

# COMMITTEE ON PETITIONS

(TENTH LOK SABHA)

NINTH REPORT



*(Presented to Lok Sabha on 26.8.1993)*

**LOK SABHA SECRETARIAT  
NEW DELHI**

*August, 1993/Sravana, 1915 (Saka)*

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**COMPOSITION OF THE COMMITTEE ON PETITIONS  
(1992-93)**

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- |                      |                               |
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| Shri S.C. Gupta      | — <i>Joint Secretary</i>      |
| Shri R.K. Chatterjee | — <i>Deputy Secretary</i>     |
| Shri T.D. Dhingra    | — <i>Under Secretary</i>      |

**NINTH REPORT OF THE COMMITTEE ON PETITIONS  
(TENTH LOK SABHA)**

**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 of the Committee to the House on the following matters:—

- (1) Petition No. 17 from NPCC Employees Joint Forum requesting for acceptance of 'Employees Plan' to revive National Projects Construction Corporation Limited.
  - (2) Petition No. 19 regarding rehabilitation of the migrants who migrated to India between 1964 to 1970 from East Pakistan, now Bangladesh.
  - (3) Representation regarding problems being faced by the migrants from Kashmir Valley.
2. The Committee considered the above matters at their sittings held on 22 May, 6 August, 8 and 25 September, 1992 and 9 February, 1993.
3. The Committee considered the draft Report at their sitting held on 24 August, 1993 and adopted it.
4. The observations/recommendations of the Committee on the above matter have been included in this Report.

NEW DELHI;  
24 August, 1993

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2 Bhadra, 1915 (Saka)

P.G. NARAYANAN,  
Chairman,  
Committee on Petitions.

# I

## PETITION No. 17 FROM NPCC EMPLOYEES JOINT FORUM REQUESTING FOR ACCEPTANCE OF 'EMPLOYEES PLAN' TO REVIVE NATIONAL PROJECTS CONSTRUCTION CORPORATION LIMITED

Shri George Fernandes, M.P. presented to Lok Sabha on 6 May, 1992, Petition No. 17 (See Appendix-I) signed by Shri I.S. Jha, Convenor, NPCC Employees Joint Forum, NPCC Ltd., Nehru Place, New Delhi and other employees of NPCC praying for acceptance of 'Employees Plan' to revive National Projects Construction Corporation Ltd.

1.2. In the petition, the petitioners raised *inter alia* the following main points:—

- (i) The National Projects Construction Corporation Ltd., a Government of India Undertaking, under the administrative control of the Ministry of Water Resources has successfully constructed more than 100 gigantic projects in the country and abroad and has saved the public exchequer worth hundreds of crores of rupees.
- (ii) The NPCC was financially healthy and running profitably with annual turn over of Rs. 141 crores till 1986. However, due to gross all rounds mismanagement, originating at top levels, the company's performance had declined heavily and its turnover has fallen down to Rs. 87 crores. It is one of the 98 units identified as sick by the Government.
- (iii) The employees of NPCC Ltd. have presented an 'Employees Plan' to turn around NPCC Ltd. for acceptance by the Government. The main features of the Plan are as under:—

**GROWTH:** The Plan envisages a steady growth raising the turn-over from current value of Rs. 95 crores to beyond Rs. 300 crores by 1998-99.

**CASH FLOW:** The plan achieves positive cash flow by 1993-94.

**PROFITABILITY:** The plan envisages reversing the present loss making trend and start earning annual profits from 1994-95 onwards wiping out a total of Rs. 42 crores from the accumulated losses by 1998-99.

**FOREIGN CURRENCY EARNINGS:** The Plan envisages a net earning of about Rs. 45 crores in foreign exchange upto 1998-99.

**LEAST  
FINANCIAL  
ASSISTANCE  
FROM  
GOVERNMENT:**

The plan seeks fresh loan from the Government. The Assistance sought by the plan from the Government are mainly:

- (a) Change in the system of management
- (b) Short term assistance in improving order book
- (c) Temporary increase in cash-credit limit by Rs. 20 crores and short term assistance in realisation of outstandings from Govt. Departments.

**REPAYMENT  
OF LOANS:**

The plan proposes to repay all existing corporate loans alongwith interest by 1996-97 and all existing Government loans and interest by 1997-98.

**EMPLOYEES  
MANAGEMENT:**

This plan proposes to make employees directly answerable to the Government for turn-around of the Corporation.

1.3 The petitioners requested that the 'Employees Plan' to turn around NPCC Ltd. be recommended to the Govt. for acceptance.

1.4 The petition was forwarded to the Ministry of Water Resources on 12 May, 1992 for furnishing their factual comments on the points raised in the petition for being placed before the Committee on Petitions. The Ministry of Water Resources in their U.O. dated 29.7.92 stated as follows:

"It has been observed that on the pretext of the Turn Around Plan, they want establishment of a Governing Body over and above the Board of Directors to manage the affairs of the Company. The Governing Body is proposed to comprise the representatives of various sections of the employees of the Company. The proposal is not acceptable as the Companies Act, 1956 does not provide for any Governing Body over and above the Board of Directors which is appointed by the Government in consultation with Public Enterprises Selection Board, and it is a top most body to look after the management of the Company.

The Employees do not propose to acquire any financial stake in the Company as they have neither proposed to acquire the shares of the Company nor there is a proposal for formulation of a cooperative of the employees. Thus, they simply want to run the Company without any responsibility which is not a viable proposal.

The Ministry of Water Resources have constituted a Management Coordination Cell headed by the Additional Secretary to monitor realisation of outstanding dues of NPCC, review personnel management practices including vigilances matters, and to review the utilisation of equipments and machineries of NPCC.

Regarding workers' participation in the management of the Company, it is to mention that the members of the Officers' Association a constituent of so called Joint Forum hold senior

managerial positions in the Company and are part and parcel of the management. The participation of other employees and workers in running the affairs of the Company exist at Unit level.

The plan mentions about the gross mismanagement and corruption in NPCC. If the Corporation ills are due to mismanagement and corruption it could be at all levels and cannot be said to be confined to high levels. The plan also does not state any remedial measures for overcoming this problem. However, the Ministry has recently appointed a full time Chief Vigilance Officer on NPCC to look into the allegations of corruption.

The plan envisages increase in manpower rather than reducing the existing manpower which itself is disproportionately high. For revival of the Company a reduction in manpower to the extent of about 30—40% is required assuming a turn over of about Rs. 150 crores per year at the present price. The Corporation may not be able to achieve a higher turn over keeping in view the present market trends. All studies have clearly shown over recruitment of staff—giving rise to very high overhead costs at the Headquarter office. That office needs to be trimmed rather than expanded.

In the Turn Around Plan, the issue of improving order work position was dealt in too simplistic manner by asking the Government help in award of works which is totally against the concept of public sector working.

The NPCC Limited has become sick as defined under Sick Industries Company's (Special Provisions) Act, 1985. However, it is not covered under the Act as it is not a manufacturing industry. Department of Public Enterprises have advised the Administrative Ministries to take up the exercise similar to the procedure followed by Board for Industrial and Financial Reconstruction (BIFR) in respect of Public Sector Undertakings.

The Board of Directors of the company have already approved the proposal for subjecting the company to this exercise and a proposal has since been received in the Ministry from the management which is under consideration. Now the revival plan will be prepared in consultation with the various concerned Ministries. The Company has also been advised to prepare such a document for consideration.

In view of the above, after careful consideration, the Turn Around Plan which was prepared in 1991 is not considered to be a feasible and acceptable one and hence not proposed for further processing. However, separate steps have been initiated in the Ministry for preparing a revival plan for NPCC."

1.5 The Committee perused the comments furnished by the Ministry of Water Resources at their sitting held on 9 February, 1993 and noted that

the Turn Around Plan which was prepared in 1991 was not considered by the Government to be a feasible and acceptable one. The Ministry in their reply had stated that steps had been initiated in the Ministry for preparing a revival plan for NPCC. The Committee decided to ascertain from the Ministry of Water Resources, the progress made towards formulation of the revival plan.

1.6 The Ministry of Water Resources *vide* their communication dated 16 April, 1993 have stated as follows:

“A comprehensive Revival Plan of NPCC had been formulated and was considered & generally accepted in an inter-ministerial meeting held in August, 1992. The main components of the revival Plan are:

- (i) Conversion of existing Government loan of Rs. 40.40 crores as on 31.3.92 into equity.
- (ii) Waiver of unpaid interest and penal interest on the Government loan in (i) above.
- (iii) Working capital fund loan of Rs. 15 crores and term loan of Rs. 5 crore for meeting working capital requirement and repairs/renovation of the construction machinery and equipments.
- (iv) Grant of Rs. 22 crores from National Renewal Fund for implementation of Voluntary Retirement Scheme.
- (v) Government counter guarantee for Rs. 60 crores.
- (vi) Government guarantee for US \$ 1.75 million to cover interest liability on over draft from S.B.I. Behrain.
- (vii) The NPCC is required to undertake a number of steps in reducing its over-heads and increase realisation of outstanding dues from the clients. It is also required to identify repairs/surplus machinery/stores spares etc. beyond economic repairs and dispose them of for getting much needed working capital.”

The action on implementation of various components of the revival Plan is in progress. While the proposals for the components at (i), (ii), (v) and (vi) have been referred to the Ministry of Finance for approval, the implementation of the components at (iii) and (iv) above has already been agreed to by the Ministry of Finance and its implementation is in progress.

The Comprehensive Revival Plan of NPCC is with Ministry of Finance under their Scrutiny before final decision is taken by the Government.”

1.7 The Ministry of Water Resources were again requested to intimate the latest position in regard to implementation of the revival plan.



1.8 The Ministry of Water Resources in their communication dated 9 July, 1993 have stated as follows:

“As informed *vide* this Ministry’s O.M. of even No. dated 16.4.1993, the components of the revival Plan regarding working capital fund loan of Rs. 15 crores and term loan of Rs. 5 crores for meeting working capital requirement and repairs/renovation of construction machinery and equipments and grant of Rs. 22 crores from National Renewal Fund for implementation of Voluntary Retirement Scheme have already been approved and are under implementation. The amount of Rs. 8 crores (Rs. 5 crores as loan and 3 crores as equity) and Rs.10 crores for implementation of Voluntary Retirement Scheme was released to RPNN (erstwhile NPCC) during January-March, 1993. An amount of Rs.10 crores towards loan and an amount of Rs. 12 crores as grant for implementation of Voluntary Retirement Scheme have been provided in the Budget of this Ministry for 1993-94 and these amounts will be released as and when considered necessary. Out of the Government Counter Guarantee of Rs. 60 crores, the Government has already sanctioned Counter Government Guarantee of Rs. 23 crores.

The components regarding conversion of existing Government loan into equity, waiver of unpaid interest and penal interest on the Government loans, sanction of the Government Counter Guarantee for the balance amount of Rs. 37 crores and Government for US \$ 1.75 million have not been agreed to by the Ministry of Finance, who have suggested phased liquidation of the Company. This is being examined in the Ministry.

NPCC is taking steps to reduce its over-heads and improve realisation of outstanding dues. It is also engaged in identification of equipments/stores which are beyond economical repairs and dispose them for getting much needed capital.”

1.9 On 26 July, 1993, extracts of the communications of the Ministry of Water Resources were forwarded to Shri George Fernandes, M.P. for perusal and he was requested that in case he liked to make any comments on the matter, those could be sent to the Secretariat upto a specified date. However, no communication has been received from the Hon’ble Member.

#### **Observations/Recommendations of the Committee**

1.10 The Committee have been informed by the petitioners—the employees of the National Project Construction Corporation Limited, that the National Projects Construction Corporation Ltd., a Government of India Undertaking, which was running profitably till 1986, with annual turn over of Rs. 141 crores, is one of the 98 units identified as sick by the Government. It has been alleged that the Company’s performance had declined due to gross all round mismanagement, originating at top levels.

1.11 In this connection the Committee note that the petitioners have presented an "Employees Plan—to Turn Around the National Projects Construction Corporation Ltd." for acceptance by the Government. The proposed plan according to the petitioners, envisages a steady growth, raising the turn-over from current value of Rs. 95 crores to beyond 300 crores by 1998-99, a positive cash flow by 1993-94, starting of annual profits, net earnings of about Rs. 45 crores in foreign exchange upto 1998-99, least financial assistance from Government and to make employees answerable to the Government for turn around of the Corporation.

1.12 The Ministry of Water Resources in their submission to the Committee have denied the basic allegation made by the petitioners that the Company's performance had declined due to gross all round mismanagement, originating at top levels. They have stated that if the Corporation ills are due to mismanagement and corruption, it could be at all levels and cannot be said to be confined to high levels. They have stated inter-alia that they have appointed recently a full time Chief Vigilance Officer on National Projects Construction Corporation to look into allegations of corruption.

1.13 The Ministry of Water Resources have stated that the Employees Plan is not considered to be feasible and acceptable to the Government. It has been submitted inter-alia that on the pretext of the Turn Around Plan, the petitioners propose the establishment of a Governing Body over and above the Board of Directors to manage the affairs of the Company. The Governing Body is proposed to comprise the representatives of various sections of the employees of the Company. The proposal is not acceptable as the Companies Act, 1956 does not provide for any Governing Body over and above the Board of Directors which is appointed by the Government in consultation with Public Enterprises Selection Board and is a top most body to look after the management of the Company.

1.14 The Ministry have further stated that the employees do not propose to acquire any financial stake in the Company as they have neither proposed to acquire the shares of the Company nor there is a proposal for formulation of a Cooperative of the employees. Thus, they simply want to run the Company without any responsibility which is not a viable proposal.

1.15 It has also been placed before the Committee by the Ministry that the Turn Around Plan of the employees envisages increase in manpower rather than reducing the existing manpower which itself is disproportionately high. For revival of the Company a reduction in manpower to the extent of about 30-40% is required assuming a turn over of about Rs. 150 crores per year at the present price.

1.16 The Ministry have further observed that in the Plan, the issue of improving order work position is dealt with in too simplistic manner by asking the Government help in award of works which was totally against the concept of public sector working.

1.17 The Ministry have added that a comprehensive Revival Plan of NPCC had been formulated and was considered and generally accepted in an inter-ministerial meeting held in August, 1992. In a further intimation dated 9.7.1993, the Ministry have given the latest position in regard to implementation of the Revival Plan and stated that the components of the Revival Plan regarding working capital fund loan of Rs. 15 crores and term loan of Rs. 5 crores for meeting working capital requirement and repairs/renovation of construction machinery etc. and grant of Rs. 22 crores from National Renewal Fund for implementation of Voluntary Retirement Scheme have already been approved and are under implementation.

1.18 The Committee have further been informed that the components regarding conversion of existing Government loan, sanction of the Government Counter Guarantee for the balance amount of Rs. 37 crores and Government guarantee for US \$ 1.75 million have not been agreed to by the Ministry of Finance, who have suggested phased liquidation of the Company and the matter is being examined in the Ministry.

The Committee hope that the final decision on these points would be arrived at early, in consultation with the Ministry of Finance.

1.19 The Committee note that the National Projects Construction Corporation Ltd. is taking steps to reduce its over heads and improve realisation of outstanding dues. It is also engaged in identification of equipments/stores which are beyond economical repairs and dispose them of for getting the much needed capital.

1.20 The Committee hope that the National Project Construction Corporation Ltd. would continue their efforts to finalise the different components of the Revival Plan and implement them as early as possible. The Committee would like the Corporation to discuss with the Ministry of Finance the details of the components regarding conversion of existing Government loan, sanction of the Government Counter Guarantee for the balance amount of Rs. 37 crores and Government guarantee for US \$ 1.75 million and persuade/convince them for revival of the Corporation and also fix up a realistic time schedule for finalisation of the revival programme and adhere to it so that the Company can be revived at the earliest in the larger national interest. The Committee would like to be apprised of the steps taken in this direction within the next three months.

## II

### PETITION NO. 19 REGARDING REHABILITATION OF THE MIGRANTS WHO MIGRATED TO INDIA BETWEEN 1964 TO 1970 FROM EAST PAKISTAN, NOW BANGLADESH

2.1 Shri Manoranjan Bhakta, M.P. presented to Lok Sabha on 12 May, 1992 a petition (No. 19—See Appendix-II) signed by Shri Maralendu Mallik and other migrants from Bangladesh, now residents of Bengali Colony, Hastinapur, District Meerut (Uttar Pradesh) regarding rehabilitation of the Migrants who migrated to India between 1964 to 1970 from East Pakistan, now Bangladesh.

2.2 In the petition, the petitioners *inter alia* stated that they were *bonafide* migrants hailing from erstwhile East Pakistan, presently Bangladesh, who migrated to India between the years 1964 to 1970. They were provided rehabilitation at Hastinapur, District Meerut (Uttar Pradesh) by providing them employment with M/s Madan Industries, Hastinapur, a privately-owned Industry. However, owing to continued losses, M/s Madan Industries Ltd. stopped operations on 8.8.1984 with the result that migrant families from the former East Pakistan and repatriates from Burma and Sri Lanka were rendered jobless. After the closure of M/s Madan Industries, most of the migrant families, except the petitioners have been provided fresh rehabilitation elsewhere in the country by the Government.

2.3 The petitioners, therefore, prayed to the Committee that the Government may be directed to grant them rehabilitation, as was done in case of other rehabilitated families.

2.4 The Ministry of Home Affairs *vide* their Communication dated 3 June, 1992 have furnished their comments stating *inter alia* that about 11.14 lakh persons migrated from former East Pakistan during the period from 1.1.64 to 25.3.71. These migrants are known as new migrants. Considering that West Bengal could not absorb any more migrants, it was decided to resettle such of those migrants who joined the camps set up outside West Bengal.

2.5 The eligible new migrants were rehabilitated in agriculture, small trade / business and employment in States other than West Bengal. Between 1964 and 1970 Rs. 94.04 lakhs were advanced to the Government of Uttar Pradesh for re-lending to M/s. Madan Industries Ltd., Hastinapur, District Meerut (Uttar Pradesh) on the condition that the Company was to provide regular employment to new migrants from former East Pakistan and repatriates from Burma, Sri Lanka etc. who were

sponsored by the Government. The Company was also required to make suitable arrangement for training of the said persons in semi-skilled and skilled jobs. New migrants were, therefore, given regular employment in the Madan Industries Ltd. Owing to continued losses, the Madan Industries Ltd. stopped operations on 8.8.1984 with the result that migrant families from former East Pakistan and repatriates from Burma and Sri Lanka were rendered jobless.

2.6 The Government of India took a compassionate view in the matter and decided to resettle those families who were sponsored and were in the employment of the Madan Industries Ltd. on the date of its closure.

2.7 However, some of the new migrants from East Pakistan had left the Mill of their own even before its closure. As these families were not in the employment of the Mill on the date of its closure, they were not found eligible for grant of rehabilitation assistance.

Shri Maralendu Mallik and 11 others claimed that they had been discharged from the Company on Medical grounds, but could not produce the necessary certificates issued by the Medical Officer of the Company. According to the Report received from the Government of Uttar Pradesh, Shri Mallik was removed from service in the Madan Industries Ltd. w.e.f. 31.7.76. However, these persons were not in a position to produce any documentary evidence as to whether Shri Mallik was removed on medical grounds. During the screening also he simply produced medical certificate issued to him from the Primary Health Centre in 1983 which was not relevant. They have further stated that Shri Mallik had been able to maintain himself for the last 16 years and as such he should be deemed to have merged with the national mainstream.

2.8 Commenting on the petitioners grievance that in West Bengal all squatters got title over prime lands in and around Calcutta but they were the few chosen for application of stricter standards, the Ministry have stated that the new migrants families from East Pakistan who had stayed back in West Bengal, were declared ineligible for rehabilitation. These migrants mostly squatted on private lands and on any vacant piece of land they could find which came to be known as 'Squatters Colonies' and Government of India did not sanction any funds for that.

2.9 After considering the points raised by the petitioners and the comments furnished by the Ministry of Home Affairs, the Committee at their sitting held on 8 September, 1992, decided to hear the views of Shri Manoranjan Bhakta, M.P., Incharge of the petition.

2.10 During evidence on 25 September, 1992, Shri Manoranjan Bhakta, M.P., informed the Committee that initially the Central Government had given a loan of Rs. 80-90 lacs to M/s. Madan Industries, Hastinapur, a privately owned industry to set up a Spinning Mill on the condition that the owner would provide regular employment to the migrants. In the beginning, all the migrant families were given employment in the said Mill.

But later on this Mill was closed down and the people were rendered jobless.

2.11 Shri Manoranjan Bhakta added that the Minister had observed that the rehabilitation scheme was wrong as it was not framed properly. So a screening camp was organised. After the screening, about 290 families were rehabilitated in other parts of the country by giving them agricultural land and dwelling units. However, the remaining 80-81 families had not yet been rehabilitated anywhere in the country. Most of these families belonged to the weaker sections of the society.

2.12 When asked what was the means of livelihood of these families settled at Hastinapur, Shri Bhakta stated that some of them were labourers, some were farmers and some others were vegetable vendors.

2.13 The Committee drew attention to and requested Shri Bhakta to offer his comments on the reply of the Ministry of Home Affairs that Shri Maralendu Mallik and 11 others claimed that they had been discharged from the Mill on medical ground but they could not produce necessary certificates issued by the Medical Officer of the Company. The Member stated that the company should not have insisted upon producing the Medical Certificates by the petitioners because firstly, it was a privately owned Company which being run by the owner in his own fashion and secondly, it was not possible for a daily labourer to keep all the medical certificates and if the owner was insisting on producing such medical certificates then they were trying to avoid the real situation.

#### **Observations / Recommendations of the Committee**

2.14 The Committee note that about 11.14 lakh persons who migrated in India from East Pakistan between 1964 to 1970 came to be known as New Migrants. Most of them were rehabilitated in West Bengal. The other eligible new migrants were rehabilitated at Hastinapur, District Meerut (Uttar Pradesh) by providing them employment with erstwhile M/s. Madan Industries—a privately owned Industry on the condition that the company was to provide regular employment to the migrants and to make suitable arrangements for training of the said persons in semi-skilled and skilled jobs.

2.15 In the petition the petitioners have alleged that they were given low paid jobs for a short period in the 'so called rehabilitation'.

2.16 The Ministry of Home Affairs have informed the Committee that owing to continued losses, the Madan Industries Limited stopped operations on 8.8.1984 with the result that these migrants were rendered jobless. However, by taking a compassionate view in the matter, the Government of India resettled 260 eligible families who were in employment of M/s. Madan Industries on the date of its closure. Some of the migrants who had left the company of their own before its closure, were not considered for rehabilitation.

2.17 The petitioner and 11 others were not considered for rehabilitation as they claimed that they had been discharged from the company on medical grounds but could not produce documentary evidence as to whether they were removed on medical grounds.

2.18 Shri Manoranjan Bhakta, M.P. while giving his views before the Committee stated that the company should not have insisted upon providing the medical certificates because it was a privately owned company and also it was not possible for a daily labourer to keep all the medical certificates.

2.19 The petitioners have themselves admitted that the new migrants were not to be given rehabilitation benefits in West Bengal but all squatters got title over prime lands in and around Calcutta costing upto Rs.5 lakhs. They have submitted to the Committee that the rehabilitation package at Hastinapur included provision of a small dwelling unit but nobody working in the Madan Industries got this benefit.

2.20 The Ministry of Home Affairs have informed the Committee that the new migrants families from East. Pakistan who had stayed back in West Bengal were declared ineligible for rehabilitation but they mostly squatted on private land which came to be known as squatters' colonies and Government of India did not sanction any funds for that.

2.21 The Committee note that most of the persons who were rendered jobless after the closure of M/s. Madan Industries have been resettled in one or the other job and only a few persons have been left jobless.

2.22 Keeping in view of the fact that the petitioners being mostly labour class could not produce medical certificate regarding their discharge from the company on medical grounds, the Committee would like the Government to take a sympathetic view in the matter and take steps to rehabilitate them by getting them some suitable job/avenues of work so that they can sustain themselves.

### III

#### REPRESENTATION REGARDING PROBLEMS BEING FACED BY THE MIGRANTS FROM KASHMIR VALLEY

3.1 Shri Madan Lal Khurana, M.P., forwarded a representation dated 14 August, 1991 (See Appendix-III) signed by Shri Amar Nath Vaishnavi and other inhabitants of Jammu & Kashmir, Gita Bhawan, Jammu, regarding problems being faced by the migrants from Kashmir Valley.

3.2 In the representation, it has been *inter alia* stated that:—

- (i) The mass exodus of Kashmiri Hindus from the Valley began in 1989 and more than 72,000 migrant families had been registered in Jammu and Delhi till June, 1991.
- (ii) The migrants have been the victim of insurgency, intimidation, persecution and killings of thousands of innocent persons as also of destruction of their homes and properties by fundamentalists, secessionists and terrorists. Both the Centre and the State Governments have failed in their primary duty and responsibility of safeguarding the life and property of these migrants.
- (iii) The construction of hutments for the migrants with all the basic amenities like sanitation, education, health services, communication etc. should be taken up on a top priority basis.
- (iv) Kashmiri Hindus are anxious to return to Valley but this is not possible until normalcy is restored there.

3.3 The representation was referred to the Ministry of Home Affairs for factual comments. The Ministry of Home Affairs in their communications dated 27 February, 1992 and 13 March, 1992 furnished their comments on the various points raised in the representation stating *inter alia* that:

“The Government does not consider the situation in Jammu & Kashmir as irretrievable and therefore permanent rehabilitation of migrants outside the valley has not been contemplated. It is hoped that the migrants will be able to return to the Valley with the improvement in situation. However, continuous efforts to provide relief to the migrants to take care of their basic needs have been made.”

A statement showing the points raised by the representationists and the comments of the Ministry of Home Affairs and the State Government of Jammu & Kashmir thereon are shown in Appendix IV.



3.4 While considering the points raised in the representation and the comments of the Ministry of Home Affairs and the State Government of Jammu & Kashmir thereon, the Committee at their sitting held on 22 May, 1992 decided to take evidence of the representatives of the Ministry of Home Affairs.

3.5 The Committee took oral evidence of the representatives of the Ministry of Home Affairs on the representation at their sitting held on 6 August, 1992.

3.6 During evidence, the Committee desired to know the major problems being faced by the migrants from the Kashmir Valley and the steps being taken to solve them. The representatives of the Ministry of Home Affairs informed the Committee as under:—

“Migration had started in 1990 and registration started in March, 1990. In Delhi there are 18769 families who had registered and in Jammu there are 33817 families who had registered as migrants.

In Delhi, there are 364 families in Government accommodation in 14 camps. They are being given Rs. 500 in cash per month and dry ration. In Jammu, there are 5000 families in 28 camps and they are being paid Rs.1000 per family per month. Family consists of four members. In addition, in Jammu and Kashmir, they are being given dry ration. You have asked about the main difficulties that are being faced by the migrants. Initially they had problems of their accommodation, sanitation, water, electric supply, medical facilities. You would have seen from our reports that we had tried our best to do whatever is possible. The State of Jammu and Kashmir is spending Rs. 40 crores per annum on the migrants. The Delhi Administration is spending Rs. 5 crore per annum on the migrants. I have figures to indicate what has been done for their education and education of their wards.

As far as schooling is concerned, I think, it is satisfactory because schools were opened in the camps itself in Jammu. But the problem remains about higher education, particularly education in professional colleges. For instance, 22 migrants candidates had been selected in 1990 and given admission in Jammu colleges. 15 migrants were given fresh admission in Jammu college. What has been done in the medical college is that seats are being added to cater to the needs of the migrant students. Education is one of the problems. In Jammu, 2250 hutments were sanctioned. Out of that 1390 hutments have been occupied and remaining are under construction.”

3.7 The Committee drew the attention of the representatives of the Ministry to the contention of the petitioners that both the Central and the

State Government had failed in their primary duty and responsibility of safeguarding the life and property of the migrants. In this connection, the representatives of the Ministry stated as follows:—

“As far as property is concerned, there was loss of property in Srinagar in the Valley and for that a formula was fixed. 50 per cent of the loss upto a maximum of Rs. 1 lakh was paid as compensation for loss of property in the Valley. These reports were received and payments were made.

As far as loss of life is concerned, after arriving Jammu and Delhi, I do not remember to have seen any complaint to us that there has been any loss of life. But, in the Valley they must have suffered while migrating.”

3.8 When asked what steps have been taken by the Government to normalise the situation in Jammu and Kashmir, the witness stated as follows:—

“I would like to state with full confidence as a citizen of this country and not as a Member of the Home Ministry that there has been unprecedented recovery of fire arms. There have been unprecedented arrests and killings of hardcore terrorists and militants in Jammu and Kashmir inside and on the border. There is an evidence to indicate that the people are fed up with the militants. I feel after May, 1991, till date things have improved considerably. There was a time when they could not go out in the Valley and even para-military could not go out. These are no longer there in the Valley. But, we do not have to be complacent. So, despite all efforts on such a long border sometimes they do infiltrate to India. There has been a lot of upgradation of intelligence agencies in this area. We do feel that there has been some improvement.”

3.9 When enquired why the migrants living in Jammu were given more assistance both in cash and kind than those who were living in Delhi, the representative of the Ministry informed the Committee that the migrants living in Jammu were given more incentive so that they might go back to their homes.

3.10 While explaining the relief measures taken by Government to provide facilities to the migrants living in Delhi, the witness informed as under:—

“In Delhi the scale of relief to people who were staying outside the camps was Rs. 800 last year and then demands have come up that it is inadequate. In November, 1991 it was increased by 25 per cent to Rs. 1000 for those people living in the camps since the ration is supplied by the administration.

If there is any increase from the inflation point of view that has to be tackled by the administration. Therefore, at that point of time it was

considered not to increase the scale of relief in the camps. I may also submit that out of these 18,000 families which are residing in Delhi, the number of families actually drawing relief is only a little over 4,000 and 364 of them are in the camps and the rest are living with their friends/families etc.”

3.11 He further stated that:—

“We have been trying to monitor the situation fairly closely and the Ministry has been in continuous touch with the Relief Commissioner and according to the information provided by the Delhi Administration, they have been taking steps to provide medical facilities, we would take up the matter in all earnestness with the Delhi Administration.”

3.12 The Committee desired to know the total number of applications received so far for seeking *ex-gratia* assistance for the property damaged during the terrorist violence and the number of applications processed so far and with what results. The representative of the Ministry informed the Committee that in all 4325 applications were received. After investigation 636 persons were found eligible to get the assistance. The witness further stated that there might be some duplication or false claims would have been filed by different members of the same family. All the applications were processed and as many as 636 families were sanctioned the *ex-gratia* assistance by the Government. The Government had to incur an expenditure of Rs. 3.57 crores on this account.

3.13 The representatives of the Ministry promised to submit to the Committee the latest information relating to the actual living conditions in the camps and the facilities extended to the migrants in these relief camps.

3.14 The Ministry of Home Affairs in communication dated 16 September, 1992 stated that the Deputy Commissioner, Delhi alongwith Director (R&R), Delhi Administration visited 9 camps in Delhi in August, 1992. They forwarded a copy of the Inspection Report on the overall conditions with regard to facilities and other conditions with regard to facilities and other provisions in the camps which may be seen at Appendix—V.

3.15 The Ministry were requested to furnish information on the level of relief being given to the Kashmir migrants in Delhi. The Ministry of Home Affairs in their communication dated 5 May, 1993 have submitted that the permanent rehabilitation of Kashmiri migrants outside the State of Jammu and Kashmir is not contemplated. Various options for the return of the migrants to the State, raised by various quarters, are under consideration of the Government.

“While Government would take an appropriate view regarding the question of enhancement of the existing scale of relief to migrants, it is felt that this is not the appropriate time for a decision on this issue.”

**Observations/recommendations of the Committee**

3.16 The Committee note that permanent rehabilitation of Kashmiri migrants outside the State of Jammu and Kashmir is not contemplated as various options for the return of migrants to the State are under consideration of the Government.

3.17 The Committee hope that adequate steps would be taken by the Government speedily to create conditions to normalise the situation in the Valley so that the Kashmiri migrants can go back to their State as early as possible.

3.18 So far as migrants living in Delhi are concerned, the Committee desire that adequate housing, health care, educational and other facilities might be given to them so that they can have a reasonable living though away from their own homes.

NEW DELHI;  
24 August, 1993

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2 Bhadra, 1915 (Saka)

P.G. NARAYANAN,  
Chairman,  
Committee on Petitions.

**APPENDIX I**  
(See para 1.1 of the Report)

**LOK SABHA**  
**PETITION NO. 17**

*[Presented to Lok Sabha on 6.5.1992]*

To

**LOK SABHA**  
**NEW DELHI**

The humble petition of Shri I.S. Jha, Convenor, NPCC Employees Joint Forum, Nehru Place, New Delhi and 2029 Employees of NPCC Limited.

**SHEWETH**

National Projects Construction Corporation Limited, A Government of India Undertaking at present under the administrative control of Ministry of Water Resources was established by late Pt. Jawahar Lal Nehru in 1957. Over past 34 years NPCC has successfully constructed more than 100 gigantic projects in country and abroad and contributed to the development of Irrigation, Hydro and Thermal Power, Industry, Housing, Transport and other infrastructure in the country. Apart from taking up major development works in remote and difficult areas where the private companies, with profit as their only objective, do not venture, NPCC has, over past 34 years, saved the public exchequer hundreds of crores of rupees by providing competition to the private companies and containing the cost of construction in developmental projects.

NPCC was financially healthy and growing till 1986. From a turn-over of Rs. 53 crores in 1981-82 the company grew to annual turn-over of Rs. 141 in 1985-86. The company was running profitably during this period. However, due to gross, all round, mis-management and corruption originating at top levels, the companies performance has declined heavily. Incompetent and inexperienced managerial leadership during this period has led the company into continuing deterioration. The turn-over has fallen down to Rs. 87 crores and the company has incurred losses of nearly Rs. 40 crores and is one of the 98 units identified as sick by the Government.

We, the employees of NPCC Limited have presented a plan before the Government of India titled "Employees" Plan to turn-around NPCC Limited. Main features of the Plan are as under:—

**GROWTH:** The plan envisages a steady growth raising the turn-over from current value of Rs. 95 crores to beyond Rs. 300 crores by 1998-99.

**CASH FLOW:** The Plan achieves positive cash flow by 1993-94.

- PROFITABILITY:** The plan envisages reversing the present loss making trend and start earning annual profits from 1994-95 onwards wiping out a total of Rs. 42 crores from the accumulated losses by 1998-99.
- FOREIGN CURRENCY EARNINGS:** The plan envisages a net earning of about Rs. 45 crores in foreign exchange upto 1998-99.
- LEAST FINANCIAL ASSISTANCE FROM GOVERNMENT:** The plan seeks no fresh loan from the Govt. The Assistance sought by the plan from the Govt. are mainly:
- (a) Change in the system of Management
  - (b) Short term assistance in improving order book
  - (c) Temporary increase in cash-credit limit by Rs. 20 crores and short term assistance in realisation of out-standings from Govt. Departments.
- REPAYMENT OF LOANS:** The plan proposes to repay all existing corporate loans alongwith interest by 1996-97 and all existing Govt. loans and interests by 1997-98.
- EMPLOYEES' MANAGEMENT:** This plan proposes to make employees directly answerable to the Govt. for turn-around of the Corporation.

A copy of the plan has already been submitted to the Hon'ble Minister of Water Resources on 26 November, 1991 for acceptance by the Government of India.

We, the Employees, are organised and possess the collective will to accept the responsibilities of turning NPCC into a financially healthy organisation. We are convinced that unless steps are taken to revive NPCC Ltd. it will not be able to retain its present existence be it due to the policy decision of the Government or the compulsions of the rapidly changing economic atmosphere.

And accordingly your petitioner(s) pray that the 'Employees Plan to turn-around NPCC Limited' be recommended to the Government for acceptance. And your petitioner(s) as in duty bound will ever pray.

Name of the petitioner	Address	Signature or Thumb impression
Shri I.S. Jha	Convenor NPCC Employees Joint Forum, NPCC Ltd., Raja House, 30-31, Nehru Place, New Delhi-19.	Sd/-

Countersigned by Shri George Fernandes, M.P.  
 Division No. 442

## APPENDIX II

(See para 2.1 of the Report)

LOK SABHA

PETITION NO. 19

[Presented to Lok Sabha on 12.5.1992]

To

LOK SABHA  
NEW DELHI

The humble petition of Shri Maralendu Mallik of Bengali Colony, Hastinapur, District Meerut, U.P. and others.

### **SHEWETH**

We are the unfortunate few, who were thrown out of the country of birth and have been virtually disowned by India where we sought refuge. It is our misfortune that Government, who have successfully rehabilitated lakhs of refugees from both sides of the country, is now trying subterfuge to deny us a life not of affluence but of dignity.

2. We are bonafide migrant families hailing from erstwhile East Pakistan, presently Bangladesh, who have migrated to India between the year 1964 to 1970 were provided so called rehabilitation to Hastinapur, District Meerut, U.P. by providing employment with one M/s Madan Industries, Hastinapur, a privately-owned industry.

3. After lots of representations, most of the families, leaving us behind, have been provided with fresh rehabilitation, denying us to provide opportunity of 'Right to Live'.

4. Finding no other alternative, we pray to this August Body to consider our prayer on humanitarian consideration.

5. It is true that new migrants were not to be given rehabilitation benefits in West Bengal. But everything was forgotten and all squatters got title over prime lands in and around Calcutta costing upto Rs. 5 lakhs. No questions were asked. Some may have already availed of rehabilitation benefit elsewhere. But we are the few chosen for application of stricter standards.

6. Again in Chittaranjan Park, Government have given house sites in 1989. If we are presumed to have merged in the mainstream, were these beneficiaries adrift? The consideration shown to them has been denied to us.

7. All rehabilitation package included provision of a small dwelling unit. Nobody working in Madan Mills got this benefit. Government's own records will show the average wages paid to us by the Mill. It is absurd to believe that with such low paying jobs, anyone would be able to 'rehabilitate' himself in such a manner that when that 'trickle' of money



starts flowing in the family kitty, he will not face starvation once again. Had there been a house, had the children been educated, one could manage.

8. Our point is that 'rehabilitation' should be defined. A low paying job for a short period without any thing else, cannot be construed to mean rehabilitation.

9. Finally, Sir, we are a few families left out. It is not too much to expect the benign Government to launch us on a road to dignified living. Government's apathy has reduced us to beggars.

Accordingly, your petitioners pray that:—

Kindly direct the Government of India to provide us rehabilitation in the same pattern as has been done to other families from the said Hastinapur area leaving us in the name of screening and to kindly change our status from beggars.

And your petitioners as in duty bound shall ever pray.

Name of the petitioner	Address	Signature or Thumb impression
Shri Maralendu Mallik  and others	Bengali Colony, Hastinapur, District Meerut, U.P.	Sd/-

Countersigned by Shri Manoranjan Bhakta, M.P.  
Division No. 191.

## APPENDIX III

Dated 14 August, 1991

To

LOK SABHA  
NEW DELHI

The humble-petition of S/Shri—

1. Amar Nath Vaishnavi
2. Moti Lal Malla
3. Harji Lal Jad
4. Hira Lal Chatta; and
5. Girdharilal Malla

the inhabitants of Jammu & Kashmir.

### SHEWETH

We wish to draw the attention of the Government to the mass exodus of Kashmiri Hindus (especially the Pundits) from the Valley which began in the year 1989 and is complete by now. As per information given to Parliament recently, more than 72000 migrant families had been registered in Jammu and Delhi till June, 1991 since the registration of Kashmiri migrants was started by the Government in the year 1990. Many more families have migrated from the Valley to other parts of the country as well.

The migrant families belonging to the minority (Hindu) community have been the victim of insurgency, intimidation, persecution and killings of thousands of innocent persons as also of destruction of their homes and properties and desecration of their temples and shrines by fundamentalists, scessionists and terrorists. It is a matter of profound anguish that the Government, both at the Central and State levels, has failed in its primary duty and responsibility of safeguarding the life and property of citizens who have now been reduced to the status of refugees in their own country. The whole community is suffering for no fault of their but only that they are tolerant, loyal and patriotic Indian citizens.

Kashmiri Hindus are anxious to return to the Valley. However, this is not possible until normalcy is restored there and suitable conditions created which would enable them to return and live in safer surroundings and with peace and honour.

There appears no clear indication as to how the Government proposes to mitigate our sufferings till the situation is ripe for the migrants to return to the Valley.

We, therefore, humbly appeal to the Lok Sabha, the highest august body representing the people of this country, for redressal of our grievances. In particular, we wish to make the following submissions:—

- (1) **Quasi Permanent Rehabilitation:** The construction of

semipermanent townships in Jammu long back agreed by the Government has not been implemented so far. The construction of hutments with all the basic amenities like sanitation education, health services, communications etc. would save the suffering community from further miseries. This problem of rehabilitation of all the migrant families has to be taken up on top priority basis and on war footing.

- (2) **Traders/fruit growers/contractors/agriculturists:** Their rehabilitation may be made by providing ex-gratia relief loan on easy terms, compensation and rehabilitation with Khokas and other shopping complex.
- (3) Compensation for the property of minority community burnt, looted and bomb-blasted on similar lines as for Muslims in Handwara and other places who have been compensated *vide* Government Order No.143 dated 9.10.1990.
- (4) Admission to post-graduation and technical education for displaced eligible candidates be made in and outside the State.
- (5) Jobs may be provided to unemployed displaced youths and upper age bar be relaxed in their favour.
- (6) Adjustment of displaced University teaching and non-teaching staff in the sub-Registry be made at Jammu.
- (7) Central/State employees should be treated as on duty. The period of turmoil should in no case affect their pensionary benefits. The Government Order No. 605 dated 26.6.1991 be amended to the extent effecting transfer of the posts to Jammu and the adjustment of displaced employees against such posts without affecting the interests of Jammu People. Well qualified teachers basically recruited for teaching higher classes be given suitable placements instead of non-formal adult education.

And your petitioners as in duty bound shall ever pray.

Name of the petitioners	Address	Signature
Shri Amar Nath Vaishnavi	Room No. 10, Gita Bhawan, Jammu (180001).	Sd/-
and others		

Countersigned by Shri Madan Lal Khurana, M.P.  
Division No. 447.

## APPENDIX IV

### COMMENTS OF THE MINISTRY OF HOME AFFAIRS AND THE STATE GOVERNMENT OF JAMMU & KASHMIR ON THE REPRESENTATION REGARDING PROBLEMS BEING FACED BY THE MIGRANTS FROM KASHMIR VALLEY

Points raised in the representation	Comments of the Ministry of Home Affairs	Comments of the State Government of Jammu & Kashmir
1. The construction of hutments for the migrants with all basic amenities like sanitation, education, health services, communications etc., should be taken up on top-priority basis.	<p>The Government does not consider the situation in Jammu &amp; Kashmir as irretrievable and therefore, permanent rehabilitation of migrants out-side the Valley has not been contemplated. It is hoped that the migrants will be able to return to the Valley with the improvement in situation. However, continuous efforts to provide relief to the migrants to take care of their basic needs have been made. Over 150,000 persons belonging to the minorities in the Kashmir Valley have migrated mostly to Jammu and Delhi. Some Families have also migrated to other States. In Jammu, about 40,000 families are registered as migrants, whereas in Delhi over 18,000 families have been registered. In Jammu, about 6000 families have been accommodated in tented and built up accommodation. Other families have made their own arrangements for accommodation. In Delhi, about 1,500 persons are staying in camps while others have made their own arrangements for accommodation.... 1,350 tents, 520 outerflies and 250 innerflies have been replaced so far in 1992. Besides two complexes of about 1000 one room tenements already constructed, 1250 more such tenements are being constructed.... The sanitary and medical facilities, supply of electricity and water etc. have also been organised in the camps.</p>	<p>As the migration and attendant relief measures are not to be of permanent nature, it was not considered desirable to construct shelters or hutments of permanent nature. With the onset of migration, a large number of migrant families who were not in a position to take private rented accommodation, or who did not have relatives in Jammu were housed in Government Camps. A total of 28 Camps were set up, consisting of both tented Camps and Govt. buildings and one room tenements. At present these houses 5611 to the migrants, besides sanitation, facilities. Sanitation and water facilities are being augmented wherever required. Keeping in view the demand of more pucca shelters, one room tenements for the migrants missing like and have taken in hand construction of another 1252 one room tenements.</p>

Points raised in the representation	Comments of the Ministry of Home Affairs	Comments of the State Government of Jammu & Kashmir
2. Traders, fruit growers, contractors and agriculturists should be rehabilitated by providing <i>ex-gratia</i> relief loans on easy terms, compensation and rehabilitation with Khokas and other shopping complex.	—	They are allowed to the same relief— cash assistance, ration etc. as admissible to other migrants. However, a scheme for relief to such migrants affected due to militance, is under examination.
3. Due compensation should be paid to the migrants whose property has been burnt, looted or bomb-blasted.	The Government of Jammu and Kashmir has issued instructions for payment of <i>ex-gratia</i> assistance to the next of kin/dependents of those killed/injured in terrorists violence as also for the property damaged in terrorist violence. Survey of the damaged property has been undertaken by the State Government and payment in some cases have also been made.	As per Government Order 710-GAO of 1991 dated 30.7.91, an <i>ex-gratia</i> relief of 50% of the loss subject to a maximum of Rs. 1 lac is allowed for damage to immoveable property due to bomb blast or any other kind of sabotage. As per record, a total No. of 2485 applications have been received by the Office of Relief Commissioner, Jammu and Divisional Commissioner, Jammu from migrants of damage to immoveable property (houses/shops) due to fire/bomb blast. There is likelihood of duplication in applications as also some applications may be based on apprehensions rather than on facts. Hence, the number of cases requiring sanction would be probably less. These have been sent to Divisional Commissioner Kashmir for verification and sanction. In addition 536 applications of houses and shops looted have also been received. 177 cases of damage to immoveable property stand sanctioned amounting to Rs. 99.6 lacs.
4. Eligible candidates should be given admission to the Post-Graduate and technical education courses outside the State of Jammu & Kashmir.	Reimbursement of tuition fee to Government Institutions in respect of migrants students have been approved. The arrangements for their admissions were finalised last year and assistance continues to be provided to them. Mobile Libraries and book banks are being set up for them.	Camp classes for the post-graduate migrant students were organised in Jammu University in the year 1990-91. 60 students were granted admission for persecuting studies under the aegis of Kashmir University and the faculty was arranged internally from the University. For the current year the admissions have commenced and the total roll of post graduate students is expected to be about 300. To a large extent, the services of migrant staff from

Points raised in the representation	Comments of the Ministry of Home Affairs	Comments of the State Government of Jammu & Kashmir
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Kashmir University are being utilised, and to the extent the faculty support is not available from the migrant staff, the services of other staff would be utilised. Augmentation of laboratory/library facilities have also been undertaken commensurate with the requirements and the extra responsibility facing the Jammu University in carrying out the academic work for the migrants. A separate cell has been carved out in Jammu University to deal with the problems of the post-graduate migrant students and is headed by a very senior Dean of Jammu University assisted by a whole time Dy. Coordinator.

So far as Technical Education is concerned, the migrant students from Boys and Girls Polytechnic Kashmir as well as the ITIs were granted admission in Jammu Polytechnics and ITIs. Whereas in Polytechnic, separate classes were organised for the migrants numbering about 175, for ITIs, migrant students, they were taken on the roll of the respective ITIs in Jammu. About 700 students from Regional Engineering College, Srinagar were migrated to various Regional Engineering Colleges and State Engineering Colleges the country over. However, in respect of such of the students who could not carry on in various institutions due to the problem on non-equivalence of courses, Camp REC classes were started in Jammu. The total strength in REC camp classes is 217.

Fresh Admissions to Medical Colleges, Regional Engineering College, Polytechnics and Colleges of Education (B.Ed) are made on the basis of competitive examinations conducted by the competent Authority set up for this purpose. For Medical and Engineering, there is common examination for the State, for

Points raised in the representation	Comments of the Ministry of Home Affairs	Comments of the State Government of Jammu & Kashmir
5. Upper age limit be relaxed in case of migrants and jobs be provided to them.		<p>Polytechnics and B.Ed the examination is conducted for Jammu and Kashmir Division.</p> <p>All the eligible candidates can appear in the test and the effect of their migration does not effect the chances for State Level Examinations. In the Divisional Level examinations conducted for B.Ed. 1991-92 extra seats were provided to migrant candidates who were within the zone of merit.</p> <p>For Government employment, there is no bar on the candidates applying for the post advertised by the State Subordinate Services Recruitment Board. The upper age limit for government employment has already been fixed at 35 years and the State Government thinks that any relaxation beyond that will not be in the interests of Government Service, except in very exceptional cases of extraordinary circumstance.</p>
6. Adjustment of displaced University teaching and non-teaching staff in the Sub-Registry be made at Jammu.		<p>The services of the migrant teachers of Kashmir University as well as the non-teaching staff are being utilised to a large extent for running the Camp classes for the post-Graduate students, the rest of the staff members are being paid the salary through the Sub-Registry of Kashmir University.</p>
7. Central/State employees should be treated as on duty. The period of turmoil should in no case affect their pensionary benefits. The Government Order No. 605 dated 26.6.91 be amended to the extent effecting transfer of the posts to Jammu and the adjustment of displaced employees against such posts without affecting the interests of Jammu people. Well qualified teachers basically recruited for	<p>Instructions have been issued for temporary adjustment of Government employees including those working in public sector Undertakings outside the Valley. Those who have not been adjusted so far continue to be paid leave salary/adhoc financial assistance.</p>	<p>The migrant employees are being given the last salary drawn by them alongwith increments whenever due. The period of migration is treated as leave in respect of leave entitlement. Also, such of the employees who have been given specific work by various departments are treated as on duty.</p> <p>All the teaching and non-teaching staff from the college scheme of education have been duly deployed in the Camp Institution. So far as the school team is concerned, out of a total of 3461 migrant teachers, we have adjusted 1236 teachers, the rest are unadjusted. Depending on available positions adjustment of migrant staff is being undertaken. However,</p>

Points raised in the representation	Comments of the Ministry of Home Affairs	Comments of the State Government of Jammu & Kashmir
teaching higher classes be given suitable placements instead of non-formal adult education.		it has to be realised that the adjustment of the migrants in Jammu division has to be undertaken without detriment to the interests of the residents of Jammu Region. There is already a setting discontentment/resentment, because of the pressure of migrants to secure adjustments in soft places and their reluctance to serve in the areas where their services are required. It is physically impossible to undertake adjustment of the teachers in substantive capacity in City of Jammu or even in nearby areas, as that raises inter-regional controversies. Further, there have been instances in which the adjustment on functional positions have been resisted by migrant teachers who have preferred to continue to draw full wages.



## APPENDIX V

### INSPECTION REPORT OF DEPUTY COMMISSIONER, DELHI ON THE JAMMU AND KASHMIR MIGRANTS CAMPS

The Deputy Commissioner, Delhi, alongwith Director (R&R) had visited 9 Jammu and Kashmir Migrants Camps on 13th and 14th August, 1992 which are shown below:

#### CENTRAL DELHI AND SOUTH DLEHI

Sl. No.	Name of the Camp	Agency	Total families	Total persons
1.	Bapu Dham	NDMC	40	159
2.	Aliganj	NDMC	18	72
3.	South Extn. Part II	MCD	20*	78
4.	Hauz Rani	MCD	35	155

\* Govt. Servant families not entitled to relief and rations.

#### WEST DELHI

Sl. No.	Name of the Camp	Agency	Total families	total persons
1.	New Moti Nagar	MCD	26	106
2.	Sultanpuri	MCD	7	30
3.	Mangolpuri 'N' Block	MCD	18	73
4.	Mangolpuri 'D' Block	MCD	24	115
5.	Baljeet Nagar	MCD	26	138

The overall condition with regard to facilities and other provisions in the Camps, as observed by the Deputy Commissioner are as follows:—

- (1) *Electricity*      The electric supply and most of the fans, tubes/bulbes and exhaust fans were found in working condition. There was no specific complaint from migrants in this regard. However, some lights and exhaust fans require repairs. MCD/NDMC have been requested to undertake immediate replacement and repairs of tubes, fans, exhaust fans wherever required.
- (2) *Sanitation*      Regular staff has been deputed for day to day cleaning of latrines, bath rooms and common areas. The migrants were satisfied with the service being rendered at.
- (3) *Water Supply*      All the Camps are provided with drinking water supply by MCD with additional provisions made for installing storage tanks, booster pumps and additional hydrant points in the camps. At times, when the pressure of water is low, the supply is restricted. All the families in the camps have been provided with earthen pots to store drinking water. Water coolers are also being installed shortly by the Deputy Commissioner's Office.

**(4) Accommodation**

The major problem faced by the migrants at present is one of privacy as the accommodation offered is in the Community Centre. The migrants were dissatisfied over their living conditions in the Community Centres for over 2 years now. They desired that either single room be provided to those who are residing in the Camps or alternatively, atleast wooden partition may be provided to ensure privacy to each family.

The migrants in South Delhi namely Aliganj, South Extension and Hauz Rani, families were found to be living in congestion. Some families of these Camps can be shifted to West Delhi camps where two halls, namely one in Sultanpuri and the other in Baljeet Nagar are lying vacant. By doing this, partitions can be provided in South Delhi Camps. The matter was discussed with the migrants but they are reluctant to shift out of South Delhi. However, another attempt would be made to shift these families to some other places where space will be available.

There was a demand from the Government Servant families who are residing in these camps and are drawing leave salary from the Office of the Resident Commissioner, J&K, New Delhi, that they should also be provided with ration. In fact, the migrants at South Extn. Camp were most agitated on this issue. In this regard, it may be mentioned that the approved package of relief applicable to J&K migrants of Delhi by Government of India does not include rendering of relief assistance to Govt. servants or their families. In fact, the Delhi Administration is permitting them to live in the camps on sympathetic and humanitarian grounds. There are 40 such families residing in these camps.

Some migrants acknowledged that they had made multiple registrations to obtain excess cash assistance and ration from Delhi Administration with cash assistance of all such persons was discontinued, only ration was being given to such families. The Delhi Administration is restoring cash assistance on one registration after the excess amount drawn has been recovered.

In one of the Camps, namely Baljeet Nagar, there was complaint regarding shortfall in the quantity of ration supply and irregular supply of kerosene oil. The position has been discussed with Deputy Com-

missioner, Department of Food and Civil Supplies, Delhi Administration who has informed that necessary action is being taken in this regard.

Two migrants were reportedly suffering from Cancer. They were under treatment at the nearby Safdarjung Hospital. The migrants were assured of all possible help for the treatment of ailing persons. They were also informed of the referral medical services being made available to them in the close by MCD & DHS dispensaries and hospitals.