recall should be provided in the Constitution.

### *Decentralisation of Political Power*

In view of the growing centralisation of power and the destruction of democracy at the grassroot level by the Government, it is necessary to provide constitutional guarantee for genuine self-government by decentralisation of powers and their effective distribution among Gram Panchayats, Zila Boards, States and the Centre.

### *Education Reforms*

1. Education must be the instrument of the creation of a society based on the ideals enshrined in this charter; and should lead to modernisation instead of westernisation;

2. Effective steps to raise the quality and content of education in keeping with national requirements. The present pattern must be revised at every level;

3. Vocationalisation of education from the secondary stage coupled with a system of economic planning guaranteeing employment. A university degree should not be a requirement for any but academic jobs;

4. Highest priority to achieving universal primary education and universal adult education within five years;

5. Check on interference by the Government in educational institutions. The management of these institutions should ordinarily be entrusted to their respective teaching staff, along with democratic student participation.

#### *Eradication of Political Corruption*

Corruption is eating into the vitals of our political life. It is disrupting development, undermining the administration and making a mockery of all laws and regulations. It is eroding people's faith and exhausting their proverbial patience.

In order that public life is cleansed of this cancerous malady, we demand:—

1. Appointment of highpowered judicial tribunals with powers to enquire into allegations against persons in high positions, including the Prime Minister and Chief Ministers. In cases where charges of corruption are substantiated, prosecution of the persons concerned should be obligatory. In all cases reports of enquiries should be published;
2. Implementation of the recommendations of the Santhanam Committee regarding allegations of corruption. In case of doubt whether there is *prima facie* case for an enquiry, the matter should be determined by a judge of Supreme Court or High Court or by judicial tribunals where such tribunals independent of the Executive and with adequate powers exist;
3. A law should be framed requiring all holders of public office to declare their assets immediately on assumption of office and periodically thereafter.

and your petitioners as in duty bound will ever pray.

S. No.	Name of petitioner(s)	Address	Signature or Thumb impression
1.	Shri Jayaprakash Narayan		Sd/—
2.	Shri Charan Singh		Sd/—
3.	Shri George Fernandes		Sd/—

Countersigned by :  
 Shri Atal Bihari Vajpayee, M. P.  
 Shri Tridib Chaudhuri, M. P.  
 Shri Samar Guha, M. P.  
 Shri Shyamnandar Mishra, M. P.  
 Shri Era Sezhiyan, M. P.  
 Shri P. K. Deo, M. P.

## APPENDIX II

(See para 4.3 of the Report)

[Comments of the Ministry of Labour on the representation for bringing of domestic servants within the purview of labour laws and amelioration of their service conditions.]

There have been persistent demands both in the Union Parliament and outside for ameliorating the service conditions of domestic workers. In 1954, a representation was made to the Prime Minister regarding the condition of domestic workers in Delhi. It was stated that a large number of them were boys who had to put in very long hours of duty; there were no arrangements regarding holidays and leave with pay; and it was not unusual for them to be dismissed without notice. The State Governments were addressed in the matter to find out whether there were any laws or rules applying to domestic workers in any State in India. It was also suggested to the State Government that they might examine the question of bringing domestic workers under the purview of the Minimum Wages Act, for, if this was done, it would be possible for them to provide under the Act for minimum wages, hours of work and weekly holidays to domestic workers. The State Governments were also requested to consider the feasibility of any further statutory protection, by way of registration of domestic workers, fixation of minimum age for employment, provision of annual holidays with wages and food and accommodation for those required to live on the premises at their place of work. The comments of the State Governments who agreed to some form of legislative protection were as follows:—

*Rajasthan:* The Rajasthan Government agreed in principle to the extension of the Minimum Wages Act to domestic workers but stated that action would be taken at the appropriate time.

*Orissa:* The Government of Orissa pointed out that there were practical difficulties in fixing wages, etc., under the Minimum Wages Act and as such all that could be provided was that no domestic worker should be dismissed without at least 15 days' notice and that he would be entitled to 10 days leave every year to go home at employer's cost.

*Saurashtra:* The Saurashtra Government suggested that appropriate legislation be considered and made applicable.

in one place only so that further extension might be made in the light of the experience gained.

*Delhi and Tripura:* The Government of Delhi and Tripura were in favour of separate legislation being enacted for domestic workers.

No other State Government expressed views in favour of extending statutory protection to domestic workers at this stage. The following broadly were the reasons given:—

- (1) Domestic worker with his bargaining power particularly in large cities is not in urgent need of protection (Bihar and Bombay).
- (2) General conditions of domestic workers in the State are not so unsatisfactory as to require statutory protection (Bihar, Madhya Pradesh, Mysore, Punjab, Uttar Pradesh and Coorg).
- (3) In a household, human relations are more important than statutory rights and any attempt to regulate between masters and servants will affect adversely the relations (Assam, Bihar, Bombay, Mysore, Travancore-Cochin, Uttar Pradesh and Kutch).
- (4) Application of the Act would cause hardship to employer who mostly belong to low income group (Andaman and Nicobar, Bhopal and West Bengal).
- (5) It would lead to reduction in the volume of employment (Bombay, Bhopal, Madhya Pradesh, Mysore, Punjab, West Bengal and Coorg).
- (6) It would be resented by the public generally whose goodwill and co-operation is necessary for enforcement of the Act (Uttar Pradesh).
- (7) There is sufficient field in commercial and industrial employment which needs to be covered by Minimum Wages fixation and time is not ripe enough for domestic workers to be brought under the scope of the Act (Assam and Bombay).
- (8) When the economy will generate an adequate level of activity necessary to absorb all economically active persons the number of persons in domestic service will automatically decrease and their conditions of service will progressively improve (West Bengal).



(9) Application and enforcement of the Act to domestic workers are fraught with practical difficulties (Andhra, Bombay, Bhopal, Madras, PEPSU, Punjab, Uttar Pradesh, West Bengal and Coorg).

2. The question was very carefully considered and it was decided not to pursue it further for the following reasons:—

- (a) Possibility of large scale retrenchment and of shrinkage of employment opportunities as a result of the enforcement of any law.
- (b) The problem of inspection and enforcement will be particularly difficult. It would be very difficult to administer any legislation in the case of domestic workers as it would involve the maintenance, by individual householders, of records, submission of periodical returns etc. which are so essential for the enforcement of any law.
- (c) The time for undertaking legislation would be when we have created a substantial volume of employment and can absorb domestic workers if thrown out of employment.

3. In India there are no laws in any State to cover the domestic workers.

4. This question was also raised in the Informal Consultative Committee of Parliament for the Ministry of Labour and Employment on the 29th April, 1959. The consensus of opinion among the Committee members was that it would not be desirable to have any rigid law to regulate the domestic workers' working conditions. They, however, suggested that in consultation with the State Governments, the matter may be placed before the Indian Labour Conference to find ways and means to improve the conditions of the domestic workers.

5. The matter was again referred to the State Governments in May 1959 and the matter was placed before the Indian Labour Conference in July, 1959. The conclusions arrived at the Indian Labour Conference were as follows:—

*"Service Conditions of Domestic Servants":*

- (i) It was not considered feasible to adopt any legislative measures for the regulation of the service conditions of domestic workers.
- (ii) The proposals concerning the setting up of a special employment office in Delhi as given at Annexure were unanimously approved. It was felt that experience

gained from the working of this scheme in Delhi might provide the basis for further action in future.

- (iii) As regards the composition of the Advisory Committee, as contemplated in the pilot scheme at Annexure it was felt that representatives of the Central Organisations representing domestic workers and their employers should also be included in the Committee.
- (iv) It was also decided that the Labour Welfare Officer and others connected with the administration of this scheme should collect, as far as possible all the available data on the prevailing practice in respect of working hours, holiday facilities rates of remuneration, dates on which salary was normally paid, period of employment and other privileges available so that further action might be planned on the basis of well-ascertained facts."

6. A Special Employment Exchange for Domestic Servants was accordingly set up in Delhi from 23rd November, 1959. A Labour Welfare Inspector was also attached to the Exchange to deal with complaints received from employers and applicants, as also to study the working conditions and collect data about the terms and conditions of employment of domestic workers. An Advisory Committee was attached to this Exchange to advise authorities concerned on the working of the Special Exchange and on the steps to be taken for the welfare of domestic workers.

7. The work done by this Exchange was reviewed in the meeting of the Informal Consultative Committee of Members of Parliament attached to the Ministry of Labour and Employment held on the 9th May, 1962 and their advice was that the experiment of maintaining a separate employment exchange for domestic workers had not proved successful. Accordingly the Special Employment Exchange was closed on the 30th June, 1962.

8. Employment assistance, however, continues to be rendered to domestic workers and employers through the normal Employment Exchanges.

9. The position therefore, is that while the question of providing statutory protection to domestic servants as well as exploring ways and means of improving their condition has been considered by the State Governments and also by the Central Government from time to time, it has, not been found possible to make any statutory provision for the purpose, mainly because of the difficulty of enforcing any such law and the possibility of such an enactment resulting in large-scale retrenchment of domestic workers.

## ANNEXURE TO APPENDIX II

SCHEME FOR SETTING UP SPECIAL EMPLOYMENT OFFICE  
FOR DOMESTIC SERVANTS

## INTRODUCTION

1. It is proposed to set up, on a pilot basis, a Special Employment Office in Delhi, as a unit of the National Employment Service, to deal with registration and placement of domestic servants in Delhi. Domestic workers constitute a special category of employment seekers and a special office to handle them is likely to prove advantageous to them as also to employers who require such workers. We have set up in the past such special offices to cater to the needs of important occupational categories.

## ORGANISATION

2. *Location:* The Special Employment Office will serve the employers and domestic servants in Delhi and New Delhi areas. It will be located in a centrally situated area in New Delhi well-served by public transport.

3. *Procedure:* The Special Employment Office will work on the same lines as any other Employment Exchange. At the time of registration, domestic servants may be asked to give the names of two responsible persons who are residents of Delhi. The names of the referees should be recorded and may be supplied to the employer at his request when the applicant is submitted against a vacancy.

4. The Office will, in addition, maintain in a specially designed form a register of employers, who need domestic workers.

5. *Administrative Arrangements:* As the scheme is to function on a pilot basis, it may be centrally administered by D.G.R. & E through the Director of Employment and Training, Delhi.

6. *ADVISORY COMMITTEE:*

It is considered that a separate Advisory Committee composed of the representatives of the parties as given below may be set up to advise the authorities concerned on the working of this Employment Office.

1. Director of Employment & Training, Delhi—Chairman.
2. One representative of the Organisation of the Domestic Servants of Delhi.
3. One Representative of employers, preferably a house-wife.

4. A Social worker, preferably a lady interested in the welfare of domestic servants.

5. A Member of Parliament.

6. Employment Officer in charge of the Special Employment Office will be the Secretary of the Advisory Committee.

7. The Special Employment Office will handle only placement of domestic workers. The relations between domestic workers and their employers will be attended to by a Labour Officer to be appointed for this purpose under the Director of Industries and Labour, Delhi Administration. The Labour Officer will look in to specific complaints against employers or employees which merit intervention. The Employment Officer in charge of the Special Employment Office will when required, render assistance to the Labour Officer in this respect by supplying information regarding the terms and conditions notified by the employer at the time of placing the demand for domestic workers.

### APPENDIX III

(See para 5.2 of the Report)

No. 5 (6) /73-RL. II

Government of India (Bharat Sarkar)  
MINISTRY OF SUPPLY AND REHABILITATION  
(POORTI AUR PUNARVAS MANTRALAYA)  
DEPARTMENT OF REHABILITATION  
(PUNARVAS VIBHAG)

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New Delhi-11, the 15th April, 1975.

To

The Chief Commandant,  
Mana Group of Transit Centres,  
Mana, Raipur (MP).

SUBJECT: Redeployment of surplus Staff of Mana Group of Transit Centres, Mana through the Central (Surplus Staff) Cell.

Sir,

I am directed to convey the approval of the Government of India to the redeployment of surplus staff of Mana Group of Transit Centres, Mana through the Central (Surplus Staff) Cell in accordance with orders issued by the Ministry of Home Affairs, and Department of Personnel and Administrative Reforms in their O.M. No. 1|7|90-CS III, dated the 4-4-70 circulated under this Department's memo-No. 15(12)|70-Genl., dated 27-4-70 and also Annexure to Appendix 19 of CSR Vol. II regarding disposal of Surplus staff through Central Cell. This is subject to the condition that no fresh recruitment is to be made with one the prior clearance from the Central (Surplus Staff) Cell.

2. This issues with the concurrence of the Department of Personnel and Administrative Reforms *vide* their U.O. No. 1702|75-CS, III, dated 31-3-75.

Yours faithfully,

Sd/- (P. Subrahmanyam)

Under Secretary to the  
Government of India.

## APPENDIX IV

(See para 8.2 of the Report)

Representations on which the Committee's intervention has procured expeditious, partial or complete relief to petitioners or the Ministries/Departments have explained the position satisfactory.

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 Supply and Rehabilitation (Department of Rehabilitation)</i>			
1.	Shri Khub Chand Gian Chand, 127A, Udhavnagar, Wadej, Ahmedabad.	Appointment of legal heirs of his deceased father Shri Gian Chand— CAF No. A/B/61/XXIII EUP.	The case has been examined and it is found that the compensation case in question stands fully exhausted and no balance is left at the credit of your deceased father Shri Gian Chand.  Since there is no balance to be paid from the aforesaid case, the question of appointment of legal heirs does not arise.
<i>Ministry of Railways (Railway Board)</i>			
2.	Shri Shambhu Saran Agarawal, Kaimganj, U. P.	Ex. Kaimganj to Kanpur Cooperganj Inv. No. 53 RR No. 126791 of 3-12-73— 162 bags tobacco unmanufactured.	The matter has been examined in consultation with the Northern Railway Administration. The facts of the case are stated below :—  A consignment of 162 bags of tobacco booked under the above mentioned Railway Receipts was received at Cooperganj Goodshed, Kanpur on 6-12-1973.  The consignment, though booked by the consignors to "Self" was covered under four Excise Permits. As the endorsed consignee who was holding one permit only, presented the Railway Receipt for taking delivery of the entire consignment covered under

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4

four permits, the Goods Inspector, Cooperganj, shed, declined to give delivery.

However, on receipt of the party's representation in the matter, the Railway Administration made enquiries and the party was asked to produce an authority from the Excise Department for grant of delivery of the whole consignment to one licensee in whose name the Railway Receipt was endorsed. Thereupon the party produced a certificate from Superintendent, Central Excise MOR-1, Kaimganj which indicated that there was no valid objection in granting delivery of the entire consignment to M/s. Shambhu Saran Sanjeev Kumar in the instant case.

On receipt of the above said certificates, instructions were issued to deliver the consignment on collection of full wharfage charges due upto 13-3-74, i.e., the date on which the party approached the Railway with all the relevant papers.

The party applied for waiver of wharfage charges in the meantime further wharfage charges accrued and the case had to be considered at a higher level after obtaining necessary clarifications. Saction was accorded on 17-7-74, allowing delivery of the consignment and foregoing the entire wharfage charges provided the delivery was taken under clear receipt. Accordingly, the party took delivery under clear receipt on 22-7-74.

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From the foregoing it will be seen that Shri Shambhu Saran Agarwal has already taken delivery of the consignment under clear receipt.

*(Department of Personnel and Administrative Reforms)*

3. **Shri S. V. Grade,** **Relief to pensioners who** **It has been decided that**  
**President, Nagpur** **are getting mixed** **the orders contained in**  
**Pensioners' Association** **pension of All India Ser-** **the Ministry of Finance**  
**Wardha Road, Nagpur.** **vices.** **Office Memoranda No.**  
**F. 13(5)-EV(A)/73 date d**  
**the 21st March, 1974,**  
**No. F. 13(1)-EV(A)/74**  
**dated the 6th April, 1974**  
**No. 13(4)/74-EV(A)/74**  
**dated the 3rd June, 1974**  
**No. F. 13(16)-EV (A)/**  
**1974 dated 11-11-74 and**  
**No. F. 13(10)-EV (A)**  
**74 dated the 28th August**  
**1974, shall apply *mutatis***  
***mutandis* to the mem-**  
**bers of the All India**  
**Services who retired**  
**from service on or**  
**after the 1st January, 1973/**  
**prior to the 1st January,**  
**1973. It has also been**  
**decided that the clari-**  
**fications contained in**  
**the Ministry of Finance**  
**O.M. No. 13(7)/EV (A)/**  
**74 dated the 26th June,**  
**1974 and No. 13(5)-EV**  
**(A)/73 dated the 27th**  
**August, 1974 will apply**  
**to the members of the**  
**All India Services, who**  
**retired from service on**  
**or after the 1st January,**  
**1973/prior to 1st Janu-**  
**ary, 1973. A copy each of**  
**the letter No. 33/20/73-**  
**AIS (II) dated the 17th**  
**October, 1974, No. 33**  
**20/73-AIS(II), dated**  
**4-12-74 and No. 33/20/**  
**73-AIS (II) dated**  
**the 19th December,**  
**1974, sent to the State**  
**Governments and the**  
**Accountants General to**  
**this effect is enclosed.**  
**(Not enclosed).**