

COMMITTEE ON PETITIONS

(TENTH LOK SABHA)

FIFTEENTH REPORT



सत्यमेव जयते

[Presented to Lok Sabha on 5 August, 1994]

**LOK SABHA SECRETARIAT
NEW DELHI**

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COMPOSITION OF THE COMMITTEE ON PETITIONS

(1993-94)

1993-94

- Shri P.G. Narayanan — *Chairman*
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 3. Shri Naresh Kumar Baliyan
 4. Shri Prataprao B. Bhosale
 5. Shri Lokanath Choudhury
 6. Prof. Sudhir Giri
 7. Dr. B.G. Jawali
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 11. Shri Muhi Ram Saikia
 12. Shri Gabhaji Mangaji Thakore
 13. Dr. Ramesh Chand Tomar
 14. Shri Arjun Singh Yadav
 15. Shri Satya Pal Singh Yadav

SECRETARIAT

Shri Murari Lal — *Joint Secretary*

Shri M.R. Khosla — *Director*

Shri J.P. Jain — *Under Secretary*

Shri S. N. Mishra
Shri G. C. Malhotra
Shri P. K. Singh
Shri J. P. Singh

FIFTEENTH 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 Fifteenth Report of the Committee to the House on the following matters:—

- I. Representation for early development of backward district of Kalahandi, Orissa.
 - II. Action taken by Govt. on recommendations made by the Committee on Petitions (Tenth Lok Sabha) in their Sixth Report on Petition No. 13 regarding resettlement of migrants in Delhi who migrated from the erstwhile East Pakistan during 1.1.1964 to 25.3.1971.
 - III. Other Representations:
 - (i) Representation from Major S.C. Bhardwaj (Retd.) regarding restoration of pension.
 - (ii) Representation regarding fixation of seniority of commissioned officers who have been absorbed in State Bank of India.
2. The Committee considered the draft Report at their sitting held on '28' July, 1994 and adopted it.
3. The observations/recommendations of the Committee on the above matters have been included in this Report.

NEW DELHI;
28 July, 1994

Sravana 6, 1916 (Saka)

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

REPRESENTATION FOR EARLY DEVELOPMENT OF BACKWARD DISTRICT OF KALAHANDI, ORISSA

1.1 Shri Subash Chandra Nayak, M.P., submitted to the Hon'ble Speaker, Lok Sabha, on 21 February, 1993, a representation (*See Appendix-I*) signed by Shri Sayed Samim, Group Leader, Councillor, Bhawanipatna, Kalahandi, Orissa and other representing the youth and other people of Kalahandi, for initiating steps for development of the backward district of Kalahandi. A group of youths from Kalahandi who undertook a cycle yatra from Bhawanipatna (Kalahandi) to Rajghat submitted the above representation drawing attention to the problems of the district.

1.2 The main problems and the measures suggested for development of the district, contained in the representation, are as under:—

A. Problems of Kalahandi District

- (i) Despite of its abundant land and water resources the district is backward and poverty ridden.
- (ii) Vast barron lands pose threat to ecology.
- (iii) Denudation of forests and flash floods are common.
- (iv) The district has inadequate transport, communication and other infrastructural facilities.
- (v) The district has poor industrial base.
- (vi) The district lacks proper and adequate facilities of education and social welfare.

B. Suggested measures/demands to ease the problems of the district

- (i) Effective implementation of land reforms, Soil and Water Conservation measures, adoption of Dry Land Farming Technology, setting up of a Regional Centre for Dry Land Research under ICAR and sanction of Intergrated Waste Land Development programme to cover at least 20,000 hectare, during the 8th Five Year Plan.
- (ii) Taking up of irrigation on a large scale and flood protection measures with an estimated cost of Rs. 100 crores.
- (iii) Building up of extensive transport and communication net work. Telecom facilities to connect the villages to the district headquarters through the loops of Gram Panchayats, Blocks and Sub-divisions; development of vizianagram-Raipur Road section

into National highway, construction of Railway line from Lanjigarh Road to Junagarh.

- (iv) Encouragement to industrialisation both under Public and Private Sectors.
- (v) Provision of potable drinking water sources to every hamlet.
- (vi) Expansion and improvement of the educational facilities including the establishment of vocational institutions like ITIs and Diploma Colleges and a branch of Indira Gandhi National Open University (IGNOU) in the district.
- (vii) Some other demands like opening of a high court branch at the district headquarter, establishment of Tribal Regimental Centre etc. in the district.

1.3 Comments on the points raised in the representation were called from the concerned Ministries. Comments have been received from the following Ministries:—

1. Planning Commission (State Plan Division)
2. Agriculture (Department of Agriculture & Cooperation)
3. Industry (Department of Industrial Development)
4. Railway
5. Law & Justice (Department of Justice)
6. Human Resource Development (Department of Education)
7. Welfare

1.4 The comments received from the above referred Ministries are reproduced below:—

<i>Points contained in the representation</i>	<i>Comments</i>
1	2
Despite its abundant land and water resources, the district is backward and poverty ridden.	<p style="text-align: center;">Planning Commission (Communication dated 26.4.1993)</p> <p>Planned efforts of development in India remain directed to attain a balanced growth of the country with particular attention to the development of backward areas. Accordingly, in addition to overall developmental activities area specific programmes are also being taken up. The 8th Plan has initiated an innovative approach to development with greater participation of the people. The Government would play the facilitating role in this regard and would concentrate on protecting the interests of the poor. Some of the 8th Five Year Plan objectives which would be directed to ease the problems of backwardness are:—</p> <p style="padding-left: 40px;">(a) Generation of adequate employment opportunities.</p>

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- (b) Universalisation of elementary education.
 - (c) Provision of safe drinking water and primary health care facilities to all.
 - (d) Growth and diversification of agriculture to achieve self sufficiency in food.
 - (e) Strengthening of infrastructural facilities to support the growth process on a sustainable basis.

To attain a more balanced regional development the 8th Five Year Plan emphasized for dry land farming in the eastern region which has adequate rainfall and fertile land.

In view of the objectives of the plans and the directives contained therein the formulation and implementation of Schemes for the development of specific areas/districts rest with the State Governments. While according sanctions/approval of the schemes so formulated by the State Government adequate care is taken to develop the backward areas/district in the context of overall plan objective.

Ministry of Welfare
(Communication dated 19 May, 1994)

In this context it is stated that the State Government of Orissa have prepared a long term action plan for integrated development and poverty alleviation of the districts of Kalahandi, Koraput (undivided) and Bolangir. According to this revised action plan, the Orissa State Government plans to spend a total of Rs. 257 crores between 1993-94 to 1997-98 in Kalahandi for improvement of irrigation, soil conservation, afforestation, communication, safe drinking water supply, feeding programme, public distribution, health, oil seeds, animal husbandry, fisheries, handloom and sericulture. As per the plan prepared by the Orissa State Government, 470-27 lakhs mandays of employment, will also be generated over period of 5 years. The long term action plan prepared by the Orissa Government is under consideration by the

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Committee of Secretaries. These plans are exhaustive and should provide the right-impetus for growth and development of the district of Kalahandi.

As for the demands made in the representation regarding opening of training institutes, tribal regional centre, construction of railway line from Lanjigarh Road to Junagarh, it may be stated that these demands have been referred to the concerned Ministries for their suitable action.

Ministry of Agriculture (Department of Agriculture and Cooperation)
(Communication dated 29/30 March, 1993)

Implementation of Centrally Sponsored Scheme of Soil and Water Conservation.

There is no Centrally Sponsored Scheme of Soil/Water Conservation, being implemented in the district of Kalahandi, Orissa. This district was included in the scheme of Central Assistance to the State of Control of shifting cultivation. This scheme has since been transferred to the State Sector with effect from 1991-92, in pursuance of the decision of the NDC, in its meeting held in October, 1990, and the Central assistance to State Plan Programme has been discontinued. This programme is now entirely being looked after by the State Government.

Planning Commission
(Communication dated 26.4.1993)

The Ministry of Agriculture is implementing the National Watershed Development Project for rainfed areas under which all the community development blocks in the country with less than 30% arable area under assured irrigation have been included. In Kalahandi district 17 development blocks are included under this project. In each of these blocks one watershed of the size of 500 to 5000 hecs. will be developed during the 8th Five Year Plan.

Soil and water Conservation and Waste Land Development Programmes are being implemented in all blocks of Kalahandi districts under DPAP. Soil and Water Conservation measures are being implemented as a part of the JRY also. The Ministry of Rural Development has suggested the implementation of a micro watershed programme in the region of Kalahandi so as to utilise common property resources

for the betterment of rural poor and the weaker sections. Regarding land reforms the Ministry of Rural Development holds that comprehensive land reforms packages need be evolved to meet the need of tribals of Kalahandi and Bolangir regions of Orissa. The package should consist of granting land to tribals and other landless persons so as to provide them with a minimum holding and give them lease rights.

Schemes on Irrigation and Flood Control measures are undertaken by the State Government for implementation. The Upper Iravati Project (UIP) with an installed power house capacity of 600MW is a multi purpose project and is situated in Kalahandi and Korapur districts. The project would generate 1972 million units of electricity annually. Under the State Plan Rs. 313.67 crores is earmarked for the project during the 8th plan.

An outlay of Rs. 76.68 crores has been approved for this project during the Annual Plan 1993-94. This Project is expected to be Commissioned by 1996.

**Ministry of Industry (Department of
Industrial Development)
(Communication dated 12 March, 1993)**

Industrialisation should be promoted through development of basic infrastructure like electricity, transport and roads. The R.E.C. should assist Kalahandi to build up infrastructure and electrification of all villages.

Promoting industrialisation through development of basic infrastructure like electricity, transport and roads is the concern of the Department of Industrial Development. As regards promotion of industrialisation through development of basic infrastructure, it may be stated that the Government in June, 1988 announced the Growth Central Scheme. These Growth Centres, each of which would be developed in an area of 400-800 hectares, would be endowed with basic infrastructural facilities like power, telecommunications, water and banking enabling them to attract industries. Each Growth Centre would be developed at a cost of Rs. 25-30 crores and would be jointly funded by the Centre, State and the financial institutions. The allocation of growth centres to the States has been made on a combined criteria of

population, area and the extent of industrial backwardness. It is proposed to develop 70 such centres under the scheme, during the VIII Five Year Plan period. Under the scheme, Orissa has been allotted 4 growth centres out of which 3 have been selected which are Chatrapur, district Ganjam; Chiplima, district Sambalpur and Choudwar, district Cuttack. The fourth centre is yet to be selected. The centres are selected based on the proposals received from the State Governments and in consultation with them and the concerned Departments of the Government of India.

Planning Commission

(Communication dated 26.4.1993)

In Kalahandi districts all the block headquarters have got telecom links with the district headquarters. Out of 250 Gram Panchayat villages 90 have already been provided with telecom facilities and the remaining Gram-Panchayat villages are planned to be covered by March, 1995. It has also been planned to provide telecom facilities to all the villages by the year 2000. In addition to the STD/ISD facility being available at district headquarters and all the three subdivisional headquarters STD facility is available at Kesinga, Junagarh, Khariar Road, Rajkhariar, Rampur & Utkela. All the exchanges in Kalahandi are planned to be provided with ISD facility by the end of the 8th Five Year Plan.

Schemes/projects to industrialise the backward districts as submitted by the State Governments through their Annual Plan proposals are considered favourably in view, however, of the availability of resources and priorities of the programmes etc. As contemplated in the 8th Five Year Plan the industrial efforts in Private Sector are encouraged particularly for the development of backward areas.

Ministry of Railways (Railway Board)

(Communication dated 8 April, 1993)

Construction of
Lanjigarh
Road-Junagarh-
Ambaguda new
B.G. railway
line.

A cost cum feasibility survey was carried out in 1965-66 for construction of Lanjigarh Road-Junagarh-Ambaguda new B.G. railway line.

The approximate cost of the line was estimated as Rs. 12.89 crores at the then prices for a length of

about 200 kms. The rate of return was estimated as 3.32%. Owing to persistent demand, the Railway was asked to update the cost cum feasibility survey based on the developments in the area since then. The railway has accordingly submitted a report in which it has been brought out that the part section from Lanjigarh Road to Junagarh *i.e.* 54 kms. in Kalahandi district has promising traffic projections. The traffic projections are based on the assumption that an Alumina Plant will come up near Bhawanipatna on the proposed alignment.

The Planning Commission have also approved the proposed line subject to issue of Letter of Intent for the Alumina Plant. The Ministry of Industry have also since issued the Letter of Intent for the Alumina Plant and the construction of Lanjigarh Road-Junagarh new B.G. railway line has been included in the Budget for 1993-94 at a cost of Rs. 100 crores. The completion of the work will however depend on the availability of resources.

Planning Commission
(Communication dated 26.4.1993)

Due to resource constraints the Ministry of Surface Transport is unable to convert the road section from Vizianagram to Raipur into National Highway. The project of construction of new Railway line from Lanjigarh to Junagarh has been included in the Annual Plan 1993-94.

Ministry of Law & Justice (Department of Justice)
(Communication dated 31 March, 1993)

Establishment
of a Bench of
Orissa High
Court at
Bhawanipatna,
Kalahandi.

This Department is concerned only with para 14 of the representation wherein suggestion has been made for establishing a bench of Orissa High Court at Bhawanipatna, Kalahandi to cater to the requirements of Kalahandi and other Western districts like Bolangir, Sambalpur and Phulbani of Orissa.

(2) It has been stated that Kalahandi and other Western districts of Orissa are too far from Cuttack where the High Court is located. In view of this, it has been represented that a bench of the High Court should be opened at Bhawanipatna at Kalahandi.

(3) In this connection; it is stated that the Government of Orissa intimated *vide* their letter dated 27.3.91 that they had decided in principle, to establish Circuit Benches of the Orissa High Court at Berhampur and Sambalpur or Bolangir but the High Court did not consider it expedient to do so. The State Government sought the advice of the Government of India in this regard.

(4) In his letter to the Chief Minister of Orissa, the Chief Justice of the Orissa High Court dealt with the proposal of the State Government in detail and concluded, saying "Upon a careful consideration of the matter from all angles, the Full Court has unanimously resolved that it is not expedient on the facts and in the circumstances, to establish Circuit Bench either at Berhampur or Sambalpur/Bolangir."

(5) Clause 10 of the Orissa High Court Order, 1948 provides that, "the High Court of Orissa and the Judges and Division Courts thereof shall sit at such places in the province of Orissa as the Chief Justice may with the approval of the Governor of Orissa appoint." Thus, the power to issue an order under the said provision is vested in the Chief Justice.

(6) The Government of Orissa were advised to consider, if it so wished, to re-emphasise upon the High Court, the desirability of establishing its Circuit Benches and to persuade it to do so

**Ministry of Human Resource Development
(Department of Education)**

(Communication dated 3 June, 1993)

Assistance for improving primary and high school education and opening III and Diploma Colleges and opening of a branch of the Indira Gandhi National Open University (IGNOU).

Opening of primary, upper primary and high schools is basically a responsibility of the State Government. The Central Government also give assistance to State Governments in their efforts to universalise elementary education. Under the scheme of Operation Blackboard, an amount of Rs. 2,496.68 lakhs was released to Orissa during 1992-93 for expansion of facilities and improvements of primary schools. An amount of Rs. 334.41 lakhs was released to Orissa during 1992-93 for improvement of Non-Formal Education. For imparting pre-service, in-service and continuing education to school teachers District Institutes of Education & Training were established and an amount of Rs. 302.06 lakhs was released to Orissa during 1992-93.

Regarding setting up of Polytechnics (diploma colleges) in the District of Kalahandi, Orissa, it is stated that setting up of polytechnics is a State action for which the Government of Orissa should make provisions in their 5-year Plan and annual plans. In case, the Government of Orissa is interested in setting up polytechnics in Kalahandi district, they may forward a Project Proposal to the Eastern Regional Committee of the All India Council for Technical Education, in the prescribed proforma giving adequate justification and the financial and academical viability of the project.

The IGNOU have already opened a Study Centre in Kalahandi and notified the same on 29.3.93.

Planning Commission
(Communication dated 26.4.1993)

Annual Plan 1993-94 proposals for educational sector covered the schemes regarding encouragement of science education in middle English (ME), UGME, High School and + 2 Colleges in Kalahandi Viability of opening ITIs and Diploma Institutions in Kalahandi need be examined by the State Government. By its very nature IGNOU services are available to the students of the KALAHANDI district of Orissa as well.

1.5 The Committee on Petitions considered the detailed comments furnished by the various Ministries, on the points raised in the representation.

OBSERVATIONS OF THE COMMITTEE

1.6 The Committee have perused the replies furnished by the various Ministries including the Ministry of Welfare and Planning Commission and note that the Government have undertaken various steps for development of the country with particular attention being paid to the development of the backward areas. Accordingly, in addition to overall developmental activities, specific area programmes are also being taken up to achieve a balanced growth.

1.7 The Committee have been informed that some of the Eighth Five Year Plan objectives which would be directed to ease the problems of backwardness of the people of the area, generation of adequate employment opportunities, universalisation of elementary education, provision of safe

drinking water, primary health care facilities to all, growth and diversification of agriculture to achieve self sufficiency in food and strengthening of infrastructural facilities etc.

1.8 The Committee learn that formulation and implementation of schemes for the development of specific areas/districts rest with the State Governments and while according sanctions/approval of the schemes so formulated by the State Government adequate care is taken to develop the backward areas/districts in the context of overall plan objective.

1.9 The Committee have further been informed that the State Government of Orissa have prepared a long-term action plan for integrated development and poverty alleviation of the districts of Kalahandi, Koraput and Bolangir and plans to spend a total of Rs. 257 crores between 1993-94 to 1997-98 in Kalahandi for the improvement of irrigation, soil conservation, afforestation, communication, safe drinking water supply, feeding programme, health, handloom, etc. The Committee also note that a long term action plan is under consideration by the Committee of Secretaries.

They are happy to note that various departments of the Government are looking after various aspects of the issues which fall within their spheres.

1.10 The Committee, however, observe that the subject matter of the representation appears to be too vast and general and basic solution to the problems contained therein calls for large additional allocation of funds and mobilisation of resources for development of the region.

1.11 The Committee hope that the long-term action plan prepared by the State Government of Orissa would be finalised soon by the Committee of Secretaries. They also expect that the Government would take all possible steps to ensure that various schemes enlisted in the Five Year Plan are implemented in an effective manner and various departments maintain the tempo to effect the necessary improvement/development of the region of Kalahandi at a fast pace so that human suffering in this extremely backward area known for its abject poverty is minimised, if could not be eliminated altogether, in the shortest possible time.

II

ACTION TAKEN BY GOVERNMENT ON RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (TENTH LOK SABHA) IN THEIR SIXTH REPORT ON PETITION NO. 13 REGARDING RESETTLEMENT OF MIGRANTS IN DELHI WHO MIGRATED FROM THE ERSTWHILE EAST PAKISTAN DURING 1.1.1964 TO 25.3.1971

2.1 The Committee on Petitions (Tenth Lok Sabha) in their Sixth Report presented to Lok Sabha on 4 May, 1993 dealt with the petition (signed by Dr. J.C. Roy, President, New Migrants Welfare Association, New Delhi, and presented to Lok Sabha by Shri Manoranjan Bhakta, M.P. on 23 March, 1992) regarding resettlement of migrants in Delhi who migrated from the erstwhile East Pakistan during the period from 1.1.1964 to 25.3.1971.

2.2. Action taken notes on the recommendations have been received from the Ministry of Home Affairs. The recommendations made by the Committee and the replies thereto furnished by the Government are given in Appendix-II.

2.3 The Committee will now deal with the action taken by the Government on their recommendations.

Resettlement of migrants in Delhi (Recommendations 2.19 to 2.24)

2.4 The Committee had noted, *inter alia*, that after 1964 because of the communal riots and certain difficulties in East Pakistan and atrocities committed there, fresh influx started coming to India but these migrants were not provided similar rehabilitation assistance as were provided to the pre-1964 migrants on the plea that the circumstances and status of new migrants were not the same as that of the old migrants *i.e.* pre-1964 migrants.

2.5 The Committee further noted that these new migrants were given refugees status and from the Cabinet Note it was also evident that the Government in 1964 intended to provide them resettlement benefits. The note did not draw any distinction between the camp and non-camp refugees for the purpose of giving housing resettlement.

2.6 In regard to the Department's apprehension to the effect that once the scheme for resettlement of the members of the Association in Delhi was sanctioned lakhs of other new migrants from outside Delhi would rush to Delhi for resettlement, the Committee expressed the view that a cut-off date had already been fixed to avoid such a situation.

2.7 Considering the nature of sufferings which these new migrants were forced to undergo due to communal riots in 1964 which was similar to pre-partition massacre and consequent uprooting from homeland, the Committee had felt that the new migrants too deserved sympathetic consideration for rehabilitation. In the opinion of the Committee it should not have been difficult for the Government to provide some sort of housing resettlement to new migrants in Delhi as they have done in the past in case of migrants from East and West Pakistan. Committee directed the Government to re-examine the matter afresh and find out ways and means to help the poor new migrants working in Delhi by providing them housing rehabilitation in Delhi or NCR areas.

Action Taken by Government

2.8 In their action taken note dated 18 August, 1993, the Ministry of Home Affairs had *inter alia* stated that the matter has been reconsidered and that it had not been found possible for the Government to agree to the proposal of any housing scheme for the new migrants families in Delhi or in any other area of the National Capital Region, as it will have wide repercussions.

2.9 The matter was considered by the Committee on Petitions at their sitting held on 22 November, 1993. The Committee was not satisfied with the action taken reply furnished by the Ministry of Home Affairs and decided to take further evidence of the representatives of the Ministry of Home Affairs in the matter.

2.10 Accordingly, the Committee took oral evidence of the representatives of the Ministry of Home Affairs on 11 January, 1994.

2.11 The Committee do not find any new reason advanced by the Ministry in their submission before the Committee or not agreeing to the Committee's proposal for introduction of housing scheme for the new migrants in Delhi or any other area of the National Capital Region. While recommending to the Government for re-examining the matter afresh and to provide some sort of housing resettlement to new migrants, the Committee had already taken into consideration all the facts and reasons advanced by the Ministry in their earlier factual notes and the evidence tendered before the Committee by the representatives of the Ministry of Home Affairs.

2.12 The Committee are, therefore, not satisfied with the action taken reply furnished by the Ministry of Home Affairs and their submission made before the Committee. After taking into consideration all aspects, the Committee reiterate their earlier recommendation that the Government should re-examine the matter and find out ways and means to help the poor new migrants working in Delhi by providing them some sort of housing resettlement.

III

OTHER REPRESENTATIONS

3.1 The Committee have also considered the following two representations by different individuals which were inadmissible as petitions.

I. *Representation from Major S.C. Bhardwaj (Retd.), B-197, Gujranwala Town, Delhi.*

3.2 In regard to the representation of Major S.C. Bhardwaj (Retd.) for restoration of pension, the Ministry of Defence *vide* their O.M. dated 10 February, 1993, had informed that the pension of Major Bhardwaj was released by CDA (Pension) Allahabad, subject to verification of records. On verification it was revealed that his date of birth as per sheet roll/enrolment form and as per the other TA records was different. The CDA therefore advised Army HQs to obtain a decision from the Ministry of Defence on the discrepancies in the dates of birth. Pending receipt of this decision, the CDA stopped further payment of pension.

3.3 In their further note dated 18 March, 1994, the Ministry of Defence informed the Committee that the Government have agreed to the restoration of pension of the officer. On 31 December, 1993, the Additional Director General Territorial Army has requested CDA (P) Allahabad to issue necessary directions to the concerned P.D.O./Treasury office to make the payment of pension.

3.4 The reply of the Ministry was also sent to the petitioner on 8 April, 1994.

II. *Representation regarding fixation of seniority of commissioned officers who have been absorbed in State Bank of India.*

3.5 Shri Jagat Vir Singh Drona, M.P., *vide*, his letter dated 2 February, 1993, forwarded a representation from Shri Hari Shankar Awasthi, an officer of State Bank of India regarding fixation of seniority of commissioned officers absorbed in this Bank, in terms of the provisions contained in para 6(b) of the Ministry of Home Affairs Notification dated 26 August, 1971.

3.6 A similar representation was also forwarded by Shri Balram Singh Yadav, Minister of State in the Ministry of Mines.

3.7 The Ministry of Finance, with whom the matter was taken up, have *vide* their reply dated 2 June, 1994 informed the Committee that antedated seniority of the Ex-ECOs/SSCOs reemployed in State Bank of India has been fixed in terms of rule 6(b) of the Department of Personnel and

Training notification dated 26 August, 1971 and deemed dates of joining and confirmation have been advised to the affected officers. they have also sent a list containing the fresh dates of the joining for the 15 officers. The Ministry have further stated that promotions have also been given to officers who have been found suitable.

3.8 The Committee note with satisfaction that through their intervention, the grievances of the petitioners have been redressed.

NEW DELHI;

28 July, 1994

Sravana 6, 1916 (Saka)

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

APPENDIX I

(See para 1.1 of the Report)

Representation from Shri Sayed Samim, Group Leader, Councillor, Bhawanipatna, Kalahandi, Orissa & Others for Initiating steps for development of the backward district of Kalahandi

Respected Sir,

We, the youth of Kalahandi, started from Bhawanipatnam on 26 January, 1993 to Rajghat on a cycle yatra. We are on a mission to spread the message of peace and brotherhood on behalf of our district and the State. We believe that every Indian who is a creation of the Indian Constitution has an obligation to dedicate himself to the cause of our nation's integrity. At a time when the nation is stalked by communal and other parochial feelings it becomes the bounden duty of all of us, particularly the youth, to raise our hands visibly in favour of secularism and national integrity.

We are from Kalahandi which is known throughout the country and even beyond for its hunger and poverty. There are many places like Kalahandi in the country. In the storm generated by parochialism and narrow mindedness the issue of economic development of a district like ours is getting relegated into the background. It is our firm belief that in order to strengthen the bonds of nationalism it is imperative to remove social and economic disparities that exist between people and regions. We are here in Delhi to offer our prayers at the samadhi of the father of our nation under whose clarion call the Indians rose as a single body cutting across the lines of caste, religion and sex and drove the British out, so that we Indians could work in freedom to wipe the tears from every face. We dedicate ourselves to that cause.

On behalf of the people of Kalahandi we take this opportunity of drawing your kind attention to some of our district's problems and request for appropriate action.

1. Kalahandi has abundant land and water which are the basic resources for any development. Yet Kalahandi languishes in poverty because of skewed distribution of both. We therefore, demand effective implementation of land reforms so that the landless poor are endowed with the basic assets. Though Kalahandi's average annual rainfall at 1378 mm is very high, since 80% of it is received within 2 months i.e. July and August, yield loss and droughts are common. In order to tackle this we demand large scale small irrigation works like water harvesting-structures, diversion-weirs, reservoirs and percolation tanks. Investment is necessary in soil and water conservation measures.

2. Assistance to adopt dry land technology to mitigate drought situation is of great importance. Investments in soil and water conservation measures and watershed development programmes are essential.
3. Set up Regional Centre for Dry Land Research under ICAR.
4. Since vast areas have become barren and the ecology is getting threatened, Integrated Waste Land development Programme to cover atleast 20,000 hec. in the 8th five Year Plan may be sanctioned by the National Waste Land Development Board (NWLDP) and National Afforestation and Eco Development Board (NAEB).
5. Due to denudation of forests and flash floods which are common in the district, there is severe soil erosion endangering the existence of a number of villages. There is, therefore, need to take up largescale flood protection measures. It is estimated that about Rs. 100.00 crores is necessary for this purpose.
6. Funds be placed to complete the U.I.P. early and also assist for taking up medium irrigation Projects which are feasible in the district.
7. Communication network is very bad. We, therefore, request for building up communication network to connect all the hamlets and villages to the G.P. headquarters, GPs with Block headquarters and Blocks with the Districts *via* the Sub Divisional headquarters.
8. The road from Vizianagaram-Rayagada-Bismcuttack-Bhawanipatna-Kharia-Nawapara-Raipur be developed into National Highway. It will boost commercial and industrial activity on this route.
9. Construct Railway line from Lanjigarh Roiad to Junagarh.
- 10 Unemployment among both the educated and uneducated Youths is visible. The district has got rich forest and mineral resources which can be tapped by starting a number of industries. Some such fields are cement, alluminium, paper, chemical and Oil, We would request that industrialisation may be encouraged both under private and public sector.
11. A special scheme to start cottage and small scale industries to generate employment for youth and women should be taken up.
12. In order to promote industrialisation, basic infrastructures like electricity, transport and road need be financed. As on date, only 50% of the villages are electrified and even in these cases electricity is not stable, because of absence of Grid sub-stations and transformers and other related infrastructures. The REC should assist Kalahandi to build up infrastructures and also electrify all villages.

13. Kalahandi's 16 lakh population is scattered in about 2800 Revenue villages and a number of hamlets. Hence, the present criteria of providing one tube-well for a population of 250 is not enough. Hence every hamlet must be provided with potable drinking water source.
14. Kalahandi and other Western distren district of the State like bolangir, Sambalpur and Phulbani are too far from cuttack where the High court is located. A bench should be opened at Bhawanipatna, Kalahandi, which will cater to the requirements of this area.
15. Special assistance be given to expand and improve primary school and high school education. Also vocational institutions like I.T.I. and Diploma Collaeg be opened.
16. A branch of Indira Gandhi Open University may be opened in Kalahandi.
17. In November 1991, there was news paper report that the Government of India proposes to open a tribal regimental centre somewhere in the Eastern part of India. We request that this centre may be opened in Kalahandi. The District Administration has already reserved land for this.
18. We are thankful to the Government for giving a High Power Transmitter to Kalahandi. We request that an independent production unit be sanctioned so that the Western region of the State will get publicity. This will encourage the rich cultural heritage of this area.

Yours faithfully,
Sd/-

SHRI SAYED SAMIM,
Group Leader,

Councillor, Ward No. 9,
Bhawanipatna, Kalahandi and other youth of Kalahandi, Orissa.

To,

Shri Shivraj Patil,
Hon'ble Speaker of Lok Sabha,
Government of India,
New Delhi.

APPENDIX II

(See para 2.2 of the Report)

MINISTRY OF HOME AFFAIRS

(Rehabilitation Division)

SUBJECT: Action taken by Government on recommendations made by the Committee on Petitions (10th Lok Sabha) in their Sixth Report (Item No. 2) on Petition No. 13 regarding resettlement of migrants in Delhi who migrated from the erstwhile East Pakistan during 1.1.1964 to 25.3.1971.

Recommendations

(Item No. 2—Paras Nos. 2.19, 2.20, 2.21, 2.22, 2.23 and 2.24)

2.19 The New Migrants Welfare Association, New Delhi having membership of about 425 families migrated from the erstwhile East Pakistan to India between 1.1.1964 to 25.3.1971 made a demand for providing residential plots/houses in Delhi. Most members of this Association were regular employees of Mana Transit Camp—A Central Government Office and some were non camp new migrants who secured job or took up professional alternatives in their own. Consequent upon the gradual winding up of the Mana Transit Camp, the employees including the transit camp members of this association, were declared surplus. They were transferred/redeployed in phases in various stations including Delhi through the surplus Cell of the Ministry of Home Affairs till 1,10.1988. These new migrants (camp as well as non-camp new migrants) were, however, not given any housing rehabilitation, even though Government accepted that all persons who migrated from erstwhile East Pakistan till 25.3.1971 were bonafide refugees.

2.20 According to the petitioner, rehabilitation was incomplete without providing of housing resettlement. As per the information furnished by the Ministry of Home Affairs (Rehabilitation Department), Government was under no obligation to provide housing accommodation to new migrants in Delhi or in national capital region. New Migrants who migrated to India from erstwhile East Pakistan due to communal riots in January, 1964 East Pakistan to save their lives were entitled to receive assistance for their survival such as food, relief camp shelter and some sort of employment. Once they were provided with employment it was presumed that these migrants would be able to construct their own houses by approaching different housing organisations in Delhi or elsewhere for which housing loans were available to them.

2.21 The Ministry have further submitted that in case any new scheme is sanctioned exclusively for the members of this Association, it would give rise to a spate of similar demands from lakhs of other new migrants for allotment of land in Delhi which would be difficult for the Government to meet with.

2.22 As regard the reasons for providing rehabilitation assistance to the pre 1964 migrants and for not providing similar rehabilitation assistance to post 1964 migrants, the Committee were informed by the Ministry of Home Affairs that the circumstances and status of new migrants were not the same as that of the old migrants. Pre 1964 migrants were those who were directly affected by the partition. According to the Ministry these people fled from newly created territory of Pakistan and were compelled to seek shelter in these centres in India because they considered India their home land and also because of the Unprecedented massacre that followed the partition. They were Indian citizens who had been uprooted from their homeland because of a political event and were thus turned into refugees in their own country. By 1952 the need was felt to take steps to regulate the entry of fresh migrants into India. The migration was allowed on the basis of migration certificates. In 1956, the Government took further steps to regulate the influx by indicating the certain priorities with regard to which migration certificates were issued by the Indian Deputy High Commissioner in Dacca. In 1957 it was decided that no relief or rehabilitation benefits would be given to the persons migrating to India after 31.3.1958.

After 1964 because of the communal riots and certain difficulties in East Pakistan and atrocities committed there, fresh influx started coming to India. From the extracts of Cabinet note dated 6.2.1964 it is observed that the note contains the proposal for:—

“(1) Relief and rehabilitation benefits may be extended to (a) the migrants coming to India on migration certificates issued on or after the 1st January, 1964 and (b) the migrants who come to West Bengal without any travel documents provided that they are certified by the Government of West Bengal as bonafide migrants and that they come to India on or after the 1st January, 1964”.

2.23 The Committee also note that there were no instances where new migrants were provided both employment and residential plots in Delhi. Some employees of Dandkaranya Project were provided houses as hardship cases, because Dandkaranya was an agricultural project and some of the employees were forced to live and work in unfavourable conditions.

2.24 The committee appreciate the difficulties expressed by the Ministry in providing housing rehabilitation to new migrants who came to India following communal riots in January, 1964. At the same time they also note that these new migrants were given refugees status. From the Cabinet note it is also evident that Government in 1964 intended to provide them resettlement benefits. Similarly the Cabinet note also does not draw any distinction between the camp and non-camp refugees for the purpose of giving housing resettlement.

The Committee fail to understand why these new migrants were not allotted homestead plots/built up houses where there is very much provision of allotment of homestead plots/built up houses to the non-agricultural category new migrants as per Government of India orders issued in 1977. The Committee also note that 44 families of new migrants (service category) were allotted plots in Chanderpur (Maharashtra) under the said orders.

In regard to the Department's apprehension to the effect that once the scheme for resettlement of the members of the Association in Delhi is sanctioned, lakhs of other new migrants from outside Delhi would rush to Delhi for resettlement, the Committee are of the view that a cut off date has already been fixed to avoid such a situation.

Only relevant factor is that there is an acute shortage of housing lots in Delhi and adjoining national capital region. But considering the nature of sufferings which these new migrants were forced to undergo due to communal riots in 1964 which was similar to pre-partition massacre and consequent uprooting from homeland, the Committee feel that the new migrants too deserve sympathetic consideration for rehabilitation. In the opinion of the Committee it should not be difficult for the Government to provide some sort of housing resettlement to new migrants in Delhi as they have done in the past in case of migrants from East and West Pakistan. They would like the Government to re-examine the matter afresh and find out ways and means to help the poor new migrants working in Delhi by providing them housing rehabilitation in Delhi or NCR areas.

Reply of the Government

As per the policy laid down in respect of new migrants, only those of them who had sought admission to the relief camps set up in a few selected States other than West Bengal, were eligible for rehabilitation assistance. It was mentioned in the Cabinet note dated 6.2.1964. (Case No.3/Rehab/2/64) that the new migrants may be taken to dandakaranya where in the first instance they may be accommodated in transit centres and later moved to permanent rehabilitation sites. No camps should be opened in West Bengal. It is evident that rehabilitation assistance was given only to those who sought relief in camps outside West Bengal. Thus for purpose of providing relief and subsequent rehabilitation only such migrants were treated as refugees, as sought shelter in such camps. No relief was provided to non-inmates of camps.

2. To give effect to the policy, the Mana Transit camps near Raipur in M.P. were set up to provide transit accommodation to the new migrants from the erstwhile East Pakistan. Some of the new migrants who were inmates of these camps were also provided with jobs in the running of the camps. The objective of the assistance provided to the new migrant families was to enable them to stand the immediate shock of migration and to be on their own with some assistance. As part of the rehabilitation measure, it was also decided to provide necessary housing facility and/or

financial assistance to enable them to acquire housing of their own. Such assistance was considered since most of the migrants were settled in agriculture/small trade in remote areas where housing was not easily available. Compared to this, it was felt that those who were provided with Government jobs would be able to obtain better housing loan facilities and as such were encouraged to seek housing loan from their respective organisations.

3. The employees of Mana Transit Camps, once they were closed down were absorbed in various Government and public offices. Some of them had come to Delhi on posting/transfer. It was expected that having been provided with a steady job, they will be able to obtain housing loans and rehabilitate themselves. They were deemed to have been rehabilitated once the camps closed down.

4. The contention of the petitioners that their rehabilitation is not complete unless the residential housing is provided to them in Delhi, is not valid. The objective of the Scheme was to provide relief and help to enable the refugees to be once again on their own. There was no obligation to provide them accommodation at the place of their choice. However, had they expressed their desire and pressed for housing assistance before leaving the camps site, they could have been allotted homestead plots at the resettlement sites. There was no such scheme in or around Delhi and it would not be in public interest to approve any housing scheme for the employed category of new migrants in Delhi or the National Capital Region as this would amount to amending the scheme to the advantage of a selective few and to the exclusion of many others similarly placed. The cut-off date of 1971 for recognising new migrants would also be of no avail since the persons, such as ex-employees of Dandakaranya Project, who may also raise similar claims, are all new migrants who entered prior to the cut-off date.

5. Where employment was provided, it was ordinarily expected that housing would be taken care of through loans. Some employees of the Dandakaranya Project were provided houses, as hardship cases, because DNK was an agricultural project and some of the employees were forced to live and work in unfavourable conditions. As regards allotment of plots to 44 new migrant families in Chandrapur, Maharashtra, it may be mentioned that though such a proposal was considered and funds were also sanctioned for disbursement of housing loan to these new migrant families, but subsequently the State Government had clarified that these families were service-holder families. Thereafter, it was decided not to give any housing assistance to these 44 service-holder families and hence no funds were disbursed to these families or plots given to them.

6. The matter has been reconsidered, but it has not been found possible for the Government to agree to the proposal of any housing scheme for the new migrant families in Delhi or in any other area of the National Capital Region, as it will have wide repercussions.