

COMMITTEE ON PETITIONS

(FOURTEENTH LOK SABHA)

NINTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

July, 2005/Asadha, 1927 (Saka)

NINTH REPORT

COMMITTEE ON PETITIONS

(FOURTEENTH LOK SABHA)

(Presented to Lok Sabha on2005)



LOK SABHA SECRETARIAT
NEW DELHI

July, 2005/Asadha, 1927 (Saka)

CB-I No. 335 Vol. IX

Price : Rs.10.00

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Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Eleventh Edition) and printed by the Manager, Government of India Press, Minto Road, New Delhi.

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COMPOSITION OF THE COMMITTEE ON PETITIONS

Shri Prabhunath Singh—*Chairman*

MEMBERS

2. Shri Raj Babbar
3. Shri Nandkumar Singh Chauhan
4. Shri N.S.V. Chitthan
5. Dr. M. Jagannath
6. Shri Jitin Prasad
7. Shri Baliram Kashyap
8. Shri Suresh Kurup
9. Smt. Nivedita Mane
10. Mohd. Muqueem
11. Shri Dharmendra Pradhan
12. Shri Jyotiraditya Madhavrao Scindia
13. Shri Damodar Barku Shingada
14. Shri Mansukhbhai D. Vasava
15. Shri Vijoy Krishna

SECRETARIAT

- | | | |
|-----------------------|---|--------------------------|
| 1. Shri John Joseph | — | <i>Secretary</i> |
| 2. Shri S. Bal Shekar | — | <i>Joint Secretary</i> |
| 3. Shri Brahm Dutt | — | <i>Director</i> |
| 4. Shri R.K. Bajaj | — | <i>Deputy Secretary</i> |
| 5. Shri V.P. Gupta | — | <i>Committee Officer</i> |

INTRODUCTION

I, the Chairman of the Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Ninth Report (Fourteenth Lok Sabha) of the Committee to the House on the following matters:—

- (i) Representation regarding non-implementation of seniority list of Railway Employees.
 - (ii) Representation requesting for provision of jobs to the affected families whose lands have been acquired for Test Track by Eastern Railway, Mughalsarai.
2. The Committee considered and adopted the draft Ninth Report at their sitting held on 19 July, 2005.
3. The observations/recommendations of the Committee on the above matters have been included in the Report.
4. For facility of reference and convenience, observations/recommendations of the Committee have been printed in thick type in the body of the Report.

NEW DELHI;
19 July, 2005

28 Asadha, 1927 (*Saka*)

PRABHUNATH SINGH,
Chairman,
Committee on Petitions.

CHAPTER I

REPRESENTATION REGARDING NON-IMPLEMENTATION OF SENIORITY LIST OF RAILWAY EMPLOYEES

Shri Pran Singh Sethi, Member Managing Committee, Bharat Pensioners Samaj, (Regd.) R/o B-9/650, Factory Area, Patiala (Punjab), submitted a representation to the Committee regarding non-implementation of seniority list of Railway employees.

1.2 In the representation, the petitioner has stated that he joined Western Railway on 24.5.1955 in Steam Cadre and thereafter consequent upon the creation of Diesel Cadre in 1966, he joined Diesel Cadre with the terms and conditions that he will get seniority as per length of service. On 9.5.1978 the seniority was fixed as per terms and conditions but seniority list was not implemented because both the recognized unions disputed the principles laid down on which the list was drawn. It was further modified *vide* General Manager letter dated 28.4.1981. The petitioner alongwith other such employees approached the Labour Court at Ahmedabad for correct fixation of their seniority in the category of Diesel Mechanic Grade-I and for their promotion on that basis to higher grade post of chargeman, alleging that their juniors have been promoted to higher grade post ignoring their seniority. The Labour Court (Central Industrial Tribunal, Ahmedabad) gave award in the favour of the petitioners. The Railway Administration filed an appeal in the Hon'ble High Court at Ahmedabad and the case is still pending.

1.3 The petitioner has further submitted that out of 10 persons who approached in the Court, 6 have expired. They all are more than seventy years of age and since 1978 about 26 years have been passed but the case has not yet been finalized by the Court.

1.4 The Ministry of Railways (Railway Board) were requested to furnish their comments on the points raised in the representation.

1.5 The Committee took oral evidence of the representatives of the Ministry of Railways (Railway Board) on the subject on 16 September, 2004.

1.6 When asked about the terms and conditions under which the petitioner was shifted from Steam Cadre to Diesel Cadre, the Ministry in a written note informed the Committee as under:—

"The steam staff was shifted to diesel maintenance side as per conditions laid down in General Manager/Western Railways' letter dated 3.1.967. These conditions were :—

- (i) As long as surplus steam maintenance staff are available, no direct recruitment should be resorted to in any post in diesel maintenance and such steam surplus staff should be absorbed in Diesel maintenance side in equivalent grade(s) after training.

- (ii) Cadres of Steam and Diesel maintenance should be separate. Steam staff will be eligible for promotion only on steam side and diesel staff on diesel side and there should be no interchangeability between them. However, this will not preclude steam staff being absorbed in the diesel side in equivalent grades after training until the diesel and steam cadres stabilize and absorption of surplus steam staff in diesel maintenance side is finalized.
- (iii) The seniority of steam maintenance staff absorbed in Diesel maintenance side should be fixed on the basis of length of service in the grade."

1.7 Elaborating it further, a representative of the Ministry of Railways stated during evidence:—

".....Basically three conditions were laid down in it. When any new cadre is formed, it has a cut off date and this cadre remains open till that date. Whosoever joins in that cadre his seniority is likely to be fixed when the cadre closes. Here they have made a mistake. He was given regular promotion whereas he should have been promoted on *ad-hoc* basis and unless cadre closes, no one can be offered regular promotion.Initially, we made a mistake in this case but later on when more senior people joined and cadre was finally closed then keeping in view the seniority of other people their seniority was fixed and as a result thereof several people superseded them because the total service rendered by them in the same scale was more as compared to others."

1.8 When asked about the reasons for not including the name of the petitioner in the seniority list prepared in 1978 and giving promotion to him at that time, the witness replied as under:—

"They were not given promotion because it was necessary to adjust all those people who were senior to them and joined later on. They were given this promotion keeping in view their seniority and the total service rendered in that grade."

1.9 When asked about the grounds on which the Labour Court gave verdict in the favour of the petitioner, the witness stated as under:—

"Court has given its verdict in his favour because our advocate did not appeared in the Court to plead our case on that date because he was busy in other court. That is why we have appealed against that judgement. It is still pending."

1.10 When asked about legal/administrative/financial implications of accepting the long pending demand of the petitioner, the Ministry in a written note submitted to the Committee stated:—

"If the demand raised by the petitioner is accepted, the various implications would be as follows:

- (i) **Legal:** Approx. 70 employees who stand senior to him in the revised seniority of 1981 get adversely affected. There are others who have already retired and were similarly placed as the petitioner but were not party in this case cannot be ignored. In the larger interest of justice the demand of the handful people

cannot be accepted ignoring the interests of other similarly placed people, as it would be against the principal of natural justice.

(ii) **Administrative:** The post of Chargeman, grade Rs. 425-700 being a selection post, nobody can be promoted without passing requisite selection. The petitioner and others have already retired from railway service prior to passing of the Award by the Hon'ble Labour Court—ADI dated 7.8.1998, therefore, the promotions in grade Rs. 425-700 and above cannot be given at this state.

(iii) **Financial:** As per policy in vogue, the arrears are not payable if promotion is given retrospectively without the person actually shouldering higher responsibility. The pension is payable on last 10 months average pay drawn actually by the employee. However, if the demand of employee is accepted then huge amount of payment is to be made to the petitioner & others who were not party in the case of the petitioner and would have to be considered too. At this stage, it would be impossible to work out the placement of the petitioner on retirement if this benefit is given retrospectively."

1.11 To a query about the expenses incurred by the Railways on taking up the matter in the Court, the witness replied as under:—

"I would like to make one thing very clear in this matter, so far as the court cases are concerned, we have a separate section for it. Through this section different types of cases are taken up in the court. Therefore, it would be difficult to bifurcate all expenses incurred on this case, anyway we will try our best. It is the matter of a principle. If the principle is against it we have to go to the Court."

1.12 In a subsequent written reply about the financial burden to be born in case of giving promotion to the petitioners, the Ministry of Railways (Railway Board) have submitted as under:—

"The Railway Administration has so far spend Rs. 23,769/- towards Advocate fees, legal expenses etc. in contesting the cases filed by Shri Pran Singh Sethi, Diesel Mechanic and 9 others.

If the demand is accepted by the Hon'ble Court, Railway Administration will have to bear the financial burden as under:—

i. Arrear on account of pay revision	Rs. 10,334/-
ii. Revised dues (DCRG, Commutation, Leave Encashment etc.)	Rs. 10,182/-
iii. Arrear on account on monthly increase in revised pension	Rs. 49,182/-
iv Amount payable to Shri Sethi	Rs. 69,937/-

Since 9 other employees are also involved it would entail an additional expenditure of Rs. 69937X 9 = 629433 (in addition to Rs. 69,937 payable to Shri Sethi or Rs. 6,99,370 for 10 persons.)

1.13 To a query about considering the fact that 6 out of 10 petitioners have already died and the court cases are going on over the issue for the last 26 years, don't the Railways think it necessary to withdraw the case from the Court and settle the issue with the petitioners as a humanitarian measure, the Ministry in a written note stated:—

"The petitioner approached the Hon'ble Labour Court in 1984 and the court passed the award on 7.9.1998. The administration filed an appeal in the Hon'ble High Court on valid reasons. Here it must also be pointed out that the petitioner, Shri Pran Singh Sethi has also filed SCA No. 2789/01 in the Hon'ble High Court—ADI for implementation of the Award passed by the Hon'ble Labour Tribunal. Both the petitions are still pending for final decision of Hon'ble High Court. As already pointed out earlier approx. 70 others will get adversely affected in case petitioner's demand is agreed to by the administration. Natural justice demands that the administration should take decision in the larger interest of the employees."

Observations/Recommendations

1.14 The Committee observe that the petitioner had joined Western Railway on 24.5.1955 in Steam Cadre and consequent upon the creation of Diesel Cadre in 1966, shifted to Diesel Cadre with the terms and conditions that he will get seniority as per length of service. On 9.5.1978 seniority was framed accordingly but the seniority list was not implemented by the Railways because both the recognized unions disputed the principles laid down on which the list was drawn. It was further modified *vide* General Manager letter dated 28.4.1981. The petitioner alongwith other such employees approached the Labour Court, Ahmedabad for fixation of their seniority correctly in the category of Diesel Mechanic Grade-I and for their promotion alleging that their juniors have been promoted to higher grade post ignoring their seniority. The Labour Court gave the award in their favour. The Railway Administration then filed an appeal in the Hon'ble High Court and the case is still pending.

1.15 Considering the fact that the matter is hanging fire for the last 26 years, petitioners are very old and 6 out of 10 petitioners have already died, the Committee would urge upon the Government to approach the Hon'ble High Court for early hearing/disposal of the case so that the petitioners get justice in their life time.

CHAPTER II

REPRESENTATION REQUESTING FOR PROVISION OF JOBS TO THE AFFECTED FAMILIES WHOSE LANDS HAVE BEEN ACQUIRED FOR TEST TRACK BY EASTERN RAILWAY, MUGHALSARAI, VARANASI

2.1 Dr. Rajesh Kumar Mishra, M.P. forwarded a representation signed by Shri Pramod Mathur, National Secretary, Rashtriya Janta Dal, Nand Nagar Karondi, I.T.I. Road, Susubahi, Varanasi (U.P.) and others regarding provision of jobs to the affected families whose lands have been acquired for Test Track by Eastern Railway, Mughalsarai.

2.2 In their representation, the petitioners *inter-alia* submitted as follows:—

- (i) In the year 1989, the land of Chhitampur, Dharna, Hirdeyapur, Chandasi Gram Sabha had been acquired for laying test track by Eastern Railway, Mughalsarai, Varanasi, currently under district Chandausi;
- (ii) An order was issued by the Railway authorities to provide employment to one member of the each affected family. As per decision taken in General Manager's Conference, the G.M., Eastern Railways, *vide* his letter dated 29.5.1989 had asked the Eastern Railways, Northern Railways, N.E. Railways, Diesel Locomotive Works and R.D.S.O. to submit a list of vacant posts and also made a mention that one person each from the affected families of these villages is likely to be compensated by offering jobs; and
- (iii) Due to *malafide* intentions of Railways Officials towards affected families, none of the affected villagers has got job till date.

2.3 The petitioners, therefore, requested to issue directions to the officials of the Ministry concerned to give jobs to at least one member of each affected poor families whose lands have been acquired by Railways.

2.4 The representation was forwarded to the Ministry of Railways (Railway Board) on 8th October, 2004 for furnishing their comments on the points raised therein.

2.5 The Committee took oral evidence of the representatives of the Ministry of Railways (Railway Board) on 31st March 2005 in order to have their considered views in the matter.

2.6 As per information furnished by the Ministry, the work of construction of RDSO Test Track at Mughalsarai was approved in 1985-86 at an approximate cost of Rs. 6 crore. The land was acquired in 4 villages *viz* Hirdeyapur, Dharna, Chhitampur and Chandasi. The project involved acquisition of 24.29 acres of land spread over 142 plots involving 337 landowners. The land was acquired through the State Government of Uttar Pradesh. There was no such agreement for providing jobs to the land losers. Compensation had been paid involving all 142 plots as per the fixed laid norms. However, some local land owners, whose land was involved in this projects also

demanding that one member of each family should be provided employment in the Railway Department.

2.7 In view of ongoing agitation for providing jobs, a joint meeting was convened by Railway authorities on 20th June, 1989 where apart from the Railways, civil authorities and villagers were present. The following decisions were taken in the joint meeting of officers of the Railways, villagers and local administrators:

- (i) It was decided that there is no problem to start the work in the land already under Railway's possession.
- (ii) It was decided that applications from the affected villagers will be invited within 15 days in forms to be supplied by the Railways. Those application forms will be sent to Gram Pradhan/Chairman Nagar Palika for distribution amongst the villagers.
- (iii) Scrutiny of those applications will be started on receipt of the application.
- (iv) A proposal will be sent for appointing a Committee for interviewing those villagers to judge the eligibility for the appointment in various category.
- (v) There was difference in opinion in the definition of "Displaced persons" who are to be given appointment as per the Railway Board's letter dated 1.01.83. According to the Railways only those persons whose entire land has been acquired can be defined as displaced person. On the other hand as per the villagers all persons whose names appeared in the compensation list should be defined as displaced person.

After discussion it was decided that a reference will be made to Railway Board for getting clear definition of the "Displaced persons" and the decision of the Railway Board will be binding on both parties.

- (vi) Another point was raised regarding the offer of appointment of "One job per family". As per the Railway's and also SIM's opinion it was explained that even if a plot in the name of two or three brothers but the plot has not been clearly sub-divided, they should be treated as one family. As per the opinion of the villagers, and Sri Arvind Mathur and individual appearing in the compensation list should be treated as separate family, irrespective of the joint nature of holding of the land.

After discussion it was decided that this matter will also be referred to the Railway Board for their clarification and the decision of the Board will be binding on both parties.

- (vii) Railway may start the work in the two kilometres of length of the Railway land and if the situation arise when further lengths are necessary, the villagers and Sri Mathur promised to reconsider the situation at that time. Till then no work should be started on the land yet to be taken possession of.

2.8 On the question of policy of the Railways about giving jobs to affected persons at the time of acquiring the land for project under reference, the Ministry informed the Committee in a written reply as under:—

"In terms of extant policy prevailing at that time when land is acquired on a large scale for projects on the railways, an individual displaced on account of such acquisition, his wife/son or daughter can be considered for preferential employment in a Group 'C' or Group 'D' posts, on the Railways. The dispensation is limited to direct recruitment and further limited to the first such recruitment or recruitment within a period 2 years after the acquisition of the land and the preferential employment being limited to one job per family."

2.9 When asked about whether any survey was conducted by the Railways to know the number of land loser families to whom the jobs were to be given, the Committee were informed as under:—

"The project involved acquisition of 24.49 acres of land spread over 142 plots involving 337 landowners. Out of them, only 26 persons who were displaced and whose livelihood was materially affected were identified by Civil Authorities".

2.10 When asked about the reasons for not honouring the decision by the Railways to provide employment to one member of each affected family, the Committee were apprised as under:—

"In a joint meeting convened by Railway Authorities on 20 June, 1989 where civil authorities and villagers were also present, it was agreed that Railway would examine applications for absorption of one member per family. However, there were some differences in the opinion regarding definition of displaced person who were to be given offer of appointment as per extant policy. It was decided that a reference will be made to Railway Board in this connection and clarification on offer of appointment of "one job per family". It was decided that decision of Railway Board will be binding on both the parties. As per decision of the Railway Board only those families who were displaced physically due to requisition of their houses or whose livelihood was materially affected by acquisition of land could be considered for the job at the rate of one person per family. Identification of such persons rests with the Civil Authorities. Only 26 persons who were displaced and whose livelihood were materially affected were identified by Civil Authorities."

2.11 During the evidence the Committee pointed out that in this context the matter was raised by some of the Members in Rajya Sabha on 27th April, 1989 under the urgent matters of public importance, The then Home Minister *vide* his letter dated 22nd March, 1990 had informed Shri Ish Datt Yadav, that for providing jobs in Railways to project affected persons, requisite forms have been given, out of 330 cases, forms have been received in 230 cases. As and when forms are received from the remaining persons, Chief Engineer, Northern Railway will take further action in the matter.

2.12 Asked as to why no further action was taken during the last 15 years to provide jobs to the affected persons, the Chairman Railway Board informed:

"We had called these applications from all the affected persons featuring on the list. They were 330 and add in number. When the meeting was held on 20.06.1989 between the Railways and villagers and some other local representatives, a decision was taken in writing. the dispute was only on the displacement because the circular of 1983 of the Railways, which was in vogue, says that only those who are displaced will get muawaza. When the dispute arose on the definition of the displacement, it was further agreed in the same meeting that the matter will be referred by the Railways to the Railway Board and whatever Railway Board decides will be acceptable to both sides, that is, the Railways and the villagers."

2.13 Asked further whether there was written agreement with the villagers, the witness stated:

"Yes, it is a written agreement. At a given time — as one May, 1990— the total applications received were 230 and they were replied accordingly and rightly so that more applications should also come and then they will be scrutinised and referred to the civil authority. They were scrutinised and referred to the civil authorities as per our records and ultimately, it crystallised down to 26, we were eligible as per the decision of the Board, as per the clarification given by the Board and that clarification was that only those whose bulk of the land has been taken and their livelihood has been materially affected, will be considered. Suppose, somebody has 10 acres of land and only 0.5 acre has been taken. He will not be considered. But where his livelihood is materially affected, he will be considered. A person whose livelihood is based only on the land and bulk of his land has gone away and he has lost his livelihood, he will be considered. Suppose a person has a residential house and that part of the land has been taken away. As a result, he is virtually on the road. Such case will merit appointment of one ward per family. Such cases crystallised down to total 26 in number.

2.14 When asked further that even a single person of the identified 26 families has been given employment, the witness stated:—

"As the Hon'ble Chairman has rightly said, when the agreement was there, why delay has taken place in giving appointment to these 26 people and we have conceded to that point that whether the project was shelved or not, once we had an agreement, we should have honoured that agreement. We concede this point, and we have assured the Hon'ble Committee that we will consider the appointment of these 26 people."

2.15 The Committee also wanted to know about the time frame under which the Railway would provide jobs to the petitioners, the Chairman (Railway board) submitted:—

"That within four months' time we will try to do it because it is not only concerned with giving Group 'D' jobs, but we will make a Special Appointment Committee for them so that if there are two wards in a family, and if one ward is not available for some reason or the other, then we will give the chance to the

second ward of that family. If he is qualified enough, we will even give Group 'C' job to him. There is no ban on doing it. We will make a Special Appointment Committee and within four months' time we will try to complete the entire process."

Observations/Recommendations

2.16 The Committee note that the work of construction of 5.8 km. RDSO Test Track at Mughalsarai was approved in 1985-86 at an approximate cost of Rs. 6 crore to conduct tests of the new designs or technologies adopted by the Railways. The land was acquired in 4 villages, namely, Hirdeyapur, Dharna, Chhitampur and Chandasi. The project involved acquisition of 24.29 acres of land spread over 142 plots involving 337 landowners. After acquiring the land, due compensation was paid to them as per fixed laid down norms but the affected families whose land was acquired for this project demanded that one person from each family should be provided employment in the Railways. A meeting was held in this regard on 20 June, 1989 between the Railways and villagers and representatives of the U.P. Government. In pursuance of 1983 directions/guidelines of Railways in this regard, the Railways were to provide employment to one member of each displaced family whose land was acquired for the project. Subsequently, the Railway decided to provide employment to 26 persons only (out of 337 affected families) whose livelihood was materially affected by acquisition of their land.

2.17 The Committee express their deep concern over the inordinate delay on the part of the Railway authorities in providing employment to displaced persons. The Committee are distressed to find that the Railways acquired the land as far back as 1985-86 and did not initiate any action to provide jobs to the affected families as per the 1983 policy of the Railways. It was only after agitation by the farmers and discussion in the Rajya Sabha that the Railways decided to examine the issue. The committee deplore the lackadaisical approach of the Railways during the last 15 years when they did not appoint even a single person of the affected families. The Committee desire that the Government enquire into the matter and fix responsibility on the officials who are not only responsible for denying the rightful claims of the villagers for getting jobs but have been responsible for tarnishing the image of the Government Department in a welfare State.

2.18 After taking up the matter by the Committee, the Chairman (Railway Board) has now assure that all the 26 eligible persons will be provided with jobs in the Railways within four months' time *i.e.* by July, 2005. The Committee hope and trust that the Railway Board will honour its commitment and all eligible persons will be provided with jobs within the time frame now set by the Railways for themselves. The Committee would like to be apprised of the conclusive action taken by the Railways in this regard within one month of the presentation of the report of the House.

NEW DELHI;
19 July, 2005
28 Asadha, 1927 (Saka)

PRABHUNATH SINGH,
Chairman,
Committee on Petitions.

MINUTES OF THE THIRD SITTING OF THE COMMITTEE ON PETITIONS
(FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Thursday, 16th September, 2004 from 1400 to 1500 hours in Committee Room No. 62, First Floor, Parliament House, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri Raj Babbar
3. Dr. M. Jagannath
4. Ms. Nivedita Mane
5. Mohd. Muqueem
6. Shri Dharmendra Pradhan
7. Shri Damodar Barku Shingda
8. Shri Mansukhbhai D. Vasava

SECRETARIAT

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|----|-------------------|---|--------------------|
| 1. | Shri R.C. Ahuja | — | Joint Secretary |
| 2. | Shri Brahm Dutt | — | Director |
| 3. | Shri Deepak Mahna | — | Deputy Secretary |
| 4. | Shri J.V.G. Reddy | — | Assistant Director |

WITNESSES

Representatives of the Ministry of Railways (Railway Board)

- | | | | |
|----|---------------------|---|---|
| 1. | Shri S.M. Singla | — | Member Staff (Railway Board) |
| 2. | Shri S.C. Manchanda | — | Advisor/Staff (Railway Board) |
| 3. | Shri B.N. Mahapatra | — | Executive Director (Pay Commission)
(Railway Board) |
| 4. | Shri J. Shriniwas | — | Director Finance (CCA)
(Railway Board) |
| 5. | Shri J.S. Gusain | — | Director Establishment (Non-
Gazetted) (Railway Board) |
| 6. | Shri Arjun Tabiyar | — | Senior Divisional Personnel Officer—
North West Railways (Ajmer) |
| | — | | |

7. Shri Devika Chhikaara — Chief Personnel Officer -
North-West Railways (Ajmer)

2. At the outset, Chairman drew the attention of the representatives of the Ministry to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings.

3. The Committee then put questions which were replied to by the representatives of the Ministry of Railways on the following subjects:

- (i) Representation regarding anomalies in pay-scales of the employees of Cash & Pay Wing in Accounts Department of Indian Railways.
- (ii) Representation regarding non-implementation of seniority list of Railway employees.

4. To take a balanced and considered view on the demands of the petitioners, the Committee directed the Officials of the Ministry of Railways (Railway Board) to:—

- (i) examine as to how many employees working in Cash & Pay Wing are graduates out of the strength of about 2000 employees;
- (ii) reconsider the demands of the employees of Cash & Pay Wing in the Railways keeping in view their higher educational qualification and nature of duties assigned to them *vis-a-vis* promotional avenues Accounts Division; and
- (iii) give an estimate of the expenditure incurred by the Railways on the process of Court litigation during the last 26 years over the case of petitioners regarding implementation of seniority list *vis-a-vis* the cost of the benefits to be given to the petitioners had their demands been accepted.

5. A verbatim record of the proceedings was kept.

6. The Committee decided to hold their next sitting on 1st October, 2004.

The Committee then adjourned.

MINUTES OF THE FIFTEENTH SITTING OF THE COMMITTEE ON PETITIONS
(FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Thursday, 31st March, 2005 from 1100 hrs. to 1240 hrs. in Committee Room No. 53, First Floor, Parliament House, New Delhi.

PRESENT

Shri Vijoy Krishna — *In the Chair*

MEMBERS

2. Shri Nandkumar Singh Chauhan
3. Dr. M. Jagannath
4. Smt. Nivedita Mane

SECRETARIAT

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|--------------------|---|------------------------|
| 1. Shri Brahm Dutt | — | <i>Director</i> |
| 2. Shri R.K. Bajaj | — | <i>Under Secretary</i> |

WITNESSES

Representatives of the Ministry of Railways (Railway Board)

- | | | |
|--------------------------|---|---|
| 1. Shri R.K. Singh | — | Chairman, (Railway Board) |
| 2. Shri R.R. Jaruhar | — | Member Engineering
(Railway Board) |
| 3. Shri R.S. Varshneya | — | Member Staff
(Railway Board) |
| 4. Shri R. Sundararajan | — | Addl. Member (Work)
(Railway Board) |
| 5. Shri S.C. Manchanda | — | Adviser (Staff)
(Railway Board) |
| 6. Shri P.K. Sanghi | — | Exe. Director (Work)
(Railway Board) |
| 7. Shri K. Biswal | — | Exe. Director/Estt.
(Railway Board) |
| 8. Shri M.N. Chopra | — | Addl. Member/T&C
(Railway Board) |
| 9. Shri Ghan Shyam Singh | — | Exe. Director/E&R
(Railway Board) |

- | | | |
|-----------------------|---|--|
| 10. Shri K.K. Sharma | — | Joint Secretary (Parl.)
(Railway Board) |
| 11. Shri Biplav Kumar | — | Joint Director/R&C
(Railway Board) |

2. In the absence of the Chairman, the Committee chose, Shri Vijoy Krishna, to act as Chairman for the sitting under rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. Thereafter, the Chairman welcomed the representatives of the Ministry of Railways (Railway Board) and drew their attention to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings.

4. Then, the Chairman and Members of the Committee sought clarifications on the representations requesting for (i) provision of jobs to the affected families whose lands have been acquired for Test Track by Eastern Railway, Mughal Sarai; (ii) release of funds for construction of new railway line between Maharajganj and Mashrak in Bihar; (iii) regularisation of Canteen Manager and other employees working in Railway Staff Canteen in Varanasi; and (iv) appointment on compassionate ground in Railways.

5. The following important points were discussed by the Committee:—

- (i) the details of the project, number and names of the villages and number of families whose land was acquired by Railways for Test Track Project;
- (ii) the reasons for not honouring the decision to provide one job per family by the Railways and the follow-up action in the matter;
- (iii) the details of the policy of Railways about giving jobs to the affected persons when the land for Project under reference was acquired;
- (iv) the reasons for shelving the project;
- (v) the reasons for delay in construction work of new railway line between Maharajganj and Mashrak in Bihar;
- (vi) the details about the present status of the project and expected time schedule for completion of this project;
- (vii) the need for completion of project on time in order to avoid cost over-run;
- (viii) the details about implementation of the Supreme Court orders by the Railways in regularisation of Canteen Manager and staff of C&W Railway Staff Canteen in Varanasi;
- (ix) the details about guidelines for the welfare of workers working in un-subsidized canteens at Railway establishment/stations; and
- (x) policy in Railway for giving appointments on compassionate grounds particularly with reference to request of widow of ex-vendor, Catering Department.

6. The Committee directed the witnesses to send written replies to some of the points on which replies were not readily available with them during the evidence.

7. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

The witnesses then withdrew.

The Committee then adjourned.

MINUTES OF THE TWENTY-SECOND SITTING OF THE COMMITTEE ON
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Tuesday, 19th July, 2005 from 1400 to 1530 hrs.
in Committee Room No. 63, First Floor, Parliament House, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Dr. M. Jagannath
3. Shri Baliram Kashyap
4. Shri Suresh Kurup
5. Smt. Nivedita Mane
6. Mohd. Muqem
7. Shri Mansukhbhai D. Vasava

SECRETARIAT

1. Shri Brahm Dutt — *Director*
2. Shri R.K. Bajaj — *Deputy Secretary*

WITNESSES

Representatives of the Ministry of Information & Broadcasting

1. Shri S.K. Arora — Secretary
2. Shri R. Parasuram — Joint Secretary
3. Shri Navin Kumar — DG, Doordarshan
4. Shri Ranjit Singh — Chief Engineer, DG, Doordarshan
5. Shri R.K. Goyal — Director (BPL & BDF)
6. Shri K.S. Sarma — Chief Executive Officer, Parsar Bharati
(Broadcasting Corporation of India)

2. At the outset, Chairman drew the attention of the representatives of the Ministry to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings.

3. The Committee thereafter took evidence of the representatives of the Ministry of Information & Broadcasting on the representation regarding setting up of Doordarshan Transmission Centre at Mashrak in Saran District of Bihar.

4. The following important points were discussed by the Committee:—

- (i) The policy/guidelines of the Government in regard to opening of new T.V. transmitters in the country particularly with reference to selection of sites (location), transmission capacity, surveys done to assess the requirement in an area etc.;
- (ii) Need for opening of more Transmission Centres in rural/remote areas of the country;
- (iii) Need to review and upgrade facilities installed at Mashrak Transmission Centre;
- (iv) Availability of DTH and its cost in the country; and
- (v) Need for deployment of staff at unmanned VLPT centres to avoid instances like damage of cables by rats etc.

5. The Chairman directed the Secretary to send written replies to the queries of the Members on which information was not readily available with them.

(The witnesses then withdrew).

6. The Committee, thereafter, considered the draft Ninth Report and adopted the same without modifications.

7. A copy of the verbatim proceedings of the sitting of the Committee has been kept on record.

The Committee then adjourned.