

COMMITTEE ON PETITIONS

(SEVENTH LOK SABHA)

TWENTIETH REPORT



(Presented to Lok Sabha on 23rd August, 1984)

**LOK SABHA SECRETARIAT
NEW DELHI**

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Corrigenda to Twentieth Report of
the Committee on Petitions(7LS).

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**COMPOSITION OF THE COMMITTEE ON PETITIONS
(1984-85)**

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3. **Shri Bhubaneswar Bhuyan**
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Shri S. S. Chawla—*Senior Legislative Committee Officer.*

**TWENTIETH REPORT OF THE COMMITTEE ON
PETITIONS (SEVENTH LOK SABHA)**

I

INTRODUCTION

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

- (i) Petition No. 26 regarding allotment of Government flats to retiring employees on rent or on hire purchase basis.
- (ii) Representation regarding ban on entry of foreign tourists in certain parts of Sikkim.
- (iii) Representation regarding acceptance of Charter of Demands submitted by National Co-ordination Committee of Indian Teachers' Organisation, Bhubaneswar.
- (iv) Representation regarding recoveries of market rent from pensioners for existing accommodation till the date of *ad hoc* allotment/regularisation in the name of their wards.
- (v) Representation regarding annual statement of premium receipts to policy holders under the Salary Savings Scheme of Life Insurance Corporation of India.
- (vi) Action taken by Government on the recommendations of the Committee on Petitions contained in their Twelfth Report (7 LS) on Petition No. 22 regarding development of Dabhol Port in Maharashtra.
- (vii) Action taken by Government on the recommendation of the Committee on Petitions contained in their Twelfth Report (7 LS) on the representation regarding statutory control on filament yarn.
- (viii) Action taken by Government on the recommendation of the Committee on Petitions contained in their Thirteenth Report (7 LS) on the representation regarding certain Railway facilities for residents of Gaya.
- (ix) Action taken by Government on the recommendation of the Committee on Petitions contained in their Thirteenth Report (7 LS) on the matter regarding expeditious implementation of their recommendations by the Ministries/Departments concerned.
- (x) Action taken by Government on the recommendations of the Committee on Petitions contained in their Fourteenth Report (7 LS) on Petition No. 1 regarding hardships of Bombay Railway Suburban Commuters.

1.2 The Committee considered the above matters at their sittings held on 3rd January, 3rd May, 1983 and 22nd and 23rd May, 19th June and 9th August, 1984.

1.3 In connection with the representation regarding ban on entry of foreign tourists in certain parts of Sikkim, the Committee undertook an on-the-spot study visit to Sikkim from 19th to 24th May, 1983 to ascertain the justification for banning entry of foreign tourists to certain places in the State.

The Study Group visited places of tourists interest at Phodang, Mangan, Rumtek, Gangtok and Pemayangtse.

At Mangan, the Study Group met the local M.L.A. and the Collector, District North Sikkim and discussed with them the tourist potential in Mangan area and infrastructural facilities available for tourists in that area.

At Gangtok, the Study Group held informal discussion with the petitioners and the representatives of the State Government of Sikkim.

1.4 The Committee wish to express their thanks to the Minister for Tourism, Secretary, Tourism Department, Secretary, Home Department, Inspector General of Police, and other officers of Government of Sikkim for furnishing the requisite information to the Committee in connection with the examination of the subject.

The Committee also express their thanks to the representatives of the petitioners for their suggestions made during their discussion with the Committee when they visited Sikkim.

1.5 The Committee considered their draft Report at their sitting held on the 17th August, 1984 and adopted it.

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

NEW DELHI ;
 17th August, 1984
 Sravana 26, 1906 (Saka).

K. P. TEWARI,
 Chairman,
 Committee on Petitions.

II

PETITION NO. 26 REGARDING ALLOTMENT OF GOVERNMENT FLATS TO RETIRING EMPLOYEES ON RENT OR ON HIRE PURCHASE BASIS

2.1 Petition No. 26 signed by Shri B. B. Revandker and others, Bombay, regarding allotment of Government flats to retiring employees on rent or on hire purchase basis, was presented to Lok Sabha on the 3rd August, 1983, by Shrimati Pramila Dandavate, M. P.

A. Petitioners' Grievances and Prayer

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

“All the Government servants residing in the Government colonies in general and Bombay in particular are facing a common accommodation problem after their retirement from service. They are practically unable to purchase or even hire any accommodation with all their savings of life time from the Government service. The plight of Group 'D' and 'C' employees is even more pitiable as their emoluments are too meagre even to make their both ends meet and ultimately their compulsory savings by way of G.P.F. etc. is negligible after meeting the expenses incurred on their children's marriage etc. Generally, the Death-cum-Retirement benefits ranging from Rs. 6,000/- to Rs. 15,000/- is too inadequate to enable them to make arrangement for residential accommodation after retirement especially when the prices of even one room with kitchen or a tenement in Bombay costs not less than Rs. 50,000/-

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It is not out of place to mention here that the Maharashtra Housing and Area Development authorities have already considered their rental basis tenements on ownership basis after reducing depreciation value from the original cost. In accordance with the Rent Act, the person who is occupying the premises on rental basis cannot be evicted so long as he is paying the rent. The Government has already considered to give benefit to small land holders to retain their land in their favour after introducing the Land Reform Act. The hutment-dwellers are also given the benefit of retaining their huts or providing them alternative accommodations. But the Government servants, who have served their life long time for the Government are evicted

and mercilessly thrown out on the road after retirement even though Government has emphasised to provide home for homeless in its 20-Point Programme.”

2.3 The petitioners prayed that :—

“A Government servant in occupation of the Government accommodation may be offered the said accommodation for purchase on instalments basis after deduction of depreciation value from the original cost.....

OR

He may be allowed to continue occupation of the Government accommodation allotted to him, even after retirement on payment of standard rent.

OR

He may be allotted Government land for construction of tenements on co-operative basis.”

B. Comments of the Ministry of Works and Housing

2.4 The petition was referred to the Ministry of Works and Housing for furnishing their factual comments thereon for consideration by the Committee on Petitions. In their factual note dated 25th October, 1983, (See Appendix II), the Ministry of Works and Housing have stated, *inter-alia*, as follows :—

“.....That government residential accommodation is built as a welfare measure for providing residential facilities at reasonable rent to serving Government servants. The Central Government have over the years built large number of residential accommodation in the ‘general pool’ of different plinth areas to suit the needs of Government employees in different groups according to their pay scales in Delhi and other cities where there is concentration of Central Government Offices. These are built by Government as near to the places of work of the Government employees as where land is available. While efforts are being made by Government to augment the strength of residential accommodation in what is known as ‘general pool’, it has not yet been possible to increase the number of units to meet the growing demands to a reasonable level of satisfaction.....

Due to the paucity of accommodation in the ‘general pool’ a Government employee has to put in a substantial length of service of 20 years or more before he can expect to get his entitled accommodation in his turn. Some Central Government employees even retire without getting accommodation from the ‘general pool’. If the retiring Government employees are offered the ownership of the accommodation allotted to them, Government will not be able to satisfy the needs of serving Government servants even to the limited extent

which it is doing at present as part of its welfare measures. Even if the Government are in a position to recoup the strength of the 'general pool' by new constructions, the location of such accommodation would be farther and farther away from the Government offices where they would be employed. Retirement is not an unforeseen event and like Government servants all salaried employees face this situation. It is also not necessary that every retired Government employee has to spend his retired life in the same place where he was last employed prior to his retirement. Every Government employee is expected to plan well in advance for his retired life.

In the light of the above, the Central Government are not in a position to accept the proposal to offer the ownership of Government quarters to the occupants on their retirement.

As regards the suggestion that the retired Government employee may be allowed to continue occupation of the Government accommodation allotted to him even after his retirement on payment of standard rent, for the same reasons indicated in the preceding paragraphs, it is not possible for the Government to agree to the suggestion.

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With regard to the third suggestion *viz.* that a retired Government servant may be allotted government land for construction of tenements on cooperative basis, it may be stated that the Central Government is already laying great emphasis on housing on cooperative basis. In Delhi, the land is allotted to the Cooperative Housing Societies at pre-determined rates under the scheme of large scale acquisition, development and disposal of land. As Housing is a State subject, other States and Union Territories have also been requested to allot land to cooperatives on pre-determined rates. Due to scarcity of land, the trend has now shifted towards Groups Housing. The Government employees are at liberty to for their own Cooperative Societies or become Members of such Societies set up for this purpose. The Societies can obtain land through the respective States/UTs, develop it and allot plots to their Members or construct houses thereon and allot flats to their Members."

C. Observations/recommendations of the Committee

2.5 The Committee note the position stated by the Ministry of Works and Housing in their factual note that due to paucity of accommodation, a Government servant has to put in a substantial length of service of 20 years before he gets his entitled accommodation in his turn. If retiring Government employees are offered the ownership of accommodation allotted to them, the Government will not be able to satisfy the needs of serving Government servants even to a limited extent which it is doing at present as part of its welfare measure. The Ministry

have further stated that while efforts are being made by Government to augment the strength of residential accommodation, it has not yet been possible to meet growing demands for accommodation to a reasonable level of satisfaction.

2.6 The Committee, while taking note of above factual position, agree that if the retiring Government servants are given allotment of Government accommodation on ownership basis or on payment of standard rent, the serving Government employees will not be in a position to get Government accommodation during the period of their service. The Committee, therefore, do not agree with the demands of the petitioners.

III

REPRESENTATION REGARDING BAN ON ENTRY OF FOREIGN TOURISTS IN CERTAIN PARTS OF SIKKIM

3.1 Shri B. B. Lohar, M.L.A. and Chairman, Scheduled Castes Welfare Board, Government of Sikkim and others from Gangtok, submitted a representation regarding ban on entry of foreign tourists in certain parts of Sikkim.

A. Petitioners' Grievances and Prayer

3.2 In their representation dated the 11th November, 1982, the petitioners stated as follows :—

“The foreign tourists were used to be allowed to visit all parts of South and West Districts of Sikkim and upto Phodang Monastery in North Sikkim. From the view point of natural scenic beauty, these three Districts are very rich which attract thousands of tourists annually to the State. In view of this importance the State Government has been considerate and constructed tourist lodges at different places in the above Districts of State. But since a year or so the Government has banned the entry of foreign tourists to those places and as a result of which the State Government has been deprived of a sizable amount of revenue which used to flow to the State Exchequer earlier. The lodges constructed at various places in the above districts also remain without any use and the purpose of their construction marred.

From the security point of view all parts of South and West Districts of Sikkim are safe from the visits of foreigners. In North District also upto Mangan, the District Headquarter, the visit of foreign tourists cannot be regarded as unsafe.

Under the circumstances mentioned above, we request you to make an on-the-spot visit and see whether the banned entry of foreign tourists to the above places of Sikkim could be reopened once again so that the State could earn its revenue from the tourism industry as earlier.”

B. Comments of the Ministry of Home Affairs

3.3 The representation was referred to the Ministry of Home Affairs for furnishing their factual comments thereon for consideration by the Committee on Petitions. In their factual note dated the 12th April, 1983, the Ministry of Home Affairs stated as follows :—

“Under the Foreigners (Protected Areas) Order, 1958 Sikkim is a protected area. Foreigners cannot enter the protected areas without obtaining special permits. It is a fact that there is tourist potential in respect of some of the places in Sikkim. In view of this and consistent with requirements of security, we have been liberally authorising grant of protected area permits to foreign tourists desiring to visit Gangtok, Rumtek and Phodang in Sikkim. Even if a foreigner has mentioned only one out of these places in his application, we have in recent times been authorising issue of permit covering all the three places of tourist importance. Foreign tourists in organised groups sponsored by recognised travel agencies are also permitted to do trekking for fifteen days in Zongri area in Sikkim, subject to attachment of a liaison officer from Government of Sikkim.

(2) Magan, mentioned in the petition dated 11.11.1982, lies far north of Phodang. It has not been considered appropriate, for reasons of security to open up this area for foreign tourists. However, a proposal submitted by certain travel agencies for permitting groups of organised foreign tourists sponsored by them to visit Pemayangtse where a tourist lodge of the State Government is situated, for one day, is being considered in consultation with the concerned agencies.”

C. Study Visit of the Committee to Sikkim

3.4 The Committee on Petitions at their sitting held on the 3rd May, 1983 considered a representation and the factual comments thereon furnished by the Ministry of Home Affairs and decided to undertake an on-the-spot study visit to certain places in Sikkim with a view to ascertain the justification for banning entry of foreign tourists to certain places in that State. Accordingly, the Committee visited certain places of tourists interest in Sikkim from 19th to 24th May, 1983 and held informal discussion with the petitioners and the representatives of the Government of Sikkim at Gangtok.

(i) Views of Petitioners

3.5 The representatives of the petitioners made the following submissions before the Committee during their on-the-spot study visit to Sikkim :—

- (i) Before the ban, about four thousand tourists visited West Sikkim but due to the ban, the tourist traffic had declined steeply to about only 25%;
- (ii) Sikkim had the capacity and potential to become a major tourists resort. Tourism was the only viable industry in Sikkim;
- (iii) There is no ban on foreign tourists desiring to visit Leh in Ladakh. From security point of view if Leh could be opened to foreign tourists, Sikkim should also be opened to foreign tourists;

- (iv) Foreign tourists spent more money than Indian/local tourists. There was more inflow of money from commercial point of view;
- (v) Tourist lodges built by the Government were lying vacant. Most of the hotels were underutilized with occupancy around 10% which was not sufficient to maintain standard or service;
- (vi) Private hoteliers, transporters and traders who had made investments in tourist projects by raising loans from Banks and Government Departments had entailed losses on account of ban. They were not in a position to make repayment of loans and payment of interests. Several representations were made to the Sikkim Government in that regard but no reply was forthcoming. Under the existing ban, repayment of loan had become a great liability for them;
- (vii) At present, foreigners desiring to visit Sikkim must obtain an Inner Line Permit from the Ministry of Home Affairs, New Delhi, which should be applied for six weeks in advance before the proposed date of entry to Sikkim. That permit allowed them to stay for four days in case of sight-seeing and ten days for group trekkers. These permits were proving a major hindrance for the development of tourism industry in Sikkim because of following reasons :—
- (a) Period of six weeks in advance was too long a period since most of foreign tourists did not plan holidays much in advance.
- (b) It took too long time for the Inner Line Permit to be granted and delay in the despatch by the Ministry of Home Affairs. Consequently, the tourists cancelled their programmes to that region.
- (c) These permits were issued for a short period and for specific areas which did not permit tourists to visit other places in and around Gangtok.
- (viii) Limited permission to foreigners to visit Gangtok, Rumtek and Phodang and for permitting tourists in organised groups by travel agencies would not benefit the rural people. Only travel agencies would gain;
- (ix) There should be facilities for foreigners for obtaining Inner Line Permits at Siliguri or Gangtok; and
- (x) Foreign tourists should be allowed to visit Singhik beyond Mangan in North Sikkim, Pemayangtse, Gezing, Dzungri, Yaksam in West Sikkim and Namchi and Tendong in South Sikkim. There was no security problem in West Sikkim.

(ii) *Views of the representatives of the State Government of Sikkim.*

3.6 During informal discussion, the Secretary, Tourism Department, Government of Sikkim, made the following submissions before the Committee :-

- (i) For development of tourism in Sikkim, the Government had taken action to provide all necessary infrastructural facilities. The Government had constructed Tourist Lodges at 25 places in Sikkim and had advanced loans to hoteliers and transporters to construct bigger hotels and to provide suitable transport facilities for domestic as well as for foreign tourists. However, with the imposition of ban on entry of foreign tourists in certain parts of Sikkim as well as their entry for specified places for a limited period after obtaining Inner Line Permit from the Ministry of Home Affairs at New Delhi, the tourist traffic had declined steeply entailing heavy losses to tourism industry in Sikkim. There had been difficulties in recovery of loans advanced for the purpose.
- (ii) At present foreign tourists were not allowed to visit Pemayangtse where a 50 bedded luxury tourist lodge with basic amenities had been opened. Occupancy in Pemayangtse Tourists Lodge had gone down to 3% resulting in loss of revenue to Government.

3.7 In that connection, the Secretary, Department of Tourism, Government of Sikkim, furnished a written note stating that the following two travel circuits as recognised by the Ministry of Tourism, Government of India should be opened for tourists :-

- (i) Travel Circuit No. 1 :- Darjeeling-Naya Bazar (Via Singla)—Pemayangtse—Yuksom—Kewzing—Rabong—Temi Tarku—Shirwani, Rumtek—Gangtok—Singtam—Rangpo—Teesta—Siliguri.
- (ii) Travel Circuit No. II—Darjeeling—Naya Bazar (via Singla)—Namchi—Naya Bazar—Chakung—Soreng—Burikhop—Bursey—Hilley—Uttarey—Dentam—Burmiok—Legship—Tatopani—Sikip—Namchi.

For Travel Circuit No. 1 names of places as given in the circuit are a must and therefore, it is requested that tourists traffic to these places including Tashiding, the most sacred Buddhist religious centre in Sikkim, be opened up for tourism. As already is the understanding one of our men from the Tourism Department will be attached to such tourists. Arrangements for trekking in the Dzongri area may be allowed to continue as at present.

Travel Circuit No. II is primarily meant for trekkers who do not want to go trekking to the snow covered mountains. From Hilley one can trek via the Hilltop to Uttarey, Dentam, Soreng, and then

by jeep on to Legship, Tatopani, Naya Bazar, Darjeeling or to Gangtok via Melli. Or alternatively one can trek from Soreng, Burikhop, Bursey, Hilley, Okharey and then by jeep to Sombaria, Daramdin, Naya Bazar, Darjeeling or via Melli to Gangtok.

While Circuit No. I is a must Circuit No. II may also be considered for trekkers who would like to go hiking at a fairly high altitude without going to the snows.

Besides the above, tourists both domestic and foreign may be permitted to visit Gangtok and North Sikkim upto Singhik which is 3½ Kms. North of Mangan, the North district headquarters and from Gangtok to Rumtek or Gangtok to Rhenock, Aritar or Rongali in East district.

If the above areas are opened up for tourists, and formal permission is granted to enable the tourists to visit all or any of the Centres indicated in the above circuits either individually or in groups, the tourist traffic in Sikkim is bound to go up higher as compared to the other hill stations in India. In most of the places detailed above there is adequate provision of infrastructural facilities which with time and increased inflow of tourists can certainly be improved.

D. Evidence before the Committee

3.8 The Committee at their sitting held on the 9th August, 1983, examined representatives of the Ministry of Home Affairs on the points raised in the representation regarding ban on entry of foreign tourists in certain parts of Sikkim.

3.9 Explaining the background of declaring Sikkim as protected area and ban on entry of foreign tourists in certain parts of Sikkim, the Additional Secretary of the Ministry of Home Affairs stated that Sikkim was declared as a protected area under the Foreigners (Protected Areas) Order, 1958. According to the provisions of that Order, entry of foreigners to Sikkim was regulated by the Ministry of External Affairs from 1958 to 1975 when Sikkim became a part of India. Since April, 1975, the Ministry of Home Affairs was in charge of that Order. The protected areas were defined in the Order of 1958 as "areas falling above a certain geographical line" and the entire Sikkim was defined as a protected area by virtue of that Order.

Permits were being issued by the Ministry of Home Affairs and there were authorities who had been designated for the purpose of issue of permits. But they had to take the prior approval of the Ministry of Home Affairs before they could issue such permits. The Ministry had been issuing permits on the basis of requests received from various foreign applicants. Some of them specified only one place, Gangtok. So the permit was issued for that particular place. But over a period, they found that tourists would like to visit more than one place. After looking into the security aspects of the matter, they were then

specifying three places in every permit issued by them. These were Gangtok, Rumtek and Phodang. According to the conditions of the permit, the foreigners were expected to visit only the places specified in the permit and not to visit any other place in Sikkim. In addition to the individual permit to visit these three places, they were also allowing at present groups of upto 20 tourists, sponsored by various recognised travel agencies for trekking purposes in Zongri area. A Liaison Officer from the Sikkim Government was attached to accompany these groups. They were permitted to pass through Pemayangtse, which was *en route* to the trekking area of Zongri.

The representative of the Ministry further stated that Sikkim was one of the protected areas. Parts of Jammu and Kashmir, Himachal Pradesh, certain parts of U.P. were all declared as protected areas.

3.10 On enquiring whether Ladakh had been thrown open to tourists the representative of the Ministry of Home Affairs informed the Committee that Leh town in Ladakh was opened for foreign tourists in 1974. Beyond that area in North Ladakh, they regulated the entry of foreigners. The representative of the Ministry further informed the Committee that entry of foreign tourists to Sikkim was regulated by Inner Line Permits. These were reviewed from time to time taking into account the need for balancing the tourism as well as security consideration. The Government, after consulting the Ministry of Defence and the Internal Security Mings, arrived at a decision as to which areas could be opened up. Accordingly, relaxations were being made from time to time.

3.11 The Additional Secretary of the Ministry informed the Committee that in respect of Sikkim, they had two suggestions before them—one was that Pemayangtse should also be thrown open to tourists. The other suggestion was that beyond north of Phodang there were two places Mangan and Singhik which could also be thrown open to the tourists. The representative further stated that as far as Pemayangtse was concerned, groups of trekking parties, accompanied by the local Liaison Officers, were being permitted. The Government were also considering the question of permitting other non-trekking tourists in groups to visit Pemayangtse for an overnight stay so that they could have a view of the Kanchenjunga from there. As far as the north of Phodang was concerned, they had consulted the State Government and even the Chief Minister of Sikkim. In a communication to Home Minister, the Chief Minister had given his views that what was now being done in that regard was considered adequate. Upto Phodang tourists might be permitted. Beyond north of Phodang, the restrictions might continue. The Government was inclined to agree with that view.

3.12 When asked to state the reasons behind all these restrictions, the representative of the Ministry of Home Affairs informed the Committee that these were protected areas close to borders with the other countries. Therefore, they had naturally to protect them. The Government could not allow the foreigners to move about freely there.

3.13 The Committee pointed out whether the Inner Line Permits would

serve any purpose when the fact was that installations/or sensitive areas could be photographed by other countries through satellites, the Additional Secretary of the Ministry of Home Affairs stated :

“Our consideration is only to protect our borders. Our Defence Personnel are deployed in a particular way in those border areas. It will not be in the interest of our security if foreigners can have access to such areas and thereby access to information about the actual deployment of our military personnel. Whatever may be the overall picture of satellite that may come about the major installations etc., to prevent physical occupation of our territory, it is in our own interest to take all precautions and to see that no information passes out about the vulnerable points, vulnerable bridges, the concentration of troops at a particular point of time and our state of preparedness. These are all factors we have to note and we cannot make any compromise on it.”

In that connection, the Joint Secretary of the Ministry stated that satellite did not reveal every thing and foreigners did not go for photography alone. They could harm in several other ways by contacts. So, that aspect also had to be taken care of.

3.14 The Joint Secretary of the Ministry of Home Affairs further stated :-

“It is not only the border areas of Jammu and Kashmir, there are a number of places in the country declared as protected areas. Manipur, Arunachal Pradesh, Nagaland, Mizoram were all protected areas. Normally these areas are protected against foreigners. As such the whole area is protected because of the defence installations, because of the danger that the people are simple and they can be exploited. The important thing is security of the sensitive areas and one has to guard against. In 1977 some relaxation was made in the case of Sikkim also as was made earlier in the case of Leh. It was at that time that Phodang and Singhik were permitted upto a distance.”

3.15 The Committee desired to know whether ban on entry of foreign tourists would not deprive the State Government of Sikkim of revenue from tourism. The Additional Secretary stated that during the last 2 or 3 years, the number of foreigners visiting Sikkim, after securing permits, was around 4,000 or 5,000 per year. He could not generalize whether the visit of 5,000 people was going to generate so much of economic activity, as to change the economic opportunities for the people there significantly. But tourism was a growing industry, and the Government had to provide the infra-structure as well as keep considerations in mind.

3.16 In regard to domestic tourism, the Additional Secretary of the Ministry stated that he did not have the figures as to how many domestic tourists had visited Sikkim during the last 2 to 3 years, but he was aware that in

Sikkim like Andaman and Nicobar Islands, there had been a spurt in domestic tourists.

3.17 Enquired how many applications were received by the Government for grant of protected area permits for Sikkim and how many of them were rejected by the Government, the Additional Secretary of the Ministry stated that in the last six months, out of nearly 1800 foreign tourist cases, they had rejected only 4 cases because of security consideration. He was of the view that permit system was not acting as a disincentive for visiting Sikkim.

3.18 In reply to a query, the representative of the Ministry stated that in the opinion of the Government the entire Sikkim should continue to be treated as a protected area. The visits by foreigners ought to be regulated through permits. They had considered the valuable suggestions that had been received. The witnesses submitted that present regulations were inevitable. However, the Government would take into consideration the recommendations of the Committee.

3.19 Subsequently, the Ministry of Home Affairs *vide* their communication dated the 13th September, 1983 have furnished a note (See Appendix III) giving written information on certain points.

3.20 Regarding proposal for permitting groups of organised foreign tourists sponsored by travel agencies which was pending with them, the Ministry of Home Affairs stated :

“Government will take a final decision on the proposal submitted by certain travel agencies for permitting groups of organised foreign tourists sponsored by them to visit Pemayangtse for one day on receiving the recommendations of the Committee on Petitions.”

With regard to suggestion for provision of facilities for foreigners for obtaining Inner Line Permits at Siliguri or Gangtok, the Ministry of Home Affairs pointed out that :

“A Centralised control and centralised screening by security agencies in Delhi is considered un-avoidable even if the applications are submitted through the authorities at Siliguri or Gangtok, they can prepare and issue the permits only after referring the applications to the Ministry of Home Affairs in New Delhi after getting its prior authorisation. It is not considered feasible to have a MHA office at Siliguri to receive and decide applications on the spot as the relevant records of the security agencies are in Delhi and screening with reference to these can be done only in Delhi.”

As regards losses suffered by Government, private hoteliers, transporters and traders who had made investments in tourists projects, the Ministry of Home Affairs stated as follows :—

“Government have, from time to time, over the years been reviewing the permissible places for foreign tourists in Sikkim, balancing tourist potential and requirements of security. It was decided in 1977 that individual foreign tourists could be permitted, on application, to visit Rumtek and Phodang, in addition to Gangtok which was already being permitted. It was further decided that the period of permit be raised from 2 days upto 4 days in such case. Further, it was decided that foreign tourists conducted by recognised travel agencies in organised group of upto 20 be permitted to visit Zongri area for trekking for a period of upto 10 days, subject to attachment of a liaison officer provided by Sikkim Police, and they could proceed via Pemayangtse where a Tourist Lodge had been constructed by the State Government. The period of ten days permitted for trekking by organised groups in Zongri area was raised to fifteen days in September, 1979. Since the beginning of 1983, permits are being authorised to individual foreign tourists for seven days' stay at Gangtok, Rumtek and Phodang-even if the applicant has named only one of these places in his application.

Construction or existence of tourist lodges, if any, at places in protected areas not permitted to be visited by foreign tourists, is not by itself enough justification for opening up such places for foreign tourists. However, it is open to domestic tourists to avail of the facilities at such lodges.”

D. Observations/Recommendations of the Committee

3.21 The Committee note the position stated by the Government in their factual comments and in their submission made before the Committee during evidence by the representatives of the Ministry of Home Affairs that under the Foreigners (Protected Areas) Order, 1958, Sikkim is a protected area. Foreigners cannot enter the protected areas without obtaining special permits. However, in view of tourist potential in respect of some places in Sikkim and consistent with security requirements, the Government have been authorising grant of protected areas permits to foreign tourists desiring to visit Gangtok, Rumtek and Phodang in Sikkim.

3.22 The Committee also note the position stated by the Ministry of Home Affairs on the demands made by the petitioners during their on-the-spot visit to Sikkim such as provision of facilities for foreigners for obtaining Inner Line Permits at Siliguri or Gangtok, losses suffered by Government, private hoteliers, transporters, traders who have made investments in tourist projects and effect of the ban on foreign tourists on tourism industry and economy of Sikkim etc.

3.23 After careful consideration of all aspects of the matter, the Committee feel that in the interest of security, there is sufficient justification for continuance of restrictions on entry of foreigners and that Government should be allowed to regulate their movements keeping in view the broad interest of the country. The

Committee, however, recommend to the Government to consider the proposal submitted by certain travel agencies for permitting groups of organised tourists sponsored by them to visit Pemayangtse for a day or two so that the State of Sikkim is not deprived of due revenue from tourism.

3.24 The Committee note that, at present, foreigners desiring to visit Sikkim have to obtain an Inner Line Permit from the Ministry of Home Affairs, New Delhi, which is required to be applied six weeks in advance of the proposed date of entry to Sikkim. The Committee agree with the petitioners' plea that this period of six weeks was too long a period since most of the foreign tourists did not plan holidays much in advance and this was proving to be a hindrance for the development of tourism industry in Sikkim. The Committee, therefore, recommend that the Government should reduce the existing period of six weeks to four weeks for making applications by foreigners for the grant of Inner Line Permits.

**REPRESENTATION REGARDING ACCEPTANCE OF CHARTER
OF DEMANDS SUBMITTED BY NATIONAL CO-ORDINATION
COMMITTEE OF INDIAN TEACHERS' ORGANISATIONS,
BHUBANESWAR**

4.1 Prof. Abani Boral, Convenor, National Co-ordination Committee of Indian Teachers' Organisations, Bhubaneswar, and others, submitted a representation dated the 19th April, 1983 regarding acceptance of Charter of Demands of Teachers and other educational workers by the Government.

A. Petitioners Grievances and Prayer

4.2 In their representation (*See Appendix IV*) the petitioners stated as follows :—

“We, the representatives of over 4 millions teachers and other educational workers of India of all sectors from primary to the University, have the honour to submit the following petition to Parliament of India through your good offices.

Teachers of all sectors have been campaigning and agitating for the acceptance of some of their urgent, minimum demands for many years but it has not received any attention of the Government of India so far. We draw the attention of the Parliament to the plight of the builders of the nation and submit our charter of Demands (*See Annexure to Appendix IV*) through this petition for its consideration. We also request for your intervention for the consideration of our demands by the Government of India.

Thousands of teachers and other educational workers from all parts of the country have marched in the streets of Delhi today under the banner of the National Coordination Committee of Indian Teachers' Organisations (NCCITO), the organisation which writes and represents the entire teachers' movement in the country to present this petition to you for the consideration of the August forum of our Parliament. We hope this petition will elicit a positive and fruitful response from our Parliament.”

- (3) The suggestion is that salaries of teachers should be paid directly by the Government. In most cases, private schools and colleges are sanctioned grants by the State Governments from which salaries are disbursed by the management. Several States are however, now replacing the grants-in-aid system with direct payment. Kerala, West Bengal, U.P. etc. follow the practice of direct payment. The matter concerns exclusively the State Governments.

- (4) Universalisation of elementary education has been accorded the highest priority among other sectors of education. While provision of free and compulsory education for all children up to the end of the middle stage i.e. classes VII or VIII is the Constitutional responsibility, extending free education facility up to Class X is a matter that rests with the State Governments depending upon their financial resources.
- (5) School education, both at primary and secondary level, is primarily within the jurisdiction of States. The patterns of grant-in-aid to schools aided by local bodies or State Governments differ from State to State. According to available statistics there are about five lakhs primary schools, one lakh middle schools and forty-five thousand secondary schools in the country. These figures include schools run by Government by local bodies and school aided by Government or local bodies, besides private unaided recognised schools. A large percentage of these schools are Government aided or local body aided. A Central School Grants Commission for the whole of India will find it physically impossible to deal with such a large number of schools requiring grants from a Central Grants Commission. Beside the Central Government's financial capacity to finance such a Commission is extremely limited."

C. Observations/Recommendations of the Committee

4.5 The Committee note the position stated by the Ministry of Education and Culture (Department of Education) in their factual comments on the various demands made in the representation that most of the demands fall under the jurisdiction of State Government.

4.6 In regard to the suggestion that the salaries of teachers should be paid directly by the Government, the Ministry have stated that in most cases, private schools and colleges are sanctioned grants by the State Governments from which salaries were disbursed by the Management. Several States, however, are replacing the grants-in-aid system with direct payment. The Ministry have further

stated that several State Governments are now replacing the grants-in-aid system with direct payment and that the matter concerns exclusively the State Governments.

The Committee however, feel that the Central Government may frame a Model System of direct payment and persuade the State Governments to follow the practice of direct payment to the teachers through Bank/Treasury wherever that system does not exist. The Minister of Education may write to Chief Ministers of those States urging them to introduce the system for direct payment to teachers so that there is no scope of exploitation of teachers who are entrusted with task of education of children.

4.7 As regards formation of the School Grants Commission for Primary and Secondary Education, the Committee note from the factual comments furnished by the Government that School education both at primary and secondary level, is primarily within the jurisdiction of the States. There are about 5 lakhs primary schools, 1 lakh middle schools and 45,000 secondary schools in the country. A large percentage of these schools are Government aided or local body aided. A Central School Grants Commission for whole of the India will find it physically impossible to deal with such a large number of schools requiring grants from a Central School Grants Commission. Besides, the Central Government's financial capacity to finance such a Commission is extremely limited. The Committee agree with the position stated by the Government.

**REPRESENTATION REGARDING RECOVERY OF MARKET RENT
FROM PENSIONERS FOR EXISTING ACCOMMODATION TILL
THE DATE OF *AD HOC* ALLOTMENT/REGULARISATION
IN THE NAME OF THEIR WARDS**

5.1 Shri M.L. Gupta, President, Retired/Retiring Government Employees Association (India), New Delhi, submitted a representation dated 5 March, 1982, regarding recovery of market rent from pensioners for existing accommodation till the date of *ad hoc* allotment/regularisation in the name of their wards.

A. Petitioner's Grievances and Prayer

5.2 In his representation, the petitioner stated as follows :

“This petition is submitted by the Retired/Retiring Government Employees Association (India), a Registered body on behalf of its members who have retired from Government service and who have been hit hard by the violation of the agreement reached in the Committee Meeting of the National Council of J.C.M. The facts of the case are explained in the succeeding paragraphs.

(2) The question regarding restoration of the concession enjoyed previously by the retiring Government servants in the matter of allotment of Government quarters to their sons/daughters working in eligible Government Department which had been in vogue since 1963 and which was withdrawn in May, 1978 was reviewed by a duly constituted Committee of the National Council of J.C.M. in its Meeting held on 24th January, 1980. Minutes of the Meeting were issued *vide* Ministry of Home Affairs, Department of Personnel and A.R. O.M. No. 3/36/79-JCA dated 15th February, 1980. It will be seen therefrom that the following decisions/agreements were arrived at :

- (a) In respect of effective date of implementation of the decision, the Official Side felt that it would be appropriate to consider the cases arising from 7th November, 1979 when this item was referred to the National Council of J.C.M.
- (b) The pending cases where eviction had been stayed *i.e.* those retired prior to 7th November, 1979, may be considered on earlier terms.

- (c) In respect of pending cases *i.e.* those retired between 1.5.1978 and 7.11.1979, the allotment will be regularised from 7.11.1979 on payment of Market Rent upto 6.11.1979.

(3) It is clear from the above agreed decision that cases of Government servants who retired between 1.5.1978 and 7.11.1979, were to be regularised from 7.11.1979 by charging Market Rent upto 6.11.1979.

(4) In this connection attention is also invited to paras 10 & 12 of the Constitution of J.C.M. as contained in the Pamphlet issued by the Ministry of Home Affairs, which read as under :—

“10. The Official Side will conclude all matters at the Meetings of the Council and will not reserve them for a later decision by the Government”.

“12. Subject to the final authority of the Cabinet Arrangements reached between the two Sides of a Council will become operative”.

(5) In view of the above the Agreement reached between both Sides in the Committee Meeting was required to be put up to the Cabinet for final approval without further examination/consideration.

(6) However, Ministry of Works and Housing kept the above Agreement pending for further consideration/examination and the file on the subject was tossed from one Department to another for unwanted comments.

(7) The case was put to the Cabinet in March/April, 1981 and Government Orders were issued *vide* O.M.No. 12035/7/79-Pol. II dated 1st May, 1981, *i.e.* after lapse of 15 months. It will be seen therefrom that the condition of payment of Market Rent stipulated in para 3 thereof is not in conformity with the agreed decision. For the delay in the implementation of the Agreement of the J.C.M., which is all due to administrative reasons the poor pensioners are being penalised and asked to pay Market Rent upto the date of ad-hoc allotment and vacation of present premises and regularisation/ad-hoc allotment is being made from the dates as and when the case is decided by the Estates Office.

(8) It is pertinent to mention here that the eligible wards have submitted applications for ad-hoc allotment after issue of the Government Orders on 1-5-1981. These are pending in the Estates Office. But Market Rent is being charged even after submission of application for the period, the case remains pending with Estates Office. P & T Department have, however, acted wisely and they have stopped charging Market Rent in the eligible cases and are charging Pool Standard Rent from 1.5.1981 in respect of existing accommodation.

(9) It may also be mentioned that the retired Government servants continued to occupy Government quarters after their retirement under the protection of Stay Orders granted by Estates Office from time to time in view of the decision taken in the Committee Meeting held on 24.1.1980 and should not be treated as unauthorised occupants. They can at best charge Market Rent upto the date of Agreement, viz. 24.1.1980.

(10) The Market Rent is 4-6 times the normal rent and consumes the entire pension of these pensioners. The arrears work out to thousands of Rupees. Imposition of this heavy financial penalty on this poor and depressed class who face sudden fall in their income on retirement, is beyond their means and capacity.

(11) Under the circumstances, this Association submits this petition and requests your goodself to kindly help the helpless and use your good offices and have para 3 of the Government Orders modified as per Agreement of the Council as under, so that the poor pensioners are saved from unbearable forced financial penalty of Market-Rent.

'In all such cases, the Government servants will, however, be required to pay licence fee at Market Rate upto 6th November, 1979 and normal licence fee from 7th November, 1979 onwards for the existing accommodation till the date of regularisation/ad-hac allotment in the name of their wards'.

B. Comments of the Ministry of Works and Housing (Directorate of Estates)

5.3 The representation was referred to Ministry of Works and Housing (Directorate of Estates) for furnishing their factual comments thereon for consideration by the Committee on petitions. In their factual comments dated 25 May, 1983, the Directorate of Estates have stated *inter alia* as follows :—

"A copy of the Report of the Standing Committee of the National Council which considered the question of ad hoc allotment in the name of near relations of Government servants who retired from Government service is enclosed (Annexure I). It will be seen from this report which was ultimately accepted by National Council that in respect of pending cases the allotment was proposed to be regularised from November 7, 1979 on payment of market rate as provided in the relevant rules for the earlier period. Thus, if the allotment was regularised from November 7, 1979 the earlier period of occupation was to be treated as unauthorised occupation and licence fee at Market rate was recoverable as per provision in the Allotment Rules and also recommendation of the Standing Committee.

The recommendations did not stipulate that market rate was not to be charged beyond November 7, 1979 in case the regularisation

was not possible from this date. It is true that under the Constitution of the J.C.M all matters are required to be concluded at the meetings but at the same they are subject to final sanctions by the Government. It is not correct to say that no time was supposed to be spent in placing the matter before the Cabinet because references have to be examined at various levels and views of the concerned Ministries obtained.

Accordingly the matter was examined in the Ministry of Works & Housing and views of the Ministry of finance were solicited before preparing the note for the Cabinet. Final Note for the Cabinet was prepared in March, 1981 and the final orders were issued on 1st May, 1981. It is true that this process has taken about 15 months but this was on account of the complexity of the question and the need for detailed examination at different levels.

In accordance with the provision in the Allotment of Government Residences (General Pool) Rules *i.e.* SR-317-8-12(2), a retired Government servant is permitted to retain General Pool accommodation after retirement for maximum period of two months on payment of normal licence fee. Thereafter he may on his written request, be allowed on special grounds of illness or education, of children, to retain accommodation for a further maximum period of six months on payment of twice the standard licence fee under FR-45-A or twice the pooled standard licence fee under FR-45-A whichever is higher or twice the licence fee he was paying, whichever is the highest, *vide* proviso to rule SR-317-B-22 *ibid.* After the expiry of this period of 2+6 months, the retired Government Servant becomes an unauthorised occupant and has to be charged licence fee at market rate *vide* SR-317-B-22. Thus, it is clear that the Government servant can retain the Government accommodation on concessional rent for the maximum period of 2+6 months and beyond that he has to pay the market rate of licence fee. What the Government conceded in the case of retired Government servants, whose wards were eligible to General Pool Accommodation was that such of those Government servants should continue to occupy accommodation beyond the permissible period of 2+6 months, were not to be physically evicted from the Government accommodation but there was no question of charging licence fee less than what is provided in the rules as mentioned above. Therefore, it was open to the retired Government servants to vacate the accommodation if so desired. This would not have, however, debarred their wards from being considered for allotment of accommodation in accordance with the scheme approved by the Government as and when their cases become ripe.

The market licence fee is calculated according to the pool unit rate of 4.63 per sq. mt. for the group of residences from types II to IV and Rs. 5.11 per sq. mt. for the group of residences from type V

to VIII p.m. This works to roughly 4.6 times of the pool standard licence fee for types II to IV and five times for types V and above. It was accepted that retired Government servants were aware of the rules and their obligation to pay them market rate of licence fee for the houses occupied by them after the expiry of the concessional period of 2+6 months regularly. Therefore, there was no question of recovering heavy arrears from them if they had fulfilled this obligation on them under the rules.

Vide para 3 of the recommendation of the Standing Committee of the National Council it was recommended that in respect of pending case allotment will, however, be regularised from November 7, 1979 on payment of market rate of rent as provided in the relevant rule for the earlier period. It is clear from this recommendation of the Committee that for the period prior to regularisation, market rate of licence fee was to be paid though it was anticipated that the regularisation/allotment would be done w.e.f. November 7, 1979. However since the matter had to be examined in detail in consultation with the Ministry of Finance, Department of Personnel and A.R. etc. during the course of examination difference of opinion arose between Ministry of Finance and Ministry of Works and Housing. The matter had to be placed before the Cabinet because in accordance with the constitution of the National Council (JCM) all decisions for amending the recommendations of the National Council would be taken only by the Cabinet. No doubt in the process mentioned above, the recommendation could not be implemented w.e.f. 7.11.1979, as it was decided by the Cabinet that the decision should not be given retrospective effect. It was necessary to seek the approval of the Cabinet before implementing the recommendation of the National Council in a matter as impartial as this. Some time did elapse in completing the procedure but so far as the question of recovery of licence fee was concerned the very recommendation of the National Council was that the same should be recovered at market rate as provided in the relevant rules for the period prior to regularisation/allotment of accommodation. In view of these facts there is no ground for entertaining the representation by these persons."

C. Observation of the Committee

5.4 The Committee note from the factual comments furnished by the Ministry of Works and Housing stating, *inter alia*, that "what the Government conceded in the case of retired Government servants, whose wards were eligible to General Pool Accommodation was that such of those Government servants should continue to occupy accommodation beyond the permissible period of 2—6 months, were not to be physically evicted from the Government accommodation but there was no question of charging licence fee less than what is provided in the rules". The Ministry have further stated that "as per recommendation of the Standing Committee of the National Council it was recommended that "in respect of pending cases allotment will, however, be regularised from November 7, 1979 on payment

of market rate of rent as provided in the relevant rule for the earlier period..... However, since the matter had to be examined in detail in consultation with the Ministry of Finance, Department of Personnel and Administrative Reforms etc. during the course of examination difference of opinion arose between Ministry of Finance and Ministry of Works and Housing..... No doubt in the process mentioned above the recommendation could not be implemented w.e.f. 7.11.1979, as it was decided by the Cabinet that the decision should not be given retrospective effect Some time did elapse in completing the procedure but so far as the question of recovery of licence fee was concerned the very recommendation of the National Council was that the same should be recovered at market rate as provided in the relevant rules for the period prior to regularisation/allotment of accommodation”.

In view of the position explained by the Ministry of Works and Housing, the Committee feel that no intervention by them is required in the matter.

B. Comments of the Ministry of Finance (Department of Economic Affairs) (Insurance Division)

6.3 The representation was referred to the Ministry of Finance (Department of Economic Affairs) (Insurance Division) for furnishing their factual comments thereon for consideration by the Committee on Petitions. In their factual note dated the 1st November, 1983 (See Appendix VII), the Ministry of Finance (Department of Economic Affairs) (Insurance Division) have stated, *inter alia* as follows :—

“ × × ×

× × ×

× × ×

That in a majority of cases of policies under the Salary Savings Scheme, the gaps in premiums do not arise and in most of the remaining cases the missing premiums are quickly traced and adjusted. Further, where the missing premiums cannot be traced but the employer certifies that the relevant premiums were deducted from the salary and remitted to the LIC, the certificate is accepted as evidence of payment of premium.

The prescribed procedure of the LIC requires that Divisional Offices should intimate the premium gaps to the concerned employees/policy holders and their employers, requesting them to furnish details of the payments so that the same may be adjusted. Apart from sending written communications, officials of the LIC are deputed to call on the paying authorities personally for sorting out matters. Recently, instructions were issued to the Divisional Offices to clear up all the existing premium gaps, and to deal quickly with all premium gaps which may arise in future, by more effective implementation of the prescribed procedure.

For the past several years, the LIC has been issuing around 20 lakh new policies every year and of these over 25% policies are under the Salary Savings Scheme. It would be appreciated that the issue of annual statements of premiums under all policies covered by the Salary Savings Scheme, running into several millions, would involve the LIC in very considerable effort and expenditure, which would be totally incommensurate with the problem to be tackled. Such effort and expenditure is, even otherwise, unnecessary and existing procedure is designed to take care of the problem.

While on this subject, it may be mentioned that even at present, any policy holder can, *on request* whether for income-tax purposes or for his own record, obtain information regarding the status of his policy. Thus, any employee/policy holder, who is in doubt about the premiums paid to the LIC under his policy, can approach the LIC specifically for information in the matter.

In view of the foregoing, and on the administrative and financial considerations set out in the preceding paragraphs, the suggestion

for issue of annual statements of premium to policy-holders covered by the Salary Savings Scheme is not considered to be feasible.”

C. Observations of the Committee

6.4 The Committee note the position stated by the Ministry of Finance (Department of Economic Affairs-Insurance Division) in their factual note that “for the past several years, the Life Insurance Corporation of India has been issuing around 20 lakh new policies every year and of these, over 25% policies are under the Salary Savings Scheme. It will be appreciated that the issue of annual statements of premiums under all policies covered by the Salary Savings Scheme, running into several millions, will involve the Life Insurance Corporation of India in very considerable effort and expenditure, which will be totally incommensurate with the problem to be tackled. Such effort and expenditure is, even otherwise, unnecessary and existing procedure is designed to take care of the problem”.

The Ministry have further stated that any policy holder who is in doubt about the premiums paid to the Life Insurance Corporation of India under the policy can approach the Life Insurance Corporation of India for information in the matter.

The Committee agree with the position stated by the Ministry of Finance and feel that no intervention is required in the matter on their part.

VII

ACTION TAKEN BY GOVERNMENT ON THE OBSERVATION OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR TWELFTH REPORT (SEVENTH LOK SABHA) ON PETITION NO. 22 REGARDING DEVELOPMENT OF DABHOL PORT IN MAHARASHTRA

7.1 In their Twelfth Report (Seventh Lok Sabha), presented to Lok Sabha on 6 April, 1983, the Committee on Petitions considered Petition No. 22 regarding development of Dabhol Port in Maharashtra and observed as follows :—

“The Committee note the position stated by the Ministry of Shipping and Transport (Ports Wing) in their factual comments stating, *inter alia*, that the creation of a new port on the West Coast had been under consideration for quite some time and that for a detailed appraisal of the project with reference to the cost involved and its benefits to the economy of the country, the Planning Commission had set up a Working Group in June, 1978. After considering various sites on the West Coast, the Working Group in its Report concluded that the Nhava Seva across Bombay harbour was the best location on technoeconomic considerations. Accordingly, the Government of India sanctioned construction of a new port at an estimated cost of Rs. 592 crores. There is no proposal to develop any other major port, apart from Nhava Seva during the Sixth Five Year Plan.

The Committee, however, observe that the Government may consider conducting of a technoeconomic survey for development of Dabhol as the Port on the West Coast by an Export Committee in further Five Year Plans.”

[Paragraph 2.6, Twelfth Report (Seventh Lok Sabha)].

7.2 In their action taken reply dated the 14th June, 1983, the Ministry of Shipping and Transport (Ports Wing) have stated as follows :—

“The Ministry of Shipping and Transport does not envisage a possibility of developing Dabhol Port as a Major port in the Seventh Five Year Plan period. It may, however, be mentioned that the Maharashtra Government has constituted, in December, 1981, a Committee headed by Smt. Sumati Morarji to draw up a long-term Plan for developing minor ports in Maharashtra. The Maharashtra Government has been apprised of the above recommendation made by the Committee on Petitions in its 12th Report and requested to speci-

finally refer the question of development of Dabhol Port to this Committee to determine development of this Port and to have techno-economic survey conducted.

Observation of the Committee

7.3 The Committee note the position stated by the Ministry of Shipping and Transport (Ports Wing) in their reply that the Maharashtra Government have been apprised of the recommendation made by the Committee on Petitions and requested to specifically refer the question of development of Dabhol Port to the Committee under the Chairmanship of Shrimati Sumati Morarji constituted by them to draw up a long term Plan for development of minor ports in Maharashtra.

VIII

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATION OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR TWELFTH REPORT (7LS) ON THE REPRESENTATION REGARDING STATUTORY CONTROL ON FILAMENT YARN

8.1 In their Twelfth Report (Seventh Lok Sabha), presented to Lok Sabha on 6 April, 1983, the Committee on Petitions considered a representation regarding statutory control on filament yarn and made the following recommendation :—

“4.4 The Committee note the position stated by the Ministries of Finance (Department of Revenue) and Commerce (Department of Textiles) in their factual comments on the points made in the representation stating, *inter alia*, that the import duty on acetate filament-yarn has been reduced from 125% *ad-valorem* to 20% *ad-valorem* and special import duty of 5% on viscose filament yarn have also been waived. The excise duty on Polynosic/HWM Fibre has been reduced to Rs. 4/-per Kg. and brought at par with regular Viscose staple fibre.

The Committee, however, feel that the Government may also consider reduction of import duty on polyester filament yarn imposed at the rate of 205% at present so as to balance the import duty on acetate filament yarn.

4.5 The Committee agree with the position stated by the Ministry Commerce (Department of Textiles) that in view of ready availability of man-made fibres and yarns at reasonable prices there is no need to have any price and distribution control on these items”.

[paras 4.4 and 4.5. Twelfth Report (7LS)]

8.2 The Ministry of Finance (Department of Revenue) in their action taken reply dated the 18th May, 1983, have stated as follows :—

“Having regard to international and domestic prices, the class of consumers to whose needs the polyester yarn industry caters, the price

and tariff structure for the competing yarns and the comparative inelasticity of the demand with the result that a variation in the duty of yarn does not always get reflected in the price of the fabric to the consumer, the Government feels that there is no case for the reduction of import duty on polyester filament yarn.”

Observation of the Committee

8.3 The Committee note the position stated by the Ministry of Finance (Department of Revenue) in their action taken reply on the recommendation of the Committee contained in their Twelfth Report (Seventh Lok Sabha) in the matter.

IX

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATION OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR THIRTEENTH REPORT (SEVENTH LOK SABHA) ON THE REPRESENTATION REGARDING CERTAIN RAILWAY FACILITIES FOR RESIDENTS OF GAYA

9.1 In their Thirteenth Report (Seventh Lok Sabha), presented to Lok Sabha on 6 May, 1983, the Committee on Petitions considered a representation regarding certain railway facilities for residents of Gaya and made the following observation/recommendation :—

“The Committee note the position stated by the Ministry of Railways (Railway Board) in their factual comments on the demands made in the representation regarding certain railway facilities for the residents of Gaya. The Committee feel that no intervention is called for in the matter on their part in view of the position stated by the Ministry.

However, in the case of demand for doubling of Patna-Gaya Section, the petitioners have pointed out that Gaya is an important centre both from tourism and educational points of view and the rail traffic on that section is on the increase. The Committee agree with the submission made by the petitioners in this respect. The Committee, accordingly, recommend that the question of doubling the railway line between Patna and Gaya should be given priority.”

[Para 4.5, Thirteenth Report (Seventh Lok Sabha)]

9.2 The Ministry of Railways (Railway Board), with whom the matter was taken up for implementation, in their O.M. dated 22nd June, 1983, stated as follows :—

“A survey for the study of the existing line capacity requirements of the Patna-Gaya line, *vis-a-vis* the requirements of additional line capacity for this line is an approved survey, and the same has already been included in the Budget for 1983-84. The estimate for this survey is under process by the railway administration, and the same will be sanctioned as soon as it is received in this office. The

requirement of the doubling of the section will be given due consideration during the course of the survey. A final decision on the proposal including doubling of the section will, however, be taken after the survey has been completed, and the report examined, subject to necessary funds being allotted for the same."

Observation of the Committee

9.3 The Committee note the position stated by the Ministry of Railways that "a survey for the study of the existing line capacity requirements of the Patna-Gaya line, *vis-a-vis* the requirements of additional line capacity for this line is an approved survey, and the same has already been included in the Budget for 1983-84.....A final decision on the proposal including doubling of the section will, however, be taken after the survey has been completed, and the report examined, subject to necessary funds being allotted for the same."

**ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATION
OF THE COMMITTEE ON PETITIONS, CONTAINED IN THEIR
THIRTEENTH REPORT (SEVENTH LOK SABHA) ON THE
MATTER REGARDING EXPEDITIOUS IMPLEMENTA-
TION OF THEIR RECOMMENDATIONS BY MINIS-
TRIES/DEPARTMENTS CONCERNED**

10.1 In their Thirteenth Report (Seventh Lok Sabha) presented to Lok Sabha on 6 May, 1983, the Committee on Petitions considered the matter regarding inordinate delay in implementation of their recommendations by Ministries/Departments and made the following observations :—

“Inordinate delay in some cases, necessitating repeated reminders, is disconcerting. The Committee feel that quick action by Government on the Committee’s recommendations/observations would encourage a feeling of satisfaction and confidence in the minds of the public that their object of petitioning to Parliament for redressal of their legitimate grievances has been fructified and that their efforts have not gone in vain. Such satisfaction and confidence in getting timely justice by the aggrieved persons would further strengthen the democratic set up in our country.

The Committee would, therefore, like the Ministries/Departments to be more careful in future and they should keep a close watch so as to ensure expeditious implementation of their recommendations within a reasonable time not exceeding six months. The Committee desire that the Department of Parliamentary Affairs should take up this matter with the Ministries/Departments.”

[Paras 8.2 and 8.3, Thirteenth Report (7 LS)].

10.2 The Department of Parliamentary Affairs, with whom the matter was taken up for implementation, in their communication No. F1 (5)/83-Imp. I, dated 12th December, 1983, stated as follows :—

“The observations of the Committee on Petitions regarding inordinate delay in implementation of their recommendations by the Government have been brought to the notice of all the Ministries/Department of the Government of India *vide* this Department circular

of even number dated the 30th November, 1983 (*See Appendix VIII*). The concerned Ministries have been requested individually also to expedite implementation of the recommendations contained in Appendix XII of the aforesaid report.”

Observation of the Committee

10.3 The Committee note that the Department of Parliamentary Affairs have requested the Ministries/Departments of Government of India to note the recommendation for strict compliance. The Committee, however, desire that the Ministries/Departments should not take more than six months for the implementation of their recommendations.

XI

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR FOURTEENTH REPORT (SEVENTH LOK SABHA) ON PETITION NO. 1 REGARDING HARDSHIPS OF BOMBAY RAILWAY SUBURBAN COMMUTERS

11.1 In their Fourteenth Report (Seventh Lok Sabha) presented to Lok Sabha on 26 August, 1983, the Committee on Petitions considered the action taken replies of the Government on the recommendations contained in their Fifth Report on Petition No. 1 regarding hardships of Bombay Railway suburban commuters and observed as follows:—

“The Committee note from the position stated by the Ministry of Railways (Railway Board) in their action taken replies on the recommendations that execution of optimisation schemes remodelling of Dadar Junction and construction of additional railway Corridor VI have not been possible due to financial constraints and non-provision of funds by the Planning Commission. The Ministry have also pointed out that production of EMU traction equipment can be increased only after provision of funds for EMU coaches is increased to the desired level by the Planning Commission.

The Committee feel that rail transport is the major and cheap transport in Bombay area. The commercial and industrial activities mainly depend upon adequate Railway facilities for the daily commuters. The Committee, therefore, emphasize that the Government should find ways and means for allocation of funds to the various schemes meant for increasing railway facilities for Bombay Railway suburban Commuters so that their sufferings may be mitigated to a great extent.

[Paras 4.3 & 4.4, Fourteenth Report (Seventh Lok Sabha)]

11.2 The Ministry of Railways (Railway Board), with whom the above recommendations of the Committee were taken up for implementation, in their O.M. dated November, 1983 stated as follows:—

“The railways are alive to the need to increase railway facilities for Bombay suburban commuters and the Ministry is aware that the augmentation of facilities there has not kept pace with the requirements, mainly because of lack of resources. Recently, as the Com-

mittee may be aware, two schemes have been sanctioned to augment suburban services in Bombay area. They will be progressed as fast as the availability of funds will permit. The resources available are limited and as there are many demands which have to be met, the allocation of funds among different demands depends on the *inter se* priority of such demands. Suburban services in Bombay area will be given adequate priority.

Steps have also been taken to increase the production of EMU coaches. Bombay area needs DC coaches and these coaches are manufactured by M/s. Jessops. They have not been able to adhere to the production programme on account of which adequate coaches could not be pressed into service and the replacement of old coaches also went into heavy arrears. It has been now decided to supplement the production of such coaches by also manufacturing them in the Integral Coach Factory at Madras. For this purpose, some traction equipment, particularly traction motors, are being imported from Japan."

Observation of the Committee

11.3 The Committee note the position stated by the Ministry of Railways (Railway Board) in their action taken reply on the recommendations of the Committee contained in their Fourteenth Report (Seventh Lok Sabha) in the matter.

NEW DELHI ;
17th August, 1984
 Sravana 26, 1906 (Saka)

K. P. TEWARI
 Chairman,
 Committee on Petitions.

APPENDIX I

(See para 2.2 of the Report)

[Petition No. 26 regarding allotment of Government flats to retiring employees on rent or on hire purchase basis]

LOK SABHA PETITION NO. 26

[Presented to Lok Sabha on 3 August, 1983]

To

LOK SABHA
NEW DELHI

The humble petition of Shri B.B. Revandker and other Central Government employees residing at the Central Government colony, Kane Nagar, Bombay.

SHEWETH

All the Government Servants residing in the Government colonies in general and Bombay in particular are facing a common accommodation problem after their retirement from service. They are practically unable to purchase or even hire any accommodation with all their savings of life time from the Government service. The plight of Group 'D' and 'C' employees is even more pitiable as their emoluments are too meagre even to make their both ends meet and ultimately their compulsory savings by way of G. P. F. etc. is negligible after meeting the expenses incurred on their children's marriage etc. Generally, the Death-cum-Retirement benefits ranging from Rs. 6,000/- to Rs. 15,000/- is too inadequate to enable them to make arrangement for residential accommodation after retirement especially when the prices of even one room kitchen or a tenement in Bombay costs not less than Rs. 50,000/-. Even Maharashtra Housing and Area Development authorities are unable to meet the housing requirements of Central Government employees stationed in Maharashtra.

It is not out of place to mention here that the Maharashtra Housing and Area Development authorities have already considered their rental basis tenements on ownership basis after deducting depreciation value from the original cost. In accordance with the Rent Act, the person who is occupying the premises on rental basis cannot be evicted so long as he is paying the rent. The Government has already considered to give benefit to small land holders to retain their land in their favour after introducing the Land Reform Act. The hutment-dwellers are also given the benefit of retaining their huts or providing them alternative accommodations. But the Government servants, who have

served their life long time for the Government are evicted and mercilessly thrown out on the road after retirement even though Government has emphasized to provide home for home-less in its 20-Point Programme. It is therefore, requested that the Government servants are also to be rehabilitated after the retirement without throwing them out on the road so equal justice is given to all the citizens of India.

Accordingly your petitioners pray that in the light of the above facts, your honour may kindly explore the possibilities of retaining the present accommodation occupied by the Government servant on the following basis :—

A Government servant in occupation of the Government accommodation may be offered the said accommodation for purchase on instalments basis after deduction of depreciation value from the original cost. The benefit of Death-cum-Retirement gratuity may be adjusted towards lump-sum instalment and remaining in easy instalments.

OR

He may be allowed to continue occupation of the Government accommodation allotted to him, even after retirement on payment of standard rent.

OR

He may be allotted Government land for construction of tenements on co-operative basis.

And your petitioners as in duty bound will ever pray.

Name of petitioner	Address	Signature or Thumb impression
1. Shri B. B. Revandker	224/III, Kane Nagar, Bombay.	Sd/-
2. Shri P. N. Patil	1845/IV, Kane Nagar, Bombay.	Sd/-
3. Shri S. G. Bhalehim	281/III, Kane Nagar, Bombay.	Sd/-
4. Shri V. D. Almeida	2993/II, Kane Nagar, Bombay.	Sd/-

Countersigned by :

Pramila Dandavate, M.P., Division No. 379.

APPENDIX II

(See para 2.4 of the Report)

[Factual note dated the 25th October, 1983 of the Ministry of Works and Housing on Petition No. 26 regarding allotment of Government flats to retiring employees on rent or on hire purchase basis].

The proposals contained in the Petition have been carefully considered in the Ministry of Works & Housing and the comments of the Ministry are furnished hereunder :—

2. With regard to the first suggestion that a Government servant in occupation of government accommodation may be offered the said accommodation to him on his retirement for purchase on instalment basis, it may be pointed out that government residential accommodation is built as a welfare measure for providing residential facilities at reasonable rent to serving Government servants. The Central Government have over the years built large number of residential accommodation in the 'general Pool' of different plinth areas to suit the needs of Government Employees in different groups according to their pay scales in Delhi and other cities, where there is concentration of Central Government Offices. These are built by Government as near to the places of work of the Government Employees as where land is available. While efforts are being made by Government to augment the strength of residential accommodation in what is known as 'general pool' it has not yet been possible to increase the number of units to meet the growing demands to a reasonable level of satisfaction. The strength of the residential 'general pool' accommodation as on 31st December 1982 is indicated in the Annexure.

3. Due to the paucity of accommodation in the 'general pool' a Government Employee has to put in a substantial length of service of 20 years or more before he can expect to get his entitled accommodation in his turn. Some Central Government Employees even retire without getting accommodation from the 'general pool'. If the retiring Government Employees are offered the ownership of the accommodation allotted to them, Government will not be able to satisfy the needs of serving Government servants even to the limited extent which it is doing at present as part of its welfare measures. Even if the Government are in a position to recoup the strength of the 'general pool' by new constructions, the location of such accommodation would be farther and farther away from the government offices where they would be employed. Retirement is not an unforeseen event and like Government servants all salaried employees face this situation. It is also not necessary that every retired Government employee has to spend his retired life in the same place where he was last employed prior to his retirement. Every Government employee is expected to plan well in advance for his retired life.

4. In the light of the above, the Central Government are not in a position to accept the proposal to offer the ownership of Government quarters to the occupants on their retirement.

5. As regards the suggestion that the retired Government employee may be allowed to continue occupation of the Government accommodation allotted to him even after his retirement on payment of standard rent, for the same reasons indicated in the preceding paragraphs, it is not possible for the Government to agree to the suggestion.

6. As per the Allotment Rules, the Government servants, after retirement, is allowed to retain the accommodation allotted to him for two months at the same rent he was paying while in service, and in special cases, on medical grounds or on grounds of his children's education, he is also allowed to retain the accommodation for a further maximum period of six months at twice the rent that he was paying. During this period, he is expected to make alternative arrangements.

7. With regards to the third suggestion viz. that a retired Government servant may be allotted government land for construction of tenements on cooperative basis, it may be stated that the Central Government is already laying great emphasis on housing on cooperative basis. In Delhi, the land is allotted to the Cooperative Housing Societies at predetermined rates under the scheme of large scale acquisition, development and disposal of land. As Housing is a State subject, other States and Union Territories have also been requested to allot land, to cooperatives on pre-determined rates. Due to scarcity of land, the trend has now shifted towards Groups Housing. The Government employees are at liberty to form their own Cooperative Societies or become Members of such Societies set up for this purpose. The Societies can obtain land through the respective States/UTs, develop it and allot plots to their Members or construct houses thereon and allot flats to their Members. The Delhi Development Authority had also recently announced special registration scheme for retired/retiring public servants who had either retired before 15th December, 1982 or were due to retire within the next three years thereafter. Such persons are allotted flats by the DDA as per terms and conditions laid down by it.

8. In so far as finance is concerned, it may be stated that Central Government Employees are eligible for grant of loans under the House Building advance Rules framed by the Central Government. It has been decided recently that loans can also be granted to Central Government Employees, who are Members of Cooperative Group Housing Societies.

9. Housing and Urban Development Corporation also provides financial assistance to cooperative societies for construction of houses. Prior to July 1982 all such loans used to be sanctioned through State-level apex Societies.

Now these loans are granted by HUDCO to primary Cooperative Housing Societies also.

Sd/-

(M. Srinivasan)

Joint Secretary to the Govt. of India

Lok Sabha Secretariat (Committee Branch-I)
Shri S.S. Chawla, Senior Legislative Committee Officer.

Min. of W & H U.O. No. 17013 (1)/83—Pol. II dated 25-10-1983.

ANNEXURE

(Vide para 2 of Appendix II)

Statement showing the strength of residential pool accommodation in 'general pool' at various places as on 31st December, 1982.

<i>STATION</i>		<i>DEMAND</i>	<i>AVAILABILITY</i>	<i>SHORTAGE</i>
DELHI	...	1,29,503	57,220*	72,283
BOMBAY	...	26,035	6,139	19,896
CALCUTTA	...	61,730	3,081	58,649
SIMLA	...	3,825	725	3,100
NAGPUR	...	7,448	1,063	6,385
FARIDABAD	...	2,365	1,429	936
MADRAS	...	15,012	1,159	13,853
CHANDIGARH	...	8,390	1,282	7,108
BANGALORE	...	8,047	644	7,403
GHAZIABAD	...	1,186	500	686
INDORE	...	449	164	285
		2,63,990	73,406	1,90,584

* [These include 3,800 houses lent to different Departmental Pools on temporary basis.]

APPENDIX III

(See Para 3.19 of the Report)

[Note of the Ministry of Home Affairs dated the 13th September, 1983, containing written information on certain points relating to ban on entry of foreign tourists in certain parts of Sikkim].

1. Please state :

- (a) How many foreign tourists visited Sikkim annually before the ban ?
- (b) How many foreign tourists are visiting Sikkim per annum after the ban and after obtaining protected area permits ?

In this connection the following points may be noted for information.

The whole of Sikkim is one of the protected areas prescribed under the Foreigners (Protected Areas) Order, 1958. Foreigners cannot visit any place in the protected area without obtaining special permits for specified places issuable by designated authorities only after prior authorisation by the Central Government in each case. Earlier only Gangtok was being mentioned in permits. In September 1979 it was clarified to the State Government that foreigners should not be permitted to visit only other places/areas in Sikkim mentioned in permits. In addition to Gangtok, Rumtek and Phodong (on individual basis) and the Zongri area (for organised trekking groups) were opened up for foreign tourists. This position was reiterated in July, 1982, when the State Government sent a Query enquiring about the limits upto which foreigners entering Sikkim could be allowed to in reply they were informed that foreigners could be permitted to visit only those places specified in the permits held by them, and it appears that the standing instructions are being strictly enforced since then. Thus no special or new ban was introduced by this Ministry in 1982.

Subject to the foregoing observations, information regarding the number of cases in which issue of protected area permits was authorised by Ministry of Home Affairs yearwise is indicated below :

<i>Year</i>	<i>Number</i>
1981	3965
1982	5656
1983 (upto 31.7.83)	2140

2. During the Study Visit to Sikkim, the Committee were informed by the petitioners that in order to encourage tourism in Sikkim, the State Government and the private sector had taken action to provide all necessary infrastructural facilities. Tourist lodges were built by the Sikkim Government at 25 places in Sikkim. Private hoteliers, transporters and traders had made huge investments in tourists projects out of their own funds and loans taken from various Banks and Government Departments with the expectation that tourism would flourish in that region which had the capacity and potential to become a major tourist resort. After the ban, they were entailing losses and they were not in a position to make payment of loans and interests.

What are the Ministry's comments in this regard ?

Government have, from time to time, over the years been reviewing the permissible places for foreign tourists in Sikkim, balancing tourist potential and requirements of security. It was decided in 1977 that individual foreign tourists could be permitted, on application, to visit Rumtek and Phodong, in addition to Gangtok which was already being permitted. It was further decided that the period of permit be raised from 2 days upto 4 days in such cases. Further, it was decided that foreign tourists conducted by recognised travel agencies in organised group of upto 20 be permitted to visit Zongri area for trekking for a period of upto 10 days, subject to attachment of a liaison officer provided by Sikkim Police, and they could proceed via Pemayangtse where a Tourist Lodge had been constructed by the State Government. The period of ten days permitted for trekking by organised groups in Zongri area was raised to fifteen days in September, 1979. Since the beginning of 1983, permits are being authorised to individual foreign tourists for seven days' stay at Gangtok, Rumtek and Phodong-even if the applicant has named only one out of these places in his application.

Construction or existence of tourist lodges, if any, at places in protected areas not permitted to be visited by foreign tourists, is not by itself enough justification for opening up such places for foreign tourists. However, it is open to domestic tourists to avail of the facilities at such lodges.

3. It was submitted before the Study Group that foreign tourists spent more money than Indian/local tourists. There was more inflow of money from commercial point of view. Tourist lodges built by the Government were lying vacant. Most of the hotels were under-utilised with occupancy around 10% which was not sufficient to maintain standard or service.

Please give comments in this regard.

We have no information about the occupancy position of the tourist lodges. However, an opinion has been expressed before Government that if

foreign tourists are not allowed to go to pemayangtse, the Tourist lodge there will remain idle.

4. As per existing orders, foreigners desiring to visit Sikkim must obtain an Inner Line Permit from the Ministry of Home Affairs, New Delhi which should be applied for six weeks in advance of the proposed date of entry to Sikkim. It was pointed out to the Committee during their Study Visit that these permits were a major hindrance to the development of tourism industry in Sikkim on the following grounds :—

- (a) Period of six weeks in advance was too long a period since most of foreign tourists did not plan holidays much in advance.
- (b) It took too long for the Inner Line Permits to be granted and delay in the despatch by the Ministry of Home Affairs, consequently the tourists cancelled their programmes to that region.
 - (i) Please state whether complaints have been received by Government pointing out difficulties and delays in the grant of protected area permits ? If so, the details thereof and action taken by Government thereon.
 - (ii) What are the facilities which have been provided to foreign tourists for obtaining protected area permits for visiting Sikkim ?
 - (iii) Please state how many tourists who were granted Inner Line Permits, had visited Sikkim during the last three years ?
 - (iv) Is it a fact that some of the foreign tourists who were granted Inner Line Permits, could not visit Sikkim on account of delay in receipt of those permits ?

(i) Requests made from time to time by travel agencies, tourist offices, etc., for reducing the time taken by the Ministry of Home Affairs to clear cases for issue of permits were considered from time to time and the period was progressively reduced. The period of eight weeks prescribed upto 1976 was reduced to six weeks in 1977, taking note of time required for transmission of applications from abroad to MHA and processing and despatch of instructions by MHA to the authorities concerned. After a further review in 1979, it was reduced to five weeks. Since 1980 we are trying out utmost to see that clearance is given as early as possible. Generally, we are able to process and decide the applications—after essential screening by security agencies—within a period of three weeks from receipt in the Ministry.

(ii) The foreign tourists can submit their applications to the Indian Missions abroad for transmission to MHA. They can indicate the designation of the officer, from whom they desire to collect the permit. Applications can be submitted through the Tourist Offices in India, through travel agencies, through the Foreigners Registration Officers and direct in person by the applicant to the Ministry. All these arrangements are fully availed of. In the case of organised groups for trekking, the travel agencies are authorised to submit a list containing personal particulars of the members direct to MHA to facilitate quick processing. The MHA have designated several authorities—to whom instructions are sent out after clearance of applications to prepare and issue the permits. These comprise (1) Chief Secretary, Sikkim (2) Home Secretary, Sikkim (3) Deputy Director (Tourism), Government of Sikkim, at Siliguri (4) Home Department, West Bengal (5) Deputy Commissioner, Darjeeling (6) Foreigners Regional Registration Officer, Delhi and (7) Foreigners Regional Registration Officer, Calcutta. In urgent cases, the MHA itself prepares and issues the permit direct to the applicants.

(iii) The statistical position regarding authorisation by MHA of permits is given in Para 1 above. Information as to how many of those actually visited Sikkim is not available, but it is presumed that almost all of them might have done so—except for a few who might have changed their itineraries or dropped the programme.

(iv) No such complaints have been received. In cases of urgent nature, instructions are sent through wireless messages, so as to avoid inconvenience to the tourists on arrival at Darjeeling etc.

5. The petitioners have demanded that there should be facilities for foreigners for obtaining Inner Line Permits at Siliguri or Gangtok.

What are the objections to, or difficulties in accepting this demand ?

A centralised control and Centralised screening by security agencies in Delhi is considered unavoidable. Even if the applications are submitted through the authorities at Siliguri or Gangtok, they can prepare and issue the permits only after referring the applications to MHA in new Delhi after getting its prior authorisation.

It is not considered feasible to have an MHA office at Siliguri etc., to receive and decide applications on the spot as the relevant records of the security agencies are in Delhi and screening with reference to these can be done only in Delhi.

6. In Ministry's factual note dated 12 April, 1983 submitted to the Committee, it has been stated that a proposal submitted by certain travel agencies for permitting groups of organised foreign tourists sponsored by them to visit pemyangtse was under consideration. Whereas, it was pointed to the Committee during Study Visit that

limited permission to foreign tourists in organised groups sponsored by travel agencies would not benefit the rural people. Only travel agencies would gain therefrom.

(i) What the Ministry have to say in this regard ?

(ii) At what stage the proposal for permitting groups of organised foreign tourists sponsored by travel agencies is pending ?

6. (i) Foreign tourists on individual basis are already given permits to visit Gangtok, Rumtek and Phodong on very liberal basis and benefits of any money spent by them at these places should accrue to the local people. As regards groups of foreign tourists permitted to proceed *via* Pemayangtse for trekking in Zongri area, the existing instructions are that such groups should be organised and conducted by recognised travel agencies. If the members of such groups also spend money on local purchases, etc., benefits may accrue to the local people. In addition, the travel agencies will also be incurring expenditure in Sikkim while conducting the groups.

(ii) Government will take a final decision on the proposal submitted by certain travel agencies for permitting groups of organised foreign tourists sponsored by them to visit Pemayangtse for one day on receiving the recommendations of the Committee on Petitions.

7. It was submitted by the State Government of Sikkim that two Travel Circuits I and II had been recognised by the Ministry of Tourism, Government of India. They had requested that tourists traffic to places mentioned in the circuit including Tashiding, the most sacred Buddhist religious centre in Sikkim, be opened up for tourism. As per understanding, one of their men from the Tourism Department would be attached to such tourists.

What are the views of Government in this regard ?

7. Identification of two Travel circuits by the Department of Tourism indicates only a projected programme which could be considered for implementation in the next decade or two. Mention of any place in the projected travel circuits does not imply any recognition that it is open or should be made open for foreign tourists. Opening up of any place for foreign tourists in any protected area (which includes, *inter alia*, Arunachal Pradesh, Mizoram, Nagaland etc., for which also travel circuits have been projected but to which no foreign tourists are permitted) has to be decided taking note of various considerations including security, insurgency, etc., while domestic tourists can plan travel through any circuits, subject to observance of any prescribed regulations, foreign tourists cannot visit any place in the travel circuits in protected areas unless and until these places are opened up and permitted to be visited by Government. Incidentally, the name of Tashiding in Sikkim is not mentioned in the projected travel circuits for Sikkim.

APPENDIX IV

(See Para 4.2 of the Report)

[Representation regarding acceptance of Charter of Demands submitted by the National Co-ordination Committee on Indian Teachers' Organisation, Bhubaneswar.]

National Co-ordination Committee of
Indian Teachers' Organisations
43, Bhouma Nagar
Bhubaneswar—751001 (Orissa)

Shri Balram Jakhar,
Speaker,
Lok Sabha,
New Delhi

Camp: New Delhi
April 19, 1983.

Dear Sir,

We, the representatives of over 4 millions teachers and other educational workers of India of all sectors from primary to the University, have the honour to submit the following petition to Parliament of India through your good offices. We hope, it will receive due and prompt attention of the representative House of our people.

× × ×

× × ×

× × ×

Teachers of all sectors have been campaigning and agitating for the acceptance of some of their urgent, minimum demands for many years but it has not received any attention of the Government of India so far. We draw the attention of the Parliament to the plight of the builders of the nation and submit our charter of Demands (See Annexure) through this petition for its consideration. We also request for your intervention for the consideration of our demands by the Government of India.

Thousands of teachers and other educational workers from all parts of the country have marched in the streets of Delhi to-day under the banner of the National Co-ordination Committee of Indian Teachers' Organisations (NCCITO), the organisation which unites and represents the entire teachers' movement in the country to present this petition to you for the consideration

of the august forum of our Parliament. We hope this petition will elicit a positive and fruitful response from our Parliament.

Thanking you,

Yours faithfully,
Sd/—
(Abani Boral)
Convenor, NCCITO
and
others

ANNEXURE TO APPENDIX IV

National Charter of Demands of Teachers

- (1) Immediate withdrawal of Black Hospitals and Other Institutions Bill.
- (2) Introduction of a secular, democratic scientific socialist system of Education, linked with work and people.
- (3) Implementation of UNESCO, charter on teachers' status and ILO recommendations.
- (4) Increment of budgetary allocation on Education up to 10% of the national budget and national plan expenditure on education.
- (5) Civil, political and TU rights to teachers and Education workers.
- (6) Consultative status to teachers' organisations in all policy making bodies at state and union level Education planning by Educators.
- (7) Statutory security of service to all categories of Teachers' and Educational workers.
- (8) Direct payment through Bank/treasury to all sectors of teachers and educational workers.
- (9) Abolition of private management, and democratic administration of educational institutions, and introduction of common school system with neighbourhood admission policy.
- (10) Immediate implementation of free and compulsory education upto ten year schooling.
- (11) Formation of School Grants commission for Primary and Secondary education.
- (12) Restructuring the syllabi and content of text books at all levels, to suit a scientific, secular system of education keeping in view the rapid changes taking place in the modern day world.
- (13) National pay structure for all sectors of teachers and employees, with provisions for revising it every five years in relation to rise in price level and timely point to point movement of DA.

APPENDIX V

(See para 4.4 of the report)

[Comments dated the 19th April, 1983 of the Ministry of Education on National Charter of Demands of Teachers submitted by the National Coordination Committee of Indian Teachers' Organisations, Bhubaneswar]

Demand	Comments of the Ministry of Education
1	2
1. Immediate withdrawal of Block Hospital & other Institutions Bill	This Ministry has considered the provisions of this Bill and in touch with the Ministry of Labour, which is piloting the Bill in parliament.
2. Introduction of a secular, democratic, scientific, socialist system of education, linked with work and people.	The existing National Policy on Education announced in 1968 envisages a transformation of the education system to relate it more closely to the life of the people, a continuous effort to expand educational opportunity, a sustained and intensive effort to expand raise the quality of education at all stages; an emphasis on the development of science and social values. Such a system is expected to ensure a democratic, scientific and secular education in the country.
3. Implementation of UNESCO Charter on Teacher's status and ILO recommendations.	Matters relating to teachers fall within the jurisdiction of the State Government. However, the National Policy on Education 1968 states as follows :—
	(i) (a) Of all the factors which determine the quality of education and its contribution to national development the teacher is undoubtedly the most important. It is on his personal qualities and character, his educational qualifications and professional competence that the success of all educational endeavour must ultimately depend. Teachers must, therefore, be accorded

1

2

an honoured place in society. Their emoluments and other service conditions should be adequate and satisfactory having regard to their qualifications and responsibilities.

(b) The academic freedom of teachers to pursue and publish independent studies and researches and to speak and write about significant national and international issues should be protected.

(c) Teachers education particularly in-service education should receive due emphasis.

(ii) It is relevant in this context to point out that the Government has recently constituted two National Commissions on Teachers to go into various matters affecting the status of teachers, etc.

4. Increment of budgetary allocation up to 10% of the national budget and national plan expenditure on education.

The Planning Commission has earmarked about 2.6% of the total plan allocation for education in the Sixth Five Year Plan (1980-85). It may be noted that the outlay for education has increased from Rs. 169 crores in the 1st Plan to Rs. 2524 crores in the Sixth Plan. Due to constraints on resources it has not been possible to allocate a larger amount. The Sixth Plan outlay for elementary Education is Rs. 905 crores *i.e.* about 36% of the total outlay for education.

5. Civil, political and TU rights to teachers and educational workers.

Teachers, as all other citizens, enjoy basic fundamental rights. However, teachers working in Government institutions are usually governed by the provision made in the relevant conduct rules applicable to Government employees. They cannot, therefore, become members of any political party or take active part in political activities, or seek elections to statutory bodies. University and College teachers, however, enjoy the privilege of being elected to the legislatures of the State or at the Centre. There is no ban on their participation in

political activities. It is only in the case of Government college teacher that generally such activities are not permitted.

6. Consultative status to Teachers organisations in all policy making bodies of States and Union level education planning by Educators.

All India school level teachers organisations are not recognised by the Central Government. However, in various Committees at National level school teachers are given due representations. The All India Federation of University and College Teachers' Organisations has been demanding for some time that it should be represented on the National bodies which consider educational policies and programmes. UGC is a statutory body whose composition is prescribed in the UGC Act. It is difficult to visualise its constitution on the basis of representation for any private organisation. While teachers are already appointed as Members of the Commission, the acceptance of a demand for representative membership would involve, firstly, identification of a representative organisation and secondly such an organisation choosing its representative as a member. Both these factors could introduce certain elements in determining the membership of the Commission that may not be conducive of its functioning. The possibility of other teachers' organisations if they do not already exist claiming similar representations can not be ruled out.

7. Statutory security of service to all categories of teachers and Educational workers.

According to the decision of the Supreme Court, the Industrial Disputes Act is applicable to educational institutions. However, it has not been decided whether teachers are workmen under the provisions of the Act. The question whether employees of educational institutions are to be covered by a separate Legislation is under examination of the Government. The matter concerns primarily the Ministry of Labour and the final shape in which the Bill would be adopted is yet to be known.

8. Direct payment through Bank/Treasury to all sectors of teachers and educational workers

The suggestion is that salaries of teachers should be paid directly by the Government. In most cases private schools and colleges are sanctioned grants by the State Governments from which salaries are disbursed by the management. Several States are however, now replacing the grants-in-aid system with direct payment. Kerala, West Bengal, U. P. etc. follow the practice of direct payment. The matter concerns exclusively the State Government.

9. Abolition of private management, and democratic administration of educational institutions of common school system with neighbourhood admission policy.

Abolition of private management would be violative of constitutional provisions. Democratisation of school administration is a matter which falls within the purview of the State Governments. The idea of neighbourhood schools, viz. an institution drawing children from the surrounding catchment area, is already in existence in India as far as elementary schooling is concerned. Since high/higher secondary schools are fewer in number, they may not be admitting students from the immediate neighbourhood. However, here also schools established and maintained by the Government also draw students from the neighbouring areas. It is only a small number of institutions which enrol students from areas others than the immediate neighbourhood. Among others they include institutions which charge high fees like public schools, institutions established by minority communities and the Kendriya Vidyalayas. The proportion of these schools is almost insignificant to the total number of institutions that have been established. A possible method of implementing the neighbourhood schools idea, irrespective of the type of institution, fees-charged etc. would be for the Government to take over educational institutions completely under its control. Such a step would increase the financial liability of the Government, particularly in the case of secondary schools where private initiative con-

tinues to perform a significant role. The management bodies of universities generally consist of ex-officio members, nominees of the concerned Governments and representatives of teachers. Teachers are represented either through a system of rotation or, through elections. Wherever teachers' representatives are to be elected, the concerned electoral college is formed by all teachers of the university coming in the respective constituency. It is not clear what the Federation means by democratisation of management. If it is to give representation to Teachers' organisation, it may not be possible. In any case the teachers of the Universities are represented on their management bodies. As for colleges, the management bodies are those prescribed in the Memorandum of Association of the respective colleges. Since these are all private organisations, it may not be possible to ensure that the members of governing bodies are elected to ensure democratic character of the management.

10. Immediate implementation of free and compulsory education up to ten year schooling.

Universalisation of elementary education has been accorded the highest priority among other sectors of education. While provision of free and compulsory education for all children up to the end of the middle stage *i.e.* classes VII & VIII is the Constitutional responsibility, extending free education facility up to Class X is a matter that rests with the State Governments depending upon their financial resources. Free education is available in the country as follows :—

Upto Class X (Boys and Girls) :

11 States and 7 Union Territories (Andhra Pradesh, Assam, Bihar, Gujarat, J & K, Karnataka, Kerala, Nagaland, Tamil Nadu, Tripura, West Bengal, Arunachal Pradesh, Andaman and Nicobar Islands, Dadar and Nagar Haveli, Goa, Daman and Diu, Pondicherry, Lakshdweep and Mizoram).

1

2

Upto Class X (Girls only)

5 States (Madhya Pradesh, Manipur, Orissa, Sikkim and Uttar Pradesh).

Upto Class VII/VIII :--

All States/Union Territories except Orissa, and Uttar Pradesh where boys education is free only upto Class V. 16 States and 3 Union Territories have enacted compulsory education Acts for the Primary stage, (class I to IV). These are Andhra Pradesh, Assam, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerela, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal, Andaman and Nicobar Island, Chandigarh Administration and Delhi Administration. In Himachal Pradesh, however, the Act covers the elementary stage (class I to VII or VIII).

11. Formation of school grants Commission for primary and Secondary education.

School education, both at primary and secondary level, is primarily within the jurisdiction of States. The patterns of grant-in-aid to schools aided by local bodies or state Governments differ from State to State. According to available statistics there are about five lakhs primary schools, one lakh middle schools and forty five thousand secondary school in the country. These figures include schools run by Government by local bodies and school aided by Government or local bodies, besides private unaided recognised schools. A large percentage of these schools are Government aided or local body aided.

A Central School Grants Commission for the whole of India will find it physically impossible to deal with such a large number of schools requiring grants from a Central Grants Commission. Besides, the Central Government's financial capacity to finance such a Commission is extremely limited.

12. Restructuring the syllabi and content of text

The Frame-work of the curriculum for the Ten year school developed by NCERT states. "The

books at all levels, to suit a scientific, secular system of education keeping in view the rapid change taking place in the modern day world.

teaching of science and mathematics will have to be upgraded and the curriculum continually renewed in order to give our children modern knowledge, develop their curiosity, teach them the scientific method of inquiry and prepare them for competent participation in a changing society and culture, increasingly dependent on a rational outlook leading to better utilisation of science and technology", and further, "All subject should be taught in such a manner as to foster the spirit of scientific humanism." Specific books on this subject have not been prepared by NCERT as these ideas are difficult to convey the isolation. However, in all text books of science and Mathematics developed by NCERT an attempt has been made to fuse these ideas.

Efforts are being made to make higher education more relevant to the needs of the people, to increase the employability of the graduates and to create an awareness of the problems of development and a spirit of service to the community at large. During the Sixth Plan the U.G.C. has initiated a comprehensive programme for reorganising and restructuring under-graduate education in the context of the new pattern of education. One of the objectives of this reorganisation is to link education with work/field/practical experience. Emphasis has been placed on the importance of education to development and the need for concerted efforts to forge beneficial links among education, employment and economic development. For this purpose, institutions of higher learning are being encouraged and enabled to involve themselves with the development activities in the community and provide requisite support to it through extension services of students and faculty. The All India Federation of University and College Teachers' Organisation has been submitting several memoranda

containing these demands. They have been informed that most of these issues involve the State Governments as the maintenance expenditure on universities and colleges all over the country is provided by the State Governments. The Union Minister of State for Education had therefore brought these demands to the notice of the Education Ministers in all States for their consideration in August, 1981.

13. National pay structure for all sectors of teachers and employees, with provisions for revising it every five years in relation to rise in price level and timely point to point movement of DA.

The pay scales of teachers are determined, *interalia*, on consideration of the wage structure obtaining in the State as also the financial capacity of individual State Governments. The scales of pay of university and college teachers are now practically uniform throughout the country (except in Kerala) with the implementation of the UGC scales from 1973. However, the University and college teachers in various States are sanctioned the rates of allowances approved by the concerned State Government for corresponding categories of State Government employees. In the Central Universities, they are sanctioned rates of allowances admissible to corresponding Central Government employees. These rates are not uniform throughout the country though several State are known to be sanctioning Dearness Allowance at Central rates at present. There is no proposal under Central Government's consideration to ensure any uniformity in these allowances in all States.

APPENDIX VI

(See para 6.2 of the Report)

[Representation regarding annual statement of premium receipts to policy-holders under Salary Savings Scheme of Life Insurance Corporation of India.]

LOK SABHA, NEW DELHI.

The humble petition of the undersigned social workers and policy holders under salary savings scheme of the life Insurance Corporation of India.

Sheweth

The Life Insurance Corporation of India, the sole Organisation, in Life Insurance Business in India has various schemes of Insurance suitable for various classes/groups of the society. Salary Saving Scheme is one of the schemes, mainly designed for salaried people. This scheme is the most popular scheme amongst employed people, as under this scheme the amount of premium is deducted from his/her salary per month and the insured therefore need not bother about the timely payment of his premiums.

The salient features of the salary savings scheme are a) to get the advantage of this scheme the policy holder who is working in some office/factory, i.e. who is an employee somewhere, has to inform the LIC that he wants himself covered under this scheme. (b) the LIC then includes his/her name under the scheme and informs his/her employer to deduct the monthly premium and remit the same to LIC as authorised by the insured person. (c) The employers thus collect monthly premiums from quite a number of their employees, who come under the scheme, and each month send a cheque for the total sum so collected from employees, alongwith the list of employees, indicating their names, policy number, amount collected as premium, etc. to the respective LIC Office.

The advantage of this scheme to the policy holder is, as mentioned earlier, that he is saved of the botheration of ensuring timely payment of his premium, as the same is deducted every month from his/her salary/wages. Because of the typical mode of collection of premiums, the LIC too is benefitted in a number of ways, such as (i) savings on stationery/postage expenses, as sending of premium notices/receipts is totally eliminated. (ii) the premiums are regularly deducted at source, the percentage of lapses etc. of policies is very negligible, compared with other types of policies.

The main drawback in this scheme is that the policy holder gets no documentary proof, on the basis of which he can say that he/she has paid his

premium to the LIC. The only thing he has is his/her salary slip, which indicates that a certain sum has been deducted from his salary towards salary savings scheme premium. But this is just a proof indicating the deduction made by the employer, and not indicating the receipt of the same by LIC. The policy holder thus remains in dark about any error of omission/commission on the part of either the employer or the LIC, and as a result he/she can not rectify the same till the date of maturity. Since the minimum period covered by a policy normally happens to be about 20 years, it becomes very difficult for the policy holder at that time to find out exact time/location of mistake, and as a result the policy holder suffers for no fault on his/her part. Let us give an illustration.

ABC is a policy holder, having a policy of Rs. 12,000/-bought in January, 1963, the maturity date being January, 1983, and monthly premium being Rs. 50/-. His premiums were being deducted regularly from his salary. When he filed his claim on maturity he is informed by the LIC that he will not get Rs. 12,000/-plus Bonus, but Rs. 11,900/-plus Bonus, as his premiums for the months of say Oct. 1968, and July, 1976, have not been received by LIC. At that time it is almost impossible for the policy holder to prove that he had paid the amount, as normally no body preserves the salary slips for years together. Secondly the policy holder at that time thinks that if he fights for the said Rs. 100/-his payment would be further delayed, God knows for how long. Ultimately he accepts the payment as offered by LIC and suffers a loss of Rs. 100/-.

We sincerely feel that it is necessary to remove this drawback of this otherwise very good scheme, and save the policy holders under this scheme from the resultant losses and hardships. We therefore suggest, that each policy holder under this scheme, should be provided with an annual statement (April—March, which is the LIC financial year, or any other year) showing the receipts of his/her premium during the year. The said statement should be sent to each such policy holder within six months from the end of the financial year. In the same statement, the accruals of bonuses to his/her credit can also be shown. We give below a format for the purpose, which would be useful, in this regard. It could of course be amended by LIC if necessary.

Life Insurance Corporation of India

**Name and address
of the Policy Holder**

**Policy No.
Monthly Premium
Date of
Maturity**

Statement of Premium Receipts

Month	Pr. Recd./Not Recd	Pr. Recd./Not Recd.
1	2	3
APRIL		AUG.
MAY		SEPT.
JUNE		OCT.
JULY		NOV.

1	2	3
DEC. JAN.		FEB. MAR.
Bonus Standing to the Credit of Your A/c. Add Bonus credited now		
		TOTAL ----- -----

If such a statement is received by each policy holder and if he finds that the premium say for August is not received by LIC he/she can take up the matter with his employers and or LIC and set the things right.

We really feel very sorry to bring this comparatively small issue before the highest forum of the nation, but were compelled to do so as the response from LIC to efforts in this regard was quite disheartening and cold. We honestly feel, that if action could be taken on the above lines, this problem would be solved.

And accordingly your petitioners pray that, the House through its committee on Petitions should look into the matter connected with lacs of policy holders, and direct the LIC to take appropriate steps as it deems fit, and your petitioners as in duty bound will ever pray.

NAME
Shri Sudhir Anant
Barwe

ADDRESS
17, 'Vaishali'
Veer Savarkar Road,
Naupada, Thane—400602.

SIGNATURE
Sd/-

and others

APPENDIX VII

(See para 6.3 of the Report)

[Factual note of the Ministry of Finance (Department of Economic Affairs-Insurance Division) on the representation regarding annual statement of premium receipts to policy-holders under Salary Savings Scheme of LIC].

Lok Sabha Secretariat may kindly refer to their U.O. No.53/CI/83-R-176 dated 11th May, 1983 and subsequent reminders on the above subject and this Ministry's I.D. No. 85 (32)-Ins. II/83 dated 18th August, 1983. The representation of Shri Sudhir Anant Barwe and others has now been examined at length in consultation with the LIC and the points made therein are dealt with in the paragraphs which follow :-

2. The main features of the Salary Savings Scheme of the Life Insurance Corporation of India have been mentioned in the above representation. However, for facility of reference, and for proper appreciation of the issues involved, it would be useful to restate the main features and also set out the procedure followed by the LIC for collection and adjustment of premiums.

3. The Salary Savings Scheme is a simple, economic plan whereby the employees of an employer may obtain life insurance cover under an arrangement between the employer and the LIC for deduction of premiums from the monthly salary and remittance of the same to the LIC every month. The salary savings scheme is not a group insurance scheme installed by the employer. On the other hand, it is an entirely voluntary scheme under which life insurance policies are issued to the individual employees seeking life insurance protection. The main role of the employer is to deduct the premiums every month from the salary of the employees, in the same manner as the Employees, Provident Fund and to remit the premiums so collected from all the employees in one lumpsum to the LIC every month. In this manner, the Scheme seeks to ensure that the premiums are collected and remitted to the LIC regularly and, from the point of view of the employees, an additional benefit is that the additional charge of 5% of the premium, which is collected in respect of individual assurances with monthly mode of payment of premiums is waived in respect of policies taken out under the Salary Savings Scheme. This concession is made possible because the LIC also saves some effort and expense which it would otherwise have to incur if the policies were to be serviced individually.

4. It would be seen from the foregoing that the Salary Savings Scheme is designed to be a relatively simple and more economic arrangement for the collection of premiums under the individual life insurance policies of the

employees of a single employer. For the employee policyholders, it is easy to ascertain whether the premiums have been deducted or not, because each employee is aware of his gross emoluments receivable every month and the net amount paid to him. In fact, a number of institutions are following the practice of furnishing "pay slips" to the employees every month, giving details of the gross emoluments, deductions made therefrom and the net emoluments.

5. It has been stated in the representation that the main drawback of the Salary Savings Scheme is that the employee policyholder gets no documentary proof of the premiums deducted from his salary and received by the LIC, and that even the pay slip does not constitute any proof of the payment of the premium to the LIC. It has been contended that, as a result, the policyholder remains in the dark about any error of omission/commission on the part of the employer or the LIC and such an error is detected only when a claim arises. It has, therefore, been suggested that the LIC should provide to each employee-policyholder covered by the Salary Savings Scheme annual statement of the premiums received under his policy/policies.

6. The LIC has reported that on occasion, premiums under the Salary Savings Scheme are not received in respect of certain policies for the following reasons :-

(a) While the first two monthly instalments of premium are collected along with the proposal in respect of new policies, the third instalment of premium is sometimes not received because the employer has not commenced deduction of premium in the third month itself;

(b) When an employee is transferred from one Branch of his employer to another, the transferee Branch sometimes does not start deduction of premium from his salary in continuity with the previous Branch and this gives rise to a gap in premiums;

(c) Sometimes, the policyholder leaves the employment under one employer and joins the service of another employer having SSS. Deduction of premium through the second employer may be made one or more months after the last month for which the previous employer deducted his premium. This also gives rise to a gap in premium collection.

(d) Occasionally, the Paying Authority does not give to the LIC the policy number of a particular employee or gives it wrongly. This prevents LIC from taking into account the premium paid in respect of that employee immediately.

7. It may be stated that in a majority of cases of policies under the Salary Saving Scheme, the gaps in premiums do not arise and in most of the remaining cases the missing premiums are quickly traced and adjusted. Further, where the missing premiums cannot be traced but the employer certifies that the relevant premiums were deducted from the salary and remitted to the LIC the certificate is accepted as evidence of payment of premium.

8. The prescribed procedure of the LIC requires that Divisional Offices should intimate the premium gaps to the concerned employees/policy holders and their employers, requesting them to furnish details of the payments so that the same may be adjusted. Apart from sending written communications, officials of the LIC are deputed to call on the paying authorities personally for sorting out matters. Recently, instructions were issued to the Divisional Offices to clear up all the existing premium gaps, and to deal quickly with all premium gaps which may arise in future, by more effective implementation of the prescribed procedure.

9. For the past several years, LIC has been issuing around 20 lakh new policies every year and of these over 25% policies are under the Salary Saving Scheme. It would be appreciated that the issue of annual statements of premiums under all policies covered by the Salary Saving Scheme, running into several millions, would involve the LIC in very considerable effort and expenditure, which would be totally incommensurate with the problem to be tackled. Such effort and expenditure is, even otherwise, unnecessary and existing procedure is designed to take care of the problem.

10. While on this subject, it may be mentioned that even at present, any policyholder can, *on request* whether for income-tax purposes or for his own record, obtain information regarding the status of his policy. Thus, any employee/policyholder, who is in doubt about the premiums paid to the LIC under his policy, can approach the LIC specifically for information in the matter.

11. In view of the foregoing, and on the administrative and financial considerations set out in the preceding paragraphs, the suggestion for issue of annual statements of premiums to policy holders covered by the Salary Saving Scheme is not considered to be feasible.

(R.K. Mahajan)
Controller of Insurance.
Tel : 386486

Lok Sabha Secretariat (Shri S.S. Chawla, Senior Legislative
Committee Officer)

M/F, DEA, Ins. Divn, I.D. not No. 85 (32)-Ins. II/83 dated 1st November, 1983.

APPENDIX VIII.

(See para 10.2 of the Report)

NO. F. 1 (5)/83-IMP.I

GOVERNMENT OF INDIA

DEPARTMENT OF PARLIAMENTARY AFFAIRS

Room No. 141, Block No. 11,
Gali No. 12
Jamnagar House Barracks,
New Delhi.

Dated : 30th November, 1983.

OFFICE MEMORANDUM

SUBJECT : *Implementation of the recommendations contained in the Thirteenth Report of the Committee on Petitions (7LS) presented to the House on 6th May, 1983.*

In the Thirteenth Report presented to the Lok Sabha on 6th May, 1983, the Committee on Petitions have expressed their dissatisfaction to observe that the Ministries/Departments have taken unusually long time in implementing their recommendations, the period of delay varying between 9 months to 4 years. In the aforesaid Report, the Committee have commented as under :-

“Inordinate delay in some cases, necessitating repeated reminders, is disconcerting. The Committee feel that quick action by Government on the Committee’s recommendations/observations, would encourage a feeling of satisfaction and confidence in the minds of the public that their object of petitioning to Parliament for redressal of their legitimate grievances has been fructified and that their efforts have not gone in vain. Such satisfaction and confidence in getting timely justice by the aggrieved persons would further strengthen the democratic set up in our country.”

The Committee has therefore, desired the Ministries/Departments to be more careful in future and to keep a close watch so as to ensure expeditious implementation of their recommendations within a reasonable time not exceeding six months.

The Ministry of Home Affairs etc. are, therefore, requested kindly to note the above recommendations of the Committee for strict compliance.

Sd/-

C. BHOJWANI

Under Secretary to the Govt. of India.

To

All the Ministries/Departments of the Government of India.

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