

**COMMITTEE ON PETITIONS**

**(THIRTEENTH LOK SABHA)**

**FORTIETH REPORT**

*(Presented to Lok Sabha on 30-1-2004)*

**LOK SABHA SECRETARIAT  
NEW DELHI  
January, 2004/Pausa, 1925 (Saka)**

## COMPOSITION OF THE COMMITTEE ON PETITIONS

Shri Basudeb Acharia - *Chairman*

### Members

2. Shri S. Bangarappa
3. Shri Ambati Brahmaniah
4. Shri Ram Rati Bind
5. Shri Bikram Keshari Deo
6. Shri Anant Gudhe
7. Shri Babubhai K. Katara
8. Shri P.R. Khunte
9. Shri P.R. Kyndiah
10. Shri Sis Ram Ola
11. Shri Shriniwas Patil
12. Shri Sunder Lal Patwa
13. Dr. Bikram Sarkar
14. Shri C. Sreenivasan
- \*15. Shri Tarachand Sahu

### SECRETARIAT

1. Shri John Joseph - Additional Secretary
2. Shri R.C. Ahuja - Joint Secretary
3. Shri Brahm Dutt - Director
4. Smt. Neera Singh - Under Secretary

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\* Nominated w.e.f. 22<sup>nd</sup> December, 2003 vide para No. 4340 of Bulletin Part-II dated 22<sup>nd</sup> December, 2003 vice Shri G. Mallikarajunappa died.

# **FORTIETH REPORT OF THE COMMITTEE ON PETITIONS**

## **(THIRTEENTH LOK SABHA)**

### **INTRODUCTION**

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

- (i) Representation against the closure of the Office of Development Commissioner for Iron and Steel and its four Regional Offices (DCI&S Organisation).
- (ii) Representation requesting for regular appointment in New Delhi Municipal Council (NDMC).
- (iii) Gist of the representation requesting for sanction of Freedom Fighter Pension.
- (iv) Action Taken by the Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Thirtieth Report on the representation regarding non-implementation of wages and allowances as per agreement dated 30<sup>th</sup> October, 2001 by the management of Bharat Heavy Plates and Vessels Limited (BHPV).
- (v) Action Taken by the Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Thirty-second Report on the representation regarding wrong bills and wrongful disconnection of telephone No. 25737939.

2. The Committee considered and adopted the draft Fortieth Report at their sitting held on 13<sup>th</sup> January, 2004.

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

**NEW DELHI;**

**13 January, 2004.**  
**23 Pausa, 1925(Saka)**

**BASUDEB ACHARIA**  
**Chairman,**  
**Committee on Petitions.**

## CHAPTER – 1

### REPRESENTATION AGAINST THE CLOSURE OF OFFICE OF DEVELOPMENT COMMISSIONER FOR IRON AND STEEL AND ITS FOUR REGIONAL OFFICES (DCI&S ORGANISATION)

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1.1 Shri Shibsankar Roy, General Secretary, Coordination Committee of Central Government Employees and Workers Union and Association, West Bengal, submitted a representation against the closure of the Office of Development Commissioner for Iron and Steel and its four Regional Offices (DCI&S Organisation).

1.2 In the representation, the petitioner inter-alia submitted as follows:-

- “(i) Ministry of Steel vide their office Memoranda No.13(30)/2001DI and 7(34)96—D1 dated 23.5.2003 conveyed its decision to close down the Office of the Development Commissioner for Iron and Steel and authorized a Joint Secretary in the Ministry of Steel to exercise all or any power of the Iron and Steel Controller with immediate effect;
- (ii) As per normal procedure such decision of closure is to be taken at Cabinet Level. However, the Ministry of Steel have conveyed the closure order of Office of Development Commissioner for Iron and Steel through a Deputy Secretary based on the recommendations of the Expenditure Reforms Commission (ERC). No notification in Gazette of India had been issued in this regard;
- (iii) The closure of this office would render 188 employees in Main Office and 33 employees in four Regional Offices as ‘surplus’. The chances of redeployment of these 221 employees are very remote. After a period of one year, these employees are likely to be retrenched as per Rules;
- (iv) ERC had not kept in view that DCI&S organisation has been declared as Designated Technical Authority for submission of production returns to enable the Government to monitor the growth of production and utilization of available capacity in iron and steel production. The ERC did not also take views of the Ministry of Commerce for formulation of an Export and Import Policy;

- (v) Incidentally, on closure of DCI&S offices; all its main functions would be transferred to the Joint Plant Committee, a non-government organisation of Major Steel Producers;
- (vi) Funds accumulated in the Steel Development Fund amounting to more than Rs. 300 crore and managed by Joint Plant Committee would have no social out-go;
- (vii) Small Scale Industry in Steel Sector will suffer most as it is employment oriented; and
- (viii) Monopoly in Steel Industry will set in. With Steel Import foreign capital may grab this industry.”

1.3 The petitioner had, therefore, requested the Committee on Petitions to intervene in the matter so as to obviate the closure of DCI&S.

1.4 The representation was forwarded to the Ministry of Steel on 1<sup>st</sup> July, 2003 for obtaining their comments on the points raised in the representation. In response, the Ministry of Steel vide their communication dated 29<sup>th</sup> July, 2003 stated as follows:-

- “(a) The orders have been issued after obtaining the approval of the competent authority and have been conveyed through the Office Memoranda under signature of the Deputy Secretary. The orders regarding closure of the office of the DCI&S were issued in pursuance of the recommendations of the Expenditure Reforms Commission (ERC).
- (b) The staff continue to get their pay and allowances till they are redeployed. The preamble to the 1989 revised rules for redeployment mentions that the new scheme was considered necessary with a view to eliminate the possibility of retrenchment of employees.
- (c) The functions of the DCI&S office were very limited in the decontrolled era. However, before taking a decision to close down the office of DCI&S, careful analysis was done to finalise the proposed mechanism to carry out the residuary tasks subsequent to the closure of the office of DCI&S.
- (d) The DCI&S had only been collecting production returns from the secondary sector. This task will continue since the powers of the Iron and Steel Controller, as mentioned in the Iron and Steel (Control) Order, 1956 have been vested in a Joint Secretary looking after the work of the Steel Development Wing in the Ministry of Steel. The DCI&S office was not

making any contribution in the collection of Export and Import data for the Ministry of Commerce. The office of the DGCI&S (Directorate General of Commercial Intelligence and Statistics), under the Ministry of Commerce, is collecting export and import data for all the sectors including iron and steel through its own arrangement.

- (e) Only the task of collection of production data from the secondary iron and steel sector has been transferred to Joint Plant Committee. The remaining tasks are being taken over by the Ministry of Steel.
- (f) DCI&S office had no role in the management of Steel Development Fund. The liquid balance available under SDF is about Rs.30 crore and is governed by strict guidelines issued by the Government.
- (g) Closure of DCI&S would have no effect on the small scale sector and other priority sectors as the task of allocation of iron and steel materials will be taken up directly by the Ministry of Steel.”

1.5 The Committee, thereafter, took oral evidence of the representative of the Ministry of Steel on 16<sup>th</sup> September, 2003. During the evidence, the Committee enquired about the justification for closure of this Office. The Secretary, Ministry of Steel stated:-

“As you have rightly observed, the Office of the DCI&S was earlier the Office of the Iron & Steel Controller. The charter of duties up to 1992 was quite different which included monitoring the production, organising distribution, pricing and licensing. The entire regulatory regime moved through the Controller’s Office.

The steel economy was totally deregulated in 1992. With that, the duties, which were performed by the erstwhile Controller’s Office, obviously got diluted to a very great extent. Today, in 2003, now to say as to how the Office could have functioned may be a little more difficult. The ERC, which was constituted on the orders of the Government had gone into the functioning of not only this office but also various other offices. They had in their wisdom observed that this particular office had outlived its utility in the deregulated regime. The limited functions that it was performing post-deregulation could easily be handled either by the Ministry or by some other institutional arrangements, and that we should find alternative jobs for those 220-odd employees which were a part of the DCI&S. That was the view which was accepted. There were directions to that effect from the Ministry of Finance and even from the Prime Minister himself. So, we respect that view. We closed that office. Now we are working towards redeployment of the staff while we are paying their salary and wages on a regular basis.”

1.6 When the Committee enquired as to whether the Ministry examined the recommendations given by the ERC, the Secretary, Ministry of Steel stated:-

“Yes, Sir. These recommendations were examined at length. The meetings were held with the industry. The meetings were held within the Ministry. A departmental review was done. The broad conclusion was that the role of DCI&S office is very limited and cannot justify its continuance. That was the conclusion reached.”

1.7 Asked whether the Government accepted all the recommendations given by the ERC, or there were some exceptions, the Secretary, Ministry of Steel stated:-

“Your question is very relevant, if I may be allowed to say so. There were broadly three recommendations. One pertained to DCI&S. The second pertained to Joint Plant Committee and the third was merger of the Ministry of Steel and Mines into, what they said to be called the Ministry of Mines and Metals or Metals and Mines. As far as the third recommendation is concerned, it is beyond the purview of the Ministry itself. It is the recommendation for the Government. The Government has to take a decision whether to merge the two Ministries or not. So, we cannot take a decision on that.

The first recommendation, as I have submitted before the Committee, was accepted after due examination and due deliberations with the industry and within the Department.

Even for the JPC, the decision is about continuance on a reduced scale because JPC was doing some functions *ab initio* and also the residual functions of DCI&S got transferred to JPC to handle. The JPC is not a Government-funded body. So that came to its rescue to some extent.

Finally, even in the DCI&S office, the staff was not to be retrenched. They were to be redeployed. So, on all these considerations, the JPC’s instructions even now are that they should continue to reduce the staff, do restructuring and things like that so that the limited functions can be performed.

So, there were three recommendations. One is fully implemented. The second is in the process and the third is beyond the purview of the Ministry itself.”

1.8 When the Committee asked as to who issued instructions to implement the recommendations of ERC, to this the Secretary, Ministry of Steel stated:-

“The instructions were not specific to the Ministry of Steel. These were the general instructions issued by the Minister of Finance and by the Prime Minister. The Minister of Finance’s directions were that the recommendations of the Expenditure Reforms Commission should be implemented. The Prime Minister’s d.o. letter, which came to all Ministers, said that since the decisions or the recommendations of the ERC have been formulated after deliberations and discussions, there should be no need for a *de novo* examination. It means that do not start the process again of re-examining, this issue stands finalized or this issue stands settled. So, these were the directions that went to all the Ministries. Thirty-six departments were seen by ERC. I presume that all the 36 departments received similar instructions.”

1.9 The Committee wanted to know as to how the responsibilities and functions of DCI&S would be discharged by JPC. The Secretary, Ministry of Steel stated:-

“I would like to submit that not all residual functions have been entrusted to the JPC. JPC has been given a limited work of collecting statistics in the secondary sector, and the Technical Wing of the JPC is summoned to give some assistance to the Ministry whenever it is required.

The other function that you have mentioned, namely Secretariat function of Ferrous Scrap Committee, has gone. Originally, it was handled by MSTC, now it has again come back to MSTC. They are discharging this function very efficiently.

The remaining functions like SSIC, allotment of iron and steel material, follow up of old court cases, some field enquiries when they come, are being handled by the Ministry itself. There is a dedicated Cell in the Ministry for all the remaining residual functioning of the DCI&S. They are handling this. This, I can tell you most sincerely that the residual work is not suffering on any account. I did a detailed review before I was to appear before this Hon. Committee as to whether there was any suffering of this residual functioning on account of this. I can say with confidence that that has not happened because the quantum of residual functioning itself that has been entrusted to the other organizations was very limited. That was no burden.”

1.10 When the Committee desired to know whether at any point of time, the Ministry ever examined all these aspects that there is no need for continuing with this office, the Secretary, Ministry of Steel stated:-

“You have mentioned two things. One is after receipt of the ERC recommendations, did we constitute a Committee to examine the recommendations? Then, what did we do?



I would like to quote the relevant extract from the letter of the Hon. Prime Minister addressed to our Minister. It read: “The Expenditure Reforms Commission conducted extensive consultation before finalizing its recommendations, and accordingly, there should be no need de novo examination of its recommendations. I would like to attach high priority for implementing these recommendations, and ensure that action is completed by 31<sup>st</sup> October, 2001.

His direction is here that there would be no de novo examination or fresh examination should not be carried. The constitution of a Committee to go into the merits of those recommendations would have been against the directions of the Government.

The second part is when constituting the Committee, whether there was an application of mind. As I mentioned to you, my predecessor had extensive deliberations with all segments of the industry so that if we do away with the Office of DCI&S, who will handle residual functions? What would be the impact on the sector per se? After all these things were discussed, after in-house examination of the recommendations was done, it was decided that we could close down this office.

Your next observation is as to whether at any point of time, before ERC, any such examination on the functioning of DCI&S was done. The answer is “yes”. There was a departmental Committee called Malik Committee. He was from the finance side. He did a detailed study or in dept study. That was constituted in 1998. I think the recommendations came in 2001. Even the Malik Committee had recommended continuing of DCI&S on a much reduced scale.”

Regarding Malik Committee recommendations, he stated:-

“Not closure. They have recommended its continuing on a much reduced scale. Only residual functioning remained with the DCI&S. What happened before these recommendations could be implemented? It is because the Malik report came in 2001. The Government had constituted the ERC in 2000. The Government-constituted Commission definitely supersedes a departmental Committee. The powers of the ERC are wider. It was under the Government Gazette. Their charter is all encompassing. If you so desire, I can read out the charter of the ERC. That was a definite charter. So, at this stage, the ERC recommendations took precedence over the recommendations of the Committee. So, we did not implement the Committee’s recommendations in 2001. It was because ERC was already sitting, and once ERC finished its examination, as I have explained to you, the Ministry went on to implement their recommendations”

1.11 On being pointed out by the Committee that all recommendations of ERC have not been fully implemented and there was scope for re-examination of the issue of closure of DCI&S, the Secretary, Ministry of Steel stated:-

“I will most humbly submit that as far as the third recommendation is concerned, it is not within the competence of the Ministry when they say that the two Ministries should be merged. We are not the competent authority to take a decision on that. That is very much within the knowledge of the Government or the Ministry of Finance. They have to process the matter further if they so desire. It has not been implemented. That is a fact. There is a separate Department of Mines and separate Ministry of Steel. That apart, your observation is correct as far as the functioning of the JPC is concerned. As I submitted that it is not that action has not been taken only certain action of downsizing is planned to be taken. The numbers are planned to be reduced and you know JPC is continuing with some definite charter and also the plea is that the funding of JPC does not come from the Budget of the Ministry. It has a budget which is funded out of Contribution from the sector. It is cent per cent out of Ministry’s Budget.”

1.12 The Committee enquired whether the DCI&S was earning some money. The Secretary, Ministry of Steel stated:-

“No, it was an attached office of the Ministry. If they were taking some licensing fee, then it was going to the Consolidated Fund. The JPC is funded from part money from the private sector. That is how it was constituted. Definitely, after 1992, there was no question of any fees.”

1.13 The Committee further desired to know about the specific functions being done by DCI&S after 1992. To this the representative of the Ministry of Steel stated:-

“After 1992, some of the functions like movement of raw material, wagon allotment, etc. were there as per the requirement of steel plants. There were a plenty of wagons and it had to be sorted out between the Railways and the steel industry. If there was any dispute between them, then they used to take our help. But after 1992, the chances of that too have gone away and steel plants are not taking my help for wagons. We were collecting information from the secondary producers were approached all these things were also done by the JPC. Though secondary producers are for collection of data, more than 50 per cent of the work

was to be done by JPC. The JPC is in a position to have computerised data available for since 1964. The Ministry of Steel thought that it should be better if the work is diverted to JPC only.”

1.14 The Committee also pointed out that the Standing Committee on Industry had made the following recommendations about continuance of DCI&S in their 34<sup>th</sup> Report (2000):-

“The Sub-Committee views that if the existence of the office of Development Commissioner for Iron and Steel, Calcutta, has any justification for its continuation, especially in view of the Government’s general policy of downsizing its departments, the office has really to play pivotal role for development and growth of steel industry in general.

DCI&S should make result oriented efforts to seek work-orders for the products of PSUs of Ministry of Steel from priority sectors like Defence, and Railways etc.

In order to have integrated growth of steel industry DCI&S should actively assist to EAF units and small steel units in Steel Sector. DCI&S, with the help of Regional Development Commissioner for Iron and Steel should overview, periodically the problems being faced by secondary sectors and propose measures to remove them at the earliest.

At the same time the Sub-Committee would like to recommend that the office of DCI&S should intensify National campaign for increase of steel consumption which will naturally increase this demands of steel products.”

1.15 Asked whether the Ministry had considered the above recommendations before taking a final decision in the matter, the representative of the Ministry of Steel stated they would examine it and respond subsequently.

1.16 Asked whether there is any possibility of employees being retrenched if they are not re-deployed within a year, the Secretary, Ministry of Steel stated:-

“Sir, the instructions are very clear that there will be no retrenchment and the 1989 revised rules are clear, which say that in cases of this nature there will be no retrenchment and they will be re-deployed.

My understanding is that there is no question of retrenchment. They will be either re-deployed or till they are re-deployed they will be covered for their salary and wages or till they retire or till they opt for VRS. These are the options. Some of them have opted for VRS.”

1.17 On being asked about the number of employees of DCI&S who have opted for VRS, the Secretary, Ministry of Steel stated that about 12 employees have asked for VRS and we have sent their cases to DOPT.

1.18 Enquired whether in re-deployment the employees would be placed at the same Station, the Secretary, Ministry of Steel stated:-

“As a matter of fact, in respect of four employees, re-deployment orders have already been issued. For Group C & D employees, the instructions are very clear they have to be put in the same State. But for Group A & B employees, we have to do our best.”

#### OBSERVATIONS/RECOMMENDATIONS

1.19 The petitioners, in their representation submitted to the Committee, have submitted that on account of Government decision for the closure of the Office of Development Commissioner for Iron & Steel (DCI&S) and its four regional offices, 188 employees in the main office and 33 employees in the four regional offices would be rendered ‘surplus’. The petitioners have also submitted that they apprehend retrenchment if they are not re-deployed within a period of one year. According to the petitioners, the orders have been issued for the closure of DCI&S Office w.e.f. 23<sup>rd</sup> May, 2003.

1.20 The Committee sought details from the Ministry of Steel and also took evidence of the representatives of the Ministry on 16<sup>th</sup> September, 2003. The Committee were informed by the representatives of the Ministry of Steel that the closure of the Office of

DCI&S is based on the recommendations of the Expenditure Reforms Commission. The rationale behind the recommendations is reported to be the de-regulation of steel industry in 1992 and also transfer of its other functions to Joint Plant Committee and to the Ministry of Steel. The Committee were also informed that as per Prime Minister's directives, the recommendations of ERC are not to be re-examined de novo.

1.21 In regard to the employees concern about their re-deployment and retrenchment, the Secretary, Steel assured the Committee that as per the existing Government guidelines, the employees are not to be retrenched; rather they are to be re-deployed. Such employees continue to get their salary until they retire or take voluntary retirement.

1.22 The Committee are yet to get any reply from the Ministry of Steel about the implementation of the recommendations of the Standing Committee on Industry made in their 34<sup>th</sup> Report recommending a major role for DCI&S and its continuance. The Committee would accordingly await Governments' specific reply in this regard including the specific reply to the Committee's query as to whether this recommendation was considered by the Government at the time of taking the decision for the closure of DCI&S Office. In any case, as assured by the Steel Secretary, none of the employees of DCI&S would be retrenched.

## CHAPTER-II

### **REPRESENTATION REQUESTING FOR REGULAR APPOINTMENT IN NEW DELHI MUNICIPAL COUNCIL (NDMC).**

2.1 Shri Sushil Kumar Sharma, S/o Shri B.P. Sharma, r/o House No.L-123, Palika Niwas, New Delhi submitted a representation to the Committee on Petitions in April, 2003 requesting for regular employment in New Delhi Municipal Council (NDMC). In his representation, the petitioner made the following submissions for consideration of the Committee:-

- (i) He was appointed as a Muster Roll worker against the post of peon vide Office Order dated 8.12.1990 in the Law Department w.e.f. 10.11.1990. The term of appointment was extended from time to time and was converted into a Regular Muster Roll vide Office Order dated 9.8.1991 w.e.f. 1.8.1991.
- (ii) The posts of 'Attorney' were created in 1991 and the petitioner also applied for this post. After due selection he was placed in panel of 18 candidates which was approved by the NDMC vide Resolution No.14 dated 15.11.1991.
- (iii) On being offered the post of 'Attorney' based on the above panel, the petitioner furnished requisite 'Bond' and 'Medical Certificate'. Police verification was also got done and thereafter w.e.f. 20.12.1991, he was appointed as 'Attorney' on consolidated salary of Rs.1815/- per month on ad-hoc basis.
- (iv) Subsequently, while the other 17 candidates from the approved panel were regularized, the services of the petitioner were extended on ad-hoc basis from time to time up to January, 1995.
- (v) Even though the NDMC's approved panel was not exhausted fully, another panel was prepared in January, 1995 and in this panel the petitioner having 4 years experience of 'Attorney' was ignored.

- (vi) Due to the injustice caused to him, the petitioner went to court and the matter was sub-judice thereafter.
- (vii) Considering the retirement of his father, also an employee of NDMC, in July 2002, the petitioner made a request to NDMC to appoint him as regular Peon if not Attorney. NDMC, vide their letter dated 14<sup>th</sup> May, 2002 informed that – ‘the authorities of NDMC has desired to provide you the re-appointment as RMR/Beldar/Peon subject to the condition that you will have to withdraw the court case titled Sushil Kumar Vs. NDMC-CWP No.491/95. In pursuance of this, the petitioner withdrew the case from the High Court on 23<sup>rd</sup> May, 2002. Subsequently, the petitioner was appointed as Helper on RMR basis w.e.f. 27.8.2002 @ Rs.111.60 per day.

The petitioner prayed to the Committee that considering his long service in NDMC he may be given a regular post.

2.2 In his subsequent representation submitted to the Committee, Shri Sharma stated that he may be allowed to retain the quarter allotted to his father who was working in NDMC and retired in July, 2002.

2.3 The Committee took up the matter with the Ministry of Home Affairs and NDMC for obtaining factual position in the matter. The Committee also took evidence of the representatives of the Ministry of Home Affairs and NDMC on 20<sup>th</sup> October, 2003. During the evidence, the Committee pointed out that there was a genuine grievance of a RMR employee of NDMC who has been in and out of NDMC since 1990 and his services were yet to be regularized. Asked whether the matter has been examined in detail to give justice and relief to the petitioner, the Chairman, NDMC stated:-

“.....What emerges is that there has been a certain amount of perceived injustice in his case. This arises partly because nobody can stop an employee from looking for better prospects, which he did at the stage of 1991 when he wanted to become ‘Attorney’. But the circumstances that turned out were that he had been placed in panel of candidates. That person did not find a regular vacancy and he continued to be on *ad hoc* basis and four years later that was continued because of another selection. So, here you have a person, who in the first selection, actually, got selected and was given serial number 18, for a larger number of posts, no doubt of 21 posts. In another selection four years down the line, he is not selected for which there were six posts. So, from a position of

security, I would say, as Regular Muster Roll Peon in 1991, he went into the insecure position of *ad hoc* 'Attorney' for about four years and after 1995, he has been out completely. So, from security this person has moved into insecurity. His first grievance is that. He had the option of not going in for the 'Attorney' but this is how it has emerged.

The second grievance has actually emerged consequent to his becoming a Regular Muster Roll Helper in August, 2002. His Father has retired from service. He was also in the NDMC service and he retired last year. He holds the Type II Quarter. We have a rule in the NDMC and, that is, that if you are eligible for that quarter and your parent is holding such a quarter, then it is transferable, provided your eligibility is established from your existing post. So, he has lost out on this count also because he is only a Regular Muster Roll Helper today which does not entitle him to any quarter and after his father's retirement, which is a Type-II Quarter, it is not available to him. So, on the one hand, he had lost job security for several years and on the other hand, shelter security is also not available to him post 2002. We have looked at this matter in this context and strictly the rules and regulations of that are also very well known. A solution can be found in his case, which is like this, of course, if the hon. Committee agrees: We could again go back to 1991 position of August because if he had remained in that Regular Muster Roll capability position in August, 1991, by 1<sup>st</sup> of April, 1999, he would have become a regular Peon and he would have enjoyed by now four years of regular seniority if he had not moved towards the 'Attorney' stream at all. So, we can restore this to him and treat him as senior from 1<sup>st</sup> April, 1999 and based on that thing, fix him accordingly now. No doubt during the intervening period, there will be a period when he did not work, we will not be able to give him under any rule and the no work no pay principle will apply for that period. But we can give him deemed seniority though he was regularized from 1<sup>st</sup> of April, 1999. Once he gets that, his house allotment and so many doors are open to him. First, let us take the accommodation side of thing. No doubt, he will not be eligible in this post directly eligible for a Type-II Quarter, but we have a rule which permits him on payment of three times of licence fee, he can hold his father's quarter and the licence fee for a quarter of that size will not be much. So, by paying three times that licence fee, he can keep his father's quarter and it will be possible in a normal regularized basis. In the alternative if he is not willing to pay three times licence fee, in his own right as a regular Peon, he can be given a Type I quarter which he will be entitled to under our rules. That will also be out of turn and it is possible. It is within the framework of the rules. So, our submission to this august Committee is like this. We restore him notionally to the August, 1991 situation as a Regular Muster Roll person, if he is willing. Based on that, we bring him forward as per the policy of our Council to regularize him from 1<sup>st</sup> of April, 1999 because what will apply in his case is, the second Resolution of the Council of six years by 31<sup>st</sup> December, 1998 because by 31<sup>st</sup> of December, 1997, it would not have been possible for him because he had not completed six years at that time on a regular basis. So, we will probably apply the second Council Resolution. So, 1<sup>st</sup> of April, 1999, he gets regularized as a regular Class IV



employee and by now he would have put in four and a half years of deemed service automatically, which will entitle him to a Type I quarter in his own right or on payment of three times of licence fee, he retains his father's quarter, which is a Type II Quarter. This is our submission to this august Committee to resolve this impasse”.

2.4 Based on the details furnished by the petitioner as also after perusal of the replies of the Ministry of Home Affairs on the points raised in the representation, the Committee pointed out that there were loose ends in the recruitment procedure in the NDMC. Asked about the remedial action proposed to make the procedure foolproof, the Ministry of Home Affairs stated in a note as under:-

*“The case of Shri Sharma is indicative of deficient recruitment process. The appointments made on ad-hoc basis over a prolonged period are neither administratively expedient nor in the interest of the career development of the appointees themselves. The Council will be suitably advised to streamline the procedures”.*

## OBSERVATIONS/ RECOMMENDATIONS

2.5 Shri Sushil Kumar Sharma submitted a representation to the Committee in April, 2003 requesting for regular employment in NDMC. In his submission made before the Committee, Shri Sharma stated that he was appointed as a Muster Roll Worker against the post of Peon on 8<sup>th</sup> December, 1990. His appointment was converted into a Regular Muster Roll w.e.f. 1<sup>st</sup> August, 1991. Based on a selection, Shri Sharma was placed on the panel for the post of 'Attorney' and w.e.f. 20<sup>th</sup> December, 1991, he was appointed as 'Attorney' on adhoc basis. His adhoc service as 'Attorney' was extended from time to time up to January, 1995. Even though the first panel on the basis of which he was working an adhoc employee was not exhausted fully, another panel of Attorney was prepared in 1995. Thereafter, since Shri Sharma was removed as adhoc 'Attorney' and also not given his RMR post, which he was occupying before he started as Attorney, he moved the Court. Considering the retirement of his father in July, 2002, Shri Sharma withdrew his court case and NDMC appointed him on RMR w.e.f. 27<sup>th</sup> August, 2002. Shri Sharma, therefore, pleaded to the Committee that considering his past service in the NDMC, he may be given a regular post. Shri Sharma in his subsequent representation, submitted to the Committee that his father who was working in NDMC had retired in July, 2002 and the quarter allotted to his father should be transferred in his name.

2.6 During the evidence, the Chairman, NDMC admitted before the Committee that there has been grave injustice to the petitioner in this case wherein he lost his seniority as also a regular job. He assured the Committee that they have examined the matter now in detail and would appoint Shri Sharma as a regular employee giving him seniority at par with his colleagues, who were working at RMR in August, 1991. Similarly, he assured that Government accommodation would also be regularized in his name. The Committee appreciate that after taking up the matter by them with the Ministry of Home Affairs and NDMC, the grievance of the petitioner would be redressed. Since the Committee are yet

to be informed of the conclusive action taken in the matter, they desire a compliance report in this regard from the Ministry of Home Affairs/NDMC.

2.7 Examination of the recruitment/appointment procedure in NDMC has revealed that there are serious lacunae in the present system. The Ministry of Home Affairs also concurred with the views of the Committee when they admitted that the case of Shri Sharma was indicative of the deficiency in the recruitment procedure in NDMC and the Ministry would advise the NDMC to streamline the procedure. The Committee, accordingly, recommend that appointment/ selection/ recruitment procedures in NDMC should be examined thoroughly with a view to make the same fool-proof. The Committee would like to be apprised of the conclusive action taken in the matter within three months of the presentation of this Report to Parliament.

### CHAPTER - III

#### **GIST OF THE REPRESENTATION REQUESTING FOR SANCTION OF FREEDOM FIGHTER PENSION**

3.1 Shri Jagdev Mahto, S/o late Shri Gulli Mahto, r/o Gram Bhakhroli, Zila Madhubani, Post Berama, Bihar, submitted a representation requesting for sanction of freedom fighter pension by the Ministry of Home Affairs. He stated that the State Government of Bihar had given their recommendation to the Ministry of Home Affairs for sanctioning the Swatantrata Sainik Samman Pension. However, the case had been pending with the Ministry of Home Affairs, Freedom Fighters' Division, New Delhi, for the last six years. He therefore, requested the Committee on Petitions to intervene for early disposal of the case. The matter was referred to the Ministry of Home Affairs, Freedom Fighters' Division, on 24<sup>th</sup> November, 2003. In response, the Ministry of Home Affairs (Freedom Fighters' Division) vide their communication dated 29<sup>th</sup> December, 2003 stated that the petitioner's application had been received from the State Government of Bihar vide letter No. 595 dated 1<sup>st</sup> June, 1998. The claim for the Swatantrata Sainik Samman Pension had been based on absconsion of the applicant from 18.8.1942 to 30.5.1946 which had been supported by an Order Sheet of GR. No.822/42 and a Personal Knowledge Certificate. After examining the case of Shri Jagdev Mahto, it has been decided to sanction pension to him.

3.2 **The Committee note with satisfaction that with their intervention, the grievance of the petitioner has been redressed by the Ministry of Home Affairs.**

## CHAPTER-IV

### **ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) IN THEIR THIRTIETH REPORT ON THE REPRESENTATION REGARDING NON-IMPLEMENTATION OF WAGES AND ALLOWANCE AS PER AGREEMENT DATED 30<sup>TH</sup> OCTOBER, 2001 BY THE MANAGEMENT OF BHARAT HEAVY PLATES AND VESSELS LIMITED (BHPV).**

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The Committee on Petitions (Thirteenth Lok Sabha) in their Thirtieth Report presented to Lok Sabha on 22<sup>nd</sup> July, 2003 dealt with the representation regarding non-implementation of wages and allowances as per agreement dated 30<sup>th</sup> October, 2001 by the management of Bharat Heavy Plates and Vessels Limited (BHPV).

4.2 The Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry) (hereafter referred to as the Ministry) were requested to furnish their action taken notes indicating action taken by them to implement the recommendations made by the Committee for their consideration. The replies of the Ministry have been received in respect of all the recommendations. The recommendations made by the Committee and replies furnished thereto by the Ministry are discussed in the succeeding paragraphs.

4.3 In paragraphs 3.15 and 3.16 of the Report, the Committee recommended as follows:-

“The Committee note that with the approval of the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry), Bharat Heavy Plates & Vessels Limited, (BHPV) initiated negotiations with labour unions in 2001 for wage revision. The last wage revision was up to December, 1996. After fulfilling due procedures, a wage agreement between BHPV management and labour

unions was signed on 30<sup>th</sup> October, 2001. The Board of BHPV approved the wage revision at their meeting held on 26<sup>th</sup> February, 2002. The wage revision proposal, submitted to the Ministry through the holding company of BHPV viz. Bharat Yantra Nigam Limited (BYNL) is pending since then.

(Para 3.15)

The Committee have been informed that with the reduction in manpower through VRS i.e. from about 4000 to the present level of 1947, the likely additional expenditure on account of proposed wage revision would be about Rs. 60 lakh per annum. The Ministry informed the Committee that one of the stipulations for wage revisions in any PSU under the Ministry has been that the PSU should earn profits to sustain the enhanced wage bill and in this case BHPV is yet to pass this yardstick. The profits earned during 2000-01 and 2001-02 are too meagre. Regarding the accounts for the year 2002-03, the Committee were informed that there seemed to be some manipulations. A reputed Chartered Accountant has been appointed to enquire into it. The Committee would like the Ministry to ensure that this exercise is completed at the earliest. They also recommend that to keep the morale of the workers high, who are willing to keep the productivity to a level which was achieved with the double manpower than the existing one, the demand of wage revision of employees should be considered positively.”

(Para 3.16)

4.4 In their action taken notes, the Ministry have stated that the matter has been reconsidered in the Department of Heavy Industry. The current financial condition of the

company does not justify a revision of pay scales, as the company cannot afford the extra liability in view of the very low turnover and low order book during the year 2002-03 (Rs. 21.51 crore). Any extra liability would in fact lead to a critical financial condition. Moreover, the company is defaulting in payment of statutory dues (Rs. 21.66 crore as on 31.7.2003) as well as in payments to bankers/institutions (Rs. 152.56 crore as on 31.8.2003) in respect of some of which the Government had earlier given counter guarantee for raising working capital funds and VRS bonds. In other words, the company is not in a position to take on additional liability, which would accrue on account of the revised pay scales. BHPV in the year 2000-01 did have a marginal profit of Rs. 0.94 crore. However, in the year 2001-02 the Company earned the profit of Rs. 1.72 crore by taking into account the following restructuring approved by the Cabinet in its meeting held on 02.04.2002 which was incumbent on the proposed joint venture formation of the company :-

- (i) Conversion of the Government of India loan amounting to Rs. 39.76 crore into equity.
- (ii) Waiver of interest amounting to Rs. 38.77 crore.

The joint venture formation exercise of BHPV till date has not taken place. One attempt has already failed. For the financial year 2002-03, in the flash results the company had declared a profit of Rs. 1.53 crore as against a loss of Rs. 52 crore up to February, 2003. In the same financial year, it had shown a profit of Rs. 53.29 crore earned by the company in the single month of March, 2003 which seemed to be abnormal. A reputed firm of Chartered Accountants was appointed to review the position. They submitted their report, which was considered by the Audit Committee of

BHPV in its meeting held on 12.09.2003. The Audit Committee decided to avail the services of one more Chartered Accountant before arriving at any conclusions about the profitability figures of the company.

As regards the manpower reduction of the company, the Ministry have stated that this has been made possible only through the Government budgetary support of Rs. 104.26 crore for the implementation of VRS and roll back of retirement age. BHPV is basically a commercial organization and is expected to meet financial burden of payment of salary and wages from out of the business activities it does. There is a limit to which the Government of India can extend its scarce budgetary resources for meeting the expenses of these commercial organizations especially in the background where it has so many social obligations to fulfill.

#### **OBSERVATION/RECOMMENDATION**

4.5 The Committee regret to note that the plan to establish a joint venture company out of BHPV has not been materialised so far. The Committee are of the firm view that the commercial viability of BHPV could be remarkably enhanced, if suitable avenues are explored seriously to form a Joint Venture with another profit making organisation. The Committee, therefore, recommend that the Government should provide necessary help and facilitate formation of the proposed Joint Venture which would take over the BHPV operations in a time-bound programme.

4.6 The Committee note with dismay the inconclusive and fluctuating nature of the fiscal situation and working results declared by BHPV for the year 2002-03 which varied from a profit of Rs. 1.53 crore to a loss of Rs. 52 crore and again a figure of profit to the tune of Rs. 53.29 crore. The Committee note that a firm of Chartered Accountants



appointed to review the position had submitted their report to BHPV and it had been considered by an Audit Committee on 12.09.2003. However, it has been decided to further avail the services of one more Chartered Accountant before arriving at any conclusions about the profitability figures of the company. The Committee recommend that this exercise should be completed at the earliest with a view to end the uncertainty. They are also of the view that this situation must have affected the volume of business also.

4.7 The Committee reiterate that pay revision of employees of BHPV should be considered.

4.8 In paragraph 3.17 the Committee recommended as follows:-

“The Committee note that BHPV is suffering on account of lack of orders and during the current year they have tendered for works of about Rs. 1100 crore out of which they expect orders worth Rs. 300 crore approx. The Ministry informed the Committee that due to delay in completing the orders, Oil companies and other PSUs were shying away from giving orders to BHPV. The Ministry are taking up this matter with the concerned Ministries. The Committee would like to emphasize that this is an area where the Ministry’s help can revive BHPV. Therefore, they would like the Government to extend full assistance including Liquidity Damages (LDs) waiver, providing advance from PSUs and assistance in arranging working capital to carry out the jobs in time.”

(Para 3.17)

4.9 In their action taken notes, the Ministry have stated:-

“The Company upto 31.8.2003 of the current financial year (2003-04) has been able to obtain orders worth Rs. 48.21 crore only. Further, there is problem of working capital to execute the orders. The Ministry has taken up the matter of placement of orders on BHPV with the Ministries/Departments like Defence, Petroleum etc. and organizations like ISRO and NPCIL for placement of orders on BHPV both at various levels. This Ministry has been extending all the necessary assistance to BHPV in securing orders from other PSUs and in releasing the outstanding payments etc. from its clients.

A high level Committee of Officials comprising the officials of Ministry of Petroleum and Department of Heavy Industry have already gone in details into the issue of LDs being imposed by the Oil Sector PSUs on BHPV and have submitted their report. The Committee have made recommendations for waiver of some of the LDs and have also advised the Oil Sector PSUs to consider sympathetically the other LDs.

As regards working capital assistance, the Ministry have stated that the company had sought from Government of India counter guarantee for raising Rs. 130 crore for retiring its past banking debts. The proposal has been examined in consultation with the Ministry of Finance. The Government of India has already extended the following guarantees to BHPV:-

- (i) Rs. 15.00 crore for availing working capital facilities for execution of specific orders of Indian Oil Corporation.
- (ii) Rs. 23.86 crore bonds raised from the market for implementing VRS in the company.”

#### **OBSERVATIONS/RECOMMENDATIONS**

4.10 The Committee find that based on the recommendation of the Committee a Committee consisting of officers of the Ministries of Petroleum and Natural Gas and Industry have gone into the issue of giving more orders to BHPV by the oil sector including giving some incentives/benefits like waiver of LDs. The Committee urge that based on the recommendations of the Committee conclusive action may be initiated to enhance the order book position of the company which is very crucial for the existence of the BHPV.

4.11 The Committee in para 3.18 of the Report recommended as under:-

“The Committee find that the proposal for merger of BHPV with BHEL has not found favour with BHEL. The Committee feel that with the reduction in manpower of BHPV, the matter needs reconsideration particularly in the context

of the huge infrastructure existing in BHPV. The Committee would like to point out that in Oil Sector, Bongaigaon Refinery & Petro Chemicals (BRPL), Nualigarh Refinery Limited, Chennai Petroleum Corporation Limited, Cochin Refineries Limited all smaller PSUs have been made subsidiaries of oil sector giants like Indian Oil Corporation, Bharat Petroleum Corporation, Hindustan Petroleum Corporation. The Committee, therefore, find no reason as to why BHPV can not become a subsidiary of BHEL or can not operate as a Division of BHEL. They, therefore, strongly recommend re-examination of the matter.”

(Para 3.18)

4.12 In their reply the Ministry have stated as follows:-

“The issue of merger of BHPV with BHEL has been reconsidered. BHEL is broadly in the manufacture of fabricated equipment for which manufacturing capacity is available in all the major units of BHEL, viz. Hardwar, Bhopal, Hyderabad and Tiruchy. The industry is characterized by overcapacity, large number of market players, under utilization of capacity, etc. The product range of both the companies overlap to a large extent, and BHEL is finding it touch to book order to utilize its own capacity. The merger would neither lead to market expansion nor to improvement in capacity utilization and therefore would not be in the interest of either BHEL or BHPV. The merger of BHEL with BHPV cannot be equalled with the merger of IOCL with CRL. IOCL, BRPL, NRL, MRL & CRL at present are operating in a monopolistic area. The matter has once again been reviewed in this Department and it has been decided that the same should be treated as closed.”

#### **OBSERVATION/RECOMMENDATION**

4.13 As recommended by the Committee in para 4.5 of this Report, they reiterate that if merger is not feasible, earnest efforts should be made to form a joint venture with a big company like BHEL.

## CHAPTER-V

### **ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATION OF THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) IN THEIR THIRTY-SECOND REPORT ON THE REPRESENTATION REGARDING WRONG BILLS AND WRONGFUL DISCONNECTION OF TELEPHONE NO. 25737937.**

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The Committee on Petitions (Thirteenth Lok Sabha) in their Thirty-second Report presented to Lok Sabha on 5 August, 2003 had dealt with a representation regarding wrong bills and wrongful disconnection of telephone No. 25737937.

5.2 The Committee made certain observations/recommendations in the Report and the Ministry of Communications and Information Technology (Department of Telecom) were requested to implement those recommendations and furnish their action taken notes for the consideration of the Committee.

5.3 Action taken notes have been received from the Ministry in respect of all the recommendations contained in the Report. Some of the recommendations made by the Committee and the replies thereto furnished by the Ministry are discussed in the succeeding paragraphs.

5.4 In paras 2.16 to 2.18 of the Report, the Committee had observed as follows:-

“The Committee note from the submissions made by the petitioner that his grandfather, Shri Sat Prakash Sood, had subscribed telephone No. 25737937 at his residence, 8/10, W.E.A., Karol Bagh, New Delhi, in April, 1987 under Registration No. 030025173, O.B. No. 115726206, dated 25.4.1988, without STD/ISD facility. He died in 1993 and the telephone connection continued with the family and the bills were regularly paid.

(para 2.16)

“The grievance of the petitioner, placed before the Committee, is that the first wrong bill for Rs. 1,20,195/- relating to the billing cycle 16.12.1994 to 15.2.1995, showing overseas calls, particularly to Dubai etc., purported to have been made in January and February, was received in 1995. On receipt of the aforesaid bill, the petitioner’s father, Shri R.K. Sood had represented to the concerned General Manager, MTNL, on 21<sup>st</sup> March, 1995 stating that no overseas calls as listed in the bill in question had been made, and requested that fresh correct bills be sent for settlement. As no response was received, several authorities in the MTNL were reminded on 12.6.1995 and 23.8.1995. Instead of responding to the requests, the MTNL disconnected the phone on 28.6.1995. A representation dated 1.10.1995 was also sent to the then Chairman and Managing Director, MTNL, restating the whole case and pointing out the wrongful disconnection of the phone on 28.6.1995. Unfortunately, this also did not move MTNL to respond.”

(para 2.17)

“The Committee regret to note that MTNL ignored all the representations regarding the over/wrong billing and wrongful disconnection of telephone. Moreover, without giving reasonable opportunity to Shri R.K. Sood to place his grievance before MTNL authorities, the MTNL filed a suit on 9.2.1998 against him in District Court. The Court of Additional District Judge of Delhi, thereafter, passed an ex-parte order for the recovery of Rs. 1,87,082.80 paise from the legal heirs of the deceased consumer i.e. Shri R.K. Sood.

(Para 2.18)

5.5 In their action taken reply, the Ministry have stated as follows:-

“MTNL considers all the complaints received. As regards the representations referred to, it is submitted that the MTNL, West Area, under whose jurisdiction the telephone lies, has been trifurcated, and since the calls relate to 1995, the relevant papers are not traceable at this late date. Hence, it is not possible at this stage to submit any comments on this aspect. Since the letters were sent by West Area of MTNL to the subscriber with a request to pay the out-standing dues, it is established that no relief was due.”

The Ministry have further stated:

“It is submitted that the representations of subscriber are never ignored by MTNL. As already submitted, the relevant correspondence is not traceable at this stage. Reasonable opportunity was given by AO (TF) West-I Area vide office

correspondence dated 11.4.1997 and 27.5.1997 which was made with the employer of Shri R.K. Sood. The subscriber did not respond at all. There was no alternative left with MTNL other than to move District Court in order to avoid the case being time-barred under law of limitation.

The Hon'ble Court has also given sufficient opportunity to the subscriber to represent his case, but he never responded to the call of the Hon'ble Court and ultimately the Hon'ble Court had to pass ex-parte orders for recovery of the outstanding dues.”

5.6 In para 2.20 of the Report, the Committee observed as follows:-

“The Committee note that booked trunk calls are made through the operator and the operator ensures that the booking person is available to put the call through. Admittedly, there are chances of misuse of phone by diverting the line, leading to theft or implantation of booked trunk calls with the collusion of MTNL operational staff or private telephone call booths.”

5.7 In their action taken reply, the Ministry have stated as follows:-

“The booked trunk calls are made through the operator and the operator ensures that the booking person is available to put the call through. In this case also the subscriber booked the international overseas calls and same were put through by an operator after ensuring the telephone number of calling and called party. The calls were made to the same telephone number for a considerable long period of time. As such, there are no chances of misuse of phone by diverting the line, because the subscriber's phone has never gone down during that period.”

5.8 In para 2.21 of the Report, the Committee recommended as follows:-

“The Committee strongly feel that had the MTNL enquired with the matter seriously after receiving the representations from Shri R.K. Sood and his family members, keeping in view the monthly average trend of bill amount of Rs. 577/- of his past bills, paid from 1987 to 1995, it could have sorted out the grievance of the petitioner.”

5.9 In their action taken reply, the Ministry have stated as follows:-

“MTNL enquired the case and found that there was no justification for rebate as all the calls were put through by the Operator. Moreover, when the matter was taken up in the Hon’ble Court for recovery, the petitioner did not respond to any of the communications either from MTNL or from the Hon’ble Court.”

5.10 In para 2.22 of the Report, the Committee recommended as follows:-

“The Committee are not inclined to accept the plea given by the Ministry during the oral evidence that since the grievance is eight year old, any investigation into it now may not give the desired results. The Committee recommend that with a view to give due justice to the petitioner, the Ministry/MTNL should examine the matter again thread-bare keeping in view the possibility of mischief that might have been played by some MTNL staff by un-authorized diversion of connection for overseas calls. The Committee feel such an attitude of MTNL ignoring requests/complaints of consumers, may be due to monopoly situation during that period . However, for raising satisfaction of the consumers in MTNL services such an exercise is essential in this era of competition.”

5.11. In their action taken reply, the Ministry have stated as follows:-

“Asstt. Vigilance Officer was deputed to investigate whether diversion of line was possible or not. He investigated the case thoroughly after checking the concerned pillar and concerned DP and he has reported that there is no possibility of tampering of line. MTNL investigatges through Vigilance Branch all such complaints and if any official is found committing any offence, suitable action is taken by the concerned officers. However, the feelings of the Committee are noted and it is assured that all efforts will be made to satisfy the customers to provide the best service.”

5.12 In para 2.23 of the Report, the Committee recommended as follows:-

“The Committee would await the concrete action taken by the Ministry in this regard including the settlement of the case of the petitioner within two months of presentation of their Report to the Parliament.”

5.13 In their action taken reply, the Ministry have stated as follows:-

“It is once again submitted, that the Hon’ble Distt. Court has already decreed the suit filed by MTNL upholding the outstanding and the veracity of the bills. Therefore, it is submitted that it is not possible to withdraw the bills at this stage

which may cause audit objection from the Comptroller and Auditor General of India.”

5.14 Subsequent to presentation of the report, the petitioner again submitted a representation to the Committee on 20<sup>th</sup> August, 2003 stating inter-alia the following:-

- (i) All his representations against wrong bills and wrong disconnection of telephones remained without any response.
- (ii) One of the bills pertains to the period from 16.12.1995 to 15.2.1996 showing overseas calls purported to have been made on 13.1.1996, 14.1.1996, 18.2.1996 and 20.2.1996 to DBI No.451795, (perhaps DBI means Dubai) plus rental for 1.4.1996 to 13.5.1996 whereas the telephone was already disconnected on 28.6.1995. MTNL did not restore telephone connection despite repeated pleas of the petitioner about his father’s serious protracted illness.

### **OBSERVATIONS/RECOMMENDATIONS**

5.15 The Committee are not at all satisfied with the replies of the Ministry of Communications and Information Technology. From the replies it appears that the recommendations of the Committee have not been taken seriously by the Government. The replies of the Government do not reflect any action taken by the Ministry on the following assurance given by the Secretary, Department of Telecommunications, who had inter-alia submitted before the Committee:-

**“We greatly respect your desire and I would try and see whether MTNL could soften the blow on him (the petitioner) ..... We greatly respect your views and we will try and see how we can give any relief.”**



**5.16** The Committee are anguished to note that in regard to action taken by the MTNL on the representations submitted by the petitioner for redressal of the grievance, the Ministry have now stated that relevant papers are not traceable. This contention of the Ministry is all the more difficult to believe as the matter was also under litigation. Similarly, there is no specific reply of the Government to the grievance of the petitioner as to how bills for the period even after disconnection of the telephone continued.

**5.17** Considering the above facts, the Committee, once again strongly reiterate that the Ministry should reconsider the matter with positive frame of mind to give justice/relief to the petitioner. The Committee would await concrete action taken in the matter including on the assurance given by the Secretary, Department of Telecommunications before the Committee.

**NEW DELHI;**

**BASUDEB ACHARIA**

**13<sup>th</sup> January, 2004**  
**23 Pausa, 1925 (Saka)**

**Chairman**  
**Committee on Petitions**  
**Lok Sabha**

MINUTES OF EIGHTIETH SITTING OF THE COMMITTEE ON PETITIONS HELD ON 16<sup>TH</sup> SEPTEMBER, 2003 IN COMMITTEE ROOM NO. 62, PARLIAMENT HOUSE, NEW DELHI.

**The Committee sat from 14.00 to 16.15 hrs.**

**PRESENT**

Shri Basudeb Acharia - *Chairman*

**MEMBERS**

2. Shri Ram Rati Bind
3. Shri Ambati Brahmanaiah
4. Shri Anant Gudhe
5. Shri Shriniwas Patil
6. Shri Sunder Lal Patwa
7. Shri Sis Ram Ola
8. Dr. Bikram Sarkar

**SECRETARIAT**

1. Shri Brahm Dutt - Deputy Secretary
2. Smt. Neera Singh - Under Secretary

**WITNESSES**

**Representatives of the Ministry of Railways (Railway Board)**

1. Shri S.M. Singla - Member Staff  
(Railway Board)
2. Shri Anand Mathur - Executive Director Esstt. (N)

**SPECIAL INVITEE**

Shri K.P. Singh Deo, M.P.

**Representatives of the Ministry of Commerce & Industry**  
**(Department of Commerce)**

1. Shri S.K. Arora - Additional Secretary,  
& Finance Advisor  
(Department of Commerce)
2. Shri L.V. Saptharishi - Additional Secretary &  
Officiating DG (S&D)
3. Mrs. Veena Brahma - Joint Secretary
4. Shri M.K. Anand - Director

**Representatives of the Ministry of Steel**

1. Shri V.K. Duggal - Secretary
2. Dr. S.Y. Quraishi - AS&FA
3. Shri J.P. Singh - Joint Secretary
4. Shri P.K. Singh - Deputy Secretary
5. Shri Navin Soi - Deputy Secretary
6. Shri S.K. Sinha - Jt. DCI&S

2. The Committee took oral evidence of the representatives of the concerned Ministries/Organisations on the following subjects:-

- (i) The Ministry of Railways (Railway Board) on the petition regarding giving employment to the displaced families whose land has been acquired for Talcher-Sambalpur Railway link project of South-Eastern railway.
- (ii) The Ministry of Commerce & Industry (Department of Commerce) on the representation regarding grievances of the staff of Supplies and Disposal Office at Kolkata as a result of the downsizing of the Staff strength.
- (iii) The Ministry of Steel on the representation against the closure of the office of the Development Commissioner for Iron & Steel and its four Regional Offices (DCI&S Organisation).

3. At the outset the Chairman drew the attention of the representatives of each Ministry, to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings. The Committee then put questions which were replied to by the witnesses on the subjects under consideration of the Committee.

4. A verbatim record of the proceedings was kept.

**The Committee then adjourned.**

## COMMITTEE ON PETITIONS

MINUTES OF THE EIGHTY-SECOND SITTING OF THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) HELD ON 20<sup>TH</sup> OCTOBER, 2003 IN ROOM NO. 62, PARLIAMENT HOUSE, NEW DELHI

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The Committee sat from 15.00 hrs. to 15.35 hrs.

### Present

Shri Basudeb Acharia - Chairman

### Members

2. Shri Ambati Brahmanaiiah
3. Shri Ram Rati Bind
4. Shri Bikram Keshari Deo
5. Shri Anant Gudhe
6. Shri P.R. Kyndiah
7. Shri Shriniwas Patil
8. Dr. Bikram Sarkar

### Secretariat

1. Shri Brahm Dutt - Director
2. Smt. Neera Singh - Under Secretary

### WITNESSES

#### Representatives of the Ministry of Home Affairs

1. Shri K.P. Singh - Additional Secretary (BM)
2. Shri P.K. Jalali - Joint Secretary (UT)
3. Shri I.B. Karn - Director

#### Representatives of the New Delhi Municipal Council (NDMC)

1. **Shri R. Narayanaswamy** - **Chairman**

2. **Shri Sanjiv Kumar** - **Secretary**

2. At the outset, the Chairman welcomed the representatives of the Ministry of Home Affairs to the sitting of the Committee and invited their attention to the provisions contained in Direction 55(1) of the Directions by the Speaker, Lok Sabha.

3. The Committee then took evidence of the representatives of the Ministry on the representation requesting for a regular appointment in NDMC.

4. A verbatim record of the proceedings was kept.

**The Committee then adjourned.**

## COMMITTEE ON PETITIONS

**MINUTES OF THE EIGHTY-EIGHTH SITTING OF THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) HELD ON 13<sup>TH</sup> JANUARY, 2004 IN COMMITTEE ROOM 'B', GROUND FLOOR, PARLIAMENT HOUSE ANNEXE, NEW DELHI.**

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**The Committee sat from 14.00 hrs. to 14.20 hrs.**

### Present

Shri Basudeb Acharia - Chairman

### Members

2. Shri Ambati Brahmanaiah
3. Shri Ram Rati Bind
4. Shri Anant Gudhe
5. Shri Sis Ram Ola
6. Shri Shriniwas Patil

### Secretariat

1. Shri John Joseph - Additional Secretary
2. Shri Brahm Dutt - Director
3. Smt. Neera Singh - Under Secretary

The Committee considered and adopted the draft Fortieth Report of the Committee on Petitions with some minor changes. The Committee also authorised the Chairman to present the Report to the House.

**The Committee then adjourned.**