

COMMITTEE ON PETITIONS

(FIFTH LOK SABHA)

TWENTY-FOURTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

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COMPOSITION OF THE COMMITTEE ON PETITIONS
(1975-76)

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SECRETARIAT

Shri B. K. Mukherjee—*Chief Legislative Committee Officer.*
Shri J. R. Kapur—*Senior Legislative Committee Officer.*

*Nominated with effect from the 20th August, 1975, *vice* Shri Hemendra Singh Bauera resigned from the Committee with effect from the 3rd August, 1975.

**TWENTY-FOURTH 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-fourth Report of the Committee to the House on the following matters:

- (i) Representation regarding take over by Government of Jawaharlal Nehru Institute of Physical Medicine and Rehabilitation and its Complex, New Delhi.
- (ii) Representation regarding insurance protection to mentally retarded persons.
- (iii) Representation regarding sugarcane price etc.
- (iv) Action taken by Government on the recommendations contained in the Nineteenth Report of the Committee on Petitions (Fifth Lok Sabha) on the representation regarding apprehended closure of Arrah-Sasaram Light Railway.
- (v) Action taken by Government on the recommendation of the Committee on Petitions (Fifth Lok Sabha) contained in their Twentieth Report on the representation regarding rehabilitation of five thousand displaced families of Maner Thana of Patna District.
- (vi) Action taken by Government on the recommendation of the Committee on Petitions (Fifth Lok Sabha) contained in their Twentieth Report on the representation regarding recognition of unqualified medical practitioners of modern system of medicine.

1.2. The Committee considered the above matters at their sittings held on the 29th October, 1974 and 23rd and 24th June, 1975 and adopted their draft Report at their sitting held on the 29th September, 1975.

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

II

REPRESENTATION REGARDING TAKE OVER BY GOVERNMENT OF JAWAHARLAL NEHRU INSTITUTE OF PHYSICAL MEDICINE AND REHABILITATION AND ITS COMPLEX, NEW DELHI.

2.1. Shri S. M. Banerjee, M.P., forwarded a representation signed by Smt. Uma Joshi, President and Smt. Ashok Sethi, Vice-President, Jawaharlal Nehru Institute of Physical Medicine and Rehabilitation and its Complex Employees' Association, New Delhi, for take over by Government of that Institute.

A. Petitioners' Grievances and Prayer

2.2. In their representation (See Appendix-I), the petitioners stated *inter alia* as follows:—

“There arose a dispute between the employees and students with the management of Jawaharlal Nehru Institute of Physical Medicine and Rehabilitation and its complex, New Delhi, over a charter of demands pertaining to the employees, workers and students of the said complex of institution. The workers had to resort to strike which prolonged for 51 days, particularly on account of non-payment of salaries for eleven to thirteen months. Keeping in view the complex situation the then Deputy Minister Labour Shri C. Venkataswami and the Union Deputy Minister for Education and Social Welfare intervened in the matter and as a result of that, a memorandum of settlement was signed by the representatives of workers out by violating the terms of agreement.

The bare demands of the workers which were once agreed to by the management after mutual negotiations, a document was signed thereof, the management is now backing out by violating the terms of agreements.

Salaries were never given on the first of every month rather are not paid for last 8 months.

The management is not carrying out the terms and conditions of the most important clause (7) of the agreement where the nominated Government Officer holds his control, as administration contradicting this clause have suspended, terminated and taken disciplinary action (by cutting down increments) of some workers.

It is surprising enough that as soon as the agreement was signed, the authorities started turning out these crippled and handicapped children with the pretext that they will be called back as soon as the roofs are repaired. They intentionally demolished the best section (from the point of view of construction) and turned out these children. Since then 8-9 months have elapsed and there is no sign of repairing these roofs. On the other hand it has become a problem for unfortunate parents to handle and take care of these children at home. Because majority of these children were needing institutional care only. These parents approached the authorities repeatedly, but they always get an evasive reply by the management.

Keeping in view the above situation it is very clear that the management is not able to run the institute properly and the only solution is immediate take over of the institute by Government. Moreover when the Government is spending 100 per cent money for the institute why the Government should not control the institute completely as this is the biggest institute in whole of North India and is of great public interest and social service to the handicapped. We earnestly request you for your immediate intervention and necessary decision for handing over the administration to the Government completely."

B. Factual Comments of the Ministry of Education and Social Welfare (Department of Social Welfare)

2.3. The representation was referred to the Ministry of Education and Social Welfare (Department of Social Welfare) for their factual comments for consideration by the Committee. In their comments (See Appendix-II), the Department of Social Welfare have stated *inter alia* as follows:—

"The Government have received representations from some members of the staff alleging violation of the agreement.

It appears that salaries have not been paid regularly, fresh service rules have not been framed nor have Government scales of pay been made applicable. The claim of the Management on the other hand is that the agreement was 'bad in law' and they have decided to terminate it with effect from 31-3-1974. This decision was taken by the Governing Body of the Council at its meeting held on 7-8-74. The Department has, however, told the Council that this bilateral agreement between the staff and the Management could not be unilaterally abrogated by the Management and that too retrospectively.

In August, 1974, the services of the 3 senior employees of the Institute are reported to have been terminated without the approval of the nominated officer. The Department of Social Welfare wrote to the Council requesting them to intimate why the services of these employees had been terminated without the approval of the nominated officer. They have written to say that the agreement of 15-9-1973 which envisaged the appointment of a nominated officer and the approval of major decisions by him was 'bad in law' and that they have revoked it with effect from the afternoon of 31-3-74. The Department has however again written to them to the effect that this bilateral agreement between the Management and the staff cannot be terminated by the Management unilaterally.

In the residential section live students both of the school and trainees of the occupational therapy sheltered workshop. The residential section had to be closed because the building needed repairs as mentioned by the Times of India. Before the closure, the number of inmates was approximately 180. There are at present only about 10-12 handicapped children in the residential section. The management has, however, invited applications for re-admission. The residential section will reopen only after the buildings have been suitably repaired. No request has been made to the Government for assistance for undertaking repairs. The Secretary has indicated that they have not been able to raise necessary donations from the parents.

The Council has recently made an offer that the Government of India may take over the four institutions. The legal and administrative aspects of this offer are being examined as a prelude to their take over."

2.4. In their communication, dated the 8th July, 1975, the Department of Social Welfare has stated that the Jawaharlal Nehru Complex of Institutions have been taken over by that Department on the 22nd May, 1975, from the Council for the Aid of Crippled and Handicapped, New Delhi.

C. Observation of the Committee

2.5. The Committee are happy to note that the Government have taken over the Jawaharlal Nehru Institute of Physical Medicine and Rehabilitation and its complex, New Delhi. The Committee hope that now the grievances of the employees including non-payment of arrears of salaries will be redressed by the Government and the institution will be run on proper and scientific lines.

III

REPRESENTATION REGARDING INSURANCE PROTECTION TO MENTALLY-RETARDED PERSONS

3.1. The Secretary, Indian Society for Mentally Retarded, Bombay, submitted a representation regarding insurance protection to mentally-retarded persons.

A. Petitioner's Grievance

3.2. In his representation, the petitioner stated *inter alia* as follows:—

“In spite of the best training, the mentally subnormal (20 per cent—25 per cent lower intelligence than a normal standard) person cannot be made fit to look after himself/herself financially—parents/guardians of such people are under constant worry regarding the future of these people and especially regarding what will happen to them when they are not in this world. No doubt they require physical look after and financial help—later part of the care can be attended by the insurance scheme. One such scheme is formulated by the members of the above society and sent herewith for your scrutiny and consideration. (See Appendix-III)”

B. Comments of the Department of Social Welfare

3.3. The representation was referred to the Department of Social Welfare for furnishing their factual comments on the points raised therein for consideration by the Committee. In their comments, the Department of Social Welfare have stated as follows:—

“(i) It is said that the scheme should apply to persons functioning 20—25 points below the average. In the first instance, it is not easy to determine the average; secondly, according to the accepted definition of mental retardation,

a person is retarded only if he is two standard deviations below the mean which works out to about 30 I.Q. points below the mean of a hundred. But such mildly retarded persons are not necessarily incapable of earning a living.

- (ii) It has been suggested that only 100 in a population of 1,00,000 will require this service *i.e.*, insurance scheme for those retarded persons who are unable to earn a living. Even this may not be entirely correct. Moreover, such a project may have to be made applicable not only to the retarded but to other severely handicapped persons as well. Thus, though no dependable data are available, the number is likely to be substantially larger.
- (iii) An average life span of 15—25 years has been anticipated by the Secretary, Indian Society for Mentally Retarded, Bombay. This again may not be entirely correct. Time was when children with such afflictions as mongolism used to die early of respiratory disorders. But with the advent of modern antibiotics, the life span has gone up and there is no reason to anticipate an average life span of 15—25 years.
- (iv) The great majority of our population consists of very poor people who may be unable to pay insurance premiums. Thus, a scheme of this nature, if taken up, may have to be limited to a very small percentage of the population.
- (v) It is not merely a question of providing the money. Severely subnormal persons are not able to look after themselves. It is also necessary to place them in the hands of persons who will place their interests above their own and will not exploit them.

The Department is, however, proposing to constitute a working group to go into the merits of the case and if possible work out a suitable project."

C. Observation of the Committee

3.4 The Committee note that Government propose to constitute a Working Group to go into the question of providing insurance protection to mentally-retarded persons and work out a suitable project. The Committee recommend that the proposed Working Group should be expeditiously constituted and asked to submit its report at an early date. The Committee would like to be apprised of the findings and recommendations of the Working Group and the action taken by Government on those recommendations in due course.

IV

REPRESENTATION REGARDING SUGARCANE PRICE ETC.

4.1. Shri C. Kesaviah Naidu, Sarpanch, Bheemavaram Gram Panchayat, District Chittoor, submitted a representation, countersigned by Shri P. Narasimha Reddy, M.P., regarding sugarcane price etc., for consideration by the Committee.

A. Petitioner's Grievance and Prayer

4.2. In his representation (See Appendix-IV), Shri Naidu made the following prayers:—

- “(i) the sugarcane price may be fixed at Rs. 150 per M.T. for 1975-76 season, now itself;
- (ii) for a 1000/- Ton sugar factory, the factory may be made to maintain 10 lorries or in that proportion proportionately;
- (iii) in the off-season, factory-sugar may be allowed to be conveyed to far-off godowns in the villages;
- (iv) factories, which work before and after the season (season being from 1st December to 31st March—4 months) may be allowed to retain that quantity as free-sale-sugar, as an incentive to start the factories early and close them late;
- (v) for the sugar produced in the factories, the Central Government may be asked to pay cash weekly once and carry on their business, i.e., (1) purchase (2) store in different godowns and (3) distribute; and
- (vi) sugar may be stored in village co-op. godowns to be within 16 Kms. (10 miles) radius from any village.”

B. Comments of the Ministry of Agriculture and Irrigation (Department of Food)

4.3. The representation was referred to the Ministry of Agriculture and Irrigation (Department of Food) for furnishing their factual comments on the points raised therein for consideration by the Committee. In their comments, the Ministry of Agriculture and Irrigations (Department of Food) have stated as follows:—

- “(i) Under the relevant statutory provisions, the Government fix only the minimum cane prices payable by the sugar

factories for the sugarcane supplied to them. For 1974-75, the basic minimum cane price is Rs. 8.50 per quintal linked to a recovery of 8.5 per cent plus a premium at 10 paise for every increase of 0.1 per cent in recovery above that level. This basic minimum price, involves an increase over the basic minimum cane price, which was in vogue during the previous two years *viz.*, Rs. 8.00 per quintal lined to a recovery of 8.5 per cent or less with a premium of 9.4 paise for every 0.1 per cent increase in recovery. The minimum cane price for 1972-73 itself recorded an average of about 20 per cent increase over the earlier basic minimum price of Rs. 7.37 per quintal linked to a recovery of 9.4 per cent plus a premium of 6.6 paise for every 0.1 per cent increase in recovery. The Agricultural Prices Commission has recommended that the statutory minimum price for cane payable by the sugar factories in 1975-76 season be increased from the existing level of Rs. 8.50 to Rs. 9.50 per qtl. for a basic recovery of 8.5 per cent subject to a proportional premium for every 0.1 per cent increase in recovery. During the discussion with the Chief Ministers on the 8th March, 1975, there was a general appreciation of the need for ensuring that the cost of levy sugar for the consumer remains unchanged by whatever decision is taken by the Central Government on the minimum cane price for 1975-76. The matter is under consideration of the Government. In this connection, it has to be appreciated that it will be difficult to fix the basic minimum cane prices at an unduly higher level without stepping up inflationary trends and also correspondingly causing an increase in the levy price of sugar, which is meant to cater to the reasonable requirements of the consumers.

However, under the partial control policy, the producers of sugar are in a position to pay for the cane, prices higher than the minimum notified prices, from out of their higher realisations from the free sale quota of sugar. The level at which the cane prices should actually be paid is settled between the cane-growers as sellers of cane and the sugar mills as purchaser. In many of the sugar-producing States, the State Governments also effectively use their good offices in helping the growers and the sugar factories to come to a reasonable settlement in this regard. A statement showing Statewise the ranges of the minimum notified prices and of the prices actually being paid during the current season is enclosed. (See Appendix-V). In any

case, from 1974-75 season onwards, a statutory provision has been made for the sugar mills to pay to the growers by way of additional cane price for cane supplied *pro rata* equal to at least 50 per cent of the extra realisations of the mills from the disposal of free sale sugar.

- (ii) As regards the question of maintenance of 10 lorries by a 1,000 tonnes sugar factory, it may be stated that the factory purchases cane at the gate as well as at centres away from the factory. In many of the regions, the enlightened factories make suitable arrangements for the transport of cane from the purchasing centres to the factories either by train or by its own or hired transport. This is a matter in which the factory management should make its own decision keeping the overall interests involved in view.
- (iii), (v) and (vi): The three points raised in the petition are more or less interlinked. Since sugar is hygroscopic, i.e., absorbs moisture easily, it has to be stored carefully in pucca godowns, which may be difficult to ensure in remote villages. Sugar is subject to levy and also to excise duty. Its removal from the factory godown requires prior payment of excise duty to the Government besides its price to the factory. Moreover, sugar can be taken out of the factory only against valid release orders issued by the Directorate of Sugar and Vanaspati, mostly once every month. The factory maintains proper account of sales and despatches. In case the proposal of the petitioner is accepted, there will be administrative difficulties in accounting of the collection of levy and excise duties. Government may have to finance the whole business, maintain suitable storage accommodation in remote villages and take adequate security measures for the safe-keeping of sugar in far-flung areas, thus adding to the cost of operations. Further, the needs of both the urban and rural population and the trend of larger consumption in urban rather than in rural areas is also to be kept in view. These suggestions are, therefore, considered impracticable.
- (iv) As for the suggestion about the retention of sugar produced before and after the crushing season by the factories for sale in the open market for stepping up sugar production, it may be stated that the same purpose is now being achieved by the Government allowing excise rebates for maximising sugar production both during off season and the peak crushing season. If the proposal of the peti-

tioner is accepted, we may run the risk of the factories maximising production of free sale sugar during the off season (before and after crushing season) and keeping the production during the crushing period at a low level. The result may will be that the factories may get undue financial advantages and also that the adequate availability of levy sugar for distribution through fair price shops to meet a reasonable portion of the requirements of the public at controlled price may be seriously jeopardised."

C. Observation of the Committee

4.4. From the factual comments furnished by the Ministry of Agriculture and Irrigation in regard to various points raised in the representation and after considering all the aspects of the matter, the Committee are of the opinion that the price paid to the cane-growers is not adequately remunerative and it does not afford them sufficient incentives. The Committee, therefore, recommend that Government should endeavour to see that higher price is paid by mill-owners to the cane-growers, without raising the price of the levy sugar.

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE NINETEENTH REPORT OF THE COMMITTEE ON PETITIONS (FIFTH LOK SABHA) ON THE REPRESENTATION REGARDING APPREHENDED CLOSURE OF ARRAH-SASARAM LIGHT RAILWAY.

5.1. In their Nineteenth Report, the Committee, after considering the representation regarding apprehended closure of Arrah-Sasaram Light Railway and the factual comments of the Ministry of Railways (Railway Board) thereon, had recommended as follows:—

“The Committee note that the Arrah-Sasaram Light Railway Co., is working under an Agreement with the District Board of Shahabad (Bihar), who have guaranteed to supplement the net earnings of the Company by such annual subsidy as may be necessary to allow the Company to pay a Dividend of 4 per cent per annum on the share capital, subject to a maximum of Rs. 88,000 per annum or the sum of 4 per cent of the subscribed share capital, whichever is less. The surplus profits in excess of 4 per cent on its capital are divisible equally between the District Board and the Company. The Central Government do not have any financial interests in the Railway nor do they have any contractual obligations.

The Committee further note that the right to purchase Arrah-Sasaram Light Railway Co. vests with the District Board of Shahabad, who have the option recurring at intervals of every seven years, to purchase the line after giving at least six months' notice. The option, which fell due on the 12th October, 1972, was not exercised by the District Board. According to the Ministry of Railways, the Central Government can purchase the Railway only if it is decided to convert it into the Broad Gauge. The proposal to convert the line into Broad Gauge was initially examined in the year 1955 but the same was not found to be financially viable. The issue of conversion again came up for consideration in the year 1964. On the basis of the report submitted by the Eastern Railway,

the gross earnings of the proposed Broad Gauge line in the year 1970-71 (presumed to be the first year of opening to traffic) were estimated at a little over Rs. 20 lakhs, including Rs. 17 lakhs from passenger traffic. The working expenses of the line were estimated at about Rs. 27 lakhs thus leaving a deficit of about Rs. 7 lakhs per annum. The cost of conversion into Broad Gauge was estimated to be Rs. 5.76 crores, inclusive of Rs. 42 lakhs, the purchase price of the Narrow Gauge line. Dividend on this amount at the rate of 6 per cent comes to about Rs. 34 lakhs a year. The total recurring loss has thus been estimated to be of the order of Rs. 41 lakhs per year; the purchase was thus found to be heavily unremunerative. The present position is not appreciably different from what it was in the year 1964.

According to the Ministry of Railways, taking over of the management of the Company by Government under the provisions of the Railway Companies (Emergency Provisions) Act, 1951 would be an uneconomic proposition because the operation of the Railway by the Central Government would result in an increased expenditure due to factors, such as bringing the staff of the Light Railway on the scales of pay applicable to the Government Railways, employment of additional staff to conform to the provisions of hours of employment regulations etc.

The Committee have also noted that the Ministry of Railways had often (since April, 1964) requested the State Government of Bihar to protect the Light Railway from road competition and to consider the Company's request for financial assistance. But, the Government of Bihar have not agreed to give any financial assistance to the Company on the grounds of unsatisfactory financial position of the State. On the other hand, the State Government had decided to issue permits for running a bus service between Arrah and Sasaram, on the ground that there had been a steep fall in the level of service of the Light Railway and the people of the area were facing great difficulties.

The punctuality of passenger trains over the section has deteriorated because of the acute shortage of coal of the proper grade and on account of the difficulties being experienced in loco maintenance works, subsequent to the

closure of the Bankura General Workshop on the Howrah-Amta Light Railway.

As regards the condition of assets, there are arrears in replacement and renewals of track, rolling stock, etc. For instance, 50 per cent of the sleepers are more than 15 years old and are unserviceable, and require replacement. Similarly, the average year of 30 lb. and 35 lb. rails is 6 per cent to 7 per cent on the straight and 10 per cent to 12 per cent on the curves. Six Locomotives out of 13 in use were built in the year 1910-11 and are, therefore, obsolete. Two more were built in 1921—1928 and are also very old. The rolling stock is in need of intensive repairs. Some of the components of the locomotives, such as crank pins, wheel tyres, etc., have reached condemning sizes and require renewal.

From the factual comments furnished by the Ministry of Railways, the Committee find that the efficiency and working of the Arrah-Sasaram Light Railway have progressively deteriorated during the last several years. The punctuality of the passenger trains has deteriorated because of the acute shortage of coal of proper grade and on account of the difficulties in loco maintenance work. There heavy arrears in the replacement and renewal of the track, rolling stock, etc. Most of the locomotives are very old and obsolete and the rolling stock is in need of intensive repairs. It is on the ground that there has been a steep fall in the level of service of the light railway and the consequent difficulties to the people of the area that the Government of Bihar have decided to issue permits for running bus service between Arrah and Sasaram.

The Committee, therefore, feel that if all these deficiencies in the working of the light railway are removed and the efficiency, speed and the number of trains of the Railway are increased, not only this Railway can be run profitably but also a better service for the travelling public of this area can be ensured.

The Committee also observe that the Railway Company have been unable to improve the working of this Railway. Also, neither the District Board of Shahabad nor the Government of Bihar seems to be prepared to assist the Railway Company financially in an appreciable manner so as to improve its working.

The Committee also observe that the Ministry of Railways are not in favour of purchasing this Railway and convert it into broad gauge on the ground that it will be heavily unremunerative. The Ministry of Railways are not also prepared to take over the management (without purchase) of this Railway under the provisions of Section 3 of the Railway Companies (Emergency Provisions) Act, 1951, on the ground that taking over of the management of the Company would be an uneconomic proposition. One of the arguments advanced by the Ministry of Railways is that the operation of the Railway by the Central Government would result in an increased expenditure due to factors, such as, bringing the staff of the Light Railway on the scales of pay applicable to the Government Railways, employment of additional staff to conform to the provisions of hours of employment regulations, etc. The Committee are not impressed by this argument.

The Committee thus observe that the Ministry of Railways seem to be guided in this matter solely by financial considerations and they have ignored the factor of public interest and the difficulties that are likely to be faced by the inhabitants of the area, consequent on the closure of this Railway. The Committee have no doubt that conditions have arisen which warrant the take over of the management of this Railway as stipulated in Section 3 of the Railway Companies (Emergency Provisions) Act, 1951 namely, a situation has arisen in the affairs of the Company which has prejudicially affected the convenience of persons using the Railway and is likely to cause serious dislocation in the trade and industry and also cause serious unemployment amongst the employees of the Company. The Committee are, therefore, of the opinion that the take over of this Railway is in the national and public interest.

The Committee, therefore, recommend that the Ministry of Railways should take an active interest in the efficient running of this Railway and render the necessary financial and other assistance to this Light Railway themselves instead of entering into a futile exercise in persuading the Government of Bihar to do so, who have been pleading their inability to give any financial assistance to the Company on the ground of unsatisfactory financial position of the State. In the alternative, the Committee recommend

that the Ministry of Railways should consider the question of taking over and running the Railway themselves."

[Paras 6.4 to 6.13, pages 20—22, Nineteenth Report (Fifth Lok Sabha)].

5.2. The Ministry of Railways (Railway Board), with whom the above recommendations of the Committee were taken up for implementation, have stated as follows:—

"The Arrah-Sasaram Light Railway Company had, in its notice dated 16-12-1974, announced its decision to close down the Railway with effect from 15-2-1975. The closure was first deferred by the Company to 15-3-1975 and then to 15-4-1975. According to the notice, this decision was taken by the Board of Directors of the Company in consideration of the trading losses suffered for 5 years which eroded the Company's capital to the extent of over Rs. 2 lakhs. It was added that severe road competition had deprived the Railway of its normal rate of growth in earnings, principally passenger earnings, while cost of wages and salaries, etc., had gone up steeply. The Company's financial resources were stated to have been depleted to such an extent that it is no longer possible for the Railway to meet its running cost, leaving alone the minimum requirements for repairs and renewals necessary to ensure the safety of the travelling public.

As the Company's correspondence with the Government of Bihar conveyed the impression that its main problem was lack of resources and that it was not averse to continue operating the Light Railway provided it received some financial assistance, the Ministry of Railways discussed the matter with the Company's representatives. After discussion, the Company agreed to withdraw its closure notice and to continue in operation for a period of 3 years from 1-4-1975. The Central Government (Ministry of Railways) will enter into a supplementary agreement with the Company, under which the Central Government (Ministry of Railways) will reimburse the audited working losses of the Company, if any, after setting off the relief admissible to it in terms of its agreement with the District Board of Shahabad. The Central Government have also given the Company an advance of Rs. 2½ lakhs (equivalent to one month's working expenses of the Company) to enable it to tide over its immediate problem of

financial resources. This advance carries interest of 6 per cent per annum and is repayable by the 31st March, 1976, failing which it will be adjusted against the subsidy due to the Company for 1975-76. The Company has accepted scrutiny of the Central Government of its annual budget as well as its surveillance through a representative of the Ministry of Railways who will be coopted as a Director on its Board.

The continuance of this Light Railway would, in the main, depend on the viability of the undertaking. The most important reason for the declining passenger traffic on this section is the severe road competition. The State Government have since agreed to limit the number of buses plying on this route at the existing level and to prohibit unauthorised vehicles carrying passengers. They have also agreed to provide magisterial assistance to the Company to check ticketless travel. With these efforts, it is expected that the Company's earnings should revive and with an improvement in their financial position, better quality of services may be expected of them."

Observation of the Committee

5.3. The Committee note that the Arrah-Sasaram Light Railway Company, after discussion with the Ministry of Railways, has agreed to withdraw its closure notice and to continue in operation for a period of three years from the 1st April, 1975. The Committee would also like the Government to ensure that this Railway is not closed even after the expiry of present period of three years.

The Committee also note the position stated by the Ministry of Railways that the important reason for the declining passenger traffic on this Railway is the severe road competition and that the State Government have since agreed to limit the number of buses plying on this route at the existing level and to prohibit unauthorised vehicles carrying passengers. The Committee would like to urge upon the Government that while giving effect to this arrangement of limiting the number of buses plying on this route, it should be ensured by the concerned authorities that the travelling public is not put to any hardship or inconvenience.

VI

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATION OF THE COMMITTEE ON PETITIONS (FIFTH LOK SABHA) CONTAINED IN THEIR TWENTIETH REPORT ON THE REPRESENTATION REGARDING REHABILITATION OF FIVE THOUSAND DISPLACED FAMILIES OF MANER THANA OF PATNA DISTRICT.

6.1. In their Twentieth Report (Fifth Lok Sabha), the Committee, after considering the representation regarding rehabilitation of five thousand displaced families of Maner Thana of Patna District and comments of the Ministry of Irrigation and Power thereon, had recommended as follows:—

“The Committee note the factual comments furnished by the Ministry of Irrigation and Power. As the subject matter of the representation concerns the Government of Bihar, the Committee hope that the State Government will do the needful in the matter as early as possible.

The Government of India may also consider the feasibility of making an *ad hoc* grant to the State Government to enable that Government to complete this project, which is meant for the rehabilitation of the weaker sections of the society, as early as possible.”

[Para 2.4, Page 5, Twentieth Report (Fifth Lok Sabha)].

6.2. The Ministry of Agriculture and Irrigation (Department of Irrigation) in their action taken reply have stated as follows:—

“The observations made by the Committee regarding the action to be taken by the State Government on the implementation of the scheme has been brought to the notice of the State Government of Bihar. It is understood that model studies are being carried out for the finalisation of the scheme for protecting the Maner Diara from erosion by the Ganga which had earlier been formulated by the State Government.

The question of providing financial assistance to the State Government for the implementation of the scheme will

arise only when the scheme is finalised and approved by the competent authority and a specific request for assistance is received from the State Government. Such a request has to be considered after examining *inter alia* the possibility of accommodating the scheme within the provisions in the State plan for which financial assistance is provided by the Centre in the form of block loans and grants which could be utilised by the State Government at their discretion according to the priorities of the schemes.”

6.3. THE COMMITTEE HAVE NOTED THE POSITION STATED BY THE GOVERNMENT.

VII

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATION OF THE COMMITTEE ON PETITIONS (FIFTH LOK SABHA) CONTAINED IN THEIR TWENTIETH REPORT ON THE REPRESENTATION REGARDING RECOGNITION OF UNQUALIFIED MEDICAL PRACTITIONERS OF MODERN SYSTEM OF MEDICINE.

7.1. In their Twentieth Report (Fifth Lok Sabha), the Committee, after considering the representation regarding recognition of unqualified medical practitioners of modern system of medicine and the factual comments of the Ministry of Health and Family Planning (Department of Health) thereon, had recommended as follows:—

“The Committee note from the facts furnished by the Ministry of Health and Family Planning (Department of Health) that the registration of medical practitioners is primarily the concern of the State Governments. The Central Government have advised the State Governments that the position of unqualified medical practitioners should be so regularised that they should be able to continue to serve the people and, at the same time, take effective steps to prevent the entry of fresh unqualified people into their ranks. Further, those who have been practising modern medicine for a period of not less than ten years immediately before an appointed date may be allowed to continue to practise modern medicine with certain restrictions. The Committee have also perused in this connection the provisions contained in the Maharashtra Medical Practitioners Act, 1961. The Committee recommend that the Central Government may consider the desirability of suggesting to the State Governments for initiating legislation on the lines of the Maharashtra Medical Practitioners Act, 1961, particularly Section 18 thereof.”

[Para 5.7, Page 13, Twentieth Report. (Fifth Lok Sabha)].

7.2. The Ministry of Health and Family Planning (Department of Health), with whom the above recommendation of the Committee

was taken up, have furnished a copy of their Circular letter No. V-11016|8|74-MPT, dated the 25th April, 1975, addressed to all the State Governments|Union Territory Administrations bringing to their notice the aforementioned recommendations of the Committee, for such action as they might consider necessary (See Appendix VI).

7.3. The Committee note the action taken by the Ministry of Health and Family Planning and recommend that the matter should be pursued by them constantly with the State Governments so that the State Governments do the needful in the matter without delay.

NEW DELHI;
September 29, 1975.

JAGANNATH RAO,
Chairman,
Committee on Petitions..

APPENDIX I

(See para 2.2 of the Report)

[Representation regarding take over by Government of Jawaharlal Nehru Institute of Physical Medicine and Rehabilitation and its Complex, New Delhi.]

To

The Chairman,
Petitions Committee,
Lok Sabha.

Sir,

It is unfortunate that in such an important institute which renders the memory of a great patriot and National Leader of India, the Late Prime Minister Shri Jawaharlal Nehru and which caters service to the handicapped, the fate of the workers is at stake. There is a gross mismanagement in the institute. As this is the biggest institute in whole of north India, we request that it may be taken over by the Government.

2. There arose a dispute between the employees and students with the management of Jawaharlal Nehru Institute of Physical Medicine and Rehabilitation and its complex, New Delhi, over a charter of demands pertaining to the employees, workers and students of the said complex of institution. The workers had to resort to strike which prolonged for 51 days, particularly on account of non-payment of salaries for eleven to thirteen months. Keeping in view the complex situation the then Deputy 'Minister' Labour Shri G. Venkataswami and the Union Deputy Minister for Education and Social Welfare intervened in the matter and as a result of that a memorandum of settlement was signed by the representatives of workers and students of the above institute, with the management represented by Smt. Vidya Wati Chaturvedi (M.P.), Chairman, Shri S. N. Mishra (M.P.) Secretary and Shri N. Swaroop, Co-ordinating Director.

3. The bare demands of the workers which were once agreed to by the management after mutual negotiations, a document was signed thereof, the management is now backing out by violating the

terms of agreement. It is agreed that an aggrieved worker cannot serve better than a happy one. The memorandum of settlement of the dispute has been violated by the management in the following manners:—

CLAUSE—I

Salaries were never given on the first of every month rather are not paid for last 8 months.

CLAUSE—II

The action of victimisation of employees|workers has not been stopped because of last strike. They are being harassed by issuing memorandum without any reason. Those workers who had put in 10—15 years of service and have always been appreciated for their good performances were being condemned because they joined the strike. Four staff members have received telegrams on 18th February, 1974, 19th February, 1974, 16th May, 1974 and 17th May, 1974, suspending them—Mrs. Uma Joshi (President, Employees Union), Mrs. Ashok Sethi (Vice President), Mr. T. C. Gupta (Treasurer) and Senior Accountant of the Institute and Mrs. Bhatnagar (Executive member) of the Association and Senior Supervisor of the Shelter Workshop.

4. These staff members are suspended just because they took bold stand against the management and hold the strike from 31st July, 1973 to 15th September, 1973. This is a clear case of harassment of staff by the management. The management is not carrying out the terms and conditions of the most important clause (7) of the agreement where the nominated Government Officer holds his control, as administration contradicting this clause have suspended, terminated and taken disciplinary action (by cutting down increments) of some workers.

5. This institute was started in the memory of Late Prime Minister Shri Jawaharlal Nehru, who had great love for children and its main objective was to educate and rehabilitate these children. But it is surprising enough that as soon as the agreement was signed, the authorities started turning out these crippled and handicapped children with the pretext that they will be called back as soon as the roofs are repaired. They intentionally demolished the best section (from the point of view of construction) and turned out these children. Since then 8-9 months have elapsed and there is no sign of repairing these roofs. On the other hand it has become a problem for unfortunate parents to handle and take care of these children.

at home. Because majority of these children were needing institutional care only. These parents approached the authorities repeatedly, but they always get an evasive reply by the management.

6. Since the management does not have any set of rules and if it has, these are moulded according to their wishes. Previously two senior staff members, namely Mrs. Sharda Dhawan the incharge of Physio-therapy Department and Mrs. Rajni Jain the Director of the training college were terminated after rendering their services for 4-5 years permanently, only because they proceeded on medical leave and privilege leave (after getting it sanctioned) respectively. The reason assigned for their termination was that the nature of their jobs cannot afford long leave. But it is seen that the incharge of the residential section is on leave since 14th November, 1973 and she is still on leave. Her leave is sanctioned without any grudge, it may be seen that there are still twenty-two children in the hostel and the nature of her job cannot afford leave for such a long period. The employees who take interest in their work are getting suspension orders repeatedly. It is clear that the attitude of the management towards Miss Chitranjani is absolutely partial.

7. There are also cases of manhandling from the side of the management. The Accountant of the Shelter Workshop Mr. T. C. Gupta was beaten up on 14th May, 1974 by management people and on being this matter informed to police, the very next day Mr. Gupta got suspension orders.

8. According to clause II of the agreement it was decided that there would be no victimisation on account of strike, but soon after strike some very junior persons were promoted to higher post superseding their seniors and management refused to answer the reason of their promotion. They simply said that these above-mentioned workers and employees helped us during strike so they must be given some credit.

9. The management persuades the parents of the handicapped children to become life members of the council. For this a life membership parents are charged a lump-sum of Rs. 15,000/- and they are given assurance for the life long care, treatment and training and all facilities and other things, but it is observed that soon after the parents make this payment, the institute authorities start neglecting the treatment and management of the child who dies after some time. This has been observed in few cases for example Mr. Kamlesh Desai died of negligence only.

10. It is most surprising to note that Shri N. Swaroop (the Coordinating Director) who is supposed to carry out the most important job of administration is not coming to the institute since 25th

January, 74. It would thus be more in the interest of the handi-capped workers and the staff there that the institute is taken over by the Government. No institute can run without framing the set of rules and regulation to be guide, without which it may be just a hotch potch. It is therefore, the right time that the management may be taken over by the Government.

11. Keeping in view the above situation it is very clear that the management is not able to run the institute properly and the only solution is immediate take over of the institute by Government. Moreover when the Government is spending 100 percent money for the institute why the Government should not control the institute completely as this is the biggest institute in whole of North India and is of great public interest and social service to the handicapped. We earnestly request you for your immediate intervention and necessary decision for handling over the administration to the Government completely.

Yours faithfully,

Sd/- President
Vice President
Jawahar Lal Nehru Institute
of Physical Medicine &
Rehabilitation and its Com-
plex Employees Association
New Delhi.

APPENDIX II

(See para 2.3 of the Report)

[Comments of the Department of Social Welfare on the representation re. take over by Government of Jawaharlal Nehru Institute of Physical Medicine and Rehabilitation and its Complex, New Delhi.]

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- (i) *The management is backing out of the agreement by violating the terms of the agreement signed between the management and the employees in September, 1973.*

A copy of the agreement is attached at Annexure I.

The Government have received representations from some members of the staff alleging violation of the agreement. It appears that salaries have not been paid regularly, fresh service rules have not been framed nor have Government scales of pay been made applicable. The claim of the Management on the other hand is that the agreement was 'bad in law' and they have decided to terminate it with effect from 31-3-74. This decision was taken by the Governing Body of the Council at its meeting held on 7-8-74. The Department has, however, told the Council that this bilateral agreement between the staff and the Management could not be unilaterally abrogated by the Management and that too retrospectively. In the meantime, all the students of the Physio-Occupational Therapy Training College (numbering 103) have dissociated themselves with the present controversy and are quite disturbed about the allegations made against the management. Copy of their representation is enclosed. (Annexure IV)

- (ii) *Irregular payment of salaries*

A statement showing the position about the payment of salaries to the members of the staff of the four institutions of the Council is given at Annexure II.

- (iii) *Victimisation of the Staff who participated in the strike.*

In May, 1974, four employees of the Council were suspended. The nominated officer of the Department of Social Welfare was

asked to approve the termination of their services. On the advice of the nominated officer, the Governing Body of the Council decided to institute a formal enquiry against the suspended employees. While the employees say that they have received no charge-sheets and the Management maintains that the employees have been evading the enquiry. The Management has also pointed out that criminal cases for trespass are pending against the four suspended employees and that their case is *sub-judice*.

In August, 1974, the services of the 3 senior employees of the Institute are reported to have been terminated without the approval of the nominated officer. The Department of Social Welfare wrote to the Council requesting them to intimate why the services of these employees had been terminated without the approval of the nominated officer. They have written to say that the agreement of 15-9-73 which envisaged the appointment of a nominated officer and the approval of major decisions by him was 'bad in law' and that they have revoked it with effect from the afternoon of 31-3-74. The Department has however again written to them to the effect that this bilateral agreement between the Management and the staff cannot be terminated by the Management unilaterally. Secretary of the Council has explained in his letter of 7-9-74 that he does not consider the agreement operative and that the services of one of the persons were terminated because of her non-selection by the Staff Selection Committee. The services of two others were terminated because of gross indiscipline. The Secretary of the Council has further explained that the nominated officer was not consulted because of the Governing Body's decision to revoke the agreement of 15-9-73.

(iv) Demolition of the Residential Section and creating problems for the unfortunate parents of the handicapped children.

In the residential section live students both of the school and trainees of the occupational therapy sheltered workshop. The residential section had to be closed because the building needed repairs as mentioned by the Times of India. Before the closure, the number of inmates was approximately 180. There are at present only about 10—12 handicapped children in the residential section. The management has, however, invited applications for re-admission. The residential section will reopen only after the buildings have been suitably repaired. No request has been made to the Government for assistance for undertaking repairs. The Secretary has indicated that they have not been able to raise necessary donations from the parents.

(v) *Death of children of the Life-Member due to negligence.*

An enquiry was made from the Council authorities on this point and they have categorically denied the allegation. According to them, recently a child named Kamlesh Desai died a natural death following an epileptic seizure in the early hours of the morning. The child was cerebralpalsied, mentally retarded and was suffering from epilepsy.

(vi) *The Coordinating Director, in-charge of Administration, has not been attending the Institute from 25th January, 1974*

Enquiries indicate that he is functioning from 22, Gurudwara Rakabganj Road, New Delhi which is the office-cum-residence of the Secretary of the Council.

(vii) *Take over of the Institute by the Government.*

The Council has recently made an offer that the Government of India may take over the four institutions. The legal and administrative aspects of this offer are being examined as a prelude to their take over.

ANNEXURE I TO APPENDIX II

Memorandum of Settlement in the Dispute between the Council for the Aid of the Crippled and the Handicapped, 4, Rouse Avenue Lane, New Delhi for the Complex of the four Institutions and their Employees, Workers and Students

Representing the Management

1. Smt. Vidyavati Chaturvedi, (M.P.) Chairman.
2. Shri S. N. Mishra, M.P. Secretary.
3. Shri N. Swarup Co-ordinating Director.

Representing the Employees' Workers and Students

1. Miss Ashok Bhola
2. Mrs. Uma Joshi
3. Miss Satish Ahuja
4. Shri Sudhir Verma
5. Shri Vinay Kumar Sanagar
6. Shri M. Paul Raj.

Short Recital of the Case

The employees and students of the Occupational Therapy Sheltered Workshop and the School of Physio-therapy and Physical Medicine and Rehabilitation, New Delhi went on strike from 27th|29th July, 1973, over a charter of demands pertaining to the employees, workers and the students of the said complex of Institutes. The matter was discussed between the parties on several occasions in the presence of Union Deputy Minister for Labour, Shri G. Venkat Swamy. Subsequently, the matter was also discussed by the parties separately, in the presence of the Union Deputy Minister for Education and Social Welfare. Thereafter the parties discussed the matter on three or four occasions with the concerned officers of the Union Department of Social Welfare. As a result of these discussions the matter was settled amicably on the following terms:

Terms of Settlement

1. Government scales of pay and allowances would be introduced for the staff and workers of the Jawaharlal Nehru Institute of Physical Medicines and Rehabilitation and other Institutions under

the Council. This will be given effect from the date as sanctioned by Government.

2. The Institute will immediately obtain the Government scales of pay applicable to similar or comparably categories of staff|workers working in relevant Government Departments. The extra financial burden on this account will be calculated by the Management and forwarded to Government of India for taking suitable action in advance to meet the increased net deficit|liability.

3. There would not be any victimisation of any employees, worker or student for participating in the current strike; all police and civil cases started against the staff|workers|students will also be withdrawn.

4. The staff and workers will draw salaries for the period of strike at the rate of prevailing before the commencement of the strike.

5. Suitable service rules will be re-framed incorporating facilities of provident fund, leave, medical benefits etc., and the training period of workers in the workshop will also be suitably fixed.

6. Salaries will be paid on the first of every month, starting from 1st November, 1973. All arrears of pay to the staff and workers and arrears of stipends to the students will be disbursed within ten days of joining, subject, however, to the release of admissible grants by different Ministries and Departments of the Government to the Institute.

7. The management will withdraw all the discharge notices issued to employees and workers who have remained absent for a specified period of time from duties so as to enable them to join duties. The absence from duty will not constitute a break in their service.

8. Important decision of the Management of the Jawaharlal Nehru Complex of Institutions will be implemented with the approval of a nominated officer of the Social Welfare Department of the Government of India, who should not be below the rank of a Deputy Secretary.

The important decision will *inter alia* include the following subjects:

- (i) Appointment|promotion of staff|workers, except those pertaining to Grade IV staff for maintaining essential services;
- (ii) Termination of services of any employee excepting daily wage workers;

- (iii) Disciplinary action against any employees. (The Management will have discretion to suspend any worker for gross negligence or disobedience or dereliction of duty, pending formal inquiry and disciplinary action with the approval of the nominated officer);
- (iv) Any purchase over Rs. 1,000/-.
- (v) Inter-Institute transfers of staff and workers excepting assignments of a purely temporary nature for maintaining the efficiency of the Institutes; or
- (vi) General matters of policy relating to service conditions| examination rules and procedure and in matters of dispute between the management and employees and students.

9. The students who failed in 1973 examination will be given a chance to re-appear within three months.

10. Refund of stipend money will not be asked by the Management from a student who fails in an examination or is detained due to shortage of attendance in case Government of India, Ministry of Health agrees to it.

11. Fifteen per cent marks instead of twenty-five per cent of the weekly, monthly or terminal test will be counted towards the annual examination.

12. Examination rules, including the appointment of examiners will be reviewed expeditiously, keeping in view of the rules in force in the Maulana Azad Medical College and in similar institutions elsewhere.

13. The Management agrees that rustication orders will be taken back of all those students who had participated in the strike.

14. All the employees, workers and students will follow the existing rules and regulations of the Institute under the Council, pending review and finalisation as stated above.

15. The students' club, which is presently recognised by the management, will be re-designated as the Students' Association with powers of conducting independent election to constitute an executive committee, which will include a nominee of the college authorities. This nomination will be made in consultation with the executive committee. This Committee will function independently, without interfering, however, in the day-to-day functioning of the college.

16. The employees|workers|students will call off their strike and resume duties|join classes immediately.

17. The attendants, peons assistant and other regular employees except the handicapped workers, would work in normal working hours of the institutions and will stay outside the premises after going off-duty. This will come into force after actual disbursement of the pay and allowances as per Government scales as mentioned in clause (1) above.

18. In case of any difference of opinion regarding interpretation of any of the above clause, the decision of the nominated officer of the Department of Social Welfare, Government of India, referred to in clause 7 above, shall be final and binding.

Signature of the Parties

Representing the Management

*Representing the employees'
workers and students.*

1.

1.

2.

2.

3.

3.

4.

5.

6.

New Delhi
15-9-74.

ANNEXURE II TO APPENDIX II

	O.T. Sheltered Workshop	Jawahar Lal Nehru Instt.	O.T.I. Residential Sec.	Physio-Occupational therapy Institute	Total
(a) Employees resigned	2	3	—	—	5
(b) Employees not paid from Nov. 1973 onwards	—	—	—	5	5
(c) Employees not paid from Jan, 1974 onwards	—	18	16	—	34

ANNEXURE III TO APPENDIX II

Funding Agency	Year	Amount
Department of Social Welfare	1971-72	1,20,047
-do-	1972-73	1,27,087
-do-	1973-74	1,85,722
Delhi Administration	1971-72	1,22,516
		<u>3,69,609</u> (Special grant to wipe out previous arrear)
-do-	1972-73	1,61,000
-do-	1973-74	2,43,500
Department of Health	1971-72	40,000
-do-	1972-73	40,000 (<i>ad-hoc</i> basis)
-do-	1973-74	40,000 (<i>ad-hoc</i> basis)

ANNEXURE IV TO APPENDIX II

Council for the Aid of Crippled and Handicapped

Dated 5th September, 1974

We the students, employees, workers and trainees of Jawaharlal Nehru Institute, Delhi and the other Institution of the Council situated at 4, Bishnu Digamber Marg, New Delhi were greatly pained to learn from the Newspaper what some members of the Parliament said on the basis of the reports and Tel-tellings we are very much worried as the future of the students is very much dependent upon the Institution, similarly the training of Handicapped is important programme of these Institution. These Institutions are very much well-known not only in India but a many foreign countries for their very good pioneering work in the field of Rehabilitation of Handicapped. Several new theories, new methods, new equipments have been developed which are no where existing in any Institution in this country.

We are very much worried to know whether our respectable M.Ps of Rajya Sabha who spoke about this Institution did try to know the truth from the Management before they discussed this important well-known Institution in the Parliament, they definitely would have known the truth before saying anything about this Institution and perhaps would not have said such words.

The fact is that there are some employees who had been committing very wrong things and were disturbing the smooth working of the Institution, even after the strike was over in September, 1973. These people continue coming to the gate of the Institution and call our workers and employees and incite them to do mischief in the smooth working of the Institutions, any body can catch them doing this thing.

The whole trouble began when some officers started continuously delaying the payment of due grants as per pattern and schedule of payment of Instalments, thus our employees and workers have not received again salaries for 5-6 months, why the concerned officer should not be questioned that why he is creating such trouble for our employees and workers Government of India, Department of Social Welfare has paid accordingly to the pattern and therefore salaries and allowances to the workers and employees

of sheltered Workshop are being paid every month including August, 1974.

Health Ministry should also be asked to pay grants as per recommendations of the evaluation committee appointed by the Ministry of Health two years back. Students scholarships of Physio-Occupational Therapy Institution must also be paid in time so that student get amount in beginning of each month.

We request our respectable M.Ps who have spoken about these Institutions, please pay attention to see that grants are released in time and all get salaries and scholarships in time. Administration of Institutions has definitely been good and that is the reason these Institutions earn such good names and become internationally important and known.

We beg to remain,

Sd/- 118 students.

APPENDIX III

(See para 3.2 of the Report)

[Scheme suggested by Indian Society for Mentally Retarded, Bombay, regarding insurance protection to mentally-retarded persons.]

Insurance Scheme to secure future of Mentally Subnormal

In spite of best training mentally subnormal persons (20 to 25 per cent lower intelligence than an average normal std.) cannot be made fit to support himself financially. Incidence of such subnormal would be nothing less than .001 per cent of total population i.e., 100 in every unit of 1,00,000 of population. Parents|guardians of such subnormal persons are under constant worry regarding the future of such people and especially regarding what will happen to them when they are not in this world. Any insurance scheme which will secure the future of such people will receive the warm welcome of such guardians.

Scheme

No sooner the guardians realise that the child is subnormal (in most of the cases, they know it before the age of 3 years) they start depositing a sum every month|quarterly|half yearly|yearly or in lumpsum with an Insuring Agency for certain period (e.g. for 5—10 years). During this period no return is provided, so that the money with interest etc. will get accumulated to a sizeable amount. After the specified period the subnormal (i.e. guardian) starts getting a sum every month till the subnormal is alive for his maintenance etc.

Additional Working

To provide the highest possible return of this amount one can think of following additions to the scheme.

(a) Deposited and ultimately accumulated principal amount will be forfeited as soon as the subnormal dies. Average life span is 15 years to 25 years. With this benefit in mind Insuring Agency can calculate higher amount of interest for the monthly returns.

(b) Central Government's social welfare unit for handicapped can subsidise the scheme to step up the monthly return to subnormal.

(c) Finance Minister can give exemption of some category from Income-tax to the amounts initially deposited by the guardians or well-wisher (e.g. total exemption as an expenditure A|C).

Formula

Say a guardian comes to know that the child is mentally subnormal when he is 3 years old. He gets the medical certificate of the effect that the child will not be fit to support himself financially even when he is fully grown up. With this certificate he approaches the Insurance Agency. As soon as the proposal is accepted, he starts depositing Rs..... Every year for 5—10 years (i.e. till 8 to 13 years age of subnormal). The guardian starts receiving Rs. every month from 11th or 14th year of age of subnormal till the subnormal is alive. One can deposit multiple of Rs..... and receive multiple of Rs..... every months.

PS.: For blanks left out, refer to the attached chart.

ENCLOSURE TO APPENDIX III
Chart Showing Approximate Premium and Payout

		Rate of Interest	10%	12%	15%
			Rs.	Rs.	Rs.
(A)	Depositing Rs. 25/- per month for 10 years.	Payment starts from the age of 13 years.	40/-	60/-	85/-
(B)	Depositing Rs. 500/- per year for 5 years.	Payment starts from the age of 11 years.	39/-	50/-	65/-
(C)	Depositing Rs. 450/- per year for 5 years.	Payment starts from the age of 11 years.	30/-	41/-	60/-
(D)	Depositing Rs. 400/- per year for 5 years.	Payment starts from the age of 11 years.	28/-	39/-	54/-

PS : In all above-mentioned categories it is stipulated that guardian starts depositing premium from time the subnormal is 3 years old. In case of proposals received and accepted at the age later than 3 years of the sub-normal, the payment would be at later period in proportion.

APPENDIX IV

(See para 4.2 of the Report)

[Representation re. sugarcane price etc.]

To

LOK SABHA

New Delhi.

The humble petition of Shri C. Kesavaih Naidu of Chittoor District and a member of the Chittoor Co-op. Sugars Ltd., Chittoor, A.P.

SHEWETH

That the price of sugarcane may be fixed a year in advance so that the ryots may take advantage of the remunerative price or the incentive price, if at all there is incentive from the growers' point of view.

2. The cost of cultivation to the ryot has increased phenomenally due to the escalation in the prices of—

1. diesel oil,
2. electricity,
3. fertilizers, and
4. labour charges.

Consequently, the net earnings have fallen very much. The general tendency is to go in for paddy in the place of cane, as paddy now gives a higher return per acre to the grower. For want of foodgrains, people may die, but not so in the case of sugar and nobody dies for want of it. When foodgrains are sold like hot-cakes at double-cost, what is the fun of controlling the sugar-price.

3. The petitioner is convinced that unless suitable forward looking policy is evolved and a price of Rs. 125 per ton of cane for a basic recovery of 8.5 per cent for 1975-76 is announced early, planting of the required scale may not take place and there may even be a decline in the area under cane. It may be said that the all-India production of sugar for 1975-76 may fall sharply to 32 lakh tonnes if an immediate decision is not taken.

4. In 1973-74 season, in Siruguppa Sugar Factory (they do not maintain lorries for transport) of Bellary District of Karnataka State, the growers paid heavy amounts towards lorry-hire and took to paddy cultivation and the out-turn for 1974-75 can be seen now. Lorries should be maintained by each factory and during off-season, they should be allowed to convey sugar to the village Co-op Godowns, Central or State Warehouses.

5. From 1st December to 31st March (4 months) may be taken as sugarcane-season for full recovery and the sugar production before and after those months may be allowed to be enjoyed by the Factory, as an incentive as free-sale-sugar marketable by them or to share it among the growers for their self-consumption.

6. A 1000-Tonne capacity factory purchases cane worth more than a crore-of-rupees and manufactures sugar and molasses. The sugar is pledged to a Commercial Bank and it pays some lakhs-of-rupees towards interest to release as per the orders of the Government of India.

7. When the petitioner was a school-boy, he was taught that "Sheep is a common noun, but mutton is a material noun". Likewise he draws inference that "Sugarcane (Agriculture) is a State subject and Sugar (its by-product) is a Central subject" according to the Schedules of the Constitution of India. As Sugar is controlled in price and rationed, not to use more or less in its consumption, by the Central Government, it is its (the Central Government's) duty to purchase, store and distribute at Rs. 2.15 per Kg. throughout India—like a postcard sold at 15 Ps.—at the source of production or at Kanyakumari—Tirumalai Hills or Himalayas. Better to store them in village Co-op godowns (which are idle for the present) so that the stock may be within the easy reach of rural parts, which will serve a better purpose during strikes, lock-outs and the like and accordingly your petitioner prays that—

(1) the sugarcane price may be fixed at Rs. 150 per M.T. for 1975-76 season, now itself;

(2) for a 1000-ton sugar factory, the factory may be made to maintain 10 lorries or in that proportion proportionately;

(3) in the off-season, factory-sugar may be allowed to be conveyed to far-off godowns in the villages;

(4) factories, which work before and after the season (season being from 1st December to 31st March—4 months) may be allowed to retain that quantity as free-sale-sugar, as an incentive to start the factories early and close them late;

(5) for the sugar produced in the factories, the Central Government may be asked to pay cash weekly once and carry on their business i.e., (1) purchase (2) store in different godowns and (3) distribute; and

(6) sugar may be stored in village Co-op godowns to be within 16 Kms (10 miles) radius from any village.

and your petitioner as in duty bound will ever pray

Name of Petitioner	Address	Signature with date
C. Kesaviah Naidu,	Sarpanch, Bheemavaram Gram Panchayat, Narasingapuram Post, 517 102 Chittoor Dt. (A.P.)	Sd/- C. KESAVIAH NAIDU 26-2-1975

Counter-signed by : P. NARASIMHA REDDY, M.P., L.S. 175

APPENDIX V

(See para 4·3 of the Report)

[Statement showing the range of sugarcane prices notified for factories in different States and the prices actually being paid by factories during 1974-75 season, as per information furnished by factories]

(Figures in Rs. per quintal)

STATE	Minimum notified price	Price paid by** factories at Gate
Uttar Pradesh	8·50 to 10·40	12·25 to 14·50
Bihar	8·50 to 9·60	12·25 to 13·75
Punjab	8·50 to 8·80	12·60 to 14·35
Haryana	8·50 to 9·00	12·50 to 13·75
Assam	8·50	11·00
Rajasthan	8·50 to 10·00	12·50 to 14·25
Orissa	8·50 to 9·10	8·50 to 12·50
West Bengal	8·60	12·50
Madhya Pradesh	8·50 to 9·90	13·00 to 14·50
Maharashtra	8·50 to 12·40	9·00* to 20·00*
Gujarat	8·50 to 11·40	10·00* to 15·00*
Andhra Pradesh	8·50 to 10·30	8·61* to 12·00
Tamil Nadu	8·60 to 10·30	9·80* to 11·50*
Karnataka	8·80 to 10·30	12·00* to 17·50*
Kerala	8·50 to 9·20	8·00* to 10·00*
Pondicherry	9·00	9·50
Nagaland	8·59	11·00
Goa	8·50	8·50*

NOTE: *These are the provisional prices paid as advance (mostly by Coop. factories) final prices not yet fixed.

**Information has not been received from all the factories in the State and indicates the price paid by reporting factories.

APPENDIX VI

(See para 7.2 of the Report)

[Circular letter No. V-11016|8|74-MPT, dated the 25th April, 1975, from the Ministry of Health and Family Planning (Department of Health) addressed to all the State Governments|Union Territory Administrations in regard to recommendation of the Committee contained in their Twentieth Report for recognition of unqualified medical practitioners of modern system of medicine.]

NO. V. 11016|8|74-MPT

GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY PLANNING

(DEPARTMENT OF HEALTH)

New Delhi, the 25th April, 1975.

To

All State Governments|Union Territories.

SUBJECT: Recognition of unqualified medical practitioners of Modern System of Medicine—Representation to the Committee on Petitions of Lok Sabha.

Sir,

I am directed to refer to this Ministry's letter No. 4-6|70-MPT, dated 24th November, 1972 regarding enlistment of unqualified medical practitioners and to say that a representation signed by Dr. R. K. Bhardwaj, President, Private Medical Practitioners Association of India, Delhi, regarding recognition of unqualified medical practitioners of modern system of medicine was submitted to the Committee on Petitions, Lok Sabha. The Petitioner stated *inter alia* that their Association was a registered organisation of the practises of modern system of medicine who had established their practice by providing elementary aid to the suffering humanity on the basis of their practical experience. He submitted that in order to meet the shortage of doctors in the country, the unqualified dentists, practitioners of Homoeopathy, Ayurveda and Unani systems were recognised under the provision of certain acts in 1949 and 1954. Also, in England, all unqualified persons engaged in the practice of modern system of medicine were registered medical practitioners, under an Act in 1958. The practitioners prayed that suitable steps may be taken by the Government for according recognition to unqualified medical practitioners of modern system of medicine whose membership was more than one lakh.

2. The Committee on Petitions at their sitting held on 11th July, 1974, considered the representation and wanted further information from this Ministry. This Ministry furnished for consideration of the Committee a summary of replies received from State Governments|Administrations on the action taken by them on the proposal for enlistment of unqualified medical practitioners.

3. The Committee have recommended that the Central Government may consider the desirability of suggesting to the State Governments for initiating legislation on the lines of the Maharashtra Medical Practitioners Act, 1961 particularly Section 18 thereof.

18(1). As soon as may be, after the appointed day, the Registrar shall in accordance with the provision of this Act, prepare and maintain thereafter a list of persons not entitled to registration under Section 17 or under the Bombay Medical Act, 1912 or any corresponding law for the time being in force in any part of the State but who have been practising any system of medicine (other than the Homoeopathic or the Biochemic system of medicine).

2. The list shall contain—

(a) the name of every person who on the day immediately preceding the appointed day, continued to be included in the list kept under Section 18 of the Bombay Medical Practitioners' Act, 1938, as in force in the Bombay area of the State and whose name is not entered in the register under sub-section (5) of section 17;

(b) the name of every person whose case is not covered by clause (a) but who makes an application to the Registrar in the form prescribed by rules accompanied by a fee of ten rupees and such documents as may be prescribed by rules, within a period of two years from the appointed day, and who proves to the satisfaction of the Committee appointed under sub-section (6) of Section 17.

(i) that on the 23rd day of November, 1960 he was regularly practising any system of medicine (other than the Homoeopathy or the Biochemic system of medicine) in the Bidarbha region or the Hyderabad area of the State; or

(ii) that on the 4th November, 1951 he was regularly practising any such system of medicine in the Bombay area of the State.

4. The above recommendation of the Committee on Petitions is brought to the notice of the State Governments for such action as they consider necessary. The action taken may kindly be communicated to this Ministry.

Yours faithfully,

Sd|-

(A. P. ATRI),

Deputy Secretary.

No. V-11016|8|74-MPT.

Copy forwarded for information to:—

1. Lok Sabha Secretariat, New Delhi, with reference to their O.M. No. 57|10|CI|74 dated 4-4-1975.
2. Dte. G.H.S., New Delhi.

Sd|-

Under Secy.