

COMMITTEE ON PETITIONS

(FIFTH LOK SABHA)

TWENTY-NINTH REPORT

[Presented to Lok Sabha on the 28th April, 1976]



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

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COMPOSITION OF THE COMMITTEE ON PETITIONS
(1975-76)

Shri Jagannath Rao—*Chairman*

MEMBERS

2. Shri S. C. Besra
- *3. Shri Ishwar Chaudhry
4. Shri Biren Engti
5. Shri D. P. Jadeja
6. Shri Mallikarjun
7. Shri Ajit Kumar Saha
8. Maulana Ishaque Sambhali
9. Shri Shanker Rao Savant
10. Shri Shankar Dev
11. Shri Digvijaya Narain Singh
12. Shri Rana Bahadur Singh
13. Dr. Rudra Pratap Singh
14. Shri S. N. Singh
15. Shri Tula Ram.

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 Banera resigned from the Committee with effect from the 3rd August, 1975.

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

I

INTRODUCTION

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

- (i) Petition No. 10 regarding grievances of Railway employees.
- (ii) Representation from Shri Balraj Puri, Secretary, Artsilk Weavers' Forum, Amritsar, regarding non-supply of art-silk yarn by Spinners—M|s. J. K. Rayon, M|s. Travancore Rayons and M|s. Kesoram Rayon etc.
- (iii) Representation for providing railway passenger services from Katni to Morwa in Madhya Pradesh.
- (iv) Representation regarding payment of *ex-gratia* pension to those Railways *ex-employees* who retired on Contributory Provident Fund System after 1st April, 1957.
- (v) Representation regarding regularisation of Govt. accommodation No. B.II|215, Dev Nagar, New Delhi, in the name of Shri Lalit Kumar.
- (vi) Action taken by Government on the recommendations contained in the Eighth and Sixteenth Reports (5LS) of the Committee regarding claims against the Railways on account of shortages in consignments of pig iron booked from Steel plants.
- (vii) Action taken by Government on the recommendations of the Committee contained in their Twenty-second Report (5LS) on the representation for providing certain railway facilities to residents of Jhunjhunu and Sikar Districts.

1.2. The Committee considered the above matters at their sittings held on the 3rd January, 7th and 24th February, 11th March and 24th May, 1974, 7th May, 29th September, 16th October, 9th, 26th and 27th December, 1975 and adopted the draft Report at their sitting held on the 21st April, 1976.

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

II

PETITION NO. 10 REGARDING GRIEVANCES OF RAILWAY EMPLOYEES

2.1. Petition No. 10 signed by Shri George Fernandes, President, All India Railwaymen's Federation, New Delhi, and others, regarding grievances of railway employees was presented to Lok Sabha on the 23rd April, 1975, by Shri Madhu Limaye, M.P.

2.2. In their petition (See Appendix-I), the petitioners had prayed as follows:—

- “(i) to direct the Railway Ministry to take the cooperation of the workers to provide better services to the people;
- (ii) to investigate into the innumerable charges of corruption, nepotism and mismanagement by Railway Officers and to take strong disciplinary action against those guilty;
- (iii) to provide the railwaymen the protection of industrial relations legislation to settle their grievances;
- (iv) to direct the Railway Administration to reinstate all victimised workmen; and
- (v) to direct the Government to settle our demands by conceding us the minimum wage available to the coal miners, bonus, dearness allowances, eight hours work, etc.”

2.3. The petition was referred to the Ministry of Railways (Railway Board) for furnishing their factual comments thereon. In their factual note dated the 25th July, 1975, the Ministry of Railways (Railway Board) stated as follows:—

“Co-operation of the workers to provide better service to the people.

At present employees are participating in several committees such as Staff Benefit Fund Committees, Canteen Management Committees, Consumer Co-operative Stores and Credit Societies, Hospital Committees etc.

Apart from these committees, a machinery known as the Corporate Enterprise Group has been set up which consists of the Chairman, Members and Additional Members of the Railway Board and three representatives from each

of the National Federation of Indian Railwaymen and All India Railwaymen's Federation, the representatives being the President and the General Secretary of each Federation and one other Member to be nominated by each of them.

The broad objectives of the 'CEG' are to:—

Evaluate the functioning of the railways and exchange data and ideas on ways and means for improving the efficiency and viability of the enterprise;

apprise the investment programmes, particularly in regard to housing and welfare services;

identify areas and devise action-oriented methods for maximising organisational effectiveness, the use of technology and towards building up the image of the Railways as a service organisation.

However, staff matters, including those which come within the purview of the Permanent Negotiating Machinery and Joint Consultative Machinery, will not be discussed by the CEG.

To investigate into the innumerable charges of corruption, nepotism and mismanagement by Railway Officers and to take strong disciplinary action against those guilty.

- (2) The demand of the petitioners is too general to permit of specific action being taken. Specific cases of corruption, nepotism and mismanagement that are brought to notice are always carefully investigated.

To provide the railwaymen the protection of Industrial relations Legislation to settle their grievances.

- (3) There are two well set machineries known as Joint Consultative Machinery and the Permanent Negotiating Machinery.

Under the PNM Scheme matters concerning Railway employees are discussed at three tiers namely Railway Board level, Railway Headquarters level and Divisional| District level. If there is no agreement on any of the matters and if it is considered of sufficient importance by the Government the subject matter is referred to an *ad hoc* tribunal headed by a neutral Chairman.

Under the JCM Scheme the matters concerning Railway employees are discussed at two levels i.e., National Council and Departmental Council level. If there is no agreement on any of issues relating (i) pay and allowances; (ii) hours of work; and (iii) leave of a class or a grade, this is referred to the Board of arbitration.

The petitioner (All India Railwaymen's Federation) is a party in both these schemes.

Reinstatement of all victimised workers

The progress made by the Railways in implementing Government's declared policy to deal with the post strike situation and for restoration of normalcy was discussed with the petitioner (All India Railwaymen's Federation) in a meeting held under the Permanent Negotiating Machinery on 20th May, 1975. At the request of the petitioner certain further decisions were taken. A copy of the minutes is attached (See Appendix II). Orders in pursuance of these minutes have also been issued to Railway Administrations.

To settle the demands of minimum wage available to the Coal Miners, bonus, dearness allowance and eight hours of work etc.

The question of minimum wages as available to Coal Miners, bonus to railwaymen and hours of work and certain other demands were discussed by the then Minister for Railways with the petitioner (All India Railwaymen's Federation) and the National Federation of Indian Railwaymen before May, 1974 Strike and they were told that the wage bill of the Railways is in the neighbourhood of Rs. 500 crores. In addition, a benefit of Rs. 110 crores annually has been sanctioned to Railwaymen as a result of implementation of the recommendations of the Pay Commission, and the concessions as agreed to as a result of discussions in April, 1974 will add another Rs. 80 crores. Thus the total of extra expenditure will be of the order of Rs. 190 crores which represents a rise of nearly 40 per cent in the wages of the staff in a single year. It was further clarified that in view of this increase it was not possible to accede to the demand of minimum wage, bonus etc., as demanded by the petitioner (A.I.R.F.).

As regards Dearness Allowance, the question is under examination of the Central Government and no decision can be taken by the Ministry of Railways (Railway Board) unilaterally."

2.4. At their sitting held on the 29th September, 1975, the Committee considered the above factual comments of the Ministry of Railways (Railway Board). The Committee then asked the Ministry of Railways (Railway Board) to furnish to the Committee a factual report indicating the implementation of the orders issued by the Railway Board for implementing their decisions regarding restoration of normalcy in the Railways in the context of the May 1974, strike, e.g., (i) whether all the employees in respect of whom orders had been issued for taking them back in service had actually been taken back on duty, (ii) whether court cases against all the Railways employees in respect of whom orders for withdrawal of cases had been issued, had actually been withdrawn and (iii) whether all the other decisions taken at the meeting between the representatives of the Railway Board and the representatives of the All India Railwaymen's Federation held on the 20th May, 1975, had been fully implemented.

2.5. The Ministry of Railways (Railway Board), in their written communication dated the 6th December, 1975, have stated as follows:—

"(i) Taking strikers back to duty

(a) Total No. of staff dismissed/removed from service	11,268
(b) No. of staff so far taken back to service on consideration of their individual appeals	10,321
(c) No. of staff who have not submitted their appeals to the Admn.	67
(d) No. of staff who have gone to court against the orders of their dismissal/removal from service. (Their cases for reinstatement will be considered only after they have withdrawn their court cases)	496
(e) No. of staff whose appeals have been rejected	167
(f) No. of appeals under consideration	217

(ii) Withdrawal of Court cases

(a) No. of staff against whom court cases filed by State/Police authorities are pending	754
(b) No. of staff out of (a) who are charged with serious offences	393
(c) No. of staff in whose cases Rly. Admn's. are not interested in pursuing court cases but cases have yet to be finally dropped by State/Police authorities	361

(iii) Implementation of decision arrived at in the meeting with the labour on 20th May, 1975

2.5. A copy of action taken on the minutes of Permanent Negotiating machinery meeting held between the All India Railwaymen's Federation and the Railway Board on 20th May, 1975 is enclosed. (See Appendix III)."

2.6. The Committee have also noted that in reply to Unstarred Questions No. 77, 143 and 1088, regarding reinstatement of Railway employees, answered in Lok Sabha on the 6th January and 9th and 23rd March, 1976, respectively, the Deputy Minister in the Ministry of Railways has stated as follows:—

"(i) All the 936 employees who were removed following Courts' judgments have been reinstated in service."

"(ii) Out of a total of 16,898 employees who had been dismissed/removed/terminated in the context of May 1975 strike, 16,084 have so far been taken back to service, leaving a balance of 814 only."

"(iii) The policy of the Government as repeatedly stated in the Sabha is that those employees not involved in acts of violence, sabotage or intimidation will be taken back on duty on individual appeals. This policy is being acted upon."

Observations/Recommendations of the Committee

2.7. The Committee note from the factual comments furnished by the Ministry of Railways (Railway Board) that a "Corporate Enterprise Group" has been set up by the Ministry which consists of the Chairman, members and additional members of the Railway Board and three representatives each from the National Federation of Indian Railwaymen and the All India Railwaymen's Federation. The broad objectives of the Corporate Enterprise Group are inter alia to evaluate the functioning of the Railways, to suggest ways and means for improving the efficiency and viability of the enterprise and to identify areas and action-oriented methods for maximising organisational effectiveness towards building up the image of the Railways as a service organisation. The Committee hope that the Ministry of Railways (Railway Board) will make effective use of this scheme and associate the representatives of the Railway employees progressively with the working of the Railways.

2.8. The Committee note from the comments furnished by the Ministry of Railways that there are two forums known as the Joint Consultative Machinery and the Permanent negotiating Machinery wherein matters concerning Railway employees are discussed. If

there is no agreement on any of the matters of sufficient importance, the subject matter is referred to an ad hoc tribunal headed by a neutral Chairman. In case of disagreement on issues relating to (i) pay and allowances, (ii) hours of work and (iii) leave of a class or a grade, the matter is referred to the Board of Arbitration.

2.9. From the reply to Unstarred Question No. 143 given in Lok Sabha on the 9th March, 1976, by the Deputy Minister in the Ministry of Railways the Committee note that out of a total of 16,898 employees who had been dismissed/removed/whose services had been terminated in the context of the May, 1974 strike, 16084 had been taken back in service leaving a balance of 814 such employees only.

The Committee also note that 496 Railway employees has gone to courts of law against the orders of their dismissal/removal from service and that their cases for reinstatement in service will be considered by the Ministry of Railways only after they had withdrawn their cases from the courts and submitted individual appeals.

2.10. The Committee also note from the reply to Unstarred Question No. 77 given in Lok Sabha on the 6th January, 1976, that "all the 936 employees who were removed following Courts' Judgements have been reinstated in service".

2.11. The Committee are informed that there are 754 Railway employees against whom court cases filed by the State/Police authorities are pending. Out of these 754 cases, 393 staff members have been charged with serious offences. In 361 cases, the Railway Administrations are not interested in pursuing court cases but cases have yet to be finally dropped by the State/Police authorities. The Committee find that the Ministry of Railways (Railway Board) have already advised the State/Police authorities that all Court cases filed by the State/Police authorities against Railway employees which did not involve sabotage, violence or intimidation should be withdrawn. The Committee would like to be informed of the progress made in this regard by the Ministry of Railways in their action taken reply.

2.12. The Committee find that 67 Railway employees have not so far submitted their individual appeals for their reinstatement to the Railway Administrations concerned. Appeals of 167 Railway employees have been rejected and appeals of 217 employees are still under consideration of the Government. The Committee hope that

the Ministry of Railways will expedite the process of reinstatement of the remaining employees affected on account of the 1974 Railway strike and bring about normalcy in this respect expeditiously. The Committee would also like to urge upon the Government to review sympathetically the cases of even all those Railway employees whose appeals have been rejected by the Railway Board, if they have not been found guilty of sabotage or violence.

III

REPRESENTATION FROM SHRI BALRAJ PURI, SECRETARY, ARTSILK WEAVERS' FORUM, AMRITSAR, RE. NON-SUPPLY OF ARTSILK YARN BY SPINNERS—M/S. J. K. RAYON, M/S. TRAVANCORE RAYONS AND M/S. KESORAM RAYON ETC.

3.1. Shri Balraj Puri, Secretary, Artsilk Weavers' Forum, Amritsar, submitted a representation dated the 2nd June, 1973 (See Appendix—I) regarding non-supply of artsilk yarn by spinners—M/s. J. K. Rayon, M/s. Travancore Rayons and M/s. Kesoram Rayon etc.

A. Petitioners' Grievances and Prayer

3.2. In his representation, Shri Puri stated as follows:—

“We beg leave to enclose a memorandum (See Appendix—IV) addressed to Shri D. P. Chattopadhyaya, Hon. Minister of Commerce, the contents of which are self-explanatory.

The artsilk weaving industry of this border town is passing through very serious crisis owing to refusal by M/s. J. K. Rayon, M/s. Kesoram Rayon and M/s. Travancore Rayons, to supply their share of allocation under the 'agreement' between the spinners and the weavers and also because of inaction on the part of the Government to publish and implement the Tariff Commission Report which is already with the concerned Ministry since December, 1970. The artsilk industry is essentially an industry of the poor, for the poor and by the poor and if immediate remedial measures are not taken as detailed in the enclosed memorandum, the entire weaving industry of this town will close down throwing out of job about 15000 (12000 workers and 3000 allied) besides shattering economy of this place.

We hope you will take up with the concerned Ministry to save this industry.”

B. Factual comments of the Ministry of Commerce

3.3. The representation was referred to the Ministry of Commerce for furnishing their factual comments for consideration by the Com-

mittee. In their comments, the Ministry of Commerce have stated as follows:—

“The prices of different deniers of viscose filament yarn as also their distribution is governed by the Voluntary Agreement signed between the spinners and weavers in February, 1972. Such an arrangement has been in existence since August, 1970 and has been renewed from year to year. According the present arrangement:—

(A) 10 per cent of the total production is reserved to be supplied as replenishment against exports of Rayon filament fabrics; The yarn of 120 dn is supplied at Rs. 8.62 per kg. exclusive of excise duty;

(B) The following percentage of production of each spinner, over and above the 10 per cent mentioned in (A) above, is supplied to actual users at fixed prices:—

M/s. Century Rayons	}	69·14%
M/s. National Rayons		
M/s. Baroda Rayons	}	57·62%
M/s. Kesoram Rayons		
M/s. South India Viscose		
M/s. Indian Rayons	}	40·33%
M/s. Travancore Rayons		
M/s. J.K. Rayons		

120 dn yarn is supplied at a fixed price of 11.72 per kg. exclusive of excise duties.

(C) The balance of production of the spinners is sold by them in the open market.

(ii) The above voluntary agreement has been working, by and large, satisfactorily. The main difficulty in working this arrangement has been that one of the spinners—M/s. J. K. Rayons—have walked out of the agreement after three months of its coming into force in February, 1972. This spinner represented that its unit is the smallest and most uneconomical unit and it cannot survive if the voluntary agreement is in force and it has to supply 50 per cent of its yarn at fixed prices which are lower than the international prices. Attempts are being made by the Government to persuade this firm to honour its commitment.

The firm has agreed to fulfil its commitment in so far as 10 per cent of the production for replenishment against exports of fabrics is concerned. As there is no statutory control on prices or distribution of viscose filament yarn Government cannot take any legal action against this firm. Other indirect pressure is being brought about on this firm to honour its commitment and it is hoped that M/s. J. K. Rayon will ultimately be brought round to honour their commitment.

- (iii) A meeting of Nylon spinners and weavers of viscose filament yarn was held on 30th August, 1973, under the Chairmanship of Shri Mani Narayanswami, Joint Secretary in this Ministry. The spinners admitted that there was a big backlog of supplies under the voluntary agreement pending in June, 1973. It was of the order of 69 lakhs kgs. The Central Committee of spinners and weavers, in their meeting on the 26th June, 1973 decided that this backlog should be cleared by the spinners by 15th September, 1973. From the statistics presented at the meeting on 30th August, 1973, it was evident that the spinners had cleared a backlog of 37 lakhs kgs. Out of the balance of 32 lakhs kgs. M/s. Kesoram Rayons share was 10 lakhs kgs. and this firm was under a 'Lockout' for the last five months. It was also agreed in this Meeting that the entire backlog will be cleared by the date announced by the Central Committee viz. 15th September, 1973. The backlog for the period March to August, will also be cleared by December, 1973. The weavers present at the meeting confirmed that they had been receiving supplies from the spinners regularly during the last month or two.
- (iv) The prices of viscose filament yarn appearing in the newspapers relate to open market sale prices of viscose filament yarn, viz. the portion allowed to the spinners, under the voluntary agreement for sale in open market. There has been substantial increase in these prices in recent months. One of the factors responsible for this increase is export of viscose filament yarn. This has been possible because of the world wide shortage of this yarn. The Government has banned export of viscose filament yarn with effect from 27th July, 1973.
- (v) With the adoption of the above measures, it is hoped that the prices of viscose filament yarn will stabilize.

- (vi) The Tariff Commission submitted its report on fair selling prices of viscose filament yarn to the Government in April, 1970. The Tariff Commission has in its study of this industry found that cost disparities of the order of 50 per cent exist between the different units. The cost of production varies between Rs. 8.58 per kg. to Rs. 12.60 per kg. The weighted average ex-destination price works out to Rs. 9.67 per kg. for 120 dn bright yarn. The Tariff Commission did not recommend these prices for all units because of the fact that this would unjustifiably add to the profits of three more efficient units and does not cover even the cost of three units and cost cum notional return of two more. The Commission therefore, adopted the cost of three (2 large and 1 medium) most 'cost efficient units' as the basis for price fixation. The Government has not considered this as the correct basis for fixation of prices of viscose filament yarn. A Note to the Cabinet is being sent by this Ministry suggesting that the Tariff Commission may be asked to recommend fair selling prices of viscose filament yarn after taking into the escalation in prices of raw material, power and fuel, wages and salaries etc. The recommendation may fix the prices of each unit and the product production from these units could be taken over by a public sector agency which may supply yarn at pooled price to actual users."

C. Evidence before the Committee

3.4. At their sitting held on the 7th February, 1974, the Committee examined the Chairman, All India Coordination Committee of Art-silk Fabric Manufacturers' Association and other weavers' representatives on the points contained in their representation. The Committee discussed with them the existing arrangements for supply of artsilk yarn to the weavers by the Spinners, recommendations of the Tariff Commission in the matter, etc.

3.5. In their evidence, the petitioners stated that viscose rayon was spun by only eight spinners in the country. These spinners were charging exorbitant prices for rayon which was used by 1,08,000 small-scale powerlooms spread all over the country. They submitted that the Government could not persuade the spinners to supply 70 per cent of their production to weavers as per terms of the Voluntary Agreement and backlog was piling up due to fresh allocations. M/s. J. K. Rayon did not at all deliver the goods as per Agreement entered into with them. They had also represented to the Government

that there should be statutory control on the distribution of yarn. In the alternative, there should be a Tripartite Agreement among the Weavers, Spinners and the Government backed by legal sanctions in order to ensure regular supply of 100 per cent production of artsilk yarn to the weavers at a fair price determined by Government after taking into account relevant factors suggested by the Tariff Commission regarding updating the price of artsilk yarn.

3.6. At their sittings held on the 27th February and 11th March, 1974, the Committee examined the representatives of the eight Spinners on the points raised in the representation. In his evidence, the Vice-President of the Century Rayon, Bombay, speaking on behalf of all the witnesses stated that the Voluntary Agreement between the Spinners and the weavers was signed at the end of February, 1972 to give supplies with retrospective effect from the 1st January, 1972, in the interest of the weavers. According to the procedure, every Spinner intimated his estimated production for a quarter to the Central Committee of the Spinners and Weavers. The Central Committee distributed the estimated production to the various Regional Committees. Then the Regional Committees, with the help of the various associations, allocated the rayon yarn to the individual weavers according to their requirements. After the weavers were given the 'allocation letter', they approached the Spinners for a contract. Thus, there was a lengthy procedure for the distribution and allocation of yarn to the weavers. In the process, there was always a backlog of six to seven months. The witness submitted that the Spinners came into the picture only at the last stage and there was no delay on their part in the matter of distribution of yarn.

3.7. The witness alleged that some weavers from Mysore and Punjab obtained stay orders and injunctions from Courts as a result of which the weavers were not getting the yarn through the distribution system made by themselves, as due to the such injunctions, the whole agreement was paralysed.

3.8. Explaining the position of backlog of the Travancore Rayons Ltd., its Marketing Manager (Dr. H. B. N. Murthy) stated that apart from the inherent delay and difficulties in the distribution system itself, their factory had remained closed for four months due to a strike and the backlog was due to that also.

3.9. The President of the Kesoram Rayon, Calcutta (Shri K. K. Khemka) stated that their unit was also uneconomic but they had never totally refused to honour their commitments. In spite of Closure of their factory for six months due to a strike, their backlog

was of about six months which was almost the same as that of any other unit which had been producing all the time. The witness added that they would honour their commitment.

3.10. Explaining the reasons for non-supply of artsilk yarn to the weavers, the representative of M/s. J. K. Rayon stated that their reasonable request for an increase in the price was not agreed to. Still, they had supplied 400 tonnes of yarn on the agreed fixed price in 1972. After that, the agreement had ended and they did not make supplies to weavers on fixed price. They were selling their entire production in the free market except 12 per cent of their production set apart for export. Theirs was a very small unit, with a capacity of only about eight tonnes of production per day. He submitted that their factory was closed down for some time in 1971 due to strike and lockout. For the whole of 1971, there was continuous labour trouble in the unit. Their production had gone down. There had been a continuous power cut since August, 1972 in Kanpur and in UP generally, and thus their losses had been increasing year to year. Further, they had not been able to provide for depreciation. No dividend had been paid for the last three years. In view of all these, their losses would have been still more, if they had supplied the yarn at fixed prices. The witnesses submitted that prices should be fixed keeping in view the viability of the concern. These prices were fixed in 1969. Since then the prices of inputs had increased all round.

3.11. Explaining the position about the backlog, Shri B. L. Shah, the representative of the Indian Rayon Corporation, stated in his evidence that it was necessary to consider how this backlog had been created. When agreement was entered into, it took effect after two or three months because there were formalities to be completed after the agreement. Secondly, there was a Central Committee and then there were Regional Committees, who also took abnormal time in making the allocations to the weavers. The third factor was that often most of the allottees did not turn up for taking delivery of yarn. But they turned up for taking delivery of the goods when the prices in open market were very high.

3.12. The witnesses further stated that not a single loom had been stopped for non-supply of yarn by Spinners. If any loom was stopped, it was because of the reason that they found it easy to sell the yarn rather than to run the mill. This had happened not only in Amritsar but at other places also. In his memorandum, he had submitted that there was a great demand for looms. Even the Punjab Government had decided to grant licences to one thousand

more looms and out of them, more looms would be established in Amritsar. There was a premium today in this respect. This was highly beneficial and they got this benefit under this Agreement. The theory that looms had stopped and they had created unemployment was totally wrong. They were making a continuous propaganda to extract the maximum advantages from the Spinners.

3.13. Summing up the position, the witnesses stated that when prices in the market were low or stable, allocations were tardy and delayed but as soon as the prices went up, allocations started coming up and in a particular month, spinners received allocations of two months which they could not supply.

3.14. At their sitting held on the 24th May, 1974, the Committee examined the representatives of the Ministry of Commerce on the points raised in the representation. In his evidence, the Secretary, Department of Export Production stated that there had been no backing of the export quota. There was some backlog of the actual users quota because the distribution machinery for the yarn was quite complicated and involved a time-lag between the time the agreement was finalised and its actual implementation. The backlog was roughly for a period of three to six months. The witness added that the pending backlog would be cleared by the end of July, 1974.

3.15. The Committee enquired whether the existing procedure and arrangements under the Voluntary Agreement for smooth and timely supply of artsilk yarn by the spinners to the weavers were satisfactory. The Secretary, Department of Export Production, stated that the Voluntary Agreement, by and large, was the best method that they could think of to ensure that at least 20 per cent of the production went in for export and about 50 per cent more went to the actual users at a fixed price. It had worked quite well from 1969 to 1972.

3.16. The Secretary, Department of Export Production, further stated that it was true that the Voluntary Agreement had to face some difficulties during recent months on account of considerable increase in the cost of raw-materials and conversion cost and partial non-fulfilment of the Agreement by M|s. J. K. Rayon. In fact, M|s. J. K. Rayon had made representations pointing out several factors which were responsible for their losses, like economies of scale in small units, power cuts, enhanced electricity rates, labour troubles. Those representations of M|s. J. K. Rayon were being considered but M|s. J. K. Rayon had to fall in line with others. M|s. J. K. Rayon had once agreed that they would follow the same pattern as others but they had not really done so. Government did

not want to take legal or very harsh or coercive measures unless that became absolutely necessary.

3.17. In regard to statutory control on the distribution of yarn, the Secretary, Department of Export production, stated that there was a Proposal at one time to fix the price unit-wise because it seemed from the Tariff Commission Report that not all the units were equally efficient. The differential, as calculated by the Tariff Commission, was of the order of 50 per cent. So, the intention at one time was that they might fix a differential price for each industry separately and nominate a State Trading Agency, to take over their production for distribution to actual users. That was the idea at one time but no decision was taken finally. They felt that the voluntary Agreement was the best way to deal with the problem. Although Government were not a party to this Agreement—they were only over-seeing that Agreement—yet, every one knew that morally they were very much behind that Agreement and they wanted every party to implement the Agreement. If they went in for a statutory control, there would be all sorts of complexities like statutory distribution etc. They had not given it up. They were only giving the Voluntary Agreement a further trial and they wanted it to succeed.

3.18. The Secretary, Department of Export Production, added that the Government would be playing a better role by watching it and giving their moral support. Actually, despite the expiry of the Agreement on the 31st December, 1973, the supplies had not been discontinued because of absence of any agreement. This was due to the pressure applied by the Government on the Spinners to maintain supplies.

The Committee were also informed that negotiations were going on between the Spinners and the Weavers for finalisation of a new Voluntary Agreement in the matter.

3.19. The Ministry of Commerce *vide* their communication dated the 12th September, 1975, furnished a copy of the Voluntary Agreement for supply of artsilk yarn signed on the 16th February, 1972, between the spinners and consumers' associations and stated that that Agreement had expired on the 31st December, 1973, and that it was thereafter extended upto the 31st December, 1974.

3.20. In their written communication dated the 18th December, 1975, the Ministry of Commerce stated that the distribution of viscose filament yarn was being done on the basis and principles of the terms agreed to between the All India Co-ordination Committee of the Artsilk Manufacturers' Association, the Association of

Man-made Fibre Industry and Shri V. K. Shah of Baroda Rayon. This Agreement covered the production of all eight Rayon Filament Spinners from April 1974 to March, 1976.

3.21. In their subsequent communication dated the 1st April, 1976, the Ministry of Commerce stated that the Voluntary Agreement between the Spinners and Weavers for distribution of Viscose Filament Yarn which had expired on the 31st March, 1976, had been extended for a further period of one year from the 1st April, 1976.

D. Observations of the Committee

3.22. The Committee find from the factual comments furnished by the Ministry of Commerce and from the oral evidence given before the Committee by the representatives of the Ministry of Commerce (Department of Export Production) that prices of different deniers of viscose filament yarn as also their distribution is being governed by a Voluntary Agreement signed from time to time between the spinners and the weavers with the good offices of the Government. According to the representatives of the Ministry of Commerce (Department of Export Production), the Voluntary Agreement for supply of artsilk yarn by the spinners to the weavers is the best arrangement in the existing circumstances, and is working, by and large, satisfactorily for the last five years. The Committee note that the distribution of viscose filament yarn produced by all the eight Rayon Filament Spinners is presently being done on the basis and principles of the terms agreed to between the All India Coordination Committee of Artsilk Manufacturers' Association, the Association of Man-made Fibre Industry and Shri V. K. Shah of the Baroda Rayon. The Committee also note that the present Voluntary Agreement has been extended by a further period of one year upto the 31st March, 1977.

3.23. The Committee, however, find that in the past, Voluntary Agreement between the spinners and the weavers had to face some difficulties on account of considerable increase in the cost of raw materials and conversion cost and partial non-fulfilment of the Agreement by M/s. J. K. Rayon. In this connection, the Committee are informed that M/s. J. K. Rayon had once agreed that they would follow the same pattern as other spinners, but they had not really done so. The Committee feel unhappy regarding the non-fulfilment of their commitment to the Voluntary Agreement by M/s. J. K. Rayon and hope that in future all parties to the Voluntary Agreement will fulfil their commitments in accordance with the terms of the Voluntary Agreement.

3.24. The Committee hope that the Government will keep a constant watch and play an effective role in the implementation of the Voluntary Agreement and ensure regular and timely supply of art-silk yarn by the spinners to the weavers as per the terms of the Voluntary Agreement.

IV

REPRESENTATION FOR PROVIDING RAIL PASSENGER SERVICES FROM KATNI TO MORWA IN MADHYA PRADESH

4.1. Shri Rana Bahadur Singh, M.P., forwarded a representation signed by Shri Bhupendra Bahadur Singh, President, Janpad Panchayat, Majhauili (M.P.), and others for providing rail passenger services from Katni to Morwa in Madhya Pradesh.

A. Petitioner's Grievances and Prayer

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

- “(i) That Madwas-Majhauili region of the Sidhi District of Madhya Pradesh is one of the most backward regions of the district in the backward State of Madhya Pradesh. Here, the existent roads function only for six months of a year and during the four months of rains we are bereft with all communications and even if a person falls sick, he has no recourse but to die.
- (ii) That through this region, there is a broad gauge railway line constructed by the Northern Railways to transport the coal from the collieries of Singrauli to Katni and other consumers in Western India.
- (iii) That, we, the inhabitants of this region, who are mostly adivasis suffer the proverbial torture of sisyphus when we hear the electric horn of the diesel engine passing through the quiet of our countryside laden with coal, but we have no facility of being able to board the train and reach the Doctor or the district headquarters for any official work. Most of the nullahas and rivers have the railway bridge spanning them and we can only cross these rivers during the rains by stepping on the rails and constantly looking over our shoulders to see if the train does not force us to jump off the bridge.
- (iv) Our repeated prayers to the Railways to provide even a composite third-second class coach on these trains carrying coal have received absolutely no response. And now to add insult to our injury, we learn that the Northern Railways are thinking of opening this line for pas-

senger traffic from Katni to Beohari which is just 15 miles westwards of our region and lies on one of the major highways of Madhya Pradesh and is even otherwise connected to most parts of the country by road.

- (v) We, therefore, come to you and beseech you to kindly prevail upon the concerned authorities to take pity on our plight and provide passenger services on this line right from Katni to Morwa."

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

4.3. The representation was referred to the Ministry of Railways (Railway Board) for furnishing their factual comments for consideration by the Committee. In their factual comments, the Ministry have stated as follows:—

"Hitherto introduction of passenger service on Katni-Morwa (Singrauli) section had not been possible on account of lack of certain necessary facilities on the section for the running of passenger services. It has now been proposed to develop these facilities for Katni-Beohari section in the first instance. As soon as these works are completed, running of passenger services on Katni-Beohari section would be possible to start with. Further extension of passenger position with regard to availability of funds improves."

C. *Evidence before the Committee*

4.4. At their sitting held on the 26th December, 1975, the Committee heard the views of the representatives of the Ministry of Railways (Railway Board) on the matter. In his oral evidence before the Committee, the Director (Traffic-Transportation), Railway Board, stated that the new line from Katni to Singrauli was opened on the 7th February, 1972, for goods traffic basically to provide an outlet for the development of new coal fields in Singrauli area. Traffic pattern from 1972 onwards showed that no much coal was being moved from Singrauli towards Katni side. The entire coal of Singrauli Coal fields was linked to Obera Thermal station, which was about 60 kms. from the pit-head itself. Practically, there was no goods traffic. The Railway Board, therefore took a decision that in order to cut the cost of operation, the line might be kept open only for day time services. The witness informed the Committee that the present level of traffic on that line was of six to seven trains in a month. He submitted that at present, the Railways did not expect much traffic on that line from the commercial point of view.

4.5. The representative of the Railway Board further stated that in order to economise and reduce the working expenses, Government did not open all the crossing stations which were provided in the Project Report relating to Singrauli-Katni Section. At present, there were only nine stations on that section for passing the goods traffic. As there were no control communications in that area, it was not possible for them to run any passenger service on that line.

The witness added that, in the first instance, it had been decided to provide control communication system upto Beohari station which was 11 Kms. from Katni and where the demand for running of a passenger train had come up. The sanctioned work was in progress and it would be completed by the end of March, 1976. Thereafter, the line would have to be cleared for passenger service by the Commissioner of Railway Safety. The unbridged section between Beohari and Singrauli, which was 39 Kms, could be considered for passenger traffic after some time, subject to availability of funds for provision of control communications. In reply to a question, the witness stated that a rough estimate for providing control communications between Beohari and Singrauli was about Rs. 13.9 lakhs.

4.6. When asked to explain the difference between the control communications system for a goods train and that of for a passenger train, the representative of the Railway Board stated that the degree of safety and the safety measures to be taken for a passenger train were much stricter and more stringent than those for a goods train. At present, the goods trains were running during day time only. Since there was only one train once in two or three days, with not much of density or crossing of trains, the control communications were not essentially required for this level of traffic.

4.7. The Committee pointed out to the witness that expansion of Singrauli Colliery was going to take place in the next two years and there would be a subsequent increase in the goods and passenger traffic. The Committee desired to know from the witness the forward projection made by the Railway authorities in regard to provision of communication facilities on Beohari and Singrauli section. The Director, Railway Board stated that the Railways were aware of the development of Singrauli coal fields. The Ministry, of Railways were in very close touch with the Department of Coal in the Ministry of Energy. The present level of production in the Singrauli and Gorbi coal fields was about three million tonnes of coal. At present, there was no coal to be carried from Singrauli fields towards west-Katni side. Government had some plans for increasing the production of coal from three million tonnes to seven

million tonnes and subsequently to ten million tonnes. According to the information of the Railway Board, the increased production of coal from this area would be used up by Obera Thermal station expanding at the present site and also by a new Super Thermal Station which was being planned at the pithead. Basically, this link would not serve in full the coal which was either being mined at present or which was expected to come up in a big way in future. According to him, this link might be used increasingly for carrying some minerals like lime stone for Bokaro Steel Plant from Kana Banjari Station situated in between Katni and Beohari. The witness submitted that according to their traffic projection, goods traffic in the next two to three years on that section which was at the level of seven trains in a month might go upto one train in a day each way. As far as coal was concerned, there was no prospect of its moving in a big way unless it was also linked to some of the Western India thermal stations.

4.8. When asked whether there was any objection to attaching a second class bogie to the goods trains, the witness stated that the concept of a mixed train on the Indian Railways was not new. They had certain section where they were running passenger bogies with the goods trains. They did not have a system of station to station bogie. But they could not take any risk on this section as there were no control communications. Secondly, there was a marshalling yard called 'New Katni Marshalling Yard' which was 2½ Kms. away from the Katni Passenger station and the mixed train if introduced, would not touch the passenger station. Further, running of a passenger train dependent on the level of traffic was basically linked to the question of communication. They would not like to run the mixed train on that section without control communications.

4.9. In conclusion the representative of the Ministry of Railways (Railway Board) stated that he agreed that in course of time trains would have to come on that section. It was only a question of time.

D. Recommendations of the Committee

4.10. The Committee have been informed that at present introduction of passenger service on Katni-Morwa (Singrauli) section is not feasible on account of lack of certain necessary communications and other facilities on that section for the running of passenger services. According to the representative of the Ministry of Railways (Railway Board), a rough estimate for providing control communications between Beohari and Singrauli is of about Rs. 13.9 lakhs. Further, as stated by the Railway Board's representative, passenger trains will have to come on that section in course of time.

The Committee would like to point out that for the rapid economic development of backward and undeveloped areas, the Railway Board has to provide the necessary transportation infrastructure in the shape of new railway lines or control communication facilities. In selected areas, the calculations of short term economic returns must give way to long term benefits. The constraint of resources should not be an inhibiting factor in the opening up of undeveloped areas. The Committee would, therefore, like that the Ministry of Railways (Railway Board) should devise necessary ways and means for making funds available for the provisions of control communications facilities on Beohari and Singrauli section for running of passenger trains. A time-bound programme should be drawn up for the completion of the required facilities.

V

REPRESENTATION REGARDING PAYMENT OF EX-GRATIA PENSION TO THOSE RAILWAY EX-EMPLOYEES WHO RETIRED ON CONTRIBUTORY PROVIDENT FUND SYSTEM AFTER 1ST APRIL, 1957

A. *Petitioners' Grievance and Prayer*

5.1. Shri Amar Nath Khullar and others, New Delhi, submitted a representation requesting for payment of *ex-gratia* pension to those Railway employees who retired after 1st April, 1957 and who had opted for Contributory Provident Fund System etc., irrespective of limit of pay last drawn.

5.2. In his representation, Shri Khullar stated *inter alia* as follows:—

“The line of demarcation presently in vogue between the Railway employees before and after 1-4-1957 on Contributory Provident Fund Scheme is wiped off for the purposes of grant of *ex-gratia* pension irrespective of the limit of last pay drawn by them and in spite of their non-selector of pension for one reason or another.

It is re-iterated that liberalised benefits are already being allowed by the Government in so many ways from time to time to all categories of staff barring a few *FORGOTTEN* Railway employees retired on Contributory Provident Fund Scheme after 1-4-1957, whose lot as such can better be imagined than described and deserves amelioration as aged Members of the Socialistic State of India.”

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

5.3. The Ministry of Railways (Railway Board), with whom the matter was taken up, have stated in their factual comments as follows:—

“In the representation, it has been requested that Railway employees who retired after 1.4.1957 may be granted *ex-gratia* pension in addition to the Contributory Provident Fund benefits already availed by them as per their options. It has also been requested that the pay limit of

Rs. 500|- laid down in respect of the *ex-gratia* pension scheme may be removed.

Similar demands were considered earlier also by the Committee on Petitions (Lok Sabha) in the year 1970-71. In this connection, reference may be invited to the Lok Sabha Secretariat's U.Os No. 53|CI|70|R.90 dated 29-7-70, 31-8-70 and 19-1-71. It will be seen that at that time taking into account the position explained in this Ministry's U.Os. No.F(E) III70|PNI|24 dated 4-9-70 and 15-9-70, only the demand for an *ad hoc* increase of Rs. 10 per month to the existing *ex gratia* pensioners was accepted. The other demands including the ones mentioned above were not accepted and the matter was left to the Government to decide.* The matter was accordingly examined and it was decided with the approval of the Minister for Railways that these demands were not acceptable. It may be stated here that this position continues to hold good."

C. Observation of the Committee

5.4. The Committee have noted the factual position stated by the Ministry of Railways (Railway Board) on the matter. The Committee feel that no further action in the matter is called for on their part.

* See Minutes of the sitting of the Committee on petitions (Fourth Lok Sabha) dated the 29th September, 1970.

VI

REPRESENTATION RE. REGULARISATION OF GOVERNMENT ACCOMMODATION NO. BII|215, DEV NAGAR, IN THE NAME OF SHRI LALIT KUMAR.

A. Petitioner's Grievance and Prayer

6.1. One Shri Sadhu Ram of Dev Nagar, New Delhi, submitted a representation dated the 20th August, 1975, on the above subject, for consideration by the Committee on Petitions, Lok Sabha.

6.2. In his representation, the petitioner stated as follows:—

“I retired from Govt. service on 30-6-1974. My son, Lalit Kumar joined Govt. service as a L.D.C. in the Ministry of Finance (Deptt. of Economic Affairs), New Delhi on 5-5-1975. We are still in occupation of the Govt. quarter (BII|215, Dev Nagar) which was allotted to me while in service. As per orders of the Govt. of India, sons/daughters of retiring Govt. servants if in Govt. Service are eligible for allotment of an alternate residential accommodation in lieu of the one to be vacated by them. Accordingly my son submitted an application dated 8-5-1975 in the prescribed proforma to the Directorate of Estates. However, as the break between the date of my retirement and the date of appointment of my son was 10 months-5 days, the Directorate which is empowered to condone such breaks upto 10 months only did not accede to the request *vide* their memo. No. 45(116)|75. CDNI dated 25-6-75. Thereupon my son submitted an appeal dated 8-7-75 to Shri Dalbir Singh, Hon'ble Deputy Minister for Works and Housing, Govt. of India, Nirman Bhavan, New Delhi, to condone the break in question. Unfortunately this has also not been accepted *vide* Directorate of Estates memo. No. 45(116)|75.CDN.I dated 28-7-75 (information received by my son on 16-8-75).

The points which I wish to bring to your kind notice are:—

- (i) The break in our case is 10 months 5 days and this exceeds the permissible limit of 10 months by a very negligible period of 5 days only. This period of 5 days is even

less than 2 per cent of the period of permissible break of 10 months.

- (ii) Uptil now the Directorate had been allotting quarters in cases similar to ours where the breaks exceeded even one year/one year and a half.
- (iii) The whole scheme is an act of kindness and goodwill of the Government of India. The concerned authorities are expected to be generous to consider favourably marginal cases at least.
- (iv) If we are evicted from the present Government accommodation normally to be vacated by us on allotment of an alternate accommodation to my son, we will be in a very miserable condition.

It is hoped that in view of the position brought to your kind notice in this petition, you will be generous to help us by moving the concerned authorities to reconsider our case.

B. *Factual comments of the Ministry of Works and Housing*

6.3. The Ministry of Works and Housing, to whom the representation was referred for factual comments, have stated as follows:--

“A petition dated 20-8-1975 to the Chairman, Committee on Petitions of Lok Sabha received with the U.O. dated 3-9-75 from Shri Sadhu Ram, an allottee of Types III quarter No. B-II|215, Dev Nagar, has been considered at the level of Minister of Works and Housing. The brief facts of the case are given below:—

Shri Sadhu Ram, Accounts Officer, office of the A.G.C.R., retired from Government service w.e.f. 30-6-1974. Allotment of quarter No. B.II/215, Dev Nagar was accordingly cancelled in his name w.e.f. 31-8-1974 after allowing him the concessional period of two months. His son, Shri Lalit Kumar, was appointed as an L.D.C. in the Ministry of Finance (Deptt. of Economic Affairs) on 5-5-1975. His application for an *ad hoc* allotment of residential accommodation from the general pool was received in the Directorate of Estates on 14-5-1975. In accordance with the original orders for *ad hoc* allotments towards of retiring/deceased officers, an *ad hoc* allotment could be made if the ward was working in an eligible office on the date of retirement|death of the allottee. These orders were later relaxed in many cases and long gaps between the date

of retirement of an allottee of Govt. quarter and the appointment of his dependent were condoned. Since inconvenient precedents were on the increase and there were constant requests for condoning longer gaps, a decision was taken to ignore the past precedents and to fix the condonable gap at 10 months in the case of retirement and 12 months in the case of death. This decision has been strictly followed. Shri Sadhu Ram retired from service after the enforcement of this decision. The gap between the date of retirement and the appointment of his son is 10 months and 5 days. But once the time limit fixed is relaxed, it will be difficult to resist similar requests for condonation of longer gaps in view of this the Ministry of Works and Housing has not been able to accept Shri Sadhu Ram's request for an *ad hoc* allotment to his son."

C. Observation of the Committee

6.4. The Committee, while taking note of the factual comments furnished by the Ministry of Works and Housing on the representation observe that the gap between the date of retirement of Shri Sadhu Ram and the date of appointment of his son is only five days more than the maximum period of ten months admissible for such ad hoc allotments.

The Committee recommend that the Ministry of Works and Housing may reconsider the petitioner's case sympathetically, if feasible, without treating it as a precedent.

VII

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE EIGHTH AND SIXTEENTH REPORTS OF THE COMMITTEE ON PETITIONS (FIFTH LOK SABHA) REGARDING CLAIMS AGAINST THE RAILWAYS ON ACCOUNT OF SHORTAGES IN CONSIGNMENTS OF PIG IRON BOOKED FROM STEEL PLANTS

7.1. The Committee, after considering the action taken replies of the Government on the observations/recommendations of the Committee contained in their Eighth Report regarding claims against the Railways on account of shortages in consignments of pig iron booked from Steel Plants, had made certain observations in paras 1.2 to 1.10 of their Sixteenth Report (Fifth Lok Sabha).

7.2. The Ministry of Railways (Railway Board), with whom the matter was taken up, have furnished their action taken replies on the observations of the Committee. The said observations of the Committee and the action taken replies thereon furnished by the Government are given below seriatim:—

Observation in para 1.2 of the Sixteenth Report

The Committee note that in pursuance of their recommendations, the Government have initiated certain measures to eradicate the causes of thefts and pilferages and minimise the incidence of claims arising out of shortages in iron and steel consignments, as a result of which the number of claims for compensation for loss, thefts, pilferages, damages etc. received during 1972-73 were less by 40,000 as compared to those in 1971-72. The Committee hope that efforts made in this direction will be vigorously continued.

Reply of Government

The observation of the Committee is noted.

Observation in para 1.3 of the Sixteenth Report

The Committee note that prevention of thefts and pilferages is also the responsibility of the State Governments whose active co-operation has been sought by the Railway authorities by constituting High Level Co-ordination Committees in each of the States.

Reply of Government

The observation of the Committee is noted.

Observation in para 1.4 of the Sixteenth Report

The Committee note that instructions have been issued to the Railway Administrations for computerisation of claims statistics and for keeping separate cause-wise statistics for claims paid on pig iron after instructions for computerisation have been implemented on all the Zonal Railways. The Committee desire that a copy of the instructions issued by the Ministry of Railways in this regard may be furnished to the Committee for their information.

Reply of Government

As desired by the Committee, a copy of the Railway Boards' letter No. 70|TC|RCC|IMP|355—358|360—363|365 dated 18-1-1973 containing instructions issued to the Railways, is enclosed. (See Appendix V).

Observation in para 1.5 of the Sixteenth Report

The Committee note that Zonal Railways have been asked to identify the areas where undesirable and anti-social elements indulge in wagon breaking, thefts and pilferages from running trains and yards and to liquidate such gangs operating in those areas, with the assistance of the State Governments concerned. The Committee hope that the State Governments will give full co-operation to the Railways to deal with the menacing problem of wagon breaking and pilferage from running trains by anti-social and criminal gangs.

Reply of Government

The observation of the Committee is noted.

Observation in para 1.6 of the Sixteenth Report

The Committee note that a new design of wagons with collapsible roofs has been prepared and 30 BOX wagons of this design have been manufactured on an experimental basis. The Committee desire the Ministry of Railways to intimate the Committee the results of this experiment and expedite regular production of such wagons with such improvements as may be found necessary as a result of the experiment.

Reply of Government

The main idea of providing BOX wagons with sliding roofs was to utilise these wagons either as covered or as open to enable loading of bulk commodities to be moved in one direction and to load other goods in another direction.

Experiments carried out over a long period with 'BOX' wagons provided with sliding roofs have not been successful for this purpose mainly because of non-operation of sliding roofs due to settling down of dust in the grooves over which the sliding mechanism works. This requires a large number of labourers to handle each wagon to clean and operate the roof. On account of the roof being jammed very frequently, the wagons also need attention in the sick line depots.

Moreover, Power Houses, Cement Factories and Steel Plants and other bulk consumers, have trippers and these wagons are not fit for such handling.

Considering all these disabilities the Railways do not intend going in for additional manufacture of such wagons.

Observation in para 1.7 of the Sixteenth Report

The Committee have noted that loading of pig iron is now done as far as possible, in block rakes which are escorted by the Railway Protection Force. The Committee desire that block rakes may always be used for movement to destinations where there are heavy concentration of consumers.

Reply of Government

The observations of the Committee are noted. Block rake movement is invariably resorted to for destinations serving heavy concentrations of consumers.

Observation in para 1.8 of the Sixteenth Report

The Committee note that in order to check heavy incidence of theft and pilferages of Railway property, in addition to the punishment prescribed under the general penal law of land, the Railway Property (Unlawful Possession) Act, 1966 has been brought into force from the 1st April, 1968, under which a person found in possession of any Railway property reasonably suspected to have been stolen or unlawfully obtained, is liable to be punished for a minimum imprisonment of one year and/or with fine not less than Rs. 1,000|-, and for the second or subsequent offences, a minimum imprisonment of two years and a fine of Rs. 2,000|- has been prescribed. Penalties on the Railway servants for conniving in pilferage of Railway property are imposed under the provisions contained in the Railway Servants (Disciplinary and Appeal) Rules, 1968. They are also punished under the general law of the land including the Railways Property (Unlawful Possession) Act, 1966. The Committee desire that the provisions of the above laws should

be strictly enforced by strengthening the enforcement machinery of the Railway.

Reply of Government

Instructions have been issued to the General Managers of Zonal Railways to strengthen the enforcement machinery for enforcing the provisions of Railway Property (Unlawful Possession) Act, 1966 and Railway Servants (Disciplinary and Appeal) Rules, 1968, strictly.

Observation in para 1.9 of the Sixteenth Report

The Committee note that the Officers of Railways have been instructed to supervise and inspect the work of loading of pig iron at the Steel Plants. The Committee also note the surprise checks on weighment of loaded wagons at the originating points as well as the transshipment points have been intensified. These are steps in the right direction. The Committee would like the Ministry of Railways to furnish to the Committee a statement showing percentages of surprise checks made on weighment of loaded wagons at the originating points as well as at the transshipment points month-wise to the total number of steel consignments booked during the last two years. The Committee also desire the Ministry of Railways to intimate to the Committee the results of surprise checks made on weighment of loaded wagons of pig iron at the originating and transshipment points, for their information, in due course.

The Committee note that instructions have been issued that transhipped wagons of pig iron should be sent together and not in piece meal. The Committee hope that this will be strictly enforced.

Reply of Government

Traffic in iron and steel normally originates from three Railways namely Eastern, South-Eastern and Southern Railways. Test checks conducted by the Eastern Railway at originating points showed no discrepancy in weight. A statement showing the results of surprise checks made on Eastern Railway on weighment of wagons loaded with iron and steel consignments is attached (See Appendix VI). Test checks conducted by the South Eastern Railway at originating points showed that the variations in weight detected were within the tolerance limit. A statement showing the results of surprise checks made on South-Eastern Railway on weighment of wagons loaded with iron and steel consignments is attached (See Appendix VI). There are no major transshipment points on the Eastern and South-Eastern Railways and as such test weighment at Transshipment points did not arise. Similarly, surprise checks

conducted by the Southern Railway on weighment of wagons at Bhadravati and Tiruchirapalli transshipment point showed no discrepancy in weight. A statement marked (See Appendix VI) showing the results of surprise checks conducted on weighment of wagons loaded with iron and steel, is attached.

The position in regard to the remaining six Railways is stated below:—

CENTRAL RAILWAY: At transshipment points on Central Railway namely, Akola, Murthajapur, Pachora, Manmad, Gwalior, Mathura and Dholpur no weighbridge is provided and as such no surprise checks on weighment of iron and steel consignments could be made. At Khandwa and Madan Mahal stations traffic of iron and steel consignment is negligible.

NORTHERN RAILWAY: The transshipment points on Northern Railway, where iron and steel consignments are handled are Delhi Sarai Rohilla, Bhatinda and Hissar. There is no weighbridge at Hissar. It was observed by the Railway that if consignments of iron and steel were regularly test weighed that would certainly dislocate operations. However, test weighment carried out at Delhi Carai Rohilla and Kalka showed only marginal discrepancies.

NORTH EASTERN RAILWAY: As no wagon weighbridge is provided at Garhara or Manduadih transshipment points, checks on weighment of wagons loaded with iron and steel consignments could not be made.

NORTH EAST FRONTIER RAILWAY: Of the transshipment points at New Bongaigaon and New Jalpaiguri, there is no weighbridge at New Bongaigaon. At New Jalpaiguri, no test weighment could be made. However, the Railway have issued instructions to carry out surprise test weighment checks.

SOUTH CENTRAL RAILWAY: Of the four major transshipment points on the South Central Railway only Miraj, Tadepalli and Moula Ali receive wagons loaded with iron and steel for transshipment. Test checks conducted at Miraj showed negligible difference in weight which might be attributable to difference in scales. A statement marked (See Appendix VI) showing the results of surprise checks conducted on weighment of wagons loaded with iron and steel at Miraj is attached.

WESTERN RAILWAY: At Viramgam transshipment point, 258 wagons of iron and steel and pig-iron were reweighed. Out of

these, 100 wagons were found to be with less weight varying between 0.5 quintal and 65.0 quintals and 67 wagons were found to be with excess weight varying between 1 quintal and 51.50 quintals. A statement (See Appendix VI) indicating the results of surprise checks is enclosed.

This apart, 162 wagons loaded with iron and steel consignments were reweighed at destination like Kota Jn., Kankaria, Asarva and Indore. Out of these 88 wagons were found to be with less weight varying between 1 quintal and 130.30 quintals. On the other hand, 71 wagons were found to be with excess varying between 1 quintal and 43 quintals.

It would no doubt be appreciated that test-weighments of wagons loaded with iron and steel consignments at originating and transshipment points cause operational difficulties and consequent detention to wagons. Hence such test-weighments could be undertaken only to a limited extent.

Observation in para 1.10 of the Sixteenth Report

The Committee note that weigh-bridges are not provided at all destination stations. Railways allow re-weighment of pig iron consignments when signs of shortages are apparent. The Committee hope that genuine requests for re-weighment will not be disallowed.

Reply of Government

The observation of the Committee is noted.

7.3. The Committee have noted the action taken by Government on their earlier observations/recommendations.

VIII

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE TWENTY-SECOND REPORT OF THE COMMITTEE ON PETITIONS (FIFTH LOK SABHA) ON THE REPRESENTATION FOR PROVIDING CERTAIN RAILWAY FACILITIES TO THE RESIDENTS OF JHUNJHUNU AND SIKAR DISTRICT

8.1. In their Twenty-second Report, the Committee, after considering a representation for providing certain railway facilities to the residents of Jhunjhunu and Sikar Districts and the factual comments of the Ministry of Railways (Railway Board) thereon, had made the following recommendations:—

“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. Sawaimadhampur-Loharu Express trains having timing connections at Loharu convenience of passengers for Delhi direction. In addition, two Sikar-Delhi through coaches are also run for the convenience of through passengers for Delhi direction.

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.

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 desire the Ministry of Railways to consider whether it is feasible for them to attach an extra coach to the Delhi-Mohsana train. The Committee would like to be apprised of the result of these exercises at an early date."

8.2. The Ministry of Railways (Railway Board) in their action taken reply, have stated as follows:—

"The two pairs of trains playing between Sikar-Loharu are running to the following schedules:

17 UP	205UP			206DN	18DN
20.44	14.04	A. Sikar	D.	13.15	06.54
21.04	14.29	D.	A.	12.46	06.31
00.27	18.25	A. Loharu	D.	08.45	03.00

The demand of the people of this area have been for a morning train from Sikar-Loharu (dep. Sikar 6.35, arr. Loharu 10.45) and evening train from Loharu to Sikar (dep. Loharu 16.45, arr. Sikar 20.40).

With effect from 10-9-1975, a third pair of trains has been introduced between Sikar and Loharu, which is providing the desired morning|evening services with the following schedule:—

6.45	D. Sikar	A.	20.25
10.45	A. Loharu	D.	16.20

No revision in the schedules of other trains is consequently considered necessary. Besides the revision in schedules of any of the other two trains is not possible keeping in view the connections maintained by these trains at Sawaimadhopur, Jaipur, Reengus etc.

An additional pair of shuttle trains between Sikar and Loharu has been introduced on an experimental basis w.e.f. 10-9-1975.

Introduction of a through coach between Loharu and Ahmedabad is at present operationally not feasible for want of room on 31/32 Delhi-Ahmedabad Janta Express or 219/220 Delhi-Mehsana trains or other Mail/Express trains running between Delhi and Ahmedabad to haul an extra coach on a regular basis, having regard to the hauling capacity of the locomotives. Besides, a study of the traffic moving from stations on Loharu and Reengus and Churu-Sikar sections to Mehshana and Ahmedabad has revealed that there are hardly about 15 to 20 passengers travelling daily on an average in that direction. For this amount of traffic, there is even no commercial justification for running a through coach."

8.3. At their sitting held on the 16th October, 1975, the Committee considered the above action taken reply on their recommendations furnished by the Government and desired the Ministry of Railways (Railway Board) to furnish to them information regarding the actual number of coaches being normally put in service on 31|32 Delhi Ahmedabad Janta Express and the number of maximum coaches that could be hauled in those trains.

8.4. The Ministry of Railways (Railway Board) in their communication dated the 6th December, 1975, have stated as follows:—

"The maximum permissible load of 31|32 Delhi-Ahmedabad Jayanti Janta is 20 bogies while the normal load is 19 bogies between Mehshana and Ajmer. Room for one coach is kept for hauling of reserved coaches for pilgrims, marriage parties etc., which is essential."

8.5. The Committee have noted the action taken by the Ministry of Railways (Railway Board) on their recommendations referred to in para 8.1 above.

IX

OTHER REPRESENTATIONS

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

9.2. The Committee observe that through their intervention, 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—VII).

NEW DELHI;

The 21st April, 1976.

JAGANNATH RAO,
Chairman,
Committee on Petitions.

APPENDIX I

(See para 2.2 of the Report)

LOK SABHA

PETITION NO. 10

(Presented to Lok Sabha on 23-4-1975)

To

LOK SABHA
NEW DELHI

The humble petition of Shri George Fernandes, President, All India Railwaymen's Federation, New Delhi, and others.

SHEWETH

Being concerned at the deterioration in the services which the Indian Railways are giving to the travelling public, with the Railway Administration contemptuously rejecting all our efforts to cooperate in giving a better service to the people;

Being concerned at the total bureaucratisation of the Railways and the consequent increase in corruption, nepotism and mismanagement which is annually costing the people of India several crores of rupees;

Being concerned at the complete breakdown of whatever machinery there existed to deal with industrial relations and to settle the grievances of railwaymen with the result that railwaymen are literally treated as slaves by the Administration;

Being concerned at the failure of the Government to honour its pledges made in Parliament and elsewhere that there would be no victimisation on account of the May, 1974 Strike, consequent to which about 20,000 railwaymen are still jobless victims of the vindictive policy of the Railway Administration;

Being concerned at the refusal of the government to settle our legitimate demands on wages, Dearness Allowance, bonus, hours of work, etc.

and accordingly your petitioners pray:

- (i) to direct the Railway Ministry to take the cooperation of the workers to provide better services to the people;

- (ii) to investigate into the innumerable charges of corruption, nepotism and mismanagement by Railway Officers and to take strong disciplinary action against those guilty;
- (iii) to provide the Railwaymen the protection of Industrial relations legislation to settle their grievances;
- (iv) to direct the Railway Administration to reinstate all victimised workmen; and
- (v) to direct the Government to settle our demands by conceding us the minimum wage available to the coal miners, bonus, dearness allowances, eight hours work, etc.

and your petitioners as in duty bound will ever pray.

Name of Petitioner	Address	Signature
Shri George Fernandes	President, All India Railwaymen's Federation, 125/E, Babar Road, New Delhi and others.	Sd/-

Countersigned by: Shri Madhu Limaye, M.P.

APPENDIX II

(See para 2.3 of the Report)

[Minutes of the P.N.M. meeting held between the All India Railwaymen's Federation and the Railway Board on the 20th May, 1975]

PRESENT

Railway Board

Shri G. P. Warriar, M.S.

Shri K. P. Mirchandani, AMF.

Shri A. B. Lal, A.M.S.

Shri A. K. Chakravarty, D.E.

Shri D. K. Subarwal, D.M.E. (W)

Shri A. V. Paulose, Addl. DPC.

Shri K. N. R. Pillay, JDE(N)

Shri Shamsher S. Vasudeva, JDF(E)

Shri N. V. Jayaraman, JDE(T)

Shri T. H. Venkataraman, JDE(W)

Shri O. D. Sharma, DDE(L)

Shri B. Rajagopalan, ADE(LR)

A.I.R.F.

Shri George Fernandes

Shri Priya Gupta

Shri J. P. Chaubey

Shri U. M. Purohit

Shri A. V. K. Chaitanya

Shri T. C. Jain

Shri D. D. Vasisht

Shri N. C. Roy Choudhuri

Shri M. Namasivayam

Shri T. Balasundaram

Shri N. Sundaresan

Shri Bimal De

Shri Rakhal Das Gupta

Shri R. K. Singh

Shri Dev Raj

Shri B. N. Bhagat

Shri V. B. Mahadeshwar

I. At the commencement of the meeting Member Staff paid tributes to the memory of late Shri L. N. Mishra, former Minister for Railways and Shri Peter Alvares, the former President of All India Railwaymen's Federation. He recalled the dedicated services rendered by these two personages in their respective fields to the Nation and Railwaymen. Shri George Fernandes, the President A.I.R.F., fully shared the sentiments expressed by Member Staff. Two minutes silence was observed in memory of these two personages.

Shri George Fernandes, President of the Federation initiating a discussion on the Labour Relations, quoted from the Railway Minister's recent speech in the Parliament introducing the Railway Budget for 1975-76, and also from the editorial and certain articles appearing in the 'Indian Railways' Magazine in its April 1975 issue, and stated that even according to the pronouncements of the Ministers and the Senior Officials of the Railways, Railwaymen, true to their tradition, have been putting their heart and soul in their duties and production is showing improvement and therefore the scars of the May 1974 strike should be a thing of the past and it is necessary that the sentiments expressed in all these pronouncements are translated in letter and spirit. The Member Staff reciprocated these sentiments and stated that it is the Government's endeavour that the problems of railway employees should be dealt with in proper spirit.

II. The fresh Agenda was then taken up for discussion and the following decisions were taken.

Item No. 1. Normalisation of working and Industrial Relationship on the Railways.

(1) All Dismissed/removed/compulsorily retired and terminated staff should be reinstated

(a) In the case of employees who still remain dismissed/removed from service instructions will be issued to Railways to further review such cases on receipt of individual appeals from the concerned employees. The cases in which appeals have already been rejected will also be reviewed by the General Managers and wherever necessary or

wherever such a review petition lies to the President, the cases will be referred to the Railway Board.

- (b) The cases dismissed/removed employees who have been taken back as fresh entrants, will also be reviewed by the General Managers on receipt of individual appeals.
- (c) The Unions may discuss these matters *vide* (a) and (b) with the Railway Administration in their P.N.M. meeting within the ambit of the instructions contained in Board's letter No. 1 E(LR) 70 NM1—13 dt. 16-3-71, regarding discussion of individual cases in P.N.M. meetings.
- (d) In the case of temporary employees, if their services have been terminated under rule 149-RI for mere participation in strike, their cases would be reviewed for being taken back to service, on receipt of individual representations.

Cases of other temporary employees who have been taken back as fresh entrants also will be similarly reviewed for reinstatement.

- (e) Cases which have been decided in Courts of Law either way will also be reviewed by the Railways.
 - (f) The Railway Administration have already advised the State/Police authorities that all Court cases filed by State/Police authorities against railway employees which do not involve sabotage, violence or intimidation should be withdrawn.
 - (g) Cases of premature retirements of staff at the age of 55 or on completion of 30 years service, made by Railways since May, 1974 up to date will be reviewed in accordance with instructions to be issued to Railways in this regard.
- (ii) *All Casual Labour/substitutes who have been discharged should be taken back.*

In regard to Casual Labour/substitutes who have been discharged from employment during the strike, the following decisions were taken:—

- (a) Discharged Casual Labour/substitutes who have not been re-employed will be re-engaged against future requirement in the order of priority on the basis of their total period of service prior to their discharge.
- (b) When framing panels in future the Casual Labour/Substitutes in question should be allotted seniority by reckoning

their previous spells of employment and on the basis of such cumulative aggregate service.

- (c) The Casual Labour/Substitutes who have not been re-engaged so far, will also be considered for empanelment Screening based on the length of their employment prior to the date of discharge.
- (d) The Casual Labour/Substitutes in question will not be subjected to any additional disability for the purpose of age limit, on account of this break in service.
- (e) The question raised by the AIRF that the Casual Labour/Substitutes on re-engagement be given the pay last drawn by them and that the break in their employment may be condoned as in the case of other regular employees, will be looked into.

(iii) *Suspended employees should be reinstated and suspension orders cancelled.*

The Board pointed out that there were only 152 staff under suspension out of whom 128 were on account of court cases and the remaining 24 on account of departmental proceedings.

The Board agreed to look into the cases of 20 employees of I.C.F. who are still under suspension.

(iv) *Those who have been reverted on account of strike should be restored to the positions held before strike.*

Board advised that instructions have already been issued to the Railways that the cases of employees who have been either reverted to lower grades or have been reduced in pay on their reinstatement, will be reviewed sympathetically on the basis of appeals submitted by employees. He added that the cases in which punishment of withholding of increment permanently has been awarded will also be reviewed on the basis of individual appeals.

(v) *Break-in-service should be condoned.*

Board stated that clear instructions have already been issued to Railways to condone break in service of all employees who participated in the strike except those who were charged with offences of sabotage, violence or intimidation. As a result of implementation of this decision, in only about 2100 cases the break has not been condoned so far. These cases are also under examination of the Railway Administration.

(vi) A point was raised by A.I.R.F. that the office-bearers of unions who have been dismissed/removed from service are not being permitted to attend the P.N.M. Meeting at railway level. Board stated that instructions will be issued to Railways that till such time as a final decision is taken in these cases, they should be permitted to be treated as office bearers and allowed to take part in the P.N.M. Meeting to the extent outsiders are permitted in the Indian Trade Unions Act or in terms of the provisions of Constitutions of the respective unions, the ratio will be applicable to Branch and Divisional levels.

(vii) *All Penal transfers to be cancelled and affected employees rehabilitated.*

The subject was discussed; minutes are yet to be finalised.

Item No. 2. *Entitlement to First Class Accommodation*

Board agreed that the question of reducing the present pay limit for entitlement to First Class Passes from Rs. 515/- to Rs. 500/- in the case of pre-1-8-1969 employees, would be examined.

Item No. 3. *Percentage of Higher Grade Posts in all categories*

Board advised that certain proposals have been tentatively framed and are under active consideration; that roughly about a lakh of employees in all grades will be benefited by these proposals and in monetary terms, benefit that will accrue to the Railway employees would be to the tune of about Rs. 12.5 crores per annum.

III. The items on the Agenda which were deferred from the previous P.N.M. Meeting were then taken up. The Board indicated that decisions have been taken on the following items:—

1. *Orders for provision of construction Reserve posts on Railways.*

Orders have already been issued to the Western Railway to rescind the confirmation made in the Construction Department after 15-3-73.

8-A. *Condonation of service of the employees removed and re-employed in 1960 Strike.*

Board agreed that the interognum between the date of dismissal/removal from service and the date of re-employment will be condoned for the purpose of retirement benefits only.

8-B. Re-employment of the 1960 Strike victims

In the case of two employees of South Central Railway namely S/Shri Arumugam and Solomon Xavier, whose cases were **not** included in the review of such cases made in 1970-71, a reference **will** be made to the Department of Personnel.

In regard to the other items it was agreed that they will be taken up later.

APPENDIX III

(See para 2.5 of the Report)

[Statement furnished by the Ministry of Railways (Railway Board) in regard to action taken on the minutes of PNM Meeting held between the All India Railwaymen's Federation and the Railway Board on 20-5-1975.]

[Position as on 10-11-75.]

S. No.	Extract of the Minutes & reference to Minute	Action taken
1	2	3

SECTION I

I Item No. II(1)—Normalisation of working and Industrial Relationship on the Railways.

(f) Dismissed/removed/compulsorily retired and terminated staff should be re-instated.

(a) In the case of employees who still remain dismissed/removed from service instructions will be issued to Railways to further review such cases on receipt of individual appeals from the concerned employees. The cases in which appeals have already been rejected will also be reviewed by the General Managers and wherever necessary or wherever such a review petition lies to the President, the cases will be referred to the Railway Board.

Regarding sub-para (a) to (c). Instructions to Railway Administrations on the basis of minutes issued in letter No. E(LR) 74LR 1-15 dated 29-5-75 with copies to the Federations.

(b) The cases of dismissed/removed employees who have been taken back as fresh entrants, will also be reviewed by the General Managers on receipt of individual appeals.

(c) The Unions may discuss these matters *vide* (a) and (b) with the Railway Administration in their P.N.M. meeting within the ambit of the instructions contained in Board's letter No. E(LR)70NMI-13 dt. 16-3-71 regarding discussion of individual cases in PNM meetings.

- (d) In the case of temporary employees, if their services have been terminated under rule 149-RI for mere participation in strike, their cases would be reviewed for being taken back to service, on receipt of individual representations. Cases of other temporary employees who have been taken back as fresh entrants also will be similarly reviewed for re-instatement.
- (e) Cases which have been decided in Courts of Law either way will also be reviewed by the Railways.
- (f) Railway Administration have already advised the State/Police authorities that all Court cases filed by State/Police authorities against railway employees which do not involve sabotage, violence or intimidation should be withdrawn.
- (g) Cases of premature retirements of staff at the age of 55 or non completion of 30 years service, made by Railways since May, 1974 upto date will be reviewed in accordance with instructions to be issued to Railways in this regard.
- (g) Necessary action has been taken.
- (ii) All Casual Labour/Substitutes who have been discharged should be taken back.

In regard to Casual Labour/substitutes who have been discharged from employment during the strike, the following decisions were taken :—

- (a) Discharged Casual Labour/substitutes who have not been re-employed will be re-engaged against future requirements in the order of priority on the basis of their total period of service prior to their discharge.
- (b) When framing panels in future the casual labour/substitutes in question should be allotted seniority by reckoning their previous spells of employment and on the basis of such cumulative aggregated service.

Extract of Minute & reference to Minute

- (c) The Casual Labour/Substitutes who have not been re-engaged so far,

Regarding sub-para (d) (e) & (f)—
The decisions arrived at in the meeting have been conveyed to the Railway Administration, vide letter No. E(LR)75MFI/1 dated 29-5-75.

Regarding sub-para (a) to (d)
Instructions issued to the Railway Administrations in letter No. E(NG)1174CL/99 dated 25-8-75. with copies to the Federations. (Enclosure 'C')*.

Action taken

will also be considered for empanelment/Screening based on the length of their employment prior to the date of discharge.

(d) The Casual Labour/Substitutes in question will not be subjected to any additional disability for the purpose of age limit, on account of this break in service.

(e) The question raised by the AIRF that the Casual Labour/Substitutes on re-engagement be given the pay last drawn by them and that the break in their employment may be condoned as in the case of other regular employees, will be looked into.

(e) Under examination.

(iii) Suspended employees should be reinstated and suspension orders cancelled.

The Board pointed out that there were only 152 staff under suspension out of whom 128 were on account of court cases and the remaining 24 on account of departmental proceedings.

The Board agreed to look into the cases of 20 employees of I.C.F. who are still under suspension.

The case of these 20 employees of ICF has been examined and 17 of them have been put back to duty. Regarding the other 3, as they have been found guilty of the charges framed against them, show cause notice has been issued and they continue to be under suspension pending finalisation of the case against them.

(iv) Those who have been reverted on account of strike should be restored to the positions held before strike.

Board advised that instructions have already been issued to the Railways that the cases of employees who have been either reverted to lower grades or have been reduced in pay on their reinstatement, will be reviewed sympathetically on the basis of appeals submitted by employees. He added that the cases in which punishment of withholding of increment permanently has been awarded will also be reviewed on the basis of individual appeals.

The decisions arrived at in the meeting have been conveyed to the Railway Administrations in letter No. E(LR)75MF1/1 dated 29-5-75 (Enclosure (B)*).

Further more appeals submitted by the staff against the punishments imposed on them are considered by the Railways and Railway Board.

(v) Break-in-service should be condoned.

Board stated that clear instructions have already been issued to Railways to condone break in service of all employees who participated in the strike except those who were charged with offences of sabotage, violence or intimidation. As a result of implementation of this de-

In keeping with the policy decision taken by the Government in the case of all employees who participated in the strike except those charged with offences of sabotage, violence or intimidation, the break in their service has been condoned.

cision, in only about 2100 cases the break has not been condoned so far. These cases are also under examination of the Railway Administration.

(vi) A point was raised by AIRF that the office-bearers of unions who have been dismissed/removed from service are not being permitted to attend the PNM Meeting at railway level. Board stated that instructions will be issued to Railways, that till such time as a final decision is taken in these cases, they should be permitted to be treated as office bearers and allowed to take part in the P.N.M. Meeting to the extent outsiders are permitted in the Indian Trade Unions Act or in terms of the provisions of constitutions of the respective unions; the ratio will be applicable to Branch and Divisional levels.

Instructions to Railway Administrations on the basis of minutes issued in letter No. E(LR)74 LRI-15 dated 29-5-75 with copies to the Federations.

(vii) *Penal transfers to be cancelled and affected employees rehabilitated.*

The Board agreed that the removed/dismissed staff in the context of strike, on reinstatement would, as far as possible, be posted to the stations where they last worked. As regards transfers already made retransfers will be considered by the Railway Administration, on individual appeals provided such cases do not involve transferring any staff who have been posted already in the meantime at the stations requested.

Instructions on the basis of the minutes issued to Railways in letter No. E(NG) 11/74/TR/22 dated 29-9-75.

2 *Item No. 2—Entitlement to First Class Accommodation.*

Board agreed that the question of reducing the present pay limit for entitlement to First Class Passes from Rs. 515 to Rs. 500 in the case of pre-1-8-1969 employees. would be examined.

Replies sent to the Federation in letter No. PC3/75/FEI/1 dated 19-8-75.

3 *Item No. 3—Percentage of Higher Grade Posts in all categories.*

Board advised that certain proposals have been tentatively framed and are under active consideration; that roughly about a lakh of employees in all grades will be benefited by these proposals and in monetary terms, benefit that will accrue to the Railway employees would be to the tune of about Rs. 12.5 crores per annum.

Proposals for restructuring of non-gazetted cadres on Railways are under the active consideration of Government.

1

2

3

- 4 III(8-A)—*Condonation of service of the employees removed and re-employed in 1960 strikes.* *Regarding items 4 & 5.*

Board agreed that the interregnum between the date of dismissal/removal from service and the date of re-employment will be condoned for the purpose of retirement benefits only.

A reference was made to the Department of Personnel and Administrative Reforms on these two issues. It is not possible to condone the interregnum between the date of dismissal and removal from service and the date of re-employment, for purpose of retirement benefits. In regard to the two individual cases it is not possible to re-employ them.

- 5 III(8-B)—*Re-employment of 1960 Strike victims.*

In the case of two employees of South Central Railway namely Sarvashri Arumugam and Solomon Xavier, whose cases were not included in the review of such cases made in 1970-71, a reference will be made to the Department of Personnel.

APPENDIX IV

(See para 3.1 and 3.2 of the Report)

*Representation regarding non-supply of artsilk yarn by the Spinners
M|s. J. K. Rayon, M|s. Travancore Rayon and M|s. Kesoram
Rayons.*

Artsilk Weavers' Forum,
32-Krishna Market, Chowk Phuwara,
Amritsar.

2nd June, 1973.

Respected Dhillon Ji,

Jai Hind

We beg leave to enclose a memorandum (See Enclosure) addressed to Shri D. P. Chattopadhaya, Hon'ble Minister of Commerce, the contents of which are self-explanatory.

The artsilk weaving industry of this border town is passing through very serious crisis owing to refusal by M|s. J. K. Rayon, M|s. Kesoram Rayon and M|s. Travancore Rayons, to supply their share of allocation under the 'agreement' between the spinners and the weavers and also because of inaction on the part of the Government to publish and implement the Tariff Commission Report which is already with the concerned Ministry since December, 1970. The artsilk industry is essentially an industry of the poor, for the poor and by the poor and if immediate remedial measures are not taken as detailed in the enclosed memorandum the entire weaving industry of this town will close down throwing out of job about 15,000 (12,000 workers and 3,000 allied) besides shattering economy of this place.

We hope you will take up with the concerned Ministry to save this industry.

With regards,

Sincerely yours,
Sd|- (Balraj Puri)

Secretary.

Shri G. S. Dhillon,
Speaker, Lok Sabha,
New Delhi.

Enclosure to Appendix IV

Artsilk Weavers' Forum,
32, Krishna Market, Chowk Phuwara,
Amritsar.

To

29th May, 1973

Prof. D. P. Chattopadhyaya,
Minister of Commerce,
Government of India,
New Delhi.

SUBJECT: *Short supply of artsilk yarn—urgent call from the Weaving Industry.*

Sir,

Through this memorandum we venture to bring to your kind notice the plight of artsilk weaving industry of Amritsar. The industry once again finds itself face-to-face with an unparalleled crisis due to sudden rise in the prices of viscose filament yarn in the market. For your ready reference, we give below an index showing the rise in the market prices of different counts of rayon yarn during the last two, and a half months:—

Denier	Agreement Price (Rs. per kg.)	MARKET PRICES				
		Mar. 15	Mar. 31	Apr. 16	Apr. 30	May 31
75	21.50	29.76	30.03	36.38	35.27	34.72
120	14.35	20.39	20.81	23.57	23.08	24.20
150	12.90	18.19	18.61	21.36	20.81	20.26

The unprecedented rise in the prices of yarn has rendered the working of the industry quite uneconomic and has resulted in the closure of approximately 70 per cent of the units, throwing out of

job about 12,000 workers, besides casting a spell of financial ruination upon countless small-scale entrepreneurs.

The main factors attributable to this catastrophe are as under:

- (i) Total refusal on the part of M|s. J. K. Rayon of Kanpur to honour the commitments made under the mutual agreement between the spinners and the weavers and irregular and delayed supplies by others.
- (ii) Inaction on the part of the Government to implement the Tariff Commission Report.

J. K. Rayon: They have totally refused to honour the commitments and have not supplied their share of allocation for the last about 5 quarters. Combined efforts put in by the weaving industry, the Association of Man-Made Fibre Industry and the Textile Commissioner, to persuade them see reason have proved infructuous. It is really consternating that inspite of so much pressure from so many quarters J. K. Rayon continue to defy the agreement with impunity. They are taking the benefit of the high market prices while the weavers have been deprived of the yarn which they were bound to deliver on agreed prices. It is indeed a very sad commentary of things that instead of dealing sternly with the said spinner the Government has all along been a silent spectator of their intransigence and profiteering.

Other Spinners:

As if tempted by the above situation some other spinners have also given indication of toning the same line. In this category comes M|s. Travancore Rayon and M|s. Kesoram Rayon. We have just been informed by M|s. Travancore Rayon that they would not make any supply after 15-5-1973.

As for M|s. Kesoram Rayon, they have totally refused to honour the commitments on the plea of labour unrest of their mills. As per the latest information M|s. Baroda Rayon have threatened to resign from Association of Man-Made Fibre Industry on this issue.

Irregular and Delayed Supplies:

This is evident from the fact that the spinners have yet to complete the allocation for the quarter October|December, 1972.

Tariff Commission Report:

Appointed in the year 1968 to determine fair prices to Viscose filament yarn, the Tariff Commission submitted its report to the Government as far back as December, 1970. It is a common knowledge that the aforesaid mutual agreement was arrived at only as a relief measure during the interim period. In all fairness, the Government should have implemented the Report immediately on its submission by the Tariff Commission. Instead, the Government thought it advisable to keep it in the cold storage for reasons best known to them. Various representations made by the weaving industry towards its early implementation failed. Thus the weaving industry has been compelled to accept the continuance of the mutual accord till date against its wishes.

It is simply ridiculous to think that an agreement in terms of which the actual users are getting only a very small segment of their total requirements and have to take recourse to the open market for balance needs at fantastic quotations, can be acceptable to the weaving industry. It is most unfair to suggest that the weaving industry would do an arrangement which leaves an open option with the spinners to back out with impunity according to their sweet will. Without the least intention of maligning any one, we aver that whenever in a country dedicated to democracy and socialistic pattern of society an important trade is monopolised the Government must protect the users of the manufactured raw-material otherwise sooner or later the tentacles of hoarding, artificial scarcity, profiteering and intimidation are bound to engulf the later. This is what exactly is happening now in context of which we seek your protection. As is stated above, under the impact of exorbitant prices it is no longer possible to run the factories. In our humble opinion, the weaving industry which is fast heading towards a fiasco can be saved by your taking expeditious steps as detailed below:—

1. The Government should immediately publish and implement the Tariff Commission Report which is already with them since December, 1970.
2. In the meantime, the spinners should be pressed to honour the voluntary agreement arrived at between the spinners and weavers and resume supplies of yarn immediately.
3. Messrs. J. K. Rayon should be warned to clear the backlog, besides resuming current supplies. Defiance on their part can be effectively met with nationalisation.

4. Messrs. Travancore Rayons should also be pressed to honour the commitments and resume supplies immediately.

We wish to state here emphatically that we do not consider the present voluntary agreement in the overall interest of the weaving industry. We reiterate that our ultimate aim is implementation of the Tariff Commission Report. Your very recent assurance in the Parliament to publish and implement the same has been hailed as a step towards amelioration of the lot of the industry. We have no doubt in our minds that you would save this fast perishing industry by immediate implementation of the Tariff Commission Report.

Thanking you,

Yours faithfully,

For Punjab Industry and Commerce Association:

Sd/- *General Secretary and others.*

APPENDIX V

(See para 7.2 of the Report)

GOVERNMENT OF INDIA (Bharat Sarkar)
MINISTRY OF RAILWAYS (Rail Mantralaya)
(RAILWAY BOARD)

No. 70|TC|RCC|Imp 355—358|360—363|365

New Delhi, dated 13-1-1973

28, Pausa, 1894 (Saka)

The General Managers,
All Indian Railways.

SUBJECT.—Computerisation of Claims Statistics.

Board have been considering the question of computerisation of claims statistics. Attention in this connection is invited to Board's letter of even number dated 18-9-1970.

2. It has since been decided that to effectively organise claims prevention activities on the Railways and to keep a watch on proper disposal of claims, claims statistics should be computerised. A list of statistics which can be computerised and would yield useful information is given in Enclosure to Appendix. Railways may undertake compilation of these statistics straightaway or in stages. Southern Railway is already compiling some of these statistics on computer. Railways may obtain copies of the programmes and procedures drawn by Southern Railway and implement the scheme with such modifications etc., as may be considered necessary to suit local needs.

3. Please acknowledge receipt.

Sd/-

(S. B. Mathur)

Encl: 1

Dy. Director, Traffic Commercial
(Special Duty)
Railway Board

Copy to AC II and TC IV Branches, Railway Board.

ENCLOSURE TO APPENDIX V

[Enclosure to Railway Board's letter No. 70|TC|RCC|Imp|355—
358|360—363|365 dated 18-1-1973]

1. Cause-wise analysis of claims preferred and paid.
2. Commodity-wise analysis of claims preferred and paid.
(Commodities and causes are those detailed in Board's letter No. 70|TC|RCC|Imp|364 dated 10-2-1971 as amended in their letter No. 70|TC|RCC|Imp|198|199/359 dated 27-9-1971).
3. Number of claims preferred value-wise and Division-wise.
4. Cause-wise analysis of suit filed.
5. Number of claims preferred and paid on consignments booked between specific pairs of stations.
6. Listing of files dealing with a particular stream of traffic or particular cause for further study and analysis.
7. Area-wise analysis of claims—forwarding station-wise, destination station-wise, *via* break-of-gauge-wise, *via* yard-wise, between zonal railways.
8. Separate statistics of claims settled on goods and parcels.
9. Customer-wise lists of claims settled to tackle the problem in consultation with the users.
10. Listing of file numbers on which fixation of staff responsibility was ordered at the time of settlement for further follow up action.
11. Detailed statistics of claims repudiated and settled otherwise.
12. Listing of particulars of cases pending for more than one year/six months/three months Division-wise and station-wise.
13. Average time taken for settlement of claims.
14. New cases opened, settled cases and the closing balance of claims outstanding.
15. Listing of re-opened cases for controlling wrong repudiations.

APPENDIX VI

(See para 7.2 of the Report)

[Statement showing surprise checks made on Railways on weighing of wagons loaded with iron and steel Consignments.]

EASTERN RAILWAY

Name of originating trans-shipment point.	No. of consignment test weighed	Year	Result of surprise checks.
1	2	3	4
Indian Iron & Steel Co. (IISCO) including SCOB Siding.	7	1974	No discrepancy was detected..
Durgapur Steel	6	1975	No discrepancy was detected..

SOUTH EASTERN RAILWAY

Tatanagar	1222	1972-73	The variation detected at the time of surprise checks was within tolerance limit.
Tatanagar	932	1973-74	—do—
Hindustan Steel, Rourkela	1479	1972-73	—do—
—do.—	1136	1973-74	—do—
Hindustan Steel, Bhilai	6012	1972	—do—
—do.—	5063	1973	—do—

SOUTHERN RAILWAY

Bhadravati (Originating point)	92	1972	No discrepancy in weight was noticed.
—do—	78	1973	—do—
Tiruchirappalli Tranship.	49	1972	—do—
—do—	87	1973	—do—

SOUTH CENTRAL RAILWAY

Name of transshipment point	No. of consignments test weighed	Date	Result of surprise checks.
1	2	3	4
Miraj	9	3-7-1975	<p>Test checks conducted showed excess weight in respect of 6 consignments varying between 0.10 tonnes and 1.35 tonnes as per seal cards. In respect of one consignment one more wagon was due and hence correct weight could not be verified. In one case re-weighment weight and weight as recorded on seal card was the same. In respect of remaining on consignment reweighment weight was 0.05 tonnes less as per seal card.</p>

WESTERN RAILWAY

Viramgam T.P.	258	April '72 to December '72	<p>Out of 258 wagons test weighed, 100 wagons were found to be with less weight varying between 0.5 quintals and 65.0 quintals and 67 wagons were found to be with excess weight varying between 1 quintal and 51.50 quintals.</p> <p>As weighment of wagons caused a lot of detention to wagons, weighment of wagons at Viramgam had to be stopped.</p>
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APPENDIX VII

(See para 9.2 of the Report)

[Other Representations on which the Committee's intervention has procured expeditious, partial, or complete relief to Petitioners or the Ministries/Departments concerned have explained the position satisfactorily.]

Sl. No.	Name and address of the Petitioner	Brief Subject	Facts perused by the Committee
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MINISTRY OF SUPPLY AND REHABILITATION (DEPARTMENT OF REHABILITATION)

1	Shri Naraindas Bherumal, Kirana Merchant; 83, Sindhi Market, Maninagar, Ahmedabad-8 (Gujarat).	Supply of copy of order(s) relating to appointment of legal heir(s) of late Shri Bherumal.	The Compensation Application Form No. B/A/16810/810 stands finalised after appointment of legal heir of Shri Bherumal since deceased. If he desires to have a copy of the order in question, he may please apply to the Chief Settlement Commissioner, Department of Rehabilitation, Jaisalmer House, New Delhi, for the same together with the usual fee of Rs. 2/- in the shape of Postal Order crossed in favour of the Chief Settlement Commissioner.
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(The petitioner was informed accordingly).

2	Shri Daulatram Ganeshdass, Kirana Shop, Ward No. 2, Wani, Distt. Yeotmal.	Payment of compensation from CAF No. M/Y/34/XXI (L).	The Regional Settlement Commissioner (Central), New Delhi to whom the matter was referred, has reported that his case has since been finalised and the bill admitted by the Pay & Accounts Officer (Rehabilitation), New Delhi. Necessary recovery schedule has also been sent to the Tehsildar, Wani, Distt. Yeotmal on 17-2-1976.
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(The petitioner has been informed of the above position by the Department).

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- 3 Smt. Atul Bai Digo- Payment of compen- The CAF No. M/A/A/583/XXI (L) stands fully settled and the entire amount of compensation adjusted towards the loan advanced by the Collector, Amravati (*viz.*, Rs. 1696/- Principal Rs. 1410.06 + interest Rs. 285.94).
- mal c/o Shri Giridhari Lal Sewalmal, Cutlery Shop, Jawahar Gate, Amravati. share from verified claim—CAF No. M/A/A/583/XXI(L).

(The petitioner was informed accordingly).

- 4 Shri Khushiram Dandumal, 27, Prabharam Society, Kuberanagar, P.O. Sardar Nagar, Ahmedabad (Gujarat). Payment of balance amount of compensation from CAF No. B/A/626/XXI (L) P.C. No. 34816. The bill for the balance amount of compensation has been sent to the Pay and Accounts Officer, Rehabilitation, New Delhi on 10-2-76. The amount will be disbursed to him as soon as the bill is received back in this Department, duly passed.

(The petitioner was informed accordingly by the Department.)

- 5 Shri Jeewandas Nichaldas Punjabi, Modi Chamber, Standard Garage, Bombay. Settlement of Compensation case. That one Shri Jeewan Dass along with his 2 brothers and widow mother, got the claim assessed for Rs. 33750. The cases of all the co-sharers were processed under Rule 19(2)b and all the co-sharers were paid Rs. 3438/-. The claimant Shri Jeewan Dass made a representation that a sum of Rs. 563 has been recovered excess towards cost of property No. R. No. 1, Bk. No. 796, Ulhasnagar-3. The refund certificate for Rs. 563/- was collected from the Administrator, Ulhasnagar, and the case was processed for payment of the said amount to the claimant accordingly, but was returned by the Accounts Officer (Compensation) unpassed on the grounds that the claimant is not entitled compensation under Rule, 19(2)b, as the father of the claimant died in the year 1935 and the widow's shares for determining the compensation cannot be considered being pre-1937 widow and suggested that the case be processed under Rule 19(2)a.

According to Rule 19(2)a, each claimant is entitled compensation amount to Rs. 3033 instead of Rs. 3438. Thus resulting an over

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payment of Rs. 405 to each co-sharer.

Out of refund of Rs. 563 allowed to the applicant, a sum of Rs. 405 is being adjusted to regularise the over payment and the balance of Rs. 158 being adjusted in favour of the mother of the claimant who has also been paid Rs. 405 excess, under the provisions of Rule 7(3) and as such nothing can be paid to the applicant.*

*The petitioner was informed to the above position by the Deptt.)

- 6 Shri Gagan Dass Aildass, Bk. No. 53, Room No. 5, Ulhasnagar-1, Distt. Thana, Maharashtra. Request for issue of intimation/adjustment recovery schedule.

The record of the CAF bearing registration No. B/T/UT/4761/ IV/ NT filed by Shri Partspmal has been re-examined and it reveals that the adjustment of Rs. 447.20 was carried out towards property No. 3/76 Chammer Colony vide Bill No. 297/April '61 /1768.

The documents in favour of the associate were not released as the claimant was over paid a sum of Rs. 254.75 due to reduction in Agril. land claim.

The Administrator Ulhasnagar has already been requested vide this Office letter datedd 4-12-75 to recover the excess amount paid to the claimant as arrears of land revenue. The fate of the recovery is awaited by us. The documents will be issued to Shri Gagan Dass Aildass, after the recovery of Rs. 254.75 from Shri Partapmal. He may, therefore, be advised to get the excess amount recovered by the claimant as already intimated by us vide our letter date 4-12-75 referred to above.

(The petitioner was informed accordingly).

- 7 Smt. Jassibai Pursomal, Bk. No. 53, Room No. 5, Ulhasnagar-1, Distt. Thana. Issue of Recovery Schedule.

The adjustment of Rs. 1424.00 has been made against Rccm No. 8, Bk. No. 151-A Kelayan, Ulhasnagar. If she requires the copy Recovery Schedule, the same will be sent on receipt of postal order worth Re. 1 as copying fee.

(The petitioner was informed accordingly by the Department.)

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- 8 Smt. Kalabai Milanmal, Bk. No. 53, Room No. 5, Behind Shahad Police Station, Ulhasnagar-1, Distt. Thana. Issue of Recovery Schedule. A sum of Rs. 334.50 and 1223.50. has been adjusted as arrear of rent and cost of Room No. 5, Bk. No. 677 Kalyan near Ulhasnagar, allotted to the claimant. Nothing has been adjusted by way of association against Property allotted to her situated at Ulhasnagar. If she requires the copy of Recovery Schedule, the same will be sent on receipt of Postal Order worth Re.1/- as copying fee.
- (The petitioner was informed accordingly by the Department).
- 9 Smt. Radhibai Ludhromal Bk. No. 349 A, Room No. 6, Ulhasnagar-2, Distt. Thana. Issue of Recovery Schedule. CAF No. M/BH/1740/VII(W) of Smt. Newradhibai Pribhdas, has been examined and it is found that a sum of Rs. 650.57 has been adjusted towards cost of Bk. No. 349-A, Room No. 6, Ulhasnagar. If she requires the copy of Recovery Schedule, the same will be sent on receipt of Postal Order worth Re.1/- as copying fee.
- (The petitioner was informed accordingly by the Department).
- 10 Sbrri Govindram Lalchand, Building No. 26 Room No. 902 & 906, Chembur Colony, Bombay. Adjustment of Rs. 679/- towards the cost and rent of Room No. 902 Building No. 26, Chembur Colony Bombay, from CAF No. B.3/8823/7323 of Smt. Jannabai Hazarimal and issue of intimation/Recovery Schedule therefor. The Regional Settlement Commissioner (Central), Jaisalmer House, New Delhi, to whom the matter was referred, has intimated that the amount of Rs.679/- stand adjusted from CAF No. B. 3/7323 of Shrimati Jannabai against the cost of Room No. 902, Building No. 26, Chembur Colony, Bombay and necessary Recovery Schedule therefor was sent to the Managing Officer and the Additional Collector, BSD, Old Customs House Fort, Bombay.

In the circumstances, he may, therefore, please contact the above-mentioned Officer for further action in the matter.

(The petitioner was informed accordingly by the Deptt.)

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| 11 | Shri Bakshomal Thakumal, Bk. No. 2076, Room No. 6, Ulhasnagar-5 Distt. Thara. | Payment of Rs.1091 as balance of compensation | The Regional Settlement Commissioner (Central) New Delhi, to whom the matter was referred, has initiated that the representation of Shri Bakshomal Thakumal for condoning delay in the inclusion of his agricultural land claim in his Compensation Application Form was accepted to the extent to the amount of public dues outstanding against him. Accordingly, an amount of Rs. 807 outstanding against him on account of the balance cost of tenement No. 2976 Com. No. I, , Ulhasnagar-5 stands adjusted therefrom. Hence the necessary documents also stand issued both to the claimant, Shri Bakshomal Thakumal as well as to the Administrator, Ulhasnagar. |
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In view of this, no further action appears to be called for in so far as this Department is concerned.

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| 12 | Shri Jetharand Versimal Narvani C/o Central Excise Office, P.O. Thasra, Distt. Kaira (Gujarat). | Request for reinstatement of compensation claim. | Claim index No. S/KR-2/147 filed by Shri Jetharand was originally rejected by the Claims Officer <i>vide</i> order dated 5-3-52 on the ground that the claimant was an allottee of agricultural land. Being dissatisfied with the order, the claimant filed a revision petition which was also rejected by the Claims Commissioner <i>vide</i> order dated 16-3-53 on the ground that the claimant was an allottee of agricultural land. |
|----|-------------------------------------------------------------------------------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

In his representation, the claimant has stated that the agricultural land so allotted to him has since been cancelled by the Collector Pan-chamahal on 3-10-1975, and in support of his contention he has enclosed a copy of the order. The proper remedy for him is to file a regular review petition for the restoration of his claim which will be considered on merits.

(The petitioner was informed accordingly).

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13	Shri Motumal Menghomal, Bk. No. 53, Room No. 5, Ulhasnagar.	Issue of Intimation/recovery schedule of Rs. 1500/-adjusted from CAF No. B/T/UT/4378/IVNT (Index No. S/SR-2/996 adjusted towards the cost of agricultural land at Ulhasnagar.	<p>The Regional Settlement Commissioner (Central) New Delhi, to whom the matter was referred, has reported that Shri Motumal's case has been finalised as under:—</p> <table border="0"> <thead> <tr> <th></th> <th style="text-align: right;">St. Acre.</th> <th style="text-align: right;">Units</th> </tr> </thead> <tbody> <tr> <td>Assessed value of the agricultural claim.</td> <td style="text-align: right;">2—</td> <td style="text-align: right;">2—2/5</td> </tr> <tr> <td>Area available after applying the Punjab cut.</td> <td style="text-align: right;">1—</td> <td style="text-align: right;">9—4/5</td> </tr> <tr> <td>Less allotment held S.No. 87, 88 Village Shahad, Ulhasnagar.</td> <td style="text-align: right;">1—</td> <td style="text-align: right;">9—4/5</td> </tr> </tbody> </table> <p>Shri Motumal's case has been settled in terms of the standard acres in lieu of the land claim and as such such the question of issuing any recovery schedule for Rs. 1500/- does not arise. He is, therefore, advised to approach the Administrator, Ulhasnagar, District Thana in the matter as the property is under the control of that authority.</p> <p>(The petitioner has been informed of the above position by the Department).</p>		St. Acre.	Units	Assessed value of the agricultural claim.	2—	2—2/5	Area available after applying the Punjab cut.	1—	9—4/5	Less allotment held S.No. 87, 88 Village Shahad, Ulhasnagar.	1—	9—4/5
	St. Acre.	Units													
Assessed value of the agricultural claim.	2—	2—2/5													
Area available after applying the Punjab cut.	1—	9—4/5													
Less allotment held S.No. 87, 88 Village Shahad, Ulhasnagar.	1—	9—4/5													
14	Shri Kanyal Dergram, C/o Shri L.S. Rupani, Bk. No. 53 Room No. 5, Ulhasnagar-1, Distt. Thana.	Adjustment of Rs. 2320 towards the cost of GBP Room No. 310, Bk. No. A 155, Ulhasnagar.	<p>The Regional Settlement Commissioner (Central), New Delhi, to whom the matter was referred has reported that only a sum of Rs. 405-58 is available at the credit of the claimant, Shri Dula Ram Assandas and that the same is being adjusted towards the property in question through a bill which has already been sent to the Pay & Account Office (Rehabilitation) New Delhi for admittance.</p> <p>(The petitioner has been informed of the above position by the Department).</p>												

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MINISTRY OF WORKS AND HOUSING

- 15 Shri Raja Ram, 16, Dalhousie Square, New Delhi. Regularisation of Govt. accommodation No. 16, Dalhousie Square, New Delhi, in the name of Shri M.K. Bakshi. Alternative allotment could not be sanctioned in favour of Shri M.K. Bakshi for three reasons:—
- (i) His application ought to have been received two months before the date of retirement viz 16-7-72 but the application was actually received on 20-10-1973.
- (ii) the dependant should have resided with the retiring Officer for at least 6 months before the date of the latter's retirement but Shri Bakshi came to the headquarters on 4-8-1973.
- (iii) the father was not an allottee from the general pool but from the Delhi Police Pool.

* * *

In the other three cases, cited by the petitioner in his representation, *ad hoc* allotments were sanctioned by the Minister of State in relaxation of the condition regarding occupation of general pool accommodation by the retired officers. the case of Shri Bakshi is different inasmuch as none of the three prescribed conditions was fulfilled, the request was rejected by the Minister of State.

MINISTRY OF HOME AFFAIRS

- 16 Shri B.S. Tawde, At & Post Shirgaon, Taluka-Devgad, Dist. Ratnagiri. Revision of INA pension. Shri Bhagwan S/o Shivram Tawde R/o Shirgaon, Taluka Devgad District Ratnagiri (Maharashtra) has already been granted a monthly pension of Rs. 135/- w.e.f. 15-8-1972 and necessary intimation letter has already been sent to him under this Ministry's letter No. 21/7139/74, FFINA dated the 16th December, 1975.

MINISTRY OF RAILWAYS (RAILWAY BOARD)

- 17 M/s. Shree Rasmi Oil Mills, 4, I.D.C. Plot No. 6, Makarpura Road, Baroda. Claim for compensation for non-delivery of certain bags of groundnut seeds out of a consignment booked from Nellore to Baroda on 14-5-1973. The original decision of the Western Railway on the subject claim for compensation has been reviewed. On the basis of this review, the Western Railway have since arranged payment of an amount of Rs. 9,900/- vide pay order dated 19-11-75 in full and final settlement of the claim in question.

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MINISTRY OF LABOUR

- 18 Shri K.M. Nadgauda, Settlement of family pension under the Employees' Family Pension Scheme, 1971. 1/6, Shefalee Co-operative Housing Society Ltd., 62, Phirozshah Road, Santa-cruz (West) Bombay-400054.

Shri Nadgauda had opted for the Employee's Family Pension Scheme on 3rd August, 1971. His age at entry on 1st September, 1971 was 57 years 8 months and one day. He retired on attaining the age of 60 years. According to the explanation I of Para 33 of the Scheme fractions of a year below six months are to be ignored and six months and above are to be reckoned as full year. Therefore, Shri Nadgauda's age at entry has to be considered as 58 years.

Since Shri Nadgauda joined the scheme after the age of 25 years, he is entitled to benefits under para 32(1) of the Scheme read with para 34(1) of the Scheme which lays down that where a person becomes a member of the Family Pension Fund after age of 25 years, the retirement benefits as per para 32(1) shall be multiplied by a factor depending on the age of entry given in Table II of the Schedule to the Scheme. But since the factors by which the benefits payable are to be multiplied ended with the age at entry at 57, the claim of Shri Nadgauda whose age at entry was to be taken at 58 could not be settled by invoking Table II. Therefore he was paid a sum of Rs. 200/- provisionally by applying the factor 0.05 to avoid any hardship to him. However, it may be mentioned that the Government was seized of such difficulties. A notification amending the Scheme with retrospective effect by introducing a new factor 0.08 when age at entry is 58 in Table II has been sent for publication in the Gazette of India.

Shri Nadgauda's claim would be settled finally in accordance with the new factor.

(The petitioner was informed accordingly).

In their subsequent communication, dated the 7th April, 1976 the Ministry of Labour have stated that the claim of Shri K.M. Nad-

gauda has been fully and finally settled as informed by the office of the Central Provident Fund Commissioner, New Delhi.

MINISTRY OF COMMERCE

- 19 Shri Saheb Singh, Vice-President, Kapra Mill Mazdoor Union, Kharar (Punjab) Re-instatement of certain exemployees of the Panipat Woollen and General Mills, Kharar (Punjab). Two textile mills owned by the Panipat Woollen and General Mills, Kharar, have been nationalised under the provisions of the Sick Textile Undertakings (Nationalisation) Act, 1974. The names of these mills are Kharar Textile Mills, Kharar and Panipat Woollen Mills, Kharar. The Central Government has not been able to take physical possession of these two mills in view of stay orders granted by the Supreme Court. As per orders of the Supreme Court, the lessees of the mills, M/s. Padmashree Textile Industries Ltd., have been appointed as Receiver and the Mills are currently being run by them. The National Textile Corporation and Union of India have been associated with the Receiver with power of general supervision.

The National Textile Corporation has filed a Civil Miscellaneous Petition seeking the issue of directions by the Supreme Court for proper implementation of the court's orders. The matters in respect of which direction have been sought from the Supreme Court include the following:—

“The Receiver/Managing Director will not recruit, promote, retire, dismiss or discharge any employee of the Company without approval of the Supervisors.”

The petition is pending before the Supreme Court for final disposal. In the circumstances, it is not possible to intervene in the matter regarding termination of services of certain employees. The employees can, however, seek redress under the Industrial Disputes Act.