

# COMMITTEE ON PETITIONS

(EIGHTH LOK SABHA)

## THIRD REPORT



[ Presented to Lok Sabha on ]

24.1987

**LOK SABHA SECRETARIAT  
NEW DELHI**

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**COMPOSITION OF THE COMMITTEE ON PETITIONS  
( 1986-87 )**

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Shri N. N. Mehra—*Joint Secretary*

Shri O. P. Chopra—*Senior Legislative Committee Officer.*

# THIRD REPORT OF THE COMMITTEE ON PETITIONS (EIGHTH 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 Third Report of the Committee to the House on the following matters :—

- (i) Representation from Shri Kumarpal Singh regarding re-instatement in service.
- (ii) Representation from Shrimati Paramjit Kaur seeking employment on compassionate grounds.
- (iii) Action taken by Government on the recommendations contained in their Tenth Report (6 Lok Sabha) and Eighteenth Report (7 Lok Sabha) on Petition No. 21 regarding rehabilitation on Bhakra Dam oustees.
- (iv) Action taken by Government on the recommendations contained in their Twentieth Report (7 Lok Sabha) on the representation regarding acceptance of charter of demands submitted by the National Coordination Committee of Indian Teachers' Organisations, Bhubaneshwar.
- (v) Other Representations.

1.2 The Committee considered the above matters at their sittings held on 4, 29 October, 1985, 13, 14 and 27 January, 15 April and 27 June, 1986.

1.3 The Committee considered their draft Report at their sitting held on 22 January, 1987 and adopted it.

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

ABIDA AHMED

*Chairman,*

*Committee on Petitions.*

NEW DELHI:

*Dated : 22 January, 1987.*

## II

### REPRESENTATION FROM SHRI KUMARPAL SINGH REGARDING REINSTATEMENT IN SERVICE

2.1 Shri Kumarpal Singh, Bulandshahar (U.P.), ex-Sepoy of C.R.P.F., submitted a representation on 1 July, 1985 *re.* reinstatement in service.

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

2.2 In his representation, the petitioner has stated as follows :—

“During the Janata regime an agitation was launched by 2000 Central Reserve Police Employees on 24 June, 1979 in Jharoda Kalan for meeting some demands relating to their pay etc. All the employees, whose services, had been terminated due to this agitation, have been reinstated and their demands accepted but I have not yet been reinstated.

I had been working in the Central Reserve Police since 1969 and no complaint against me was received during this period of ten years. I have always remained an honest and obedient sepoy. I now promise to fulfil my duties faithfully and shall remain honest and obedient to the country. I have neither participated in any movement nor will participate in future.

During the period of agitation, I was posted on orderly duty at the residence of Shrimati Madhu Thapa, wife of Shri M.C. Thapa, Deputy S.P. I did not participate in the movement. During the movement I remained at the residence of Thapa's and served them. Unfortunately, my services were terminated by the Commandant inadvertently. I was not given time for explanation and I did not receive unprejudiced justice.

In this connection, I had written to Deputy Inspector General, Inspector General and Director General. But they have not conducted any enquiry themselves and they have not taken my statement before the presence of Shrimati Thapa. Nor they have taken the statement of Shrimati Thapa in my presence. They have only vetted the remarks of Commandant and in other words I have not been given true justice. I am not guilty in this case. I cannot be held a convict unless a cross examination is held including myself and Shrimati Thapa.

I have addressed several reminders on this subject to the President, the Prime Minister, Chairman of the Rajya Sabha, Speaker of Lok Sabha and the Home Minister in Delhi. I always got the intimation from them that all these letters have been sent to Secretary, Home Affairs for necessary action. But till date no action has been taken. No enquiry officer has taken the statement of mine and that of Shrimati Madhu Thapa together so far.

Even if the false charge of High Police Officers is admitted that I am not being reinstated for participating in the movement, then this claim should also be enforced on all those police employees who have reinstated even after taking part in the movement. Why this discrimination and injustice is being done to me alone. Am I not a citizen of India. I should also be given justice.

Sir, I belong to a poor and landless family. There are five members in my family. I have no alternative source for living except this job. Without any source of income my family is living from hand to mouth. I, therefore, request your goodness to order my reinstatement sympathetically."

#### **B. Comments of the Ministry of Home Affairs**

2.3 The representation was referred to the Ministry of Home Affairs on 12 July, 1985 for furnishing their factual comments thereon for consideration by the Committee on Petitions. In their factual note, dated 13.8.1985, the Ministry of Home Affairs stated as follows :—

"Shri Kumarpal Singh of Uttar Pradesh was dismissed from service by the Commandant Group Centre, C.R.P.F., New Delhi under Rule 27 (cc) (ii) of the Central Reserve Police Force Rules, 1955 read with clause (b) of second proviso to clause (2) of Article 311 of the Constitution of India for taking active part in the C.R.P.F. strike in June, 1979.

His appeal submitted to the D.I.G.P., C.R.P.F., New Delhi, his review Petition submitted to the I.G.P.S./III, C.R.P.F., New Delhi and his petition submitted to the Director General C.R.P.F., were considered and rejected on merit by the concerned authorities."

#### **C. Evidence before the Committee**

2.4 The Committee on Petitions considered the matter at their sitting held on 29 October, 1985. The Committee was not satisfied with the reply furnished by the Ministry of Home Affairs as well as decided to take oral evidence of the petitioner and the representatives of the Ministry of Home Affairs in the matter.

*(a) Evidence of the petitioner—Shri Kumarpal Singh, ex-Sepoy of Central Reserve Police*

2.5 The Committee at their sitting held on 13 January, 1986, examined the petitioner—Shri Kumarpal Singh, ex-Sepoy of Central Reserve Police, in connection with his representation regarding re-instatement in service.

2.6 While explaining the background of the case, the petitioner—Shri Kumarpal Singh stated that in 1969, he had joined the Central Reserve Police Force as Sepoy and rendered 10 years service. A strike demanding more salary, increased dearness allowance, leave and provision of ration to the personnel posted at other stations had taken place on 22, 23 and 24 June, 1979. At the time of strike he was posted on orderly duty at the residence of Shrimati Madhu Thapa, the wife of Shri M. C. Thapa, the Dupty Supdt. of Police. As orderly his duties were to take the children to school, make purchases from Bazar, cook food etc. He further stated that he never took part in strike during his service period and he was dismissed from service on 1 August, 1979 without his fault. He was held guilty and punished without any enquiry. even the persons who took part in the strike were re-instated later on but he was not.

2.7 When asked how he had come to know that his services had been terminated, he informed the Committee that he was suddenly called and told about it and no enquiry was made in his case. They neither took evidence of Shrimati Madhu Thapa nor allowed him to cross examine her as according to him she alone would be able to tell about his honesty and sincerity in performing his duties at her residence where he was working as orderly. She could also tell whether he was on duty or not at her residence during the period of strike.

There was a suggestion to the effect that Shrimati Thapa should be called before the Committee, who would be able to tell whether he was on duty during the period of strike.

2.8 On an enquiry, the petitioner informed that no show cause notice was served on him and no enquiry held before or after suspension. However, a discharge slip was issued to him and it was returned to the authorities in June, 1979 itself.

2.9 He was asked to state whether Shrimati Thapa had not told anybody that he was on duty on the date of the strike at her residence. The petitioner stated that he met her immediately after getting his dismissal orders. He was informed by her that she went to see the wife of the Commandant and forgot to say those things to her. On his demand to give it in writing, she refused to do so as she was afraid that he would make her to appear in the Court. He could not meet Mr. Thapa as he generally remained outside in the battalian and on that day he was also outside.

2.10 When he was asked to state how many persons took part in this strike and number of persons removed/suspended from service and reinstated later on, the petitioner stated that about 2,000 persons took part in the agitation. About the number of persons removed/suspended from service, the petitioner stated that he did not know it and that could be ascertained from the related office files. However, he mentioned the police members and names of five Constables who were removed/suspended from service, but were later on reinstated.

2.11 When asked whether he had received the salary for the month in which the strike took place, the petitioner stated that he got the full salary for June, 1979, including the strike period from 22 to 24 June, 1979, but not for July, 1979.

2.12 In regard to strategy of strike, the petitioner informed that all the employees used to sit at the gate of C. R. P. F. Camp from morning to noon and again from 4 p. m. to 5 p. m. in the evening, and he never sat with them.

He further informed that on 25 June, 1979, the entire Camp was cordoned in the morning i. e. at about 6 a.m. or 7 a.m. and the residence of Smt. Thapa was also located inside the Camp where he was posted. All of them who were in the Camp were taken to be on strike and the army arrested them. He stayed in barracks in the Camp along with others for about one month and only on 1 August, 1979, he was given in writing that he had been dismissed. The officers used to mark the attendance in the barracks and they were not assigned any work during the said month.

2.13 The Committee noted from the order of the Director General, C.R.P.F., New Delhi, dated 10 January, 1980 (Appendix I) that the review petition of Shri Kumarpal Singh against the order of dismissal from service passed by the Commandant, Group Centre, C.R.P.F., New Delhi and facts of the case were considered by him. The Commandant, Group Centre, C.R.P.F. New Delhi had clarified as to why regular departmental inquiry was not reasonably practicable. Keeping in view of the facts and the circumstances of the case as mentioned in the dismissal orders, and he was satisfied and therefore the review petition of Shri Kumarpal Singh was rejected by him.

*(b) Evidence of the representative of the Ministry of Home Affairs*

2.14 The Committee at their sitting held on 14 January, 1986, examined the representatives of the Ministry of Home Affairs in connection with representation from Shri Kumarpal Singh.

2.15 While explaining the background of the case, the representative of the Ministry, Ministry of Home Affairs, stated that on 22 June, 1979, at about



9.30 p.m., a large number of members of the Central Reserve Police Force revolted at the Central Police Force Camp at Jharoda Kalan. These facts were well known because this revolt spread to various other camps, particularly in the south, viz. Trivandrum and other group centres of the CRPF. About 24 members of this Force organised a procession and shouted anti-Government slogans, slogans against the Officers of the CRPF and decided to abstain from work. They also collected funds forcibly from other members of the Force and wanted them to stop work.

2.16 He added that in furtherance of this unlawful activity, on the following day, i. e. 23 June, 1979, they indulged in acts of gross insubordination and misconduct. On that day they did not attend the morning parade, disobeyed the orders of their superiors, abstained from their normal duties and though they were warned by their Officers not to commit such acts of disobedience, they continued to remain absent from parade and duties and refused to obey orders. They also collected other members of the Force. It became a mob and went to the main entrance of the Group Centre at Jharoda Kalan, raising various abusive, anti-Government slogans. They locked the gate and wrongfully stopped a bus that was bringing in Officers and men of the Signals Battalion for duty and forced them to get down from the bus. They stopped the driver, did not allow the members of the Force to enter the Group Centre and forcibly pulled out those who refused to do so.

2.17 The representative of the Ministry further stated that later, they went into the Signals Centre Building and disrupted the whole system of communication. The Signals staff working on wireless sets were forced to join the mob and desert their lawful duties. Thereafter, the said mob entered the Group Centre Office of the Commandant and forced the Ministerial staff as well as superior officers to come out of their offices. They indulged in physical violence on some other members of the Force who were loyal and caused injuries to many of them with a view to deter them from carrying out their lawful duties. The mob also forced the Commandant of the Force Battalion to detain the CRPF bus, to take them to the Head Office to compel other operators and men to join the strike.

2.18 He added that on 24 June, 1979, they continued to abstain from duty and abused the Officers and compelled the Commandant of the Signals Battalion to address them and they also issued a statement that in case the Army was called, they would resist any attempt to disarm them by force. On the morning of 25 June, 1979, a Magistrate from Delhi accompanied by an Army unit, reached the Group Centre and These men of the CRPF took position and confronted the Army. There was an exchange of fire in which three CRPF men were killed and eight of them were injured. The agitators were listed and about 1773 of them not only of this group but other group also were

dismissed. On further consideration of the petition, 1525 who were only followers were re-instated in services. Only 248 who had taken a leading part were dismissed. Shri Kumarpal Singh was one of them. The charge against him was that he abused one Assistant Commandant and also collected money from other members of the force. He took a leading part in this and he was considered to be one of the ring leaders. His dismissal was upheld and he went in appeal to the DIG, IG and DG and finally to the Home Minister. At every level, his representation was examined and his appeal was turned down.

2.19 While explaining the reasons for strike and grievances and demands of the CRPF personnel, the representative of the Ministry admitted that the life of the CRPF personnel was not very pleasant. They moved from place to place. They were hard-pressed. But somebody had to do that type of duty. They had been constantly demanding more facilities, more leave and more pay; and whatever demands could be met had been met. After all, people were never satisfied and they felt that they should get more. Their main demands were more T.A. and D.A. and detachment allowance.

2.20 When pointed out by the Committee that according to Shri Kumarpal Singh, he was working at Mrs. Thapa's residence and he never participated in the strike, the representative of the Ministry stated that an Orderly Officer got the maximum time for this kind of activity. He worked in the house of the officer and he had all the time for any activity, if he was inclined towards that. Shri Kumarpal Singh was not working for 24 hours in the house of Mrs. Thapa. He might have been engaged in the house for roughly 4-5 hours only. During the rest of time, he had all the time to do that.

On being asked to indicate evidence that that man had taken an active part in the agitation, the representative of the Ministry informed that no particular examination was conducted. It was only that they were dismissed under the provision of the Constitution *i.e.* article 311. No regular departmental enquiry was held against any of these people as they knew the people who were involved.

2.21 When asked whether Mr. Thapa or his wife in whose residence Shri Kumarpal Singh was posted, was consulted before taking any action against him, the representative of the Ministry stated that the records did not indicate whether a detailed enquiry was held. 248 people were definitely segregated from the rest, which means that some attention must have been paid by the Officers at that particular point of time.

2.22 When the Committee pointed out that according to the petitioner his service career was alright and he never received any show cause notice but suddenly his services were terminated and asked whether it would be possible to

find out the facts in this particular case, the representative of the Ministry stated that he would make a further search at Jharoda Kalan and see if he could get any papers. He assured the Committee that he would find out the name of the Commandant who had terminated the services of Shri Kumarpal Singh.

2.23 The Committee asked whether it was not necessary in the interest of natural justice that the person upon whom a major penalty was being imposed, should be given a chance to know what was the major gross negligence in his duty for which he was being penalised, the representative of the Ministry stated that that was a very big revolt. As desired by the Committee, he read out the dismissal orders of Shri Kumarpal Singh. (See Appendix II).

2.24 On being asked whether sympathetic consideration to his representation on humanitarian grounds would be given, the representative of the Ministry stated that it was quite likely that in that type of action that was taken against policemen or army people or people in uniform for this type of agitation or revolt, etc., a few innocent people had also to suffer. It might happen like that in that case.

2.25 During the course of evidence, the representatives of the Ministry had promised to find out the following :-

- (1) The original paper to show whether Mrs. Thapa's statement had been taken. They would call Mrs. Thapa and to take her statement;
- (2) the name of the Officer who had passed the orders of dismissal of Shri Kumarpal Singh; and
- (3) the more details of the case.

2.26 Subsequently, as desired by the Committee, the Ministry of Home Affairs have supplied on 2 June, 1986, the statement of Smt. M.C. Thapa, wife of Shri M.C. Thapa, Deputy Supdt. of Police at whose residence Shri Kumarpal Singh was posted, which is as follows :-

"I was staying in GC Jharodakalan campus, New Delhi, during June, 1979. Ct. Kumarpal Singh was detailed as our Orderly. He used to come to our house daily to render whatever assistance was required. The strike in GC CRPF Jharodakalan, by some CRPF Personnel took place during the last week of June, 1979. During the period of agitation I came to know that most of the CRPF personnel withdrew from their duties. Ct. Kumarpal Singh, who was our orderly, also did not come to our house for performing any duty after the agitation had started. In fact, even after the agitation ended he never came to our house."

2.27 The Ministry of Home Affairs further furnished the details of the case as follows :-

“The ex-Force NGOs Association of CRPF started an agitation in the last week of June, 1979 for the acceptance of a charter of demands relating to the various issues. The agitation was headed by 27 Ring Leaders. Ex-Constable Shri Kumarpal Singh though was not amongst the Ring Leaders, but was an active participant of the agitation. He was involved in taking out the procession, slogan-shouting and collection of funds. During the period of agitation, he disobeyed the orders of senior officers and had hurled filthy abuses on them. He behaved in an insolent manner and showed insubordination to the officers.

On the basis of the information received in this regard, a total of 1700 personnel were dismissed from service, for participating in the agitation in different CRPF Units and Group Centres. The number of personnel dismissed from Delhi were 315 including Shri Kumarpal Singh.

On the basis of the personal interview by the Comdt. in the quarter guard, it was found that 216 personnel did not actively participate in the agitation and were, therefore, let off by awarding them minor departmental punishment. Out of the remaining 99 personnel, 27 were finally dismissed from service as a case was filed against them by the Delhi Police, Crime Branch in the Najafgarh Police Station. The witnesses were called and brief notice about the extent of the participation of the remaining 72 personnel were prepared to decide the merit of each and every case. Further to this, all the accused personnel were afforded the reasonable opportunity to explain their conduct in person to the Commandant. The Commandant after hearing them including Shri Kumarpal Singh decided that 20 personnel may be taken back in service after awarding various departmental punishments short of dismissal and removal from service. The remaining 52 personnel considered to be actively involved in the agitation and found to be guilty of various individual acts of indiscipline and gross insubordination were remained to be dismissed from the Force.

The similar procedure was adopted in screening the personnel in other units of CRPF.”

2.28 The Ministry of Home Affairs *vide* their D. O. dated 2 July, 1986, have further clarified that Shri Kumarpal Singh has not been taken in service. He was one of the 52 personnel considered to be actively involved in the agitation and found involved in various acts of indiscipline and insubordination and dismissed from the Force.

*Observations and recommendations of the Committee*

2.29 The Committee note that ex-Force Association of Central Reserve Police Force started an agitation in the last week of June, 1979 for acceptance of a Charter of Demands relating to increased salary, D.A., Leave, provision of ration etc. They also note that 1,773 persons were dismissed from service for participating in agitation in different CRPF units and Group Centres, out of which 1,525 persons were reinstated. In Delhi 315 personnel, including the petitioner, Shri Kumarpal Singh, were dismissed but afterwards except 52, including the petitioner, all were reinstated.

2.30 The Committee are concerned to note that personnel of CRPF, well organised and disciplined Force, required to look after the security of the country, had to go in for mass agitation to get their demands accepted.

2.31 The fact that the disciplined force as that of CRPF has to resort to agitation on a large scale shows that there is definitely something wrong and grievance of the CRPF personnel, are genuine. Indulgence to acts of insubordination, misconduct and physical violence by the security force itself is a serious matter to be taken care of by the Government. In the opinion of the Committee, keeping the staff of such an organisation contented and not allowing the situation to grow so grave as to allow security personnel to resort to agitation, is the bounden duty of the Government.

2.32 The petitioner informed the Committee that he has, in fact in his entire service period of 10 years, not participated in strike, since he was posted on orderly duty at the residence of Deputy Superintendent of Police and these facts can be ascertained from the lady of the house.. He also informed the Committee that no show cause notice was served on him, evidence of the lady of the house was not taken nor he was allowed to cross examine her and no enquiry was held before or after his suspension/dismissal.

2.33 The Special Secretary, Ministry of Home Affairs, during the course of evidence, however, told the Committee that Shri Kumarpal Singh was considered to be a Ring Leader, actively participated in the agitation and was involved in various acts of indiscipline and insubordination. He further informed the Committee that no particular examination about Shri Kumarpal Singh was conducted, no regular departmental enquiry was held and he was dismissed under Article 311 of the Constitution.

2.34 The Committee note that while furnishing the information promised during the course of evidence before the Committee, the statement that the petitioner was considered to be a Ring Leader was contradicted by the Ministry in the written note and it was stated "the agitation was headed by 27 Ring Leaders. Ex-Constable, Shri Kumarpal Singh, though was not amongst the Ring Leaders but

was an active participant of the agitation.” The Committee considered the statement of the Special Secretary during evidence to be of significance when, while replying to a question whether sympathetic consideration to petitioner’s representation on humanitarian grounds would be given, he informed the Committee that it was quite likely that type of action that was taken against policemen or Army people or people in uniform for this type of agitation or revolt etc., a few innocent people had also to suffer and Shri Kumarpal Singh might be one of them. The Committee draw a conclusion from the information given during evidence and in written note later on that the Ministry are not sure whether Shri Kumarpal Singh at all took part in the agitation or not and whether he was innocent. This conclusion of the Committee is supported by the fact that no enquiry against him was conducted nor he was allowed to give his explanation.

2.35 Committee under the circumstances feel that Shri Kumarpal Singh should be given benefit of doubt and his case merits sympathetic consideration. The Committee, therefore, desire that in the interest of natural justice, the case of Shri Kumarpal Singh should be reviewed and he may be reinstated in service at an early date. The Committee should be apprised of the action taken in the matter early.

### **III**

#### **REPRESENTATION FROM SHRIMATI PARAMJIT KAUR SEEKING EMPLOYMENT ON COMPASSIONATE GROUNDS**

3.1 Shrimati Paramjit Kaur, widow of Shri Harcharan Singh, Assistant, Naval Headquarters, submitted a representation to the Committee on 12 September, 1985, seeking employment on compassionate grounds.

#### **3.2 (A) Petitioner's grievances and demands**

In her representation (Appendix-III) the petitioner had made out the following points.

- (i) Her husband while in office on 24.11.1984 was removed to hospital in unconscious condition and passed away on 2.12.1984;
- (ii) she had applied to the Naval Headquarters for employment on compassionate grounds, as she had no other source of income;
- (iii) she received a sum of Rs. 39,592/- as payment due to her late husband. After discharging the liabilities of her late husband to the tune of Rs. 34,500, she was left with a paltry sum of Rs. 5,092;
- (iv) on 3.6.85, the then Chief Administrative Officer, Ministry of Defence, informed her that it had not been found possible to accede to her request for employment on compassionate grounds;
- (v) she was 42 years of age and had one daughter aged 13 years, who was studying in Class VIII;
- (vi) she was Intermediate and thus eligible for employment without any relaxation in educational qualifications;
- (vii) she is required to educate her daughter and also perform her marriage. Her husband had not left sufficient to sustain her family and could not maintain the child and herself with meagre family pension of Rs. 200/-per month which after seven years would be reduced to Rs. 100/-per month;
- (viii) she had pointed out that there had been cases where widows of Joint Secretaries even had been given appointments by creating additional posts for them; and

- (ix) with the introduction of Central Government Insurance Scheme and encashment of leave salary, widows of Class II and Class I officers will be entitled to get Rs. 80,000 to Rs. 1 lakh 50 thousand and under these circumstances should they be denied employment on compassionate grounds.

### **B. Comments of the Ministry of Defence**

3.3 The representation was referred to the Ministry of Defence on 20.9.85 and the factual comments thereon were furnished by them on 17.10.85 (Appendix IV). On 15.1.86, additional information in respect of certain points was called for from the Ministry of Defence. The same has been furnished by the Ministry of Defence and is given in Appendix V.

3.4 The representatives of the Ministry of Defence, headed by the Additional Secretary, appeared before Committee on 27.1.1986, certain statements containing information about provision and non-provision of employment on compassionate grounds to widows and other dependents in the Ministry of Defence and Chief Administrative Officer's Office was supplied by the Ministry to the Committee during evidence.

The Representative of the Ministry of defence informed the Committee—“on the basis of information that was made available in the form and the statement of enquiry conducted by the Ministry, a view was taken that this was one of those cases where employment on compassionate grounds to a dependent of a person, who died while in service, need not be given”. The reasons for non-provision of employment to her were as follows :—

- (i) She received approximately Rs. 70,000/—, which after deduction of house loan and interest thereon was left with Rs. 40,000;
- (ii) she was getting Rs. 440/— per month as family pension and relief;
- (iii) she has a house of her own;
- (iv) the number of dependent is only one daughter; and
- (v) her husband unauthorisedly subletted Government quarter allotted to him.

3.5 Shrimati Paramjit Kaur, in her representation, had stated that after discharging her liabilities to the tune of Rs. 34,500/— she was left with Rs. 5,092/—only.

3.6 Commenting on the other liabilities of the deceased, Government



have stated in the written information supplied to the Committee as follow:—

“In addition to this what other liabilities Shri Harcharan Singh had, this office is not aware of Shrimati Paramjit Kaur had not specified what liabilities she has discharged on behalf of her late husband and hence this office has no comments to offer.”

3.7 The representative of the Ministry during evidence informed the Committee that in addition to the information given in the form submitted by the petitioner, they had conducted an enquiry before coming to the conclusion that she did not deserve employment on compassionate grounds. Government have not enquired into this before submitting facts to the Committee and also before rejecting her request for employment.

3.8 It became clear during evidence that the petitioner was not getting any income from the house. On an enquiry, the representative of the Ministry informed the Committee that the basic salary of the deceased Assistant was Rs. 500/— and the gross salary was about Rs. 1300/— per month.

3.9 To a question as to whether in the event of her husband not committed impropriety she would have been eligible for this job the representative replied “that is a hypothetical question, all facts are taken into consideration in all these matters. No *mala fide* is involved.”

3.10 When pointed out that after seven years the pension of the widow would be reduced to half and the daughter would be of marriageable age and she would need more money for that purpose and whether these factors could not be considered indigent circumstances for providing employment on compassionate grounds; the representative of the Ministry replied in the negative.

3.11 For giving employment on compassionate grounds, they considered the indigent circumstances, number of dependents left behind, the assets and liabilities etc. They also considered whether any of the dependents was earning something, whether the earning member was staying with the wife of the deceased, whether they had a house and the general financial status. In all those matters, the representative of the Ministry informed the Committee that while one would not like to underplay the importance of compassion, one had also to keep in view while giving the compassionate employment somebody else was being deprived of employment who had registered himself in an employment exchange and had been waiting for 5 or 6 years in the hope of getting employment. Ultimately, they had got to take that into consideration because it was a question of the number of people competing for the job being much more than the jobs they were able to offer.

3.12 On the point whether any law, or rule was to be invoked by the Ministry for giving employment to the petitioner, the representative of the Ministry stated that whenever discretion was to be used by any functionary in

Govt., it involved a subjective judgement of the individual assessment of facts. The individuals who interpreted the facts and the rules could come to different conclusions in identical circumstances. They were convinced that there was no *mala fide* and the decision had been arrived at on the basis of a study of all the data in this case.

3.13 When asked whether any rules would be violated if job was given to the petitioner, the representative of the Ministry stated that the cases were decided on the basis of the guidelines and or order issued by the Ministry of Personnel, Public Grievances and Pensions. The existing instructions did not automatically entitle her to employment. They only conferred eligibility subject to certain circumstances and conditions being satisfied. It was the responsibility of the Officer, who was authorised to give compassionate employment in his subjective judgement to satisfy himself that these had been fulfilled...

3.14 Attention of the representative of the Ministry was drawn to the following provision made in the guidelines issued by the Ministry of Personnel, Public Grievances and Pensions :—

“In deserving cases, even where there is an earning member in the family, a son, daughter, near relative of a Government servant who died in harness leaving the family in indigent circumstances, may be considered for appointment to the post.”

3.15 When pointed out that under these circumstances Government was expected to take a compassionate view, the representative of the Ministry stated that the Ministry's view was that the facts of the case did not deserve employment on compassionate grounds. Under the rules prescribed in the Ministry, the authority to decide whether to give or not to give employment on compassionate grounds was vested among various officers. In most of the Government organisations there was a tendency to try and see that employment in Government was something hereditary.

3.16 He further informed the Committee that the Ministry received a monthly return from the Chief Administrative Officer who was competent to give employment on compassionate grounds, showing the cases received and the cases where jobs had been given on compassionate grounds. It was put up to higher authorities for information. It was also stated that Smt. Paramjit Kaur's case was considered number of times at the Level of Additional Secretary and Defence Secretary.

3.17 In the additional information furnished to the Committee, the Ministry of Defence stated that the basic policy of the Government for providing employment on compassionate grounds to the widow/son/daughter/near relative of the deceased Government servant was to help the family, which was found

in indigent circumstances and for this purpose the competent authority was the Joint Secretary incharge of the administration or Secretary in the Ministry/ Department concerned. In attached and subordinate offices, the power of compassionate appointment was exercised by the Head of Department. It had been laid down as a general policy that the total reservation for Scheduled Caste/ Scheduled Tribe/ Handicapped persons and ex-Servicemen together with such cases of compassionate appointment did not exceed 50% of the total number of vacancies available on any particular occasion. The consolidated instructions regarding compassionate appointments were issued by the then Department of Personnel and Administrative Reforms on 25. 11. 1978.

3.18 The effect of the various amendments which had been made from time to time to the basic policy had been to further liberalise the instructions as to include :-

- (a) the members of the Armed Forces, who die in service or killed in action or medically boarded out or are unfit for civil employment have been included ;
- (b) Government servants retiring on medical grounds before attaining the age of 55 years have been included;
- (c) educational qualification for widows to be employed as peons has been relaxed;
- (d) consultation with Surplus Cell of the Ministry of Home Affairs is not necessary;
- (e) widows appointed on compassionate grounds continue to be employed even after remarriage. The cases of suicidal death are also included alongwith those who die in harness;
- (f) relaxation has been made in educational qualification for widows in Group 'D' posts other than those of peon; and
- (g) ban is not applicable to employment which is provided on compassionate grounds.

3.19 From O.M. of November, 1978, referred to above, the Committee note that the expression "indigent circumstances" has been used only in para 5 of the said O.M. which relates to sub-head "Where there is an earning member" and this reads as under :-

"In deserving cases even where there is an earning member in the family, a son/daughter/near relative of a government servant, who dies in harness leaving his family in indigent circumstances, may be considered

for appointment to the post. All such appointments are, however, to be made with the prior approval of the Secretary of the Ministry/Department concerned, who before approving the appointment will satisfy himself that the grant of the concession is justified, having regard to the number of dependents left by the deceased Government servant the assets and liabilities left by him, the income of the earning member as also his liabilities whether the earning member is residing with the family of the deceased Government servant and whether he should not be a source of support to the other members of the family."

3.20 In para 11 of the said O.M. under sub-head "Selective Approach" in the instructions issued, emphasis has been to adopt a highly selective approach in view of the following instructions :—

- (a) The appointments made on grounds of compassionate should be done in such a way that persons appointed to the post do have the essential educational and technical qualification as required for the post consistent with the requirement of the maintenance of efficiency of administration.
- (b) These instructions do not restrict employment of sons/daughters/near relatives of deceased Group D Employees to a Group D post only. As such a son/daughter/near relative of a deceased employee can be appointed to a Group C post for which he is educationally qualified, provided a vacancy in Group C exists.
- (c) As the appointments have to be cleared at the Head of Department level, and as all the vacancies are to be pooled for compassionate appointment it may be ensured that subordinate and field offices get an equitable share in the compassionate appointments."

3.21 The Committee had desired to be intimated whether the Ministry of Finance or the Department of Personnel had defined the expression "indigent circumstances" in the context of providing employment to dependent of a deceased employee, in the additional information, the Ministry had stated :—

- "(v) No specific definition of the term "indigent circumstances" has been given by the Ministry of Finance or the Department of Personnel (the latter Department is the one concerned in the matter). The Department of Personnel & Training have left it to the discretion of the competent authority to decide the cases of the families which are found in indigent circumstances, on the merits of each case. The indigent circumstances are assessed by the competent authority after taking into account the totality of circumstances e.g., the number of dependents left by the deceased Government servant, his assets and liabilities, the in-

come of the earning member(s) as also his (their) liabilities, whether the earning member is residing with the family of the deceased Government servant and whether he should not be the source of support of the dependent members of the family."

3.22 The representative of the Ministry of Defence had informed the Committee that the cases for employment on compassionate grounds were decided on the basis of guidelines and orders issued by the Ministry of Personnel, Public Grievances and Pensions and that they took into consideration the indigent circumstances, number of dependents left behind, the assets and liabilities, etc.

3.23 This position is, however, not clear from the orders issued by Government which have been referred to above. "Indigent Circumstances" of a family appears to be relevant in such cases only where there is an earning member. It is also seen that the various amendments that have been made to the basic policy in this regard since 1978 had been to further liberalise the instructions with respect to widows. In the case of petitioner there is no earning member. She being qualified has asked employment on compassionate grounds, which has been denied to her.

3.24 The position of widows and dependents who have been provided employment on compassionate grounds in the Ministry of Defence as well as in CAO's office is given as under :—

Widows/dependents	No. of persons provided employment in Ministry	No. of persons provided employment in CAO's office
Widows	5 (Annexure I)	23 (Annexure III)
Dependents	17 (Annexure II)	77 (Annexure IV)
<i>Employment not provided</i>		
Widows	Nil (Annexure V)	4 (Annexure VI)
Dependents	2 (Annexure VII)	36 (Annexure VIII)

The details about the names of the deceased Government servants, persons applying for employment, family members, promotional benefits reasons for not providing employment etc. are given in the Annexures—indicated against each case referred to above.

3.25 From the above statements it is noticed that the Ministry of Defence has provided employment to all these five widows who have applied for employment *i.e.* cent per cent whereas in CAO's office only 85% of the widows have been provided employment. With respect to employment of the dependents, it is about 90% in the Ministry and 65% in CAO's office. These figures show that the Ministry has been more liberal in providing employment to widows and dependents of its deceased employees as compared to CAO's office.

3.26 From the study of other three cases where widows in CAO's office have not been provided employment (Annexure-V), it is noted that in two cases the widows are illiterate and the third is middle pass only. Two widows have no dependents and thus no liability and in third case the only son is employed. One of them has her own house also. Compared to this Smt. Paramjit Kaur's is a hard hit case, in as much as she has no earning member and has one dependent to support, *i.e.* daughter of 13 years age. She is eligible for employment being qualified (Intermediate).

3.27 From the study of cases of dependents of Government servants who died while in service and have not been provided employment on compassionate grounds in CAO's office, it is seen that out of a total of 36 cases, there are 29 cases where either the wives are in service or there are earning members in the family. Out of remaining 7 cases, in 5 cases persons who applied for employment on compassionate grounds were not eligible. In one case there was no liability and in respect of the remaining seventh case the terminal benefits were more and pension was higher compared to the case in dispute. The deceased in this case had also life insurance and the details about eight family members are not available with the Committee.

3.28 From the list of widows, of Government employees in CAO's office, who have been provided employment on compassionate grounds, it is noted that widow of one deceased ACSO, got more gratuity and higher pension as compared to the petitioner and being matriculate only she has been employed as LDC. The number of the family members left behind has been kept blank and we have to assume that there is none in this case.

3.29 A widow of a deceased Government employee who had put in seven and a half months service in CAO's office was provided employment on compassionate grounds (Annexure-III). From the statement relating to dependents of deceased Government servants there are 18 cases where the dependents who were 9th pass only, have been employed—6 out of them as LDCs and others as Peons only (Annexure-IV). Further from this Annexure it is seen that 4 brothers, 1 sister and 1 niece have been given employment on compassionate grounds.

3.30 During evidence, when two cases were brought to the notice of the representatives of the Ministry by the Committee and it was asked why Shrimati Paramjit Kaur did not deserve employment on compassionate grounds when her circumstances, if not more were equally bad, the representative of the Ministry stated that in both the cases the number of dependents were more than four.

3.31 In the present case the Committee were not convinced of the argument advanced by the representative of the Ministry that the number of dependents left behind by the deceased Government employee were taken into consideration for providing employment on compassionate ground to his widow, especially when Government on the other hand were giving incentives to persons going in for family planning and having lesser number of children.

3.32 When the Committee expressed their views that this case might be reviewed and she should be given a job, the representative of the Ministry submitted :—

“May I assure the Hon. Member that there is no question of prestige of either the Ministry or any individual involved in this case.”

3.33 To a question whether the case was referred to the then Department of Personnel, the representative of the Ministry stated that the Department would also take into consideration the provisions of the Constitution. It was not felt necessary under the prescribed rules. That kind of cases kept on coming to them every month and these were disposed of in the normal course of business. They had dealt with the case within the ambit of the powers delegated to them.

3.34 The Committee wanted to know whether he could refer the case to the Department of Personnel even at that stage. The representative of the Ministry stated that it was difficult for him to do it *suo moto*. He wanted the directive to be given in writing otherwise the department might think that he was unable to decide on the basis of the present rules. It was pointed out to him that the proceedings of the Committee were sufficient authority for taking action. The representative of the Ministry then stated, “I may not be misunderstood. What I feel is that on the basis of the facts of the case in my well considered judgement there is no case for referring it to the Department of Personnel.”

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

3.35 The Committee note that the request of Shrimati Paramjit Kaur, widow of an Assistant, Ministry of defence (CAO's Office) for employment on compassionate grounds has been turned down by the Ministry as according to them the

family is not in indigent circumstances, in view of the terminal benefits and family pension paid to her by Government, owning a house and the dependent being only one *i. e.* a daughter aged 13 years.

3.36 The terminal benefits in this case comprised of approximately Rs. 40,000/—, after recovery of house building advance and interest thereon and family pension of Rs. 200/—plus relief which in all comes to Rs. 440/—per month. The petitioner has written to the Committee that She is not getting any income from her house.

3.37 The Committee note that in the light of recommendations of the Fourth Pay Commission, the widow will now get some more amount as pension but its impact may not be much in view of rise in prices.

The Committee consider that Government should not have ignored the petitioner's statement that after discharging her late husband's liabilities to the tune of Rs. 34,500/—, she was left with a paltry sum of Rs. 5,092/—. It was incumbent upon Government to have gone into it, especially when they have conducted an inquiry before denying employment to the petitioner and intimating the Committee that they have no comments to offer in the matter.

3.38 The Committee also consider that the family pension paid to Shrimati Paramjit Kaur is insignificant, when viewed in the context that the family will now have to live with almost one-third amount compared to Rs. 1300/—per month when the husband was alive and the family pension after seven years will be reduced to half, but the need for the money in view of the marriageable age of daughter and other pressing demands will be more hard pressed. The Committee feel that if the statement of the widow that she was not getting any income from the house owned by her late husband was true, the terminal benefits that the widow has got can in no way be termed as sufficient in these hard days.

3.39 The Committee note that neither the Ministry of Finance nor the Ministry of Personnel, Public Grievances and Pensions (Ministry concerned in the matter) have defined the expression 'indigent circumstance' of the family for the purpose of providing employment on compassionate grounds to widows/dependents of the deceased Government employees. From the study of statement (circulated to the Committee at the time of evidence) giving details of employment provided or denied to the widows or dependents in the Ministry and CAO's office, the Committee note that the officers competent to deal with such cases have not followed the guidelines and instructions in the spirit in which Government have issued them and the result has been that person like Shrimati Paramjit Kaur who needed immediate relief and succor after her husband's death is still unemployed. Government's seven amendments to the basic policy statements since November, 1978 by liberalising instructions, specially in respect of widows, demonstrate that the State is striving to secure social order for the welfare of the people.



3.40 The Committee are convinced that the officers competent to implement Government's social Policy have laid unnecessary emphasis on the number of dependents that have been left behind by the deceased Government servant, which in the opinion of the Committee need not have been taken into consideration for providing the petitioner right to work, to live honourably and peacefully, especially when Government are aware that she is qualified, there is no earning member in the family, terminal benefits are inadequate and from her house she is not getting any income. Action of competent officers has been against the proclaimed policy of the Government of giving incentives to persons going in for family planning and having lesser number of children. It is the bounden duty of officers, who have been placed in high position to seek clarifications from their higher officers, Ministers even, if the need be, when during implementation of policies, it is noticed by them that a particular policy was working against the basic policy approved by Parliament.

3.41 The Committee note that Shrimati Paramjit Kaur's case has not been referred to Ministry of Personnel, Public Grievances and Pensions, as has been the practice followed by some Ministries. To a specific question by the Committee, as to whether such a reference will be made, the representative of the Ministry replied in the negative stating that the case has been decided within the ambit of powers delegated and it was difficult for him to do it *Suo moto*.

3.42 The Committee strongly recommend that Shrimati Paramjit Kaur's case may be reviewed by Government. The indigent circumstances of the family should be clearly defined, taking into account Government's policy in the matter of family planning so that the discretion of the competent officer to provide employment, which in the opinion of the Committee has not been properly used in this case and in some other cases also, does not become a matter of dispute.

## IV

### ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THEIR TENTH REPORT (SIXTH LOK SABHA) AND EIGHTEENTH REPORT (SEVENTH LOK SABHA) OF THE COMMITTEE ON PETITION NO. 21 REGARDING REHABILITATION OF THE BHAKRA DAM OUSTEES.

4.1 Petition No. 21 (*See Appendix*) regarding rehabilitation of Bhakra Dam oustees was presented to Lok Sabha on 31.8.1978. The Committee on Petitions considered this petition and in their Tenth Report (Sixth Lok Sabha) presented to Lok Sabha on 9 May, 1979, made the following recommendations :—

“The Committee note the factual position stated by the Ministry of Energy (Department of Power) on the various points raised in the petition. The Committee recommend that the Central Government may take up the question of granting of proprietary rights to the Bhakra Dam displaced persons with the State Government of Haryana. The Government may also consider the question of giving other economic facilities to the displaced persons like bank loans etc. in order to enable them to rehabilitate themselves properly and make their lands viable units.

The Committee also feel the need for setting up of a National Fund to be contributed by the beneficiaries of the Dam Projects in the country for the rehabilitation of the displaced persons. The Committee are further of the view that rehabilitation concessions should be given to the displaced persons in the matter of education, relaxation in age limit for employment etc.”

[Paras 6.5 and 6.6, page 34, Tenth Report (6LS)]

4.2 After considering the action taken reply of the Ministry of Energy on the aforesaid recommendations, the Committee on Petitions, in their Eighteenth Report (Seventh Lok Sabha), presented to Lok Sabha on 9 May, 1984, have observed as follows :—

“The Committee note the position stated by the Ministry of Energy in their action taken reply that the action on their recommendations for grant of proprietary rights to the Bhakra Dam displaced persons and for giving other economic facilities like bank loans etc., to rehabilitate them properly had been taken by the Government.

In regard to other recommendations for setting up a National Fund for the Bhakra Dam oustees and for giving them rehabilitation concessions, the Committee have noted from the reply furnished by the Ministry of Irrigation that both of these recommendations are under consideration of the Committee of Ministers set up by the Government to look into the question of laying down national norms for land acquisition and rehabilitation measures for people displaced by major water resources projects.

In view of the above position, the Committee trust that early action will be taken by Government to finalise their decisions and that the Committee will be informed of these decision sin due course."

[Paras 7.5 and 7.6, Page 50 Eighteenth Report (7 LS)]

4.3 The Ministry of Irrigation, with whom the matter was taken up, have stated in their communication, dated 23 May, 1984, as follows :—

"The matter was taken up with the Member Ministers of the Committee of Ministers constituted by this Ministry for laying down National Norms for land acquisition and rehabilitation measures for the persons displaced by major water resources projects. The views of Committee on the recommendations of the Committee on Petitions on the two recommendations are as follows :—

- (i) A National Fund to be contributed to by the beneficiaries of the dam projects in the country for rehabilitation of the displaced persons.

The Committee is of the view that the cost of the rehabilitation of the displaced persons should be directly charged to the projects themselves and not depend on the national fund the size of which may be indeterminate on account of the fact that the contributions from the beneficiaries may not flow regularly or smoothly. Further, the idea has many practical difficulties. By and large the beneficiaries of irrigated areas would not like to contribute to any such fund as they expect the Government to provide for adequate welfare of the displaced persons.

- (ii) The rehabilitation concessions should be given to the displaced persons in the matter of education, relaxation of age limit for employment etc.

The Committee agree with the recommendations of the Committee on Petitions for providing such concessions to the displaced persons. Such benefits are already available to the members of the Scheduled Castes and Scheduled Tribes under the provisions of the Constitution By an executive order these concessions could be extended to the persons not belonging to these categories."

4.4 In their further communication dated 31 May, 1985, the Ministry of Irrigation and Power (Department of Irrigation) have informed as follows :—

“The Committee of Ministers for laying down norms for land acquisition and rehabilitation measures for people displaced by major water resources projects has not yet finalised their report and the views of the Committee on the two recommendations of the Committee on Petitions are being processed for their acceptance as interim recommendations of the Committee. Further action for issue of necessary executive orders will be taken after the interim recommendations are accepted by the Government.”

4.5 The Ministry of Water Resources was asked on 26.8.1985 to furnish the latest position of the case. The Ministry of water Resources *vide* their letter dated 29 November, 1985 have informed as follows :—

“The Committee of Ministers has not met for a long time and has been dormant. In views of this, we now propose to de-link this issue from the Committee of Ministers. However, as the feasibility and propriety of issuing an executive order extending certain concessions meant for Scheduled Castes and Scheduled Tribes to displaced persons has to be examined in consultation with the Department of Personnel and Training, this is likely to take sometime.”

#### *Evidence before the Committee*

4.6 The Committee considered the matter at their sitting held on 14 January, 1986 and decided to take oral evidence of the Ministry of Water Resources on the matter.

4.7 The Committee examined the representatives of the Ministry of Water Resources on 15 April, 1986 in connection with the action taken by Government on Tenth Report (Sixth Lok Sabha) and Eighteenth Report (Seventh Lok Sabha) of the Committee on Petition regarding rehabilitation of Bhakra Dam oustees.

4.8 While reply to Committee's query about the action taken by Government on the Eighteenth Report (Seventh Lok Sabha), the representatives of the Ministry of Water Resources stated that their Ministry intimated to Lok Sabha Secretariat in November, 1985 that they had been waiting to finalise the matter in the light of the final report of the Committee of Ministers. As the Committee of Ministers had been dormant for a long time, the Ministry proposed to delink the issue from the Committee of Ministers and it was pointed out in that letter that the feasibility and propriety of issuing an executive order extending certain concessions meant for Scheduled Castes and Scheduled Tribes to displa-

ced person so had to be examined in consultation with Department of Personnel and Training. That was likely to take some time. Accordingly, the Ministry with the approval of the Minister, made a reference to the Department of Personnel and the matter was engaging the attention of that Ministry in the last two months and so, they had not yet come to a conclusion.

4.9 On being further asked by the Committee whether Government had accepted the recommendations or not, the representative of the Ministry stated that their Ministry proposed its acceptance but the matter was under examination in other Department of the Government. The view of the Government would emerge when the advice of the other Department becomes available. On further query, the representative of the Ministry stated that Bhakra Dam was a subject matter of the Ministry of Energy. The Ministry of Irrigation came into the picture with regard to issuance of general norms because at that time there was a Committee of Ministers in the Ministry of Irrigation which was going into the question of general norms. So, the two recommendations of the Committee about the setting up of a fund and giving concessions to displaced persons, which are available to SC/ST, were referred to the Committee of Ministers.

The representative of the Ministry also informed the committee that it was thought that the Ministers' Committee was going to lay down general norms which would be applicable to all the States in regard to rehabilitation and land acquisition procedure.

When asked by the Committee what were the norms that the Ministry were guided by, the representative of the Ministry replied that the Committee of Ministers had so far not been able to submit its report in the final form to the Government. These varied from State to State and from project to project. He pointed out further that that Committee of Ministers was constituted in 1975. In 1977, a change in the Government—both at the Centre and States—took place. In 1980, again, there was a change in government and all that. It could not pick up such momentum and so, it could not come to any conclusion.

4.10 On being asked whether that Committee had been dissolved, the representative of the Ministry informed that it has not been formally dissolved but it was dormant. It had been decided recently not to revive or reactivate that Committee. He further pointed out that laying down of national norms for land acquisition and rehabilitation measures were considered in other forums. There was a Committee of Secretaries for rehabilitation and laying down of norms. Replying to Committee's query, he agreed that the poor people had suffered for 28 years.

4.11 When enquired about the concessions to be given to the persons, who had been adversely affected by acquisition of land, the representative of the Ministry informed that they were processing with the Department of

Personnel. He further informed that they were not dealing with the oustees problems. They were concerned about anything happening in the nation in respect of the water resources development project but the Bhakra Dam issue was being handled by the Ministry of Energy.

4.12 When asked to explain how the Ministry of Energy was concerned about that particular thing, the representative of the Ministry pointed out that Bhakra-Beas Management Board was under the Ministry of Energy for the administrative and Governmental control. So, all these problems were managed by Management Board of Bhakra-Beas. The Budget of that Board was also handled by that Ministry.

4.13 Committee noted that such concessions were already available to the members of SC/ST, under the provision of the Constitution of India and suggested that by an executive order these concessions could be extended to the other categories also. While elucidating the reason for delay in issuance of the executive order extending these concessions to the other categories, the representative of the Ministry stated that the consensus of the Committee of Ministers was examined in the Ministry of Water Resources. In reply to a query, he stated that the Committee of Ministers was constituted by the Ministry of Agriculture and Irrigation in 1975, and the Union Deputy Minister for Agriculture and Irrigation was its Chairman. State Ministers included in the Committee were from Bihar, Gujarat, Karnataka; Madhya Pradesh, Maharashtra, Rajasthan and U. P.

4.14 When asked to state whether that Committee had drawn up any proceedings whatsoever and were there meetings and what were its deliberations with regard to creation of national fund, the representative of the Ministry informed that they held two meetings *i.e.* during 1975 and 1981 but the report of the Committee could not be finalised. The views of the States were called for and circulated. There was a consensus that creation of a national fund was not possible and it was not agreed to. As regards extending of the benefits in terms of relaxation of age and educational qualifications that was agreed to. The Ministry of Water Resources referred the issue to the Department of Personnel and Training on 10 March, 1986 for an early decision.

4.15 The representatives of the Ministry then promised to pursue the matter with the Department of Personnel and Training.

4.16 The Ministry of Water Resources were asked to state whether the executive orders extending economic benefits to Bhakra Dam oustees had since been issued or not. The Ministry of Water Resources informed *vide* their U.O. dated 12 December, 1986, as follows— ;

“This Ministry has not been able to issue the executive orders extending economic benefits to Bhakra Dam oustees so far. As mentioned during the evidence given on 15.4.1986, this Ministry is not competent to issue such orders on its own and accordingly, the matter was referred to the Department of Personnel and Training on 10.3.1986 for examining the feasibility and propriety of the proposal. The matter has since then been under correspondence with the Department of Personnel and Training. This Ministry has tried its best to furnish the clarifications/information in respect of various queries raised from time to time. However, the Department of Personnel have again reiterated that the requisite information may in the first instance, be collected from the State Governments to arrive at a logical conclusion.”

4.17 The Ministry have also enclosed a copy of the last reference dated 21 November, 1986 from the Department of Personnel. The Department of Personnel have stated as follows :—

“Although there could be no comparison between the concessions available to the members of the SC/ST communities, which at the present moment is uniformly five years over and above the upper age limit prescribed for employment to the persons belonging to the general category, as there is a specific clause in the Constitution of India empowering the Government for making any special provision for the advancement of the persons belonging to SC/ST Communities, yet nothing prevents the Government from granting such concession in favour of the oustees of lands, whose lands are acquired for public purpose of execution of major water resources development projects, in the interest of nation-building, without any direct benefit to such oustees, based on reasonable classification, which test the oustees will no doubt satisfy. This issue, however, needs to be examined in depth in consultation with the Ministry of Law.

A number of river water projects have been constructed in the country commencing with Bhakra Dam in early fifties. It is presumed that the State Governments must be extending certain concessions to such oustees whose lands have to be acquired for the construction of the projects. The collection of information from the State Governments is very necessary to know the magnitude of the problem and the extent of concessions being granted by the various State Governments to examine to what extent they are able to provide them employment and to what extent there is need to grant concessions in upper age limit in the matter of employment under the Central Government. It is expected that a vast majority of these oustees being illiterate would be eligible for appointment to Group ‘D’ posts only with the exception of a few who would be eligible to Group ‘C’ posts. It is possible that a majority of them may not be willing to move to cities located at distant places for employment

in Group 'D' posts in which case the whole exercise of giving age concessions as contemplated by the Ministry of Water Resources would become futile. We may, therefore, enjoin upon that Ministry that the collection of requisite information from the State Governments is very necessary in arriving at a logical conclusion. This exercise even though time consuming is required to be gone into. In order that the furnishing of information is not unduly delayed by the State Governments, we may suggest the Ministry of Water Resources to take up the matter demi-officially at the level of Chief Secretary. It is only, thereafter, that the matter could be examined in totality."

**4.18** The above matter is being examined by the Ministry of Water Resources for action.

**4.19** The Committee are constrained to note that the two recommendations made in their Tenth Report (Sixth Lok Sabha) on 9.5.1979 regarding setting up of National Fund to be contributed by the beneficiaries of the Dam Projects and granting of proprietary rights to the Bhakra Dam Oustees and also giving them rehabilitation concessions have yet to be implemented by the Government in spite of their acceptance of Committee's recommendations at action taken stage.

**4.20** The Committee are not happy over the lackadaisical manner in which the recommendations of the Committee had been handled by Government. In their Eighteenth Report (Seventh Lok Sabha) presented to Lok Sabha on 9.5.1984, the Committee had trusted that in view of the fact that the Committee of Ministers of State for Irrigation was seized of these matters, early action would be taken by Government to finalise their decisions and the Committee informed of it in due course. Government informed the Committee on 23. 5 .1984 that the Committee of Ministers was in agreement with the recommendations of the Committee on Petitions for providing such concessions to displaced persons as the same were already available to the members of the Scheduled Castes and Scheduled Tribes. The Committee of Ministers was of the view that these concessions could be extended by an executive order.

**4.21** After more than one year on 31. 5. 1985, the Committee were informed by the then Ministry of Irrigation and Power that the Committee of Ministers had not yet finalised their report and the recommendations of the Committee on Petitions were being processed for acceptance as interim recommendations of the Committee of Ministers. Necessary executive orders would be issued after the interim recommendations were accepted by Government. In reply to Committee's communication dated 26.8.1985, Government on 29.11.1985 intimated that the Committee of Ministers had not met for a long time and had been dormant and in view of this the decision was proposed to be delinked from the Committee. They also informed the Committee that extending of concessions through an executive orders called for consultation with the Department of Personnel and Training which was likely to take some time.



4.22 During evidence on 15.4.1986, the representative of the Ministry of Water Resources reiterated the position stated above with respect to Committee of Ministers and also stated that the reference was made to Department of Personnel and Training in this regard on 10.3.1986. Subsequently, on 12.12.1986, the Ministry informed that they had not been able to issue executive orders extending economic benefits to Bhakra Dam Oustees so far. "The matter has since then been under correspondence with the Department of Personnel and Training. This Ministry has tried its best to furnish the clarifications/information in respect of various queries raised from time to time. However, the Department of Personnel have again reiterated that the requisite information may in the first instance, be collected from the State Governments to arrive at a logical conclusion."

4.23 The Committee need hardly emphasise the importance that need to be attached to such matters which have a direct bearing on the living conditions of poor and illiterate people, especially those who have made sacrifices (without any benefit to them) for the development of the region/country at the cost of their livelihood. The poor evacuees in the present case, as admitted by the representative of the Ministry during evidence, have suffered for 28 years and as things stand at present, which is evident from the correspondence going on for about a year or so between the Ministry of Water Resources and Department of Personnel and Training, no tangible solution that might mitigate the sufferings of the oustees appears to be in sight in the near future.

4.24 The Committee strongly feel that Government should take necessary positive action so that the economic benefits to the Bhakra Dam Oustees are extended without any further delay. In this respect they recommend that this matter should be accorded priority and considered at a higher level, so that the problems, if any, are sorted out expeditiously and the rehabilitation concessions to those who have already suffered a lot are passed on to them urgently. The Committee would like to be intimated of the action taken by the Government in the matter at an early date.

**ACTION TAKEN BY GOVERNMENT ON THE RECOMMEN-  
DATIONS OF THE COMMITTEE ON PETITIONS CONTAIN-  
ED IN THEIR TWENTIETH REPORT (7 LOK SABHA) ON  
THE REPRESENTATION REGARDING ACCEPTANCE  
OF CHARTER OF DEMANDS SUBMITTED BY  
NATIONAL COORDINATION COMMITTEE OF  
INDIAN TEACHERS' ORGANISATIONS,  
BHUBANESWAR.**

In their Twentieth Report (Seventh Lok Sabh), presented to Lok Sabha on the 23rd August, 1984, the Committee on Petitions dealt with a representation regarding acceptance of a charter of demands submitted by the National Coordination Committee of Indian Teachers' Organisation, Bhubaneshwer and made the following observations/recommendations :—

“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.

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. 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.

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 the whole of 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."

[ Paras 4.5-4.7 pp 19-20, 20 (R)7LS ]

5.2 The matter was taken up with the then Ministry of Education and Culture (Department of Education) for implementation. In their communication, dated the 20th November, 1984, the Ministry of Education and Culture (Department of Education) have stated as follows :—

"The Minister of State for Education & Culture has addressed (See Appendix-VII) all State Governments/UTs Administration to implement the system of salaries direct payment through Bank/Treasury to teachers of aided institutions. However, since the methodology to be adopted by different States would be dependent upon local conditions, no specific framework has been outlined to them."

5.3 The action taken reply of the Ministry was considered by the Committee on Petitions at their sitting held on 4 October, 1985. The Committee directed that the Ministry of Human Resource Development (Department of Education) might be asked to apprise the Committee about the reaction of the State Governments/Union Territories Administration to the Ministers' proposal in this regard.

5.4 Subsequently, as desired by the Committee, the Ministry of Human Resource Development (Department of Education) *vide* their O.M. dated 18 November, 1985 and 6 May, 1986 has furnished the replies (*See Appendix VIII*) from the States/Union Territories in response to Ministers proposal in this regard and also informed that school education is primarily the concern of the State Governments and is largely managed by them. As such, the decision on making direct payment to teachers or other-wise will have to be taken by respective State Governments.

5.5 The Committee appreciate that Governments of 11 States *viz.* Andhra Pradesh, Bihar, Gujarat, Karnataka, Kerala, Maharashtra, Tamil Nadu, Uttar Pradesh, West Bengal, Jammu & Kashmir and Madhya Pradesh, and 4 Union Territories *viz.* Delhi, Goa, Daman & Diu, Lakshadweep and Chandigarh have already implemented the system of direct payment of salaries to teachers of their aided institutions and other four States *viz.* Haryana, Rajasthan, Tripura

and Orissa and three Union Territories *i.e.* Dadra and Nagar Haveli, Pondicherry and Andaman and Nicobar Islands are examining the proposals in this regard. The Committee also note that seven States *viz.* Nagaland, Punjab, Sikkim, Tripura, Manipur, Himachal Pradesh, Meghalaya and Assam have not agreed to the proposal of the Committee as they are not finding any flaw in their existing system of payment and two Union Territories of Arunachal Pradesh and Mizoram have not agreed to the proposal due to non-availability of treasury/banking facilities.

5.6 The Committee trust that the State and Union Territory Governments who have not introduced the system of direct payment to teachers of their aided schools so far, will also in due course of time fall in line with those who have already adopted it.

## VI.

### OTHER REPRESENTATIONS

6.1 During the period under report, the Committee have considered two other representations (See Appendix IX), received from individuals which were inadmissible as petitions.

6.2 In case of Serial No. 1 of the Appendix relating to the representation from Shri P. N. Gulati, former Assistant, Ministry of External Affairs, regarding payment of arrears in respect of advance increments sanctioned in his favour in 1964, the Committee is satisfied with the reply furnished by the Ministry of External Affairs. The Committee also note from a letter dated 30 October, 1986 received from Shri Gulati that the Foreign Secretary has offered him *ex gratia* amount of Rs. 15,000 but he would like to have what is due to him and feel that in view of offer by foreign Secretary of Rs. 15,000 which is not a paltry sum, no further intervention on their part is required in the matter.

In case of Serial No. 2 relating to the representation from Shri Narsingh Dube, Branch Secretary, National Seeds Corporation Workers Union, Gorakhpur, regarding regularisation of daily wage workers, the Committee note with satisfaction the contents of the reply furnished by the Ministry of Agriculture. The Committee trust that the Ministry would expeditiously finalise the regularisation of services of remaining daily wage workers working in National Seeds Corporation and the Committee may be informed of the position in due course.

NEW DELHI;  
Dated 22 January, 1987

ABIDA AHMED,  
Chairman,  
Committee on Petitions.

## APPENDIX I

(See para 2.13 of the Report)

*Order of the Directorate General, CRPF, R.K. Puram, New Delhi*

No. P-XII 68/79 Adm. II

Dated: 10th January, 80.

### Order

Ex-constable No. 690421039 Kumar Pal Singh of Group Centre, New Delhi has submitted a review petition to me against the order of his dismissal from service passed by the Commandant, Group Centre, CRPF, New Delhi under Rule 27 (cc) (ii) of the CRPF Rules 55 read with Clause (b) of the second proviso of clause (2) of Article 311 of the Constitution of India. Owing to alleged acts of insubordination, indiscipline, dereliction of duty and dis-obeying lawful command during the strike by the CRPF men his appeal was rejected by DIG (P), CRPF, New Delhi and the revision petition turned down by the IGP S/III CRPF New Delhi on merits.

I have carefully gone through the review petition of ex-constable No. 690421039, Kumar Pal Singh *vis-a-vis* dismissal order passed by the Commandant Group Centre, CRPF, New Delhi. I have also considered the orders passed by the DIG (p), CRPF, New Delhi and the IGP S/III CRPF, New Delhi and facts of the case. The main contentions of the delinquent are that he had been sincere, honest and true to his duties during the period of 10 years of service and that he was working as Orderly with Mrs. Thapa wife of Shri MC Thapa, Dy. S.P. and she should have been called in evidence before passing the order. The Commandant, Group Centre, CRPF, New Delhi, has clarified as to why regular departmental inquiry was not reasonably practicable. The competent authority has indicated why no inquiry was practicable in the facts and the circumstances, of the case as mentioned in the dismissal orders. There are, therefore, no grounds to interfere with the orders already passed by the Commandant Group Centre, CRPF, New Delhi. I am satisfied that there was material before the competent authority to arrive at the decision that it arrived at. Under the circumstances the review petition of ex-constable Kumar Pal Singh is hereby rejected.

Sd/—P. R. RAJAGOPAL  
*Director General, CRPF.*

## APPENDIX II

(See para 2.23 of the Report)

*Text of Order issued by the Commandant, Group Centre, CRPF, New Delhi*

"Whereas a large group of well over five hundred members of the CRPF Group Centre and various other units stationed by Jharoda Kalan resorted to strike as a sequel to the agitation by the constabulary of various Police Organisation in the country;

And whereas the members of the said Force collectively indulged in acts of insubordination, indiscipline, dereliction of duty, disobedience of lawful command, desertion of their posts and duties since the night of 22nd June, 1979, in utter disregard to their duties as members of the Force as laid down in the CRPF Act, 1949 and CRPF Rules, 1955 and instructions published thereunder ;

And whereas the aforesaid group also indulged in threat of violence, bodily harm, assault and criminal intimidation towards the loyal members of the Force, and their superior officers;

And whereas by the aforesaid collective action, the said members of the Force, created a situation whereby the normal functioning of the Force was paralysed and rendered impossible;

And whereas 690421039 CT-KANWAR PAL SINGH an active participant of the aforesaid group was found to be absent from duty unauthorisedly and indulged in various acts of indiscipline and misconduct as aforesaid which are also punishable under section 11 of the CRPF Act, 1949 read with rule 27 of the CRPF Rules, 1955;

And whereas I am satisfied that it is not reasonably practicable to hold a regular departmental enquiry in the facts and circumstances set out below : namely (1) it would be highly prejudicial to the general interest and discipline of the Force (2) the aforesaid member of the Force individually and collectively would not cooperate or associate themselves with the enquiry proceedings and there is reasonable apprehension of their whereabouts not being ascertainable (3) it is apprehended that the said members of the Force would create various difficulties and impediments to the holding of enquiry leading to a situation jeopardizing the life and the security of loyal members of the Force in general and the Enquiry Officer and the witnesses in particular (4) it would generate further unrest leading to uncontrollable situation (5) it would constitute an irritant and

reminder of the unpleasant events to those who are on duty and also would retard the process of normalisation in the disciplined Force.

And whereas I am satisfied that in the aforesaid facts and circumstances invoking of the provisions of Rule 27(cc) (ii) of the CRPF Rules, 1955 is the only practicable and prudent course of action.

And whereas on a consideration of the facts and circumstances of the case and the degree of involvement of No. 690421039. CT Kanwar Pal Singh in the aforesaid acts of indiscipline and misconduct, I am satisfied that the penalty of dismissal from the Force would be adequate punishment.

Now, therefore, in the exercise of the powers conferred by sub rule CC(ii) of Rule 27 of the CRPF Rules 1955 read with clause (b) of the second provision to clause (2) of Article 311 of the Constitution and table 4/R of the Rule 1955 I hereby order that No. 690421039 CT Kanwarpal Singh be dismissed from service with immediate effect.

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## APPENDIX III

### *Representation from Shrimati Paramjit Kaur seeking employment on compassionate grounds*

*(See para 3.2 of the Report)*

To

The Chairman,  
Committee on Petitions,  
Lok Sabha,  
New Delhi-110001.

Sir,

My husband, Shri Harcharan Singh, was working as Assistant (Class II, Non Gazetted) in the Naval Headquarters. He went as usual to the office on 24.11.84. At about 12.30 hours, I received a message that my husband has been admitted to in the Ram Manohar Lohia Hospital and found my husband lying in an unconscious condition. He did not regain his consciousness till his death on 2.12.84.

2. I was told that my husband while working in the office, fell from his chair and that he was taken to the Dispensary attached to the office where his stomach was washed. As he was not showing any signs of improvement, he was shifted to the Ram Manohar Lohia Hospital where he remained in the Recovery Room till his death.

3. My husband was the only earning member in the family and after his death, there being no other source of income, I applied for the appointment as a Lower Division Clerk on compassionate grounds. I was told that the form has not been correctly filled up. I being a house lady and unaware of the administrative formalities, filled up the form to the best of my ability and assistance I got from the people, who, were also not very much conversant with the office procedure. Moreover, I was under great mental shock and not in a fit frame of mind at that time.

4. In every Central Government Department, there is a welfare officer, who is supposed to render necessary assistance and guidance to the Central Government employees and their families in duress. I am sorry to state that no such officer from Defence Department ever visited me.

5. I have received a sum of Rs. 39,592/- on account of payments due to my late husband. Out of these I have discharged the liabilities of my late husband to the tune of Rs. 34,500/- thus leaving on a paltry sum of Rs. 5092/- for me.

6. I have been informed by the Chief Administrative Officer, Ministry of Defence, *vide* his letter No. A/222875/192/CAO/R-1 dated 3rd June, 1985 that keeping in view the circumstances of the case, it has not been found possible to agree to my request for appointment on compassionate grounds. I fail to understand the logic on which my request has been turned down whereas the circumstances of the case fully justify my request for appointment on compassionate grounds as under :

(a) According to the Department of Personnel & Administrative Reforms O.M. No. 14034/1/77-Estt(D) dated 23rd May, 1978 the son/daughter or near relative of a Government servant who dies in harness can be appointed to the post of Lower Division Clerk if the family stands in *immediate need of assistance* and that there is no other *earning member in the family*. There is no other consideration in such appointments and in my case the said conditions are fully fulfilled as under :

- (i) That my husband died in harness at the prime age of 46. He fell sick in the office and never regained consciousness till his death which implies that he died while working in the office.
- (ii) He has left behind besides my self age 42 years, his daughter of age 13 years and there is no other earning member in the family.
- (iii) I am an ~~and~~ Intermediate and have applied for the post of LDC for which I am eligible. No relaxation in educational qualifications is required.

7. I have been granted family pension of Rs. 200/- upto 1991 and thereafter Rs. 100/- per month plus allowances. My daughter is reading in VIII class and for completing her education in these hard days you can well imagine the plight of a widow with a family pension of Rs. 200/- per month.

I will have also to perform the marriage ceremony of my daughter. Everyone knows what a marriage ceremony costs now-a-days.

8. From the above it may kindly be seen that the circumstances of my case fully justifies my appointment on compassionate grounds as per the directive of the Ministry of Home Affairs and to say that my husband has left enough or the Deptt. is paying enough to sustain my family is not based on facts. In case there are special circumstances under which my case is to be dealt with, then the same may kindly be intimated.

9. There are hundreds of cases in which widows of even Joint Secretary level officers of the various ministries have been given appointments by creating special posts for them. Now with the introduction of Central Government Insurance scheme widow of every Class II officers is to get Rs. 40,000/- and the widow of Class I officer as Rs. 80,000/- as compensation plus Rs. 6,000/- to Rs. 10,000/- as Leave Salary encashment plus DCRG. The total of all these will generally be between Rs. 80,000/- to Rs. 1,50,000/- does this mean that widows/ Sons/daughter of these employees will not be eligible for appointment on welfare scheme to lessen the burden of the deceased family and not to deny the concession available to them. If the Department of Defence examines the cases decided by their own Ministry they will find that they had given appointment on compassionate grounds in many cases, where the widows have got much more than what I have been paid.

10. You will certainly agree with me, Sir, that a widow with a child cannot maintain the family with a meagre family pension of Rs. 200/- per month for a period of seven years and thereafter on a family pension of Rs. 100/- per month. There are cases in multiple where the widows of officers having no children have been given appointments on compassionate grounds and others having received a lakh and above.

11. I have every hope that your honour will very kindly intercede in the case personally and help me in getting justice from the Defence Ministry.

With regards and hoping for an early reply.

Yours faithfully,

Sd/-

(PARAMJIT KAUR)

H3/13 I, VIKASPURI

NEW DELHI—110009.

Dated : 12.9.1985.

## APPENDIX IV

### *Para-wise comments furnished by the Ministry of Defence on the representation from Shrimati Paramjit Kaur*

(See para 3 of Memo. No. 11)

*Paras (1) and (2) :* Shri Harcharan Singh, an Ex-Assistant was working in the Directorate of Naval Plans, Naval Headquarter and fell sick in the Office on 24 November, 1984. He was immediately taken to the Hospital for treatment in an unconscious state. Special messenger was sent to his wife to inform about her husband's sickness. Unfortunately, Shri Harcharan Singh died on 2 Dec. 1984.

*Paras (3) and (4) :* Application forms for employment on compassionate grounds were delivered to Smt. Paramjit Kaur at her residence for completion, by Naval Headquarter. After getting the forms completed and completing all the formalities at Naval Headquarter necessary forms were sent to the CAO's office where the case was processed.

*Para (5) :* The family was entitled to receive a sum of Rs. 70,173.70 as terminal benefits after the death of Shri Harcharan Singh. Since Shri Harcharan Singh had taken house building advance during his life time, out of which Rs. 30,580/- including interest was left unrecovered, the payment of terminal benefits was made to the family after making adjustment of the unrecovered amount out of Group Insurance amount. After meeting the liabilities of late Shri Harcharan Singh, a sum of approximately Rs. 40,000/- has been paid to the family. In addition to this what other liabilities Shri Harcharan Singh had, this office is not aware of. Smt. Paramjit Kaur has not specified what liabilities she has discharged on behalf of her late husband and hence this office has no comments to offer.

*Para (6) :* The case for compassionate appointment of Smt. Paramjit Kaur had been considered a number of the times. The family of late Shri Harcharan Singh consists of his wife, Smt. Paramjit Kaur and a 13 years old daughter. The family got amount of approximately Rs. 40,000/-, after recovery of house building advanced, as terminal benefits. Besides, the widow gets the family pension of Rs. 200/- per month, which after addition of relief etc. comes to approximately Rs. 440/- per month. The family also owns a house in Delhi. Incidentally, it is worth nothing that the deceased Government servant had been allotted a Government accommodation (viz. B-7. M.B. Road, New Delhi), which he had misutilised by renting out the accommodation to one Shri P. K. Patandi on a monthly rent of Rs. 550/- per month.

Under the instructions issued by the Department of Personnel, compassionate appointment can be offered to the son, daughter, near relative etc. of a deceased Government servant provided the family is in indigent circumstances and needs immediate financial assistance. Keeping in view the fact that Smt. Paramjit Kaur owns a house in Delhi, has only one child to support, the terminal benefits and family pension of approximately Rs. 440/- per month the family is getting, the family has not been considered to be placed in indigent circumstances. Due to spate of representations by Smt. Paramjit Kaur the case has been considered repeatedly at the level of Additional Secretary and Defence Secretary too, but it has not been found possible to consider this case as a deserving one for offering compassionate appointment.

*Para (7) :* The widow has been granted family pension of Rs. 200/- per month with effect from 3 December, 1984. The pension alongwith relief works out approximately Rs. 440/- per month.

*Para (8) :* In view of the position explained in para (6) above it has been considered that the circumstances of the case do not justify the appointment of Smt. Paramjit Kaur on compassionate grounds.

*Para (9) :* The cases of compassionate appointments are required to be examined on the basis of the circumstances of each individual case and compassionate appointment is offered only if the family is placed in indigent circumstance and in need of immediate financial assistance. This office is not aware of a widow of any officer of Joint Secretary's level having been offered compassionate appointment. Since Smt. Paramjit Kaur has not quoted any specific case, this office has no comments to offer.

*Para (10) :* The position has been explained in para (6) above and since no specific case has been quoted by the petitioner, this Office has no comments.

*Para (11) :* This para contains request and has such need no comments.

Sd/-  
(P. N. REDDI)  
DY CAO (R)  
17.10.1985  
Tele : 3018214

## APPENDIX V

No. 14014/1/77-Estt (D)

Government of India/Bharat Sarkar

Ministry of Home Affairs/Grih Mantralaya, Department of Personnel and Administrative Reforms

(Karmik Aur Prashasanik Sudhar Vibhag).

New Delhi, the 25 Nov. 1978.

### OFFICE MEMORANDUM

**SUBJECT :** *Compassionate Appointments of Son/Daughter/Near Relative of deceased Government Servants-Consolidated Instructions*

The undersigned is directed to say that in supersession of this Department's O. M. No. 14034/1/77-Estt(D) dated 23 May, 1978; the following revised instructions are circulated for information and compliance :

- |  |  |
|--|--|
| 1. A General Scheme                              | 1. Ministries/Departments are competent to appoint in relaxation of the procedure of recruitment through the staff Selection Commission or Employment Exchange, but subject to the other requirements set out below, the son/daughter/near relative of a Government servant who dies in harness, leaving his family in immediate need of assistance, in the even of there being no other earning member in the family, to a Group 'C' post or Group 'D' post, after the proposal for such appointment has been approved by the Joint Secretary Incharge of the Administration or Secretary in the Ministry/Department concerned. In attached and subordinate Offices the power of compassionate appointment may be exercised by the Head of the Department under Supplementary Rule No. 2(10). |
| 1. B Authority competent to make the appointment |  |
| 2. Filling of posts                              | 2. While the restriction of the percentage of 3 per cent earlier laid down for making compassionate appointment is removed, the appointing authorities may exercise care so that the number of posts to be remarked do not exceed substantially and  |

significantly 50 per cent of the vacancies in any calender year after allowing for the following reservations which will not be the same for all cadres :

(i) Scheduled Castes	15%
(ii) Scheduled Tribes	7.5%
(iii) Ex-servicemen	10%
(iv) Group 'D' Employees	10%
(v) Handicapped	3%
(vi) Other categories	Under considera- tion.

### 3. Eligibility

3. Ministries/Departments are aware that applicants for compassionate appointment should be appointed only if they are eligible and suitable for the posts in all respects under the provisions of the Recruitment Rules, Cases where the conditions of the family is very hard and appointment can be made only by relaxation of educational qualifications. Department may relax educational qualifications in case of appointment at the lowest level *i. e.* Group 'D' or LDC post where a son/daughter/wife/near relative applying for the posts does not yet have the necessary qualification and has to be given an opportunity to acquire the requisite qualification. This relaxation will be permitted for a period upto two years. Beyond this no relaxation of educational qualification will be admissible and the services of the person concerned is still unqualified are liable to be terminated. Where the Ministries/Department deem it imperative in the context of the impecunious condition of the family they may relax the age limit in accordance with the general orders No. 4/1/55-RPS dated 12.2.1955.

### 4. Where the death took place long ago

4. It will no longer be necessary for Departments to refer to Departments of Personnel & Administrative Reforms cases of compassionate appointments of the wards of Government servants/merely because a long time, say five years has lapsed since the death of the Government servant. The Ministries/Departments may consider such cases themselves on merits but while admitting claim of such applications, Ministries/Departments may please

keep in view the important fact that the concept of compassionate appointment is largely related to the need for immediate assistance to the family on the passing away of the Government servant in harness. When several years have passed after the death of a Government servant, it would appear prima facie that the family has been able to manage somehow all these years and had some means of subsistence. Ministries/Departments will no doubt deal with such requests with a great deal of circumspection in order to give due allocation to more deserving cases, if any. The decision in such cases of related appointments may be taken after the Secretary has approved of the proposal.

5. Where there is an earning member.
5. In deserving cases even where there is an earning member in the family, a son/daughter/near relative or a government servant, who dies in harness leaving his family in indigent circumstances, may be considered for appointment to the post. All such appointments are, however, to be made with the prior approval of the Secretary of the Ministry/Department concerned, who before approving the appointment will satisfy himself that the grant of the concession is justified, having regard to the number of dependents left by the deceased Government servant the assets and liabilities left by him, the income of the earning member as also his liabilities whether the earning member is residing with the family of the deceased Government servant and whether he should not be a source of support to the other members of the family.
6. Government servants retired on medical grounds.
6. In exceptional cases when a Department is satisfied that the condition of the family is indigent and in great distress, the benefit of compassionate appointment may be extended to the son/daughter/near relative of Government servant retired on medical grounds under rule 38 of the Central Civil Services (Pension Rules), 1972 or corresponding provisions in the Central Civil Regulations.
7. Appointment to the post of peon etc.
7. In view of the existing ban on filling up of posts of Peons and Jamadars, as long as the ban exists,



compassionate appointments should be made only against Group 'D' posts for the filling up of which there is no ban at present, where however, there are no vacancies in such posts, compassionate appointments could be made against posts of peons/Messengers, provided that regular vacancies exist and persons concerned are eligible and suitable for the job.

8. Deaths during re-employment or extension in service.
8. It is hereby clarified that a son/daughter/near relative of a Government servant who dies during the period of extension in service are eligible for the concession under the scheme of compassionate appointments. However, the benefit of this scheme is not admissible to those Government servants who pass away during re-employment.
9. Request for change in post.
9. When a person has accepted a compassionate appointment to a particular post, the set of circumstances which led to his initial appointment should be deemed to have ceased to exist and thereafter the person who has accepted compassionate appointment in a particular post should strive in his career like his colleagues for future advancement and claims for appointment to the higher post on consideration of compassion should invariably be rejected.
10. Recruitment Rules
10. Ministries/Departments may please take steps to amend Recruitment Rules in order to make specific provision in the Rules for compassionate appointments under the Scheme.
11. Selective Approach.
11. It is necessary to emphasise that even though the quota for such appointments has been abolished, Ministries/Departments may kindly adopt a highly selective approach in view of the following considerations :—
  - (a) The appointments made on grounds of compassionate should be done in such a way that persons appointed to the post do have the essential educational and technical qualifications i.e. required for the post consistent with the requirement of the maintenance of efficiency of administration.

(b) These instructions do not restrict employment of sons/daughters/near relatives of deceased Group D employee to a Group D post only. As such a son/daughter/near relative of a deceased employee can be appointed to a Group C post for which he is educationally qualified, provided a vacancy in Group C exists.

(c) As the appointments have to be cleared at the Head of Department level, and as all the vacancies are to be pooled for compassionate appointment it may be ensured that subordinate and field offices get an equitable share in the compassionate appointments.

12. General

12. The General proforma as in Annexure may continue to be used by Ministries/Departments for processing the cases of compassionate appointments.

Hindi version will follow.

Sd/-  
(N. RANGARAJAN)  
Director.

*List of widows of Government Employees who died while in Government Service and have been provided Employment on Compassionate grounds*  
Ministry of Defence (Secretariat)

S. No.	Name of the deceased Govt. Servant, Designation and date of death. Age at the time of death and period of service	Name of person applied for compassionate employment and his/her relationship with the deceased & educational qualification.	Family members left behind	Terminal benefits paid to the dependents of the deceased.	Whether employment provided
1	2	3	4	5	6
1983					
1.	Sh. O.P. Dabral, LDC Date of Death : 29-1-1983 Length of Service : 8 years Age : 27 years	Smt. Sumitra Dabral Wife Higher Secondary	5	Gratuity : Not available Family Pension : Rs. 154/- Insurance : Not available	Yes as an LDC
2.	Sh. Goverdan Das, Peon Date of Death : N.A. Length of Service : N.A.	Smt. Ganga Devi Wife	3	Gratuity : Not available Family Pension : —do— Insurance : —do—	Yes as a Peon
3.	Sh. Fakir Chand, Peon Date of Death : 15-5-83 Length of Service : 32 yrs. 7 mts. 14 ds.	Smt. Ramamurthy Wife	3	Gratuity : Not available Family Pension : Rs. 140/- Insurance : Rs. 10,000/-	Yes as a Peon
1984					
Age : 55 years					

4. Sh. H.K. Rehani Desk Officer	Smt. Suman Lata Rehani Wife Higher Secondary	3	Gratuity : Rs. 16,740/- Family Pension : Rs. 308/- Insurance : Rs. 90860/-	Yes as an LDC
5. Sh. Hari Singh Peon Date of Death : 20-1-84 Age at the time : 29 yrs. of death 6 mts Service rendered : 7 yrs 9 mts	Smt. Maju Devi Wife	4	Gratuity : Rs. 4,644/- Family Pension : Rs. 132/- Insurance : Rs. 10,000/-	Yes as Peon
6. Sh. Babu Lal Jamadar 10-3-81 (Date of death) 56 Years (Age)	Sh. Raj Kumar (Son) Matric	7	Gratuity : Rs. 2124/- F.P. : Rs. 125/- Insurance : Rs. 5000/-	Yes (LDC)
7. Sh. Gorey Lal Record Sorter 34 Years 10 months (Service) 24-4-82 (Date of death) 50 Years (Age)	Sh. Suraj Ram (Son) 5th Pass	5	Gratuity : Rs. 6476/- F.P. : Rs. 135/- Insurance : Rs. 10,000/-	Yes (Farash)
8. Sh. Babbar Peon 29.3.83 (Date of death) 54 Years (Age) 34 Years (Service)	Sh. Subhas Chand (Son) Matric	7	Gratuity : Rs. 5938.85 F.P. : Rs. 118/- Insurance : Rs. 10,000/-	Yes (LDC)
9. Sh. M.S. Panwar Assistant 14-8-83 (Date of death) 23 Years (Service)	Sh. R.S. Panwar (Son) Matric	4	Gratuity : Rs. 11712.68 F.P. : Rs. 200/- Insurance : Rs. 40,000/-	Yes (LDC)

1983

2	3	4	5	6
<del>10. Sh. Hari Ram</del> <del>Jamadar</del> <del>29.11.82 (Date of death)</del> <del>52 Years 7 months (Age)</del> <del>38 Years 7 Months (Service)</del>	Sh. Yaspal (Son) 6th Pass	3	Gratuity : Rs. 6476/- Pension : Rs. 125/- Insurance : Rs. 10,000/-	<del>Yes (Peon)</del>
11. Sh. Rajeshwar Prasad Peon	Sh. Pradeep Kumar Tyagi (Son)	<del>2</del>	Gratuity : Rs. 6,217.20 Family Pension : Rs. 126.00 Insurance :	Yes (LDC)
1984 12. Sh. D.R. Sharma Daftry 28.10.83 (Date of death) 59 Years (Age) 36 Years (Service)	Sh. Satya Prakash Son 8th Pass	4	Gratuity : Rs. 12,447.00 Family Pension : Rs. 200.00 Insurance : Rs. 10,000.00	Yes (Peon)

## CAO'S OFFICER

*List of Widows of Government Employees who died While in Service and have been provided Employment on Compassionate Ground*

S.No.	Name of the deceased Govt. servant, designation, date of death, age at the time of death and period of service.	Name of person applied for compassionate employment, his/her relation with the deceased and educational qualifications	Family members left behind	Terminal benefits paid to the dependents of the deceased	Whether employment provided
1	2	3	4	5	6
<b>1981</b>					
1	Sh. Tilak Rai Gulati Assistant Date of Death : 30.1.81 Age : 44 yrs 9 months Service : 20 yrs 9 months	Smt. Sumah Gulati Wife Matric	5	Rs. 18,973.00; Family Pension of Rs. 200.00 p.m. plus Relief.	Yes, as LDC
2	Sh. Het Ram Jamadar Peon Date of Death : 6.6.81 Age : 58yrs 6 months Service : 39 yrs 6 months	Smt. Ram Rakhi Wife Illiterate	4	Rs. 11,619.00; Family Pension of Rs. 116.00 p.m. plus Relief	Yes, as Peon
<b>1982</b>					
3	Sh. Roshan Lal LDC Date of Death : 29.6.82 Age : 29 yrs 9 months Service : 4 yrs	Smt. Kamala Rani Wife 5th pass	7	Rs. 22,619.00; Family Pension of Rs. 84.00 p.m. plus Relief.	Yes, as Peon

1	2	3	4	5	6
4	Sh. Babu Ram Safaiwala Date of Death : 3.8.82 Age : 32 yrs 9 months Service : 12 yrs 5 months	Smt. Sureshwati Wife Illiterate	6	Rs. 16,257.00; Family Pension of Rs. 113.00 p. m. plus Relief.	Yes, as Safaiwala
5	Sh. Jai Bhagwan Security Escort Date of Death : 17.9.82 Age : 22 yrs 10 months Service : 3 yrs 6 months	Smt. Krishna Wife 7th pass	2	Rs. 11,676.00 Family Pension of Rs. 104.00 p. m. plus Relief.	Yes, as Peon
1983					
6	Sh. Narender Kumar Assistant Date of Death : 19.1.83 Age : 42 yrs 9 months Service : 20 yrs 11 months	Smt. Rani Sharma Wife Higher Secondary	3	Rs. 40,000.00; Family Pension of Rs. 214.00 p.m. plus Relief.	Yes, as LDC
7	Sh. Ujjagar Singh Peon Date of Death : 1.2.83 Age : 24 yrs Service : 7.5 months	Smt. Bimla Devi Wife Illiterate	3	Terminal Benefits Nil (Died within one year of joining service)	Yes, as Peon
8	Sh. Narender Kumar Assistant Date of Death : 2.3.83 Age : 39 yrs Service : 20 yrs 2 months	Smt. Jeevan Bala Wife B. A.	4	Rs. 52,394.44; Family Pension of Rs. 200.00 p. m. plus Relief.	Yes, as LDC

9	Sh. Mathew C. Chandy Editor Date of Death : 6.4.83 Age : 50 yrs Service : 25 yrs 6 months	Smt. LC Mathew Wife SSLC	5	Rs. 1,15,028.00; Family Pension of Rs. 384.00 p.m. plus Relief.	Yes, as LDC
10	Sh. Dharam Pal Assistant Date of Death : 2.12.83 Age : 42 yrs Service : 19 yrs 7 months	Smt. Kiran Mala Wife Matric	4	Rs. 68,701.07; Family Pension of Rs. 159.00/p.m. plus Relief.	Yes, as LDC
11	Sh. Ram Prakash Pawar LDC Date of Death : 27.1.84 Age : 29 yrs 7 months Service : 8 yrs 5 months	Smt. Badami Devi Wife Illiterate	4	Rs. 43,434.00; Family Pension of Rs. 200.00 p.m. plus Relief.	Yes, as Peon
12	Sh. HD Agnihotri ACSO Date of Death : 12.2.84 Age : 55 yrs 10 months Service : 37 yrs	Smt. Krishna Agnihotri Wife Matric	—	Rs. 70,179.50 Family Pension of Rs. 244.00 p. m. plus Relief.	Yes, as LDC
13	Sh. Amrik Singh Assistant Date of Death : 28.7.84 Age : 47 yrs 4 months Service : 22 yrs 10 months	Smt. Gian Kaur Wife 12th Class pass	4	Rs. 65,112.70; Family Pension of Rs. 200.00 p. m. plus Relief.	Yes, as LDC



1	2	3	4	5	6
14	Sh. Ashok Kumar Sharma Peon Date of Death : 17.8.84 Age : 33 years Service : 4 yrs 1 month	Smt. Promila Sharma Wife 8th pass	3	Rs. 11,837.60; Family Pension of Rs. 200/- p.m. plus Relief.	Yes, as Peon
15	Sh. Gian Singh SPA Date of Death : 25.11.84 Age : 48 yrs 7 months Service : 27 yrs 2 months	Smt. Manjit Kaur Wife Matric	4	Rs. 72,887.00; Family Pension of Rs. 320.00 p.m. plus Relief.	Yes, as LDC
16	Sh. Mohan Lal Peon Date of Death : 8.12.84 Age : 29 yrs 4 months Service : 5 yrs	Smt. Sarojini Devi Wife 4th class pass	2	Rs. 11,816.50; Family Pension of Rs. 156.60 p.m. plus Relief.	Yes, as Peon
17	Sh. Ashok Kumar Sharma Photographer Date of Death : 12.12.84 Age : 30 yrs 1 month Service : 9 yrs 10 months	Smt. Mamta Sharma Wife Matric	3	Rs. 23,435.00; Family Pension of Rs. 200.00 p.m. plus Relief.	Yes, as LDC
18	Sh. Gopal Singh Daftary Date of Death : 22.12.84 Age : 54 yrs 6 months Service : 27 yrs 6 months	Smt. Gurbachan Kaur Wife High School	7	Rs. 20,811.18 Family Pension of Rs. 127.00 p.m. plus Relief.	Yes, as LDC
19	Sh. Dhani Ram Daftary Date of Death : 13.1.84 Age : 54 yrs 9 months Service : 35 yrs 2 months	Smt. Shanti Devi Wife Illiterate	2	Rs. 17,425.00 Family Pension of Rs. 127.00 p.m. plus Relief.	Yes, as Peon

1985 20	Sh. Jawahar Lal Jamadar Peon Date of Death : 20.2.85 Age : 52 yrs Service : 12 yrs 2 months	Smt. Suman Devi Wife Illiterate	4	Rs. 12,916.40; Family Pension of Rs. 147.00 p. m. plus Relief.	Yes, as Peon
21	Sh. Darshan Singh Behar Assistant Date of Death : 6.8.85 Age : 43 yrs Service : 21 yrs 4 months	Smt. Jagjit Kaur Wife B.A.	5	Rs. 51,299.65 Family Pension of Rs. 200.00 p. m. plus Relief.	Yes, as LDC
22	Sh. Shaym Lal Assistant Date of Death : 6.8.85 Age : 48 yrs Service : 28 yrs	Smt. Meena Duggal Wife Matric	4	Rs. 69,816.00; Family Pension of Rs. 320.00 p. m. plus Relief.	Yes, as LDC
23	Sh. J. C. Sharma Assistant Date of Death : 11.8.85 Age : 41 yrs 3 months Service : 19 yrs. 1 month	Smt. Shakuntala Devi Wife High School	4	Rs. 53,556.00; Family Pension of Rs. 200.00 p. m. plus Relief.	Yes, as LDC

*List of Dependents (Excluding Widows) of Government Servants who died while in Government Service and have been Provided Employment on Compassionate Grounds*  
Ministry of Defence (Secretariat)

S. No.	Name of the deceased Govt. servant, Designation and date of death. Age at the time of death and period of service.	Name of person applied for compassionate employment and his/her relationship with the deceased & Educational qualification.	Family Members Left behind	Terminal benefits paid to the dependents of the deceased	Whether employment Provided.
1	2	3	4	5	6
<b>1981</b>					
1	Sh. Rirkoo Ram, Jamadar 12.9.80 (Date of death) 55 years (Age) 36 years (Service)	Sh. Ram Rattan (Son) Higher Secondary	One	Gratuity—Rs. 5520/- Family —Rs. 147.60 Pension Insurance—Rs. 5000/-	Yes (LDC)
2	Sh. S. M. Gulabani, Assistant 31.5.74 (Date of death) 28 years (Service)	Km. Heera Gulabani (Daughter) LDC	Four	Gratuity—Rs. 10,409.25 F. P. —Rs. 349/- Insurance— ...	Yes (LDC)
3	Sh. Dalip Singh, Daftry	Sh. R. S. Daggar (Son)	Not available	Gratuity—Not available F. P. — -do- Insurance— -do-	Yes (LDC)
4	Sadiq Masih, Assistant	Sh. Daniel Masih (Son)	Not available	Gratuity—Not available F. P. — -do- Insurance— -do-	Yes (LDC)

1982

5 Sh. Bihari Lal, Daftiy 4.1.82 (Date of death) 58 years (Age) 34 years (Service)	Sh. Satish Kumar (Son) Matric	Seven	Gratuity—Rs. 5610/— F. P. —Rs. 125/— Insurance—Rs. 5000/—	Yes (LDC)
6 Sh. Babu Lal, Jamadar 10.3.81 (Date of death) 56 years (Age)	Sh. Raj Kumar (Son) Matric	Seven	Gratuity—Rs. 2124/— F. P. —Rs. 125/— Insurance—Rs. 5000/—	Yes (LDC)
7 Sh. Gorey Lal, Reoord Sorter 34 years 10 months (Service) 24.4.82 (Date of death) 50 years (Age)	Sh. Suraj Ram (Son) 5th pass	Five	Gratuity—Rs. 6476/— F. P. —Rs. 135/— Insurance—Rs. 10,000/—	Yes (FARASH)

1983

8 Sh. Babbar, Peon 29.3.83 (Date of death) 54 years (Age) 34 years (Service)	Sh. Subhas Chand (Son)	Seven	Gratuity—Rs. 5938.85 F. P. —Rs. 118/— Insurance—Rs. 10,000/—	Yes (LDC)
9 Sh. M. S. Panwar, Assistance 14.8.83 (Date of Death) 23 years (Service)	Sh. R. S. Panwar (Son) Matric	Four	Gratuity—Rs. 11712.68 F. P. —Rs. 200/— Insurance—Rs. 40,000/—	Yes (LDC)

1	2	3	4	5	6
10	Sh. Hari Ram, Jamadar 29.11.82 (Date of death) 52 years 7 months (Age) 38 years 7 months (Service)	Sh. Yashpal (Son) 6th pass	Three	Gratuity—6476/— Family Pension—125/— Insurance—Rs. 10,000/—	Yes (Peon)
11	Sh. Rajeshwar Prasad Peon	Sh. Pradeep Kumar Tyagi (Son)	Two	Gratuity—Rs. 6217.20 Family Pension—Rs. 120.00 Insurance—	Yes (LDC)
<i>1984</i>					
12	Sh. D. R. Sharma, Daftary 28.10.83 (Date of death) 59 years (Age) 36 years (Service)	Sh. Satya Prakash (Son) 8th Pass	Four	Gratuity—Rs. 12,447.00 Family Pension—Rs. 200.00 Insurance—Rs. 10,000.00	Yes (Peon)
13	Sh. Madan Lal, Jamadar 23.6.84 (Date of death) 59 years (Age) 36 years (Service)	Sh. Mahender Kumar (Son) 4th Pass	One	Gratuity—6,434.00 Family Pension—150.00 Insurance—10,000/—	Yes (Peon)
<i>1985</i>					
14	Sh. Ghanashyam Dass, Peon 24.4.72 (Date of death)	Sh. Bagh Singh (Son) 9th Pass	Three	Gratuity— Family Pension—150.00 Insurance—	Yes (Peon)
15	Sh. Khajan Singh Steno Gd. 'C'	Sh. Gurvinder Singh (Son) 9th Pass	Two	Gratuity— Family Pension— Insurance—	Yes (Peon)

16 Sh. Jagat Singh, Steno Gd. 'C' 27.9.85 (Date of death) 29 years (Service) 51 years (Age)	Sh. Anil Kumar Satia (Son)	Four	Gratuity—24,468.00/ Family Pension—236.00/ Insurance—41,570.00/	Yes (LDC)
17 Sh. C. S. Jayant Under Secretary 10.11.84 (Date of death) 51 years (Age)	Sh. S. C. Jayant (Son) Hr. Sec.	Five	Gratuity—28,640.00/ Family Pension—342.00/ Insurance—80,000.00/	Yes (LDC)

## CAO'S OFFICE

*List of Dependents (Excluding widows) of Government Servant who died while in service and have been provided employment on compassionate grounds*

S. No.	Name of the deceased Government servant, designation, date of death, age at the time of death and period of service	Name of person applied for compassionate em- ployment and his/her relation with the decea- sed and educational qualification	Family members left behind	Terminal benefits paid to the depen- dents of the deceased.	Whether employment provided
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1	2	3	4	5	6
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1981

1 Sh. Lila Sh. Ram Dass 1 Rs. 14,880.50 Yes, as  
Safaiwala Son

Date of death : 16.2.81 Illiterate Rs. 120/-p.m.  
plus relief

Age : 55 yrs, 4 months  
Service : 32 yrs, 4 months

2 Sh. Nathu Singh Shri Ghanshan Kumar 7 Rs. 15,340.00 Yes, as  
Peon Son Peon

Date of death : 28.3.81 8th pass Family Pension  
Rs. 136/-p.m.  
plus relief.

Age : 42 yrs, 2 months  
Service : 20 yrs

3	Sh. Chander Mohan Fatigueson Date of death : 26.5.81 Age : 58 yrs Service : 33 yrs	Shri Prakash Chander Son Intermediate	6	Rs. 12,810.00 Family Pension Rs. 144/-p.m. plus relief	Yes, as an LDC
4	Sh. S.K. Das Gupta Daftry Date of death : 5.6.81 Age : 52 yrs, 2 months Service : 29 yrs	Sh. Kajal Das Son 7th pass	6	Rs. 9,081.00 Family Pension Rs. 75/-p.m. plus relief	Yes, as Fatigueson
5	Sh. Gobind Prashad UDC Date of death : 27.6.81 Age : 41 yrs, 8 months Service : 19 yrs	Sh. Bhupinder Prasad Son 9th pass	6	Rs. 19,223.00 Family Pension Rs. 134/-p.m. plus relief	Yes, as an LDC
6	Sh. Ramji Lal Peon Date of death : 10.8.81. Age : 38 yrs, 7 months Service : 17 yrs, 9 months	Sh. Sunil Kumar Son 7th Pass	4	Rs. 9,905.36 Family Pension Rs. 89.76/-p.m. plus relief	Yes, as Farash
7	Sh. Moti Lal Record Sorter Date of death : 17.9.81 Age : 57 yrs, 5 months Service : 39 yrs.	Sh. Vinod Kumar Son 9th pass	4	Rs. 12,374.80 Family Pension Rs. 135/-p.m. plus relief	Yes, as Peon



1	2	3	4	5	6
8	Sh. Ram Saran Safaiwala Date of death : 4.12.81 Service : 20 yrs, 11 months Age : 49 yrs, 1 month	Sh. Om Prakash Son Illiterate	5	Rs. 12,221.20 Family Pension Rs. 114/- plus relief	Yes, as Safaiwala
9	Sh. Dewan Singh Assistant Date of death : 8.12.81 Age : 49 yrs, 2 months Service : 24 yrs, 8 months	Sh. Rajesh Kumar Son 7th pass	5	Rs. 15,591.85 Family Pension Rs. 200/-p.m. plus relief	Yes, as Fatiguelman
1982					
10	Sh. Dutt Ram Safaiwala Date of death : 1.1.82 Age : 53 yrs, 4 months Service : 7 yrs, 3 months	Sh. Ram Kumar Son Illiterate	4	Rs. 15,241.44 Family Pension Rs. 109/-p.m. plus relief	Yes, as Safaiwala
11	Sh. Chander Mani UDC Date of death : 2.1.82 Age : 56 yrs, 1 month Service : 39 yrs	Sh. Nand Kishore Son 9th pass	3	Rs. 31,892/ Family Pension Rs. 200/ p.m. plus relief	Yes, as Peon
12	Sh. Mehar Chand Record Sorter Date of death : 10.1.82 Age : 55 yrs, 9 months Service : 38 yrs, 6 months	Sh. Rajbeer Son 3rd pass	2	Rs. 14,455/- Family Pension Rs. 71/-p.m. plus relief	Yes, as Safaiwala

13	Sh. K.K. Sharma UDC Date of death : 14.1.82 Age : 54 yrs, 2 months Service : 26 yrs, 9 months	K.m. Gita Rani Daughter 10th pass	7	Rs. 31,833/- Family Pension Rs. 200/- p.m. plus relief	Yes, as an LDC
14	Sh. Tuli Ram Peon Date of death : 20.1.82 Age : 54 yrs, 10 months Service : 38 yrs	Sh. Vijay Singh Son 8th pass	6	Rs. 9,385.60 Family Pension Rs. 144/- p.m. plus relief	Yes, as Peon
15	Sh. Lila Nand Daftay Date of death : 25.1.82 Age : 58 yrs, 8 months Service : 52 yrs, 9 months	Sh. Ashok Kumar Son 8th pass	6	Rs. 17,146/- Family Pension Rs. 78/- p.m. plus relief	Yes, as Peon
16	Sh. Makhan Mangtu Safaiwala Date of death : 2.3.82 Age : 47 yrs, 8 months Service : 25 yrs, 11 months	Sh. Laxmi Narain Son 6th pass	3	Rs. 18,191/- Family Pension Rs. 114/- p.m. plus relief	Yes, as Safaiwala
17	Sh. K.C. Saxena Assistant Date of death : 5.3.82 Age : 57 yrs, 2 months Service : 33 yrs, 8 months	Sh. Alok Saxena Son Hr. Secondary	8	Rs. 87,442.20 Family Pension Rs. 200/- p.m. plus relief	Yes, as an LDC

1	2	3	4	5	6
18	Sh. Chatter Singh Record Sorter Date of death : 13.3.82 Age : 53 yrs, 4 months Service : 37 yrs, 7 months	Sh. Mohan Singh Rawat Son M.A.	3	Rs. 20,301/- Family Pension Rs. 135/- p.m. plus relief	Yes, as an LDC
19	Sh. Masafir Singh Daftry Date of death : 22.3.82 Age : 43 yrs, 8 months Service : 19 yrs, 10 months	Sh. Shashi Kant Son 8th pass	5	Rs. 13,520.50 Family Pension Rs. 72/- p.m. plus relief	Yes, as Peon
20	Sh. Raghubir Safaiwala Date of death : 19.5.82 Age : 47 yrs, 4 months Service : 10 yrs, 10 months	Sh. Satyapal Son 8th pass	5	Rs. 15,702.36 Family Pension Rs. 78.70 p.m. plus relief	Yes, as Peon
21	Sh. Piare Lal Daftry Date of death : 31.5.82 Age : 54 yrs, 8 months Service : 37 yrs, 8 months	Sh. Devender Kumar Son 9th pass	7	Rs. 18,591.25 Family Pension Rs. 150/- p.m. plus relief	Yes, as an LDC
22	Sh. Hari Singh Peon Date of death : 29.6.82 Age : 32 yrs, 11 months Service : 11 yrs, 6 months	Sh. Om Pal Singh Son 7th pass	5	Rs. 13,324/- Family Pension Rs. 134/- p.m. plus relief	Yes, as Peon

23	Sh. Sunder Singh Daftry Date of death : 30.6.82 Age : 54 yrs, 5 months Service : 37 yrs.	Sh. Sate Singh Son 8th pass	3	Rs. 17,476.25 Family Pension Rs. 150/-p.m. plus relief	Yes, as Peon
24	Sh. Ramesh Chander Peon Date of death : 9.8.82 Age : 27 yrs, 5 months Service : 2 yrs, 7 months	Sh. Chandrasheikhar Brother Intermediate	5	Rs. 11,902.84 Family Pension Rs. 61/-p.m. plus relief	Yes, as an LDC
25	Sh. Partap Singh Narankari, ACSO Date of death : 2.9.82 Age : 57 yrs, 11 months Service : 40 yrs.	Km. Suman Meet Kaur Daughter 10th pass	5	Rs. 60,953.55 Family Pension Rs. 243/-p.m. plus relief	Yes, as an LDC
26	Sh. Khushal Mani Daftry Date of death : 10.9.82 Age : 54 yrs, 10 months Service : 37 yrs.	Sh. Dinesh Chandra Son 8th pass	5	Rs. 16,532.25 Family Pension Rs. 150/-p.m. plus relief	Yes, as Peon
27	Sh. Guna Nand Daftry Date of death : 10.9.82 Age : 59 yrs, 7 months Service : 35 yrs.	Sh. Harish Chand Kukreti Son 8th pass	4	Rs. 16,476/- Family Pension Rs. 125/-p.m. plus relief	Yes, as Peon

1	2	3	4	5	6
28	Sh. Bharat Bhushan LDC Date of death : 13.9.82 Age : 30 yrs, 2 months Service : 11 yrs, 2 months	Sh. Ashok Kr. Gulati Brother Hr. Secondary	5	Rs. 23,936/- Family Pension Rs. 168/-p. m. plus relief.	Yes, as LDC
29	Sh. P.L. Anand Assistant Date of death : 20.9.82 Age : 56 yrs, 1 month Service : 29 yrs.	Sh. Senjeev Kr. Anand Son B.A.	4	Rs. 52,723.20 Family Pension Rs. 200/-p. m. plus relief.	Yes, as an LDC
30	Sh. Roora Ram Daftary Date of death : 30.9.82 Age : 56 yrs, 3 months Service : 38 yrs, 6 months	Sh. Liloc Son 8th pass	4	Rs. 17,157/ Family Pension Rs. 125/-p. m. plus relief.	Yes, as Peon
31	Sh. Deva Ram Jamadar Peon Date of death : 2.12.82 Age : 56 yrs, 8 months Service : 35 yrs.	Sh. Mohan Son 9th pass	6	Rs. 17,266.25 Family Pension Rs. 150/-p. m. plus relief.	Yes, as Peon
32	Sh. S.L. Musafir Peon Date of death : 5.12.82 Age : 51 yrs Service : 21 yrs	Sh. Manoj Kumar Son 9th pass	5	Rs. 14,758.82 Family Pension Rs. 116/-p. m. plus relief.	Yes, as Peon

33	Sh. Tika Ram Peon Date of death : 10.12.82 Age : 37 yrs, 5 months Service : 18 yrs, 1 month	Sh. Chander Pal Son 7th pass	2	Rs. 15,319.44 Family Pension Rs. 64.80/- p. m. plus relief.	Yes, as Peon
34	Sh. Matbar Singh Record Sorter Date of death : 11.12.82 Age : 58 yrs, 11 months Service : 39 yrs, 7 months	Sh. Vikram Singh Son 10th pass	3	Rs. 16,283.20 Family Pension Rs. 140/- p. m. plus relief	Yes, as an LDC
35	Sh. Ram Nath Steno 'B' Date of death : 18.12.82 Age : 56 yrs, 11 months Service : 37 yrs.	Km. Anita Kumari Daughter 9th pass	7	Rs. 83,047.50 Family Pension Rs. 144/- p.m. plus relief	Yes, as LDC
36	Sh. Chhatter Singh Peon Date of death : 30.12.82 Age : 54 yrs, 4 months Service : 35 yrs.	Sh. Ram Niwas Son 9th pass	4	Rs. 19,926/- Family Pension Rs. 140/- p. m. plus relief.	Yes, as Peon
37	Sh. Padam Singh Daftry Date of death : 7.1.83 Age : 57 yrs, 7 months Service : 38 yrs, 6 months	Sh. Laxman Singh Son Matric	5	Rs. 16,277/- Family Pension Rs. 125/- p. m. plus relief.	Yes, as an LDC

1983

1	2	3	4	5	6
38	Sh. M.R. Sharma ACSO Date of death : 8.2.83 Age : 56 yrs, 6 months Service : 38 yrs, 2 months	Sh. Ganesh Datt Son B.A.	6	Rs. 58, 158/- Family Pension Rs. 233/- plus relief	Yes, as an LDC
39	Sh. F.C. Ramankhel Assistant Date of death : 2.3.83 Age : 57 yrs Service : 31 yrs	Sh. Anil Kumar Son 10th pass	5	Rs. 52,397/- Family Pension Rs. 200/- p. m. plus relief	Yes, as an LDC
40	Sh. Ratti Ram Verma UDC Date of death : 3.3.83 Age : 56 yrs, 3 months Service : 31 yrs	Sh. Mehtab Singh Son 10th pass	7	Rs. 27,906/- Family Pension Rs. 200/- p. m. plus relief	Yes, as an LDC
41	Sh. J.S. Sethi ACSC Date of death : 5.4.83 Age : 55 yrs, 6 months Service : 38 yrs, 10 months	Sh. Harpal Sing Sethi Son Hr. Secondary	6	Rs. 71,177.25 Family Pension Rs. 222/- p. m. plus relief.	Yes, as an LDC
42	Sh. Gunanand Machine Minder Date of death : 13.5.83 Age : 48 yrs, 2 months Service : 23 yrs.	Sh. Virender Kumar Son B.A.	3	Rs. 26,374.02 Family Pension Rs. 142/- p. m. plus relief.	Yes, as an LDC

43	Sh. Hari Singh Peon Date of death : 7.6.83 Age : 57 yrs, 11 months Service : 37 yrs.	Sh. Ishwar Singh Son 8th pass	5	Rs. 20,517/- Family Pension Rs. 123/- p. m. plus relief.	Yes, as Peon
44	Sh. R.V. Bhima Peon Date of death : 12.6.83 Age : 59 yrs, 4 months Service : 31 yrs, 6 months	Sh. Yeganthan Bhima Son 9th pass	12	Rs. 17,450/- Family Pension Rs. 120/- p. m. plus relief.	Yes, as Peon
45	Sh. Gaur Singh Jamadar Peon Date of death : 27.6.83 Age : 59 yrs, 5 months Service : 38 yrs	Sh. Matbar Singh Rawat Son 8th pass	6	Rs. 16,541.75 Family Pension Rs. 148/- p.m. plus relief.	Yes, as Peon
46	Sh. H.S. Alang ACSC Date of death : 15.8.83 Age : 56 yrs, 9 months Service : 37 yrs.	Km. Mohinder Kaur Daughter 12th pass	3	Rs. 65,463.25 Family Pension Rs. 222/- p.m. plus relief.	Yes, as an LDC
47	Sh. Sunder Lal Gupta Sr. Computer Date of death : 15.9.83 Age : 49 yrs, 5 months Service : 23 yrs, 5 months	Sh. Ajay Kumar Gupta Son 12th pass	5	Rs. 29,125.28 Family Pension Rs. 146/- p.m. plus relief.	Yes, as an LDC



1	2	3	4	5	6
48	Sh. Jagpal Singh Daftry Date of death : 8.10.83 Age : 59 yrs, 7 months Service : 27 yrs, 6 months	Sh. Dev Saran Prasad Singh (Son) 8th pass	6	Rs. 17,101.57 Family Pension Rs. 125/- p.m. plus relief.	Yes, as Peon
49	Sh. Chander Singh Peon Date of death : 16.10.83 Age : 41 yrs, 2 months Service : 16 yrs	Sh. Bal Kishore Son 9th pass	6	Rs. 15,991.85 Family Pension Rs. 68/- p.m. plus relief.	Yes, as Peon
50	Sh. Kalyan Singh Daftry Date of death : 17.10.83 Age : 44 yrs, 11 months Service : 20 yrs	Sh. Jagmohan Singh Rawat Son 10th pass	5	Rs. 22,185.70 Family Pension Rs. 152/- p.m. plus relief.	Yes, as an LDC
51	Sh. Chandrika Daftry Date of death : 17.10.83 Age : 59 yrs, 6 months Service : 34 yrs, 6 months	Sh. Jia Lal Son 9th pass	8	Rs. 17,217.76 Family Pension Rs. 148/- p.m. plus relief.	Yes, as Peon
52	Sh. Karan Singh Daftry Date of death : 1.11.83 Age : 54 yrs, 10 months Service : 27 yrs	Sh. Yash Pal Singh Son 9th pass	5	Rs. 6,562.50 Family Pension Rs. 158/- p.m. plus relief.	Yes, as an LDC

53	Sh. Sharda Prasad UDC Date of death : 1.11.83 Age : 44 yrs, 3 months Service : 16 yrs, 10 months	Sh. Dharmesh Kumar Son 9th pass	6	Rs. 25,966/- Family Pension Rs. 200/-p.m. plus relief.	Yes, as an LDC
54	Sh. Hari Chand Daftary Date of death : 19.11.83 Age : 59 yrs, 8 months Service : 34 yrs, 9 months	Sh. Ranjit Son 7th pass	4	Rs. 27,495/- Family Pension Rs. 150/-p.m. plus relief.	Yes, as Peon
55	Sh. Devki Nand Daftary Date of death : 27.11.83 Age : 58 yrs, 2 months Service : 33 yrs.	Sh. Bal Krishan Son 10th pass	8	Rs. 17, 388/- Family Pension Rs. 100/-p.m. plus relief.	Yes, as an LDC
56	Sh. Yad Ram Safaiwala Date of death : 21.1.84 Age : 50 yrs, 8 months Service : 32 yrs.	Sh. Om Prakash Son 9th pass	4	Rs. 8,031.55 Family Pension Rs. 172/-p.m. plus relief.	Yes, as Peon
57	Sh. Shital Kumar Jain Senior Technical Asstt. Date of death : 21.2.84 Age : 43 yrs. Service : 17 yrs.	Smt. Jaya Bharati Jain Sister B.A.	5	Rs. 26,929.00 No Family Pension	Yes, as an LDC

1984

1	2	3	4	5	6
58	Sh. Kali Ram Daftay Date of death : 19.3.84 Age : 53 yrs, 5 months Service : 20 yrs.	Sh. Jiwan Kumar Son 8th pass	6	Rs. 19,404/ Family Pension of Rs. 125/-p.m. plus relief.	Yes, as Peon
59	Sh. Vidyadhar Daftay Date of death : 2.5.84 Age : 57 yrs. Service : 26 yrs, 2 months	Sh. Jamuna Prasad Son 9th pass	5	Rs. 16,855.60 Family Pension of Rs. 150/-p.m.	Yes, as an LDC
60	Sh. TK Sree Kumar LDC Date of death : 26.5.84 Age : 26 yrs Service : 1 yr, 4 months	Sh. TK Santosh Brother 10th pass	5	Rs. 20,000/- No family pension	Yes, as an LDC
61	Sh. Mahesanand Daftay Date of death : 3.6.84 Age : 59 yrs Service : 36 yrs, 6 months	Sh. Vinod Kumar Son 9th pass	6	Rs. 17,322/- Family Pension of Rs. 150/-p. m. plus relief.	Yes, as Peon
62	Sh. Kanhiya Safaiwala Date of death : 16.6.84 Age : 56 yrs, 8 months Service : 35 yrs, 5 months	Sh. Tajpal Son 3rd pass	4	Rs. 17,397.95 Family Pension of Rs. 147/-p. m. plus relief.	Yes, as Safaiwala

63	Sh. Nathu Singh Peon Date of death : 24.6.84 Age : 59 yrs, 8 months Service : 36 yrs, 9 months	Sh. Shiv Lal Son 12th pass	5	Rs. 16,934.12 Family Pension of Rs. 142/- p. m. plus relief.	Yes as an LDC
64	Sh. Kalam Singh Negi Daftry Date of death : 1.9.84 Age : 58 yrs, 7 months Service : 35 yrs.	Sh. Birender Son 12th pass	7	Rs. 19,944.05 Family Pension of Rs. 125/- p. m. plus relief.	Yes, as an LDC
65	Sh. MD Mudgil Assistant Date of Death : 12.9.84 Age : 53 yrs, 8 months Service : 31 yrs	Km. Tripta Mudgil Daughter B. A.	5	Rs. 56,008/- Family Pension of Rs. 150/- p. m. plus relief.	Yes, as an LDC
66	Sh. Anand Mani Daftry Date of Death : 14.9.84 Age : 58 yrs Service : 39 yrs, 4 months	Km. Neelam Daughter 8th pass	2	Rs. 24,075/- Family Pension of Rs. 180- p. m. plus relief	Yes, as Peon
67	Sh. Sujan Singh Chowkidar Date of death : 1.11.84 Age : 42 yrs, 1 month Service : 18 yrs, 2 month	Sh. Trilochan Singh Son 9th pass	3	Rs. 13,738.60 Family Pension of Rs. 141/- p. m. plus relief.	Yes, as Peon

1	2	3	4	5	6
68	Sh. Budh Ram Safaiwala Date of death : 28.12.84 Age : 59 yrs Service : 37 yrs	Sh. Ashok Son Illiterate	2	Rs. 16,931.65 Family Pension of Rs. 143/- p. m. plus relief.	Yes, as Safaiwala
1985					
69	Sh. Parasram Gaur LDC Date of Death : 1.1.85 Age : 38 yrs, 10 months Service : 13 yrs.	Sh. Gopal Singh Gaur Brother 10th pass	3	Rs. 25,060.72 Family Pension not authorised	Yes, as an LDC
70	Sh Bishamber Dayal Fatiguman Date of death : 6.1.85 Age : 46 yrs, 7 months Service : 20 yrs, 5 months	Km. Darashan Devi Daughter 10th pass	4	Rs. 18,634.80 Family Pension of Rs. 116/ p. m. plus relief.	Yes, as an LDC
71	Sh Hans Raj Librarian Gde. I Date of death : 2.2.85 Age : 55yrs, 11 months Service : 36 yrs, 2 months	Sh. Rajender Kumar Son B. Com.	5	Rs. 61,681.00 Family Pension of Rs. 295/- p. m. plus relief.	Yes, as an LDC
72	Sh Gauri Shankar ACSO Date of death : 13.2.85 Age : 56 yrs Service : 39 yrs, 7 months	Km. Veena Sharma Niece B.A.	3	Rs. 95,344.50 Family Pension of Rs. 236/- p. m. plus relief.	Yes, as an LDC

73	Sh. Kundan Singh Rawat Peon Date of death : 31.3.85 Age : 59 yrs, 4 months Service : 6 yrs	Sh. Bhupesh Rawat Son 9th pass	5	Rs. 10,706.00 Family Pension of Rs. 78/-p. m. plus relief.	Yes, as Peon
74	Sh. Mam Chand Daftry Date of death : 20.4.85 Age : 46 yrs, 2 months Service : 21 yrs.	Sh. Om Prakash Son 11th pass	3	Rs. 26,448.10 Family Pension of Rs. 144/-p. m. plus relief.	Yes, as an LDC
75	Sh. Ram Kewal Daftry Date of death : 25.4.85 Age : 58 yrs Service : 33 yrs	Sh. Surender Yadav Son 10th pass	5	Rs. 21,799.00 Family Pension of Rs. 155/-p. m. plus relief.	Yes, as an LDC
76	Sh. Ram Singh ACSC Date of death : 17.5.85 Age : 45 yrs, 4 months Service : 26 yrs, 6 months	Sh. Rakesh Kumar Son 10th pass	8	Rs. 59,943.00 Family Pension of Rs. 290/-p. m. plus relief.	Yes, as an LDC
77	Sh. Girish Chander UDC Date of death : 20.8.85 Age : 50 yrs Service : 28 yrs	Sh. Manoj Pandey Son 10th pass	6	Rs. 49,914.30 Family Pension of Rs. 200/-p. m. plus relief.	Yes, as an LDC

*List of Widows of Government Employees who died while in Government Service  
and have not been provided employment on Compassionate Grounds*

MINISTRY OF DEFENCE (SECRETARIAT)

Sl. No.	Name of the deceased Govt. servant, designation & date of death. Age at the time of death & period of service	Name of person applied for compassionate employment and his/her relationship with the deceased & Edu. qualification	Family members left behind	Terminal benefits paid to the dependents of the deceased	Whether employment provided	If employment could not be provided the reasons thereof
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The information is 'NIL'  
for the Period from 1981 to 1985.

# C.A.O.'s OFFICE

## List of Widows of Government Employees who died while in Government Service and have not been provided employment on Compassionate Grounds

Sl. No.	Name of the deceased Govt. servant, designation & date of death, Age at the time of death & period of service	Name of person applied for compassionate employment and his/her relationship with the deceased and Educational qualification	Family members left behind	Terminal benefits paid to the dependents of the deceased	Whether employment provided	If employment could not be provided the reasons thereof
1	2	3	4	5	6	7
<b>1981</b>						
1	Sh. Jagan Nath Sharma, Assistant Date of Death : 2.11.81 Age : 54 Years Service : 36 Yrs, 7 months, 18 days.	Smt. Bharpai Devi Wife Illiterate	1	Rs. 30,850/- Family Pension of Rs. 204/-p.m. plus relief	No	Being issueless and having no liabilities.



1984

1	2	3	4	6	6	7
2	Sh. Har Charan Singh Assistant Date of Death : 24.11.84 Age : 44 yrs. 8 months Service : 25 yrs.	Smt. Paramjit Kaur Wife Intermediate	2.	Rs. 70,173.70 Family pension of Rs. 200/- (Rs. 440.80 including relief)	No	The request could not be agreed to keeping in view the fact that the widow has only one child to support. Substantial terminal bene- fits were received by the family. The family also owns a house in Delhi. The Government accommodation allotted to Late Shri Har- charan Singh was also misutilised by renting out @ Rs. 500/-p.m.

1985

3	Sh. Dwarka Dass Fatigue man Date of Death : 21.1.85 Age : 40 yrs. 9 months, 9 days	Smt. Kaushalaya Devi Wife Middle pass	1	Rs. 14,237.00 Family Pension of Rs. 141/-p.m. plus relief.	No	The widow has own house and no one to support as liability.
4	Sh. Sher Singh Record Sorter Date of Death : 9.3.85 Age : 55 yrs. 8 months. Service : 35 yrs.	Smt. Prakash Lata Wife Illiterate	3	Rs. 33,021/- Family Pension of Rs. 267/-p.m. plus relief	No	The only son is employed. He has the only liability of supporting the mother.

*List of other Dependents (Excluding Widows) of such Government Servants who died while in Government Service and have not been provided employment on Compassionate Grounds*

**MINISTRY OF DEFENCE (SECRETARIAT)**

Sl. No.	Name of the deceased Govt. servant designation and date of death. Age at the time of death & period of service	Name of the person applied for compassionate employment and his/her relationship with the deceased & educational qualification	Family members left behind	Terminal benefits paid to the dependents of the deceased	Whether employment provided	If employment could not be provided the reasons thereof
1	2	3	4	5	6	7
<b>1982</b>						
1	Shri K. P. Bhatnagar U.S. Date of death : 18.8.82 Period of service : 38yrs. Age at the time of death : 54 yrs.	Sh. Vipul Bhatnagar Son Hr. Sec. (DHMS)	4	Gratuity : 32,389.50 Family Pension : 384.00 Insurance : 80,000.00	No	Family was not considered to be in indigent circumstances.
<b>1985</b>						
2	Sh. T. C. Sangar, U.S. Date of death : 27.2.85 Period of service : 35yrs. Age at the time of death : 57 yrs.	Km. Bindu Sangar Daughter Hr. Sec.	4	Gratuity : 31,185.00 Family Pension : 366.00 Insurance : 80,000.00	No	Family was not considered to be in indigent circumstances.

## CAO's OFFICE

*List of other Dependents (excluding Widows) of Government Servants who died while in service and have not been provided employment on Compassionate Grounds*

Sl. No.	Name of the deceased Government Servant Designation, date of death, age at the time of death and period of service	Name of the person applied for compassionate employment and his/her relation with the deceased and educational qualifications	Family members left behind	Terminal benefits paid to the dependents of the deceased	Whether employment provided	If employment could not be provided, the reasons thereof.
1	2	3	4	5	6	7

1981

1. Sh. SSD Bhagia  
UDC  
(27.1.81)  
Age : 48 yrs 3 months  
Service : 19 yrs

Km. Sindhu Bhagia  
Daughter  
B. A.

3

Rs. 24,523.20;  
Family Pension  
of Rs. 200/- p. m.  
plus relief

No

Wife of the deceased was employed as LDC in CPWD.
2. Sh. Sahib Ram Tahuja  
Assistant  
(12.2.81)  
Age : 55 yrs  
Service : 31 yrs 10 months

Sh. Naresh Kumar  
Son  
10th pass

5

Rs. 17,071.00;  
Family Pension  
of Rs. 119/-p. m.  
plus relief

No

Two earning members

3. Sh. Bhaktawar Singh ACSO (26.3.81) Age : 57 yrs 7 months Service : 36 yrs	Sh. Kuldip Singh Son Higher Secondary	5	Rs. 24,320.05; Family Pension of Rs. 214/-p. m. plus Relief.	No	One son is employed. He also got Rs. 1,24,000/-from Rajasthan State Lottery
4. Sh. K.P. Sharma ACSO (12.6.81) Age : 57 yrs 2 months Service : 37 yrs	Sh. Akhil Kumar Sharma, Son Higher Secondary	5	Rs. 45,240.00; Family Pension of Rs. 234/-p. m. plus Relief	No	Two sons were earning members.
5. Smt. Trikhi Safaiwali (26.7.81) Age : 45 yrs 1 month Service : 20 yrs	Smt. Jagwati Devi Daughter-in-Law Illiterate	7	Rs. 9,488.00; Family Pension Nil.	No	Son of the deceased was employed
6. Sh. Sham Singh Gestetner Opr. (8.10.81) Age : 55 yrs 7 months Service : 34 yrs	Sh. Sher Singh Son Higher Secondary	2	Rs. 13,462.00; Family Pension of Rs. 160/-p. m. plus relief	No	The family was having some cultivable land and had no liability.
7. Sh. K. M. Vishwanathan CSO (12.12.81) Age : 57 yrs 2 months Service : 38 yrs	Sh. VA Natarajan Son Hr. Secondary	7	Rs. 63,924.50; Family Pension of Rs. 174/-p. m. plus relief	No	Two members of the family of the deceased were employed,

1	2	3	4	5	6	7
1982						
8. Sh. Charan Singh ACSO (6.1.82) Age : 57 yrs 2 months Service : 38 yrs 5 months	Sh. Mohinder Singh Son 10th pass	3	Rs. 1,11,440.40; Family Pension of Rs. 264/ p. m. plus relief	No	One earning member Substantial terminal benefits and no liabilities.	
9. Sh. B. N. Harit UDC (3.2.82) Age : 38 yrs 7 months Service : 17 yrs 6 months	Sh. G. S. Harit Brother B. Com.	3	Rs. 32,134.00; Family Pension of Rs. 132/-p. m. plus relief	No	The applicant and his wife both were earning members.	
10. Sh. Budhan Jamadar Peon (4.3.82) Age : 56 yrs 4 months Service : 40 yrs	Sh. Ramesh Chand Son 6th class	6	Rs. 17,126.00; Family Pension of Rs. 125/-p.m. plus relief.	No	There was an earning member in the family. There was a dispute between brothers for compassionate emp- loyment and the deceased was found as service under false name.	
11. Sh. D. P. Goel Steno Cde C (17.4.82) Age : 56 yrs 5 months Service : 35 yrs 8 months	Sh. Sushil Kumar Goel, Son B. Com.	7	Rs. 39,796.97; Family Pension of Rs. 254/-p. m. plus relief	No	There are five earning members in the family.	

12. Sh. Thungal  
Peon  
(17.10.82)  
Age : 59 yrs 9 months  
Service : 27 yrs

Smt. Bishan Devi  
Daughter-in-Law  
Illiterate

7

No The Deceased was unmarried and had no family of his own. Daughter-in-Law of the brother of the deceased, was not considered as part of the family.

1983

13. Sh. Arjun Singh  
Seno Cde C  
(4.4.83)  
Age : 30 yrs  
Service : 5 yrs

Sh. Gautam Kumar  
Brother  
10th pass

4

Rs. 28,600.00; No  
Family Pension of  
Rs. 114/- p. m.  
plus relief  
No Wife of the deceased was employed as LDC in Labour Court, Delhi and father was also employed as Chief Clerk in Railways. The applicant was married and residing in Punjab having sufficient cultivable land.

14. Sh. Mohinder Jeet Singh  
CSO  
(29.5.83)  
Age : 55 yrs 4 months  
Service : 40 yrs

Sh. Jasvinder Singh  
Son  
B. Com.

4

Rs. 1,40,542.00; No  
Family Pension of  
Rs. 320/-p. m.  
plus relief  
No The applicant already employed in Krishi Bhavan.

1	2	3	4	5	6	7
15	Sh. S. Annadurai LDC (18.7.83) Age : 28 yrs. Service : 11 months	Sh. S. Velarasu Brother Diploma in Civil Engineering	8	Rs. 20,000.00; Family pension of Not applicable	No	The applicant was doing his own business at his native place.
16	Sh. Suresh Kumar Peon (5.9.83) Age : 24 yrs 3 months Service : 1 yrs 4 months	Sh. Pratap Singh Brother 9th pass	6	Rs. 10,304.47; Family Pension of Rs. 120/-p. m. plus relief	No	Four brothers ' employed.
17	Sh. I. D. Rawat CSO (7.9.83) Age : 57 yrs Service : 40 yrs	Sh. Mukesh Kumar Son 10th pass	5	Rs. 1,61,235.00; Family Pension of Rs. 200/-p. m. plus relief	No	The son employed in Mourya Sheraton Hotel.
18	Sh. Mahesha Nand Daftry (12.10.83) Age : 58 yrs 9 months Service : 33 yrs	Km. Kadambari Daughter Matric	6	Rs. 17,081.75; Family Pension of Rs. 155/-p. m. plus relief	No	Two sons are emp- loyed in Naval HQ and BERL and drawing Rs. 1253/- and 712/- p. m. respectively.
19	Sh. Puran Chand Fatiguelman (13.10.83) Age : 59 yrs 9 months Service : 29 yrs	Sh. Rajinder Singh Son Matric	2	Rs. 16,420.00; Family Pension of Not eligible	No	Son & Daughter both are married; Son has no liabilities except his own family.

20	Sh. Lila Ram Peon (29.10.83) Age : 53 yrs 3 months Service : 9 yrs 6 months	Sh. Chander Pal Son 11th pass	5	Rs. 14,980.00; Family Pension of Rs. 170/- p. m. plus relief	No	Two earning members in the family. Financial conditions of the family good as per DM's report.
21	Sh. Madan Lal Ahuja UDC (2.11.83) Age : 30 yrs 1 month Service : 9 yrs	Sh. Mahesh Kr. Ahuja Brother 12th pass	4	Rs. 17,728.00; Family Pension-Nil	No	Two brothers were employed.
22	Sh. Raje Ram Mehla UDC (14.11.83) Age : 52 yrs 5 months Service-32 yrs	Sh Bhoop Singh Son 10th pass	7	Rs. 14,574.00; Family Pension of Rs. 200/- p.m. plus relief	No	Three earning members and the financial condi- tion of the family very strong as per report of Deputy Commissioner Bhiwani (Haryana).
23	Shri Ram Prakash ACSO (24.11.83) Age : 54 yrs Service : 34 yrs 8 months	Km. Punam Arora Daughtar 10th pass	4	Rs. 1,09,540.85; Family Pension of Rs. 117/- p. m. plus relief	No	Wife employed in Bank of India and drawing Rs. 1100/- per month.
1984						
24	Sh. Ram Basu Saxena ACSO (18.1.84) Age : 50 yrs 8 months Service-32 yrs	Sh. Ajay Saxena Son B. Com.	5	Rs. 57,308.00; Family Pension of Rs. 302/- p.m. plus relief.	No	One son (unmarried) was employed as 2nd Lt. in Indian Army.



1	2	3	4	5	6	7
25	Km. Archina Dass Peon (17.11.84) Age : 34 yrs 2 months Service : 1 yr 10 months	Sh. Dilip Dass Brother 11th pass	5	Rs. 11,494.00; No family Pension	No	Sh. Deepak Dass, one of his brother was employed.
26	Sh. Banwari Lal Peon (17.12.84) Age : 54 yrs 5 months Service : 13 yrs 9 months	Sh. Vijay Kumar Son 8th pass	2	Rs. 14,520.00; Family Pension of Rs. 85/- p.m. plus relief	No	The request could not be agreed to due to : (a) Hiding of the fact regarding adopted son, who was an earning member. (b) The second son was also earning.
27	Sh. Dharam Prakash Anand Senior SSO-II (T) (22.9.84) Age : 53 yrs 2 months Service : 25 yrs 8 months	Shri Anil Kumar Anand Son B. A.	2	Rs. 1,69,897.00 Family Pension of Rs. 328.80 p.m. plus relief	No	The case was not con- sidered as a fit one due to :— (a) Wife earning Rs. 2500/-p.m. (b) Own house in Pachim Puri. (c) Substantial termi- nal benefits.
28	Sh. J. K. Sharma Assistant (25.10.84) Age : 53 yrs 3 months Service : 27 yrs	Sh. Vijay Pathak Son B. A.	5	Rs. 62,223.25; Family Pension of Rs. 198/- p.m. plus relief	* No	There were three earn- ing members in the family.

29	Sh. Roshan Lal Sharma UDC (25.12.84) Age : 58 yrs Service : 24 yrs	Sh. Jai Narain Son 10th pass	3	Rs. 28,064.80; Family Pension of Rs. 244/-p.m. plus relief	No	There were two earning members in the family.
1985						
30	Sh. Dewan Chand Batra. ACSO (6.2.85) Age : 55 yrs 8 months Service : 35 yrs 6 months	Smt. Sushil Kumari Batra, Daughter-in-Law B. A.	7	Rs. 65,877.60; Family Pension of Rs. 254/-p.m. plus relief	No	3 earning members in the family and finan- cial condition being sound.
31	Sh. Dalbir Singh Dafray (8.4.85) Age : 58 yrs 9 months Service : 39 yrs 5 months	Sh. Ravinder Singh Son 12th pass	1	Rs. 26,158.00; Family Pension of Rs. 152/-p.m. plus relief	No	There is one earning member in the family.
32	Smt. Hema Rajwar LDC (14.4.85) Age : 25 yrs 3 months Service : 3 yrs 2 months	Km. Vinita, Niece 12th pass	1	Rs. 25,835.00; Family Pension of Rs. 84/-p.m. plus relief	No	Smt. Hema Rajwar had no issue of her own. The applicant is the niece of the deceased and is not legally adopted.
33	Sh. Harish Chandra ACSO (15.6.85) Age : 53 yrs 2 months Service : 36 yrs	Sh. Rakesh Gupta Son B. Com.	8	Rs. 76,843.00; Family Pension of Rs. 290/-p.m. plus relief	No	The family received substantial terminal benefits and has a house in Gaziabad. The deceased had left life insurance of Rs. 10,000/- also.

1	2	3	4	5	6	7
34	Sh. Gungan Ram Peon (29.7.85) Age : 52 yrs Service : 11 yrs, 3 montns	Sh. Sunder Lal Son 8th pass	3	Rs. 22,024.00; Family Pension of Rs. 98/-p.m. plus relief.	No	The married son not considered as depen- dent on the deceased.
35	Sh. Bhim Sain Batra ACSO (11.8.85) Age : 58 yrs. Service : 32 yrs, 2 months	Km. Anju Batra Daughter B.A.	5	Rs. 83,439.20; Family Pension of Rs. 277/-p.m. plus relief.	No.	Two daughters are married. The only son is earning Rs. 1200/- p.m. Substantial ter- minal benefits recei- ved by family.
36	Sh. Ram Lal Safaiwala (10.9.85) Age : 55 yrs, 6 months Service : 20 yrs.	Sh. Vinod Kumar Son Illiterate	7	Rs. 17,856.84; Family Pension of Rs. 168/-p.m. plus relief.	No	The widow is emplo- yed and the Govern- ment accommodation is also allotted to her.

## APPENDIX VI

*(Petition No. 21 regarding rehabilitation of Bhakra Dam oustees)*

LOK SABHA

PETITION NO. 21

(Presented to Lok Sabha on 31.8.1978)

To

Lok Sabha  
New Delhi.

The humble petition of Shri Baldev S. Kutlehria and other Bhakra Dam oustees, District Hissar.

**SHEWETH**

About 2180 families evacuated from Bhakra Dam reservoir area in districts Una and Bilaspur of the State of Himachal Pradesh were proposed to be resettled in Districts Hissar and Sirsa of the State of Haryana. Due to various difficulties only 730 families have so far been able to resettle in Haryana and most of these families too will be forced to leave their homes and hearths if the difficulties of these people are not looked into urgently. Scores of representations made in the past to the Chief Ministers of the Bhakra Dam beneficiary States and the Union Energy Minister to look into the difficulties of these people have remained unheeded, presumably because every State wants to disown these hapless people.

2. The difficulties faced by the oustees are enumerated below :

- (i) More than 65 per cent families ousted from Bhakra Dam reservoir area have been allotted less than 5 acres of land each. In many cases the land allotted to a family is even less than one-tenth of an acre. It is not possible for the oustees to resettle unless each family is allotted an economic and viable land holding. In this connection, it may be submitted that each family ousted from Pong Dam reservoir area has been allotted 15.625 acres of land in Rajasthan. It is not understood why step-motherly treatment has been meted out of the Bhakra Dam oustees whose sacrifice is in no way less than that of Pong Dam oustees. The oustees who owned land in Bhakra Dam reservoir area have not even been treated as on par with landless cultivators and Harijans as the latter have been allotted an economic and viable land holding of 5 acres per family.

(ii) The position has become worse for the oustees as the Government has now conceded the demand of powerful landowners, from whom land was acquired for allotment to the oustees, for enhanced compensation. The amount of enhanced compensation payable to the landowners, together with interest, is proposed to be realised from the poor oustees. In many cases, the amount which is now proposed to be realised from the oustees on account of enhanced compensation will be much more than the original price at which the land was allotted to the oustees. It would not be justified to realise the said amount from the oustees in view of the following factors :

- (a) As the oustees have been evacuated from their native place in national or public interest, it casts a moral obligation on the part of Bhakra Dam beneficiary States as well as the Union Government to ensure their proper resettlement. Any additional financial burden on the poor oustees is bound to nullify all that the Government has done for their resettlement, as they will be compelled to raise the money by the sale or mortgage of their small land holdings.
- (b) The landowners fraudulently got the kind of land changed from 'Banjar' to 'Nehri' in the revenue records, with the connivance of revenue officials, so that they may claim more compensation for the land acquired from them for allotment to the Bhakra Dam oustees. To illustrate, the land of village Ratta Tibba (Hazrawan Khurd), district Hissar, was 'Banjar' at the time of acquisition. Subsequently, the revenue records were tampered with and this land was shown as 'Nehri'. The said tampering of land records by the revenue officials has been established on the basis of a departmental enquiry and police investigations. The Government of Haryana has also conceded that on this account an amount of Rs. 64,223/- has already been charged in excess from the Bhakra Dam oustees for the land allotted to them. It would be unfair to put any additional burden on the poor oustees as they have already been charged in excess.
- (c) Though the land was allotted to the Bhakra Dam oustees about twenty years back, still the proprietary rights have not so far been given to them. Had the Government given the proprietary rights to the oustees immediately after giving the possession of land to them, it would not have been possible for the land owners to sue each oustee in the Court of Law and claim enhanced compensation after a period of 20 years. It appears that the conferment of proprietary rights has been deliberately delayed with the *mala fide* intention of giving the land owners an opportunity to claim more compensation by suing the Government in the Court of Law as a single party.

- (d) The land acquired from the oustees in Bhakra Dam reservoir area was evaluated on the basis of average price of land during 1942-47, whereas the land allotted to them in Haryana was evaluated on the basis of average price during 1952-57. As a result of this disparity the oustees got less compensation for the land acquired from them and had to pay more for the land allotted to them, particularly so because there was steep rise in the price of land from 1947 onwards due to influx of the refugees after partition. In view of the position stated above, any additional burden on the oustees would not be justified.
- (iii) As the proprietary rights of the land allotted to the Bhakra Dam oustees are still vested with the Government, the oustees have all along been denied the development loans and other facilities advanced by the Government agencies to the farmers. Due to this, the oustees have been begged down in the morass of backwardness and they deserve special privileges to catch up with the other people of Haryana State.

Accordingly, your petitioners pray that :

- (i) Each family ousted from Bhakra Dam reservoir area may be allotted an economic and viable land holding of 10 acres;
- (ii) The land acquired from the oustees in the reservoir area may be re-evaluated on the basis of average price during the years 1952-57;
- (iii) The proprietary rights may be given to the oustees forthwith;
- (iv) The enhanced compensation payable to the land owners, from whom land was acquired for allotment to the oustees, may be borne by the Bhakra Dam beneficiary States and the Central Government; and
- (v) The Bhakra Dam oustees who have resettled in Haryana may be declared a backward class for a period of at least 10 years henceforward so that they may get special privileges for development.

And your petitioners as in duty bound will ever pray.

Name of Petitioner	Address	Signature or Thumb impression
1. Shri Baldev S. Kutlehria	Vill. & P. O. Ratta Tibba, Distt. Hissar-125050	Sd/—
2. Shri S. P. Sharma	Vill. & P. O. Ratta Tibba, Distt. Hissar-125050	Sd/—
3. Shri Rup Singh	Vill. Dain, P. O. Mandli, Tehsil & Distt. Una.	Sd/—
4. Shri Bal Kishan and others	Village & P. O. Raipur, Tehsil & Distt. Una.	Sd/—

Countersigned by : Ranjit Singh, M.P.

## APPENDIX VII

(See para 5.2 of the Report)

No. F. 17-24/84-Sch. 5

Minister of  
Education, Culture & Social Welfare  
Government of India  
New Delhi-110001.

November 14, 1984.

Dear,

The Committee on Petitions (7th Lok Sabha) has presented its Twentieth Report to the Lok Sabha on 23rd August, 1984. Amongst other matters, the Committee also considered the representation submitted by the National Coordination Committee of Indian Teachers Organisations.

2. One of the demands made by the organisation was direct payment through Bank/Treasury to all sectors of teachers and educational workers. However, since educational administration is largely a subject matter for the States, the Committee on Petitions has recommended 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, so that there is no scope of exploitation of teachers who are entrusted with the task of education of children.

3. Several State Governments like Kerala, West Bengal and Uttar Pradesh have already implemented a system of direct payment of salaries to teachers of aided institutions. We feel that while the methodology to be adopted by different States would be dependent on local conditions and circumstances, such a system is desirable and deserves to be implemented throughout the country. I would, therefore, urge you to implement the system of direct payment of salary to teachers of aided institutions in your State.

4. I would be grateful if you could kindly inform us regarding the practice followed in your State at present and the action proposed to be taken by the State Government in regard to the above recommendations. I would be grateful for early action in the matter because Lok Sabha has to be apprised of the action taken in the matter.

With kind regards,

Yours sincerely,  
Sd/-  
(Sheila Kaul)

## APPENDIX VIII

(See para 5.4 of the Report)

*Replies received from States/UTs in response to letter No.  
F.17-24/84-Sch. 5 dated 14-11-84 regarding direct  
payment of salaries to teachers*

Sl. No.	Name of State/UT	Reply received
1	2	3
<b>STATES</b>		
1.	Andhra Pradesh	The State Government have already introduced the Scheme of direct payment of salaries to the staff working in Private aided educational institutions (schools and colleges).
2.	Assam	There is no system of payment of salaries to teachers of Government Aided Private Schools by cheque through Bank/Treasury in the State. Payment is made in cash by drawing Bills on Treasury.
3.	Bihar	The salary of the teachers of Private Aided Primary Schools is paid directly by the District Education Officer.*
4.	Gujarat	The practice of making direct payment to teachers and educational workers through Banks was adopted in 1973 and continues ever since. Similarly, the staff in Colleges and Universities also is paid through Banks since 1981.
5.	Haryana	The system of direct payment of salaries to teachers of aided institutions is being examined by the State Government and they will take appropriate decision in the matter shortly after considering its various implications.

\*The Headmaster of Minorities Schools receive assistance from the State Government by bank draft directly. Orders also exist for disbursement of salary of staff of such schools through banks.



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6. Himachal Pradesh	The State Government has agreed to the payment of the salaries to the members of staff working in the Privately Managed Colleges in the Pradesh through Government Treasuries. This scheme is effective with effect from 1.4.85. So far as disbursement of salaries to the members of Staff of Government Aided Private Schools concerned the same is paid to them by the Managements who get acquittance Roll from them. The State Government release the amount of grant-in-aid to the Managements of the Schools through bills to be presented to the Treasuries concerned on T. R. 42 in accordance with the norms fixed by the Government.	
7. Jammu & Kashmir	The recognition sanction/grant-in-aid permission is granted by the Administrative Department viz. Education Secretariat and thereafter the institution submits their grant-in aid claims to the Directors of respective provinces for release of their grant-in-aid payments. After examining their claims with reference to grant-in-aid rules, Directors issue necessary sanction and release admissible payments to the institutions.	
	The institutions are expected to make disbursement of salary dues through cheque to their teachers. The cheque system has been introduced that the teachers of aided institutions will get the salary of the same amount which is actually claimed by the institution in their grant-in- aid claims.	
8. Karnataka	The system of direct payment of salaries to teachers of aided educational institutions is already in force in Karnataka.	
9. Kerala	1. In the School Education sector the Government of Kerala introduced direct payment scheme since 1957. The salary of teaching and non-teaching staff of the aided Primary and Secondary Schools is being paid through Headmasters of the schools. As the pay and allowances in respect of the teachers and non-teaching staff of the High Schools and Primary Schools are being drawn and disbursed by the respective	

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		<p>Headmasters, the Management of the Aided Schools have no role to play in this regard. The staff of the aided and other Government recognised schools enjoy parity with Government School staff in the matter of pay scales, leave, pension etc.</p>
		<p>2. In the college sector, the Government have introduced the Direct payment Scheme as early as in 1972. This Scheme is extended to the teaching and non-teaching staff in the colleges (Arts, Science, Training &amp; Engineering), the managements of which enter into an agreement with Government voluntarily opting for the direct payment scheme.</p>
		<p>3. The Staff in these Colleges enjoy parity with Government College Staff in the matter of pay scales, leave pension etc. Salary of the entire staff is disbursed directly by the Principal. The managements of the colleges do not have any role to play in the matter of salary disbursement.</p>
10. Madhya Pradesh		<p>Madhya Pradesh Government have already implemented a system of direct payment of salaries to teachers of non Government aided institutions through Bank/Treasury with effect from 1.2.1978. In accordance with the provisions of the Madhya Pradesh Ashaskiya Sikshan Sansthan (Adhyapakon Tatha Anya Karma-chariyon Ke Sandaya) Adhinyam, 1978 and Rules made thereunder.</p>
11. Maharashtra		<p>The State Government has introduced the scheme of payment of Salaries through Co-operative Banks to the full time employees of aided private primary schools since July, 1979.</p> <p>So far as the teaching and non-teaching staff working in recognised and aided non-Government Secondary Schools is concerned, the State Government has already brought into force the scheme of direct payment through Co-operative Banks since June, 1973. This scheme has been extended to the teaching and non-teaching staff</p>

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		<p>working in aided recognised non-Government Junior Colleges (Higher Secondary Schools) also.</p> <p>Teaching and non-teaching staff working in aided and recognised non-Government Arts, Science, Commerce and Education Colleges are also being paid their salaries through Banks. This scheme is in force since 1977.</p>
12. Manipur		<p>The system of Direct payment by cheque through Bank/Treasuries not introduced. As per existing rules drawing &amp; Disbursing. Officers encash the salaries of teachers and disburse the same directly to the teachers concerned in respect of Government schools. For grant-in-aid school, schools payment is made through school secretaries after encashing the grant by the drawing &amp; disbursing Officers.</p>
13. Meghalaya		<p>A decision has been taken in principle to make payment through cheque wherever Banking facilities are available. The salary bills of deficit aided schools are countersigned by the Inspectors of schools and salary disbursed by the Schools Managements. Schools under ad-hoc grants are given lump sum amount of draft and salaries of teachers disbursed by the schools themselves.</p>
14. Nagaland		<p>A token grant-in-aid is sanctioned to recognised educational institutions which is not exclusively meant for salaries to teachers. There have been no complaints about non-receipt of salaries by teachers of private educational institutions and hence the State Government feels that there is no need to disturb the present system.</p>
15. Orissa		<p>Grant in aid admissible to aided private institutions whose employees are eligible to receive full salary cost from Government, are being paid directly to the employee concerned through Heads of Institutions except in one district where payment is being made to employees directly through banks on experimental basis, question of payment directly to the employees concerned through banks in other districts being considered.</p>

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As regards institutions which are not entitled to full salary cost as grant-in-aid, grant-in-aid was being paid to concerned management who pay to their employees, Government propose to revise this procedure and make direct payment of the part grant on proportionate basis to the employees concerned details being worked out for implementation of the revised procedure for payment.

#### 16. Punjab

Under the existing terms and conditions of the financial grant being given by the State Government to the private colleges, 95% of the deficit of the college is to be paid by the State Government. The amount of grant-in-aid is released every month regularly to the colleges after obtaining a utilisation certificate from them for the previous grant given. The amount of grant in-aid which is 95% of the deficit of the college is subject to variation since it is related to income of the college. Moreover, the teachers are employees of the college management and their record is maintained by them. Hence it may not be practicable to disburse salary to the teachers of the aided educational institutions through treasuries or through banks.

#### 17. Rajasthan

The practice of direct payment of salaries through banks is not being followed. The rules for payment of grant-in-aid to non-governmental educational, cultural and physical education institutions state that salaries to staff shall be paid in full and regularly every month and no unauthorised cut will be made therein. The Director of Education may, if he considers it necessary, direct the Government Body Council or the Management of any particular institution to discharge salaries by cheque. A provision is also proposed to be introduced in the State's Education Bill which is at present under consideration of the State Government, empowering the Director of Education to direct the Management of aided institutions by general or special orders to discharge salaries of their staff by cheques. It is felt that this provision would be sufficient to ensure that the staff working in the

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		aided institutions get their full prescribed salaries.
18. Sikkim		<p>The teachers of 98% government schools in the State are paid salaries directly by the District Education Officers. In Government aided lower primary schools, government teachers are posted to avoid misutilisation of grant-in-aid. The Government gives grant-in-aid to four institutions but ensure that teachers of these institutions are paid salaries regularly. The State Government has not received any complaint so far about irregularities on payment of salaries by these institutions.</p>
19. Tamil Nadu		<p>The system of direct payment of salary to the staff of aided colleges was introduced with effect from 1.4.1980. The teaching and non-teaching staff working in aided colleges in the state are paid 100% grant which is credited to the individual Bank account of the staff on the last working day of the month or any other day which is declared as 'Pay day' by the Government. This system ensures prompt regular and full payment of salary to the staff of aided colleges.</p> <p>The system of direct payment of salaries to teachers in aided schools was introduced in Chengalpattu District in the State but was challenged in the High Court at Madras by certain managements of the Private Aided Schools in the District and the court has stayed the implementation of the orders. The Government have therefore, revived the old procedure according to which the Secretary of the school submits every month to the Deputy Inspector of schools concerned a monthly statement giving full details of the staff employed which are sent to the DEO after scrutiny. The DEO sanctions grants on the basis of the bills to the Treasury/Sub-Treasury. The Secretary of the School encashes the bill and disburses the pay and allowances to teachers and other persons. In the case of school situated in places where there is no treasury/sub-treasury the DEO obtains bank draft and</p>

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		<p>sends it to the Secretary of the school concerned. To mitigate the problems of teachers of aided schools in getting their salaries in time to ensure the payment of salary to the staff on due dates every month, the Government have introduced with effect from 1.5.1985 the system of payment of salary through Personal Deposit. Accounts in the name of the inspecting officers. The payment is made to the teachers through the managements and not directly to the teachers.</p> <p>The aided technical institutions under the control of the Director of Technical Education of the Department, receive grant in three instalments in a Financial year and salaries are being paid by the principals of the institutions from the advance recurring grant received from the Director of the Technical Education.</p>
20.	Tripura	<p>There is no system of direct payment of salaries to teachers serving under the Government aided institutions. Necessary funds towards payment of salaries to the staff of Government aided institutions are paid to the management in the shape of recurring grant-in-aid, who in their turn arrange disbursement of salaries to the staff of the respective institutions. The Government of Tripura are, however approaching the Government of West Bengal for information regarding the system they are following on the basis of which they would consider adoption of a suitable system of direct disbursement.</p>
21.	Uttar Pradesh	<p>The Government of Uttar Pradesh has informed that the system for payment of salary through Banks to teachers and non-teaching staff of Government aided Jr. High Schools, High Schools, Intermediate Colleges and Government aided degree colleges is already prevalent in U.P. State. The payment of salary to primary school teachers under Basic Shiksha Parisad is already being made through Banks.</p>
22.	West Bengal	<p>Direct payment of salaries to the approved teaching and non-teaching staff of the recognised secondary schools through banks has been in force since 1.7.1978.</p>

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		<p>The payment of salaries to the teachers of Primary Schools in Urban areas is also made through Banks but payment to the Primary teachers in rural areas is mainly made by Money Orders—Government is, however, examining the feasibility of giving full coverage of the scheme of payment of salaries to all Primary School teachers through banks.</p>
<b>UNION TERRITORIES</b>		
1. Andaman and Nicobar Administration	<p>There is only one educational institution in Andaman and Nicobar (<i>i. e.</i> Nirmala Senior Secondary School, Port Blair) which is getting grant-in-aid from this Administration. Under the Delhi School Education Act, 1973 and the rules made thereunder which are made applicable to this Union Territory, payment is restricted to the extent of 95 per cent of total salary bill.</p> <p>However, a system will be worked out in consultation with the management of the school so that the system of direct payment of salary to the Government aided teachers can be introduced.</p>	
2. Arunachal Pradesh	<p>Teachers working in Government Schools are paid by the District Education Officer. Most of these schools are located in the remote areas where there is no banking or treasury facility available. The pay and allowances are drawn at the district headquarters and remitted to the teachers through special dak runners. There are a few schools run by voluntary organisations for which the agencies concerned draw their pay and allowances and remit to the teachers as done in the case of teachers working in the Government schools.</p>	
3. Chandigarh Administration.	<p>Salaries to teachers are paid by cheques through management of each institution.</p>	
4. Dadra and Nagar Haveli	<p>Most of the schools in this Union Territory are run by the Government and the salaries of all teachers of these schools are disbursed along with the salaries of other staff of the administration. No problem or exploitation has so far arisen following such system. However, neces-</p>	

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		sary action will be taken for bank disbursement of salaries of teachers of schools run by voluntary organisations in this territory, if considered necessary.
5.	Delhi Administration.	The system of direct payment to the teachers by cheque is already in vogue in the Union Territory.
6.	Goa, Daman and Diu.	The system of direct payment through banks to the teachers of aided educational institutions is already being followed. Payment to the teachers under Government Institutions, is made directly through the Drawing and Disbursing Officers.
7.	Lakshadweep	There are no aided institutions in this Union Territory. All the Educational Institutions are managed by the Lakshadweep Administration from the area grant. The Headquarters of High Schools are the Drawing and Disbursing Officers of the respective Institutions, Direct payment system of salary etc. of the teachers is prevailing in this Union Territory.
8.	Mizoram	Direct payment of salaries through Bank/Treasury to all Sections of teachers and Educational workers is neither practised nor practicable to Mizoram due to non-availability of adequate Treasury and Banking system. It is the practice of the Government of Mizoram to sanction Salaries of all teachers and Educational workers of aided Institutions for 10 months at the first instance and then for the remaining 2 months in the second instalment. The sanctioned amount is released to the Secretary of the Managing Board of the School who is also, normally the head of the Institution who disburses the salaries to the teachers and other educational workers of the aided Institutions concerned. In view of the prevailing conditions of Mizoram, no better alternative arrangement could be thought of.
9.	Pondicherry	The teachers of private schools are at present governed by the provisions/rules contained in the Grant-in-aid code for Aided Educational Institutions, approved by the Government of India in



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		<p>May, 1966. The Grant-in-aid Code provides for the payment of monthly salaries to teachers regularly by crossed cheques by the concerned private institutions. The Government is not paying salaries directly to teachers of aided institutions. The Union Territory Administration had prepared a draft Bill titled "The Pondicherry School Education Bill, 1981." The bill has since been referred to the Government of India, Ministry of Home Affairs for approval. After the Bill receives approval of the Government of India, the recommendations made by the Committee on Petitions for implementation of the system of making direct payment to teachers of aided schools will be taken into consideration by making suitable provisions while framing rules.</p>

## APPENDIX IX

(See para 6.1 of the Report)

*[Other representations which were not admissible as petitions]*

S. No.	Name and Address of petitioner	Brief subject and points raised	Facts perused by the Committee
1	2	3	4
1.	Shri P. N. Gulati, 51/13, Old Rajinder Nagar, New Delhi-110060.	Regarding arrear payments.	<i>Ministry of External Affairs</i>

That I am an old hand of the External Affairs Ministry where I have worked for about 35 years and retired as an Assistant from Indian Embassy, Tokyo on 31st December, 1982. I am also an old hand of the Protocol of the Ministry.

During the years 1960-64 I was working in the main Protocol of the E. A. Ministry when my performance was liked to the extent that the then Chief of Protocol/Additional Secretary (Shri S. K. Banerji) had recommended three advance increments in my favour in 1964.

However, when this case was being processed in the Administration, my file got lost by them. Despite my sending written reminder in 1966 through the Indian Mission in New York, where I was then working, no reply was sent and the letter was neither acknowledged nor attended to from this point of view because

In their factual note dated 21.12.1985, the Ministry of External Affairs stated as follows :

The recommendation of the then Chief of Protocol in March, 1964, for the grant of three advance increments under F. R. 27 was examined on receipt. It was observed that Shri Gulati had already been paid a lump sum honorary of Rs. 300/- apart from overtime allowances, and had already been granted two advance increments under the Superior Performance Scheme for a period of one year from 1.4.1963 to 31.3.1964. Further consideration of the recommendation made by the then Chief of Protocol was to pend till a general decision on similar cases was taken by the then Joint Secretary (Admn.) in consultation with the then Director (Finance). No deci-

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it had been filed into some other file. (When my file remained lost, some other Protocol Assistants M/s. Bhardwaj, Sareen & Oberoi were given such increments).

After a gap of 14 years, the relevant file became available from Ministry's own Record-Room when the case was examined afresh.

This resulted in giving me two advance increments from backdate but the order said that the arrear payment for 14 years would not be allowed. It is that period when the file remained lost within the Ministry of External Affairs.

Since last six years I am asking one question :

- (a) What is the fault of the person concerned ?
- (b) Who should rightly be penalised the one whose file got lost or the one whose negligence led to the misplacement of the file ?

Despite my best efforts I could not make the government understand the case in its right perspective with the result that my arrears and due interest for so many years are held-up and what to talk of causing me and my family immense damage which cannot be calculated in terms of money and which has brought our moral to the lowest extremes. However, since we had been taught the moral principles in the strongest forms during our primary & elementary schools, I hope and pray to God Almighty to grant us more and more

sion was taken then. While the case was being processed (but not disposed of due to interpretation of rules etc.) It was sent to records inadvertently and remained there till it was traced and retrieved in August, 1978, on the basis of a representation by Shri Gulati.

When Shri Gulati raised the issue again for the grant of advance increments to him, the case was reopened. By that time however, the powers to grant advance increments under F. R. 27 had been withdrawn by the Ministry of Finance. The case had, therefore, to be taken up with the Ministry of Finance. The sanction which was issued in 1979, granting two advance increments to Shri Gulati with cumulative effect from 1.4.1963, did not allow the arrears to be paid to him for period 1.4.1964 to 19.2.1979. No specific reasons were recorded for making the cumulative effect of the advance increments operational from 20.2.79 and non-payment of the arrears.

Shri Gulati has since then been representing that the arrears be paid to him and his pension should be recalculated.

The case was referred to the Department of Personnel and Administrative Reforms and the Ministry of Finance who did not agree to the in-

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strength to withstand the shock given to us by the way our case has been dealt with.

The latest is that when Shri M. K. Rasgotra was still the Foreign Secretary, he had taken up my case with the then Finance Secretary (Shri P. K. Kaul) where they agreed to give me a sum of rupees ten thousand *ex-gratia* to settle my 21 years old case. This was on 19th Jan. 1985. However, since this fell short in my dues alone (leave aside the due interest and cost of damages and, also, it did not give me my due increase in monthly pension, I had no way but to decline that payment for which they wanted me to sign it as 'full and final settlement'.

Respected Madam, I have tried to avoid troubling your office for so long but now I see that unless the matter is taken up suitably, by your organisation or by some other prescribed authority, the Ministries alone would not be able to do justice in full without which I would rather forego paltry sum but I'm afraid I will not be doing justice to me and my family if I accepted any half justice.

crements having cumulative effect as the powers which were withdrawn from the Ministry in 1968 could not be given retrospective effect. The then Foreign Secretary made out a special case for Shri Gulati with the then Finance Secretary in November 1984, to grant him an *ex-gratia* payment of Rs. 11,000/- to compensate Shri Gulati for the arrears which would have been paid to Shri Gulati from 1.4.1964 to 19.2.79 (the actual amount of the arrears work out to about Rs. 11,700.4). The then Finance Secretary agreed to an *ex-gratia* payment of an amount not exceeding Rs. 10,000/- in full and final settlement of his case subject to the condition that he would not represent for any further benefit directly or otherwise and was willing to give an undertaking to this effect.

Shri Gulati, however, refused to accept this *ex-gratia* payment or give the required undertaking. The present Foreign Secretary took up the case again with the Finance Secretary and then with the Secretary (Personnel). The previous position was reiterated and the Department of Personnel rejected the case for advance increments under F. R. 27, which was not a matter of right for an official to claim,

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Shri Gulati has sent numerous representations to the President, Prime Minister, Minister of External Affairs, other Ministers and Members of Parliament. The case had been examined in depth by the Foreign Secretary, Cabinet Secretary, Finance Secretary and Secretary (Personnel). His case was also examined by the Department of Pension and Pensioners' Welfare. Since Shri Gulati refused to accept the compensation as *ex-gratia* payment or give the required undertaking, a decision was taken to treat his case as closed.

The case was again resubmitted to the Minister of External Affairs in December, 1985. The EAM directed that if Shri Gulati's pension had been adversely affected due to an administrative lapse some additional compensation on this account would be considered in the final *ex-gratia* payment. This case will thereafter be taken up a fresh for consideration by the Ministry of Finance and the Department of Personnel and Training.

In their further note dated 2 May, 1986, the Ministry of External Affairs have informed that the proposal for payment of additional compensation to Shri P. N. Gulati has not been agreed to by the Ministry of Finance. It

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has been indicated by the Ministry of Finance that the case had been put up to the Finance Minister.

In his letter dated 30 October, 1986, Shri Gulati, has further informed that the Foreign Secretary told him on 24 June, 1986 to take Rs. 15,000/- as *ex-gratia*. He has stated that he would like to have what is due to him.

2. Shri Narsingh Dube, Branch Secretary, National Seeds Corporation Workers Union, Goarkhpur.

Regarding regularisation of service

#### *Ministry of Agriculture*

In their factual note dated 30.4.1986, the Ministry of Agriculture (Department of Agriculture and Coop.) stated as follows :

The wages to the workers are being paid in accordance with the Minimum Wages Act as applicable in U. P.

We want to invite your attention towards National Seeds Corporation Ltd. (Govt. of India's Undertaking). This undertaking helps in the implementation of food schemes of the Govt. of India and encourages production of foodgrains by supplying seeds of paddy, wheat, maize, arhar, etc. Daily wage workers are working in this undertaking for the last 8 to 10 years. Their condition is worst than that of bonded labourers. These low paid daily wage workers make a significant contribution to this undertaking by their hard labour. But they are unable to meet their both ends meet in these hard day with the meagre amount of Rs. 433 and they are completing age for entry into Govt. jobs. As such we are facing financial hardships. We have written a number of letters to the Higher Officers of the undertaking, late Prime

13 out of the 78 daily wage workers in U.P. have already been regularised by the NSC. The question of regularising the remaining daily wage workers in U. P. including these 14 petitioners is under the consideration of the NSC. The Ministry has also directed the NSC to finalise this issue at the earliest.

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Minister Smt. Indira, Gandhi the present Prime Minister, Shri Rajiv Gandhi, for regularisation of their services but no action has so far been taken in this regard. We, therefore, kindly invite your kind attention through this letter to the plight of daily rated casual workers. We shall be highly grateful to you if you could put our demands before the Senior Officers of the corporation and the Prime Minister.

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