

COMMITTEE ON PETITIONS

(THIRTEENTH LOK SABHA)

ELEVENTH REPORT

(Presented to Lok Sabha on 28 November, 2001)

Lok Sabha Secretariat
New Delhi

November, 2001/Agrahayana, 1923 (Saka)

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COMPOSITION OF COMMITTEE ON PETITIONS

Shri Basudeb Acharia - Chairman

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2. Shri A. Narendra

3. Shri Ramakant Angle
4. Shri S. Bangarappa
5. Shri Manibhai Ramjibhai Chudhri
6. shri Anant Gangaram Geete
7. Shri P.R. Khunte
8. Shri P.R. Kyndiah
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10. shri Ashok N. Mohol
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Secretariat

1. Shri B. R. Kanathia -Joint Secretary
2. Shri C.S. Joon - Deputy Secretary
3. Shri J.S. Chauhan -Under Secretary
4. Smt. Neera Singh -Assistant Director

INTRODUCTION

- I, The Chairman, Committee on Petitions, having been authorized by Committee to present the Report on their behalf, present this Eleventh Report of the Committee to the House on the following matters:
- (v) Petition regarding stopping of work on Tehri Dam Project and amendment in Tehri Hydro Development Corporation (THDC) Plan to save Ganga river from pollution.
 - (vi) Action taken by Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Sixth Report on the representation regarding inclusion of Limboo (Subba) community in the list of Scheduled Tribes of West Bengal.
 - (vii) Action taken by Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Seventh Report on the representation requesting for doubling of rail track on Bandel-Katwa section of Eastern Railway.
 - (viii) Action taken by Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Sixth Report on the representation requesting for issue of scheduled caste certificates to 'Sunri' caste in West Bengal by amendment of the list of Scheduled Castes of West Bengal.
2. The Committee considered and adopted the draft Eleventh Report at their sitting held on 27 November, 2001.
3. The observation/recommendations of the Committee on the above matters have been included in the Report.

BASUDEB ACHARIA
Chairman,
Committee on Petitions

NEW DELHI
27 November, 2001
6 Aghrayana, 1923 (Saka)

CHAPTER I

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PETITION REGARDING STOPPING OF WORK ON TEHRI DAM PROJECT AND AMENDMENT IN TEHRI HYDRO DEVELOPMENT CORPORATION (THDC) PLAN TO SAVE GANGA RIVER FROM POLLUTION.

On 21 March, 2001 Shri Chinmayanand Swami, M.P. presented to Lok Sabha a petition signed by Shri Jeeveshwar Mishra r/o, Karmashri Marwari Dharamshala, Station Road, Haridwar (U.P.) and others regarding stopping of work at Tehri Dam Project and amendment in Tehri Hydro Development Corporation (THDC) Plan to save Ganga river from pollution (See. Appendix)

2. In the petition, the petitioners inter-alia submitted as follows:-

- (i) It is a well known fact that this country has faith in the Ganges. This is the only river in the world which is worshipped for the sanctity and purity of its water and unrestrained flow. Therefore, while making any plan for extracting of energy or using its water other-wise, it must be ensured that the faith of the people towards the dignity of the river Ganga should be maintained;
- (ii) They feel about the energy requirements of the country. This requirement could be fulfilled without disturbing the natural flow of the Ganga. They would certainly welcome any hydel project coming up in the run of the river even in Tehri;
- (iii) Mahatama Gandhi termed it as the life line of India. The basic elements of Ganga water which continuously gets purified automatically with its flow could necessarily be affected in changed pressure and temperature of still water when mixed with rainy water in a 265 meter deep lake spread over an area of 42.5 square kilometer. Every one knows the qualitative difference in flowing water and still water. No concrete arrangement has been made to stop the water seepage from this lake which has been formed at a height of 6500 feet in fragile hills. The total area which has been brought under treatment for this purpose is negligible as against the area recommended in the Hanumantrao Committee Report. The negligence in the treatment came to the fore just some time back. Approximately 30 sq. mtr. of land subsided 150 feet down just near the control shaft alongwith an agitator;

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- (iv) Due to this seepage of water, landslide is the regular feature on these fragile hills. There have been incidents of hill breaking and dropping down into Bhagirathi causing obstruction in the smooth flow of the river which attained more momentum on being released later and it even hit Haridwar by flood;
- (v) The site of Tehri dam falls into the region which is prone to earth quakes. A number of geologists of the country have opined on different grounds that the area selected for the Tehri Dam is unsuitable for the purpose. The project is not advisable from technical, environmental, ecological, economic, religious and cultural points of view. The site of the dam project as well as surrounding rocks have been found weak, fractured and having open joints and they are immensely prone to seepage. This may also make the dam project open to accidents. Incidence of land slides in this area is increasing day by day which is highest in the world. The holy waters of the Ganga would be highly polluted by this project which would seriously hurt the feelings of crores of its devotees; and

- (vi) The Ganga action plan has been a complete failure. Even now, nine crore litres of industrial pollutants are falling into the river Ganga. The water treatment plants are not working due to lack of proper maintenance and shortage of power supply. As a result thereof, the filth of about 20 cities falls directly into Ganga. The increase in the silt on the river bed adversely affects its depth or its water level. Owing to low depth of river, the rain water is causing damage to the coastal towns and villages. The animals living in the deep water are dying. The flow of water in Ganga is going to be adversely affected because of this Dam, the rain water, industrial pollutants and accumulation of silt in its depth (river bed).

3. The petitioners, therefore, put forth a demand for the stopping up of the Tehri Dam Project and make necessary amendments in the THDC plan and also take effective steps to keep Ganga water pollution free.

4. The petition was forwarded to the Ministry of Environment & Forests on 22 March, 2001 for obtaining their factual comments. In response, the Ministry vide their

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communication dated 1 May, 2001 stated that the issues raised in the petition have been examined. The salient points in the petition were – (1) about the purity of Ganga water, (2) Seepage of water in the lake, (3) total area brought under treatment for this purpose and (4) due to negligence of treatment approximately 30 sq. mtr. of land had subsided 150ft down just near the control shaft along with an agitator. The Ministry furnished their point-wise details as follows:-

- The Tehri Dam has been planned as a multipurpose project for providing irrigation, power and drinking water. Its operation has been so planned to be regulated, that continuous flow of water is maintained at Haridwar. The water flowing into the river during the period from October to June shall not be stored at all in the reservoir. During the monsoon period from July to September, when there is excess water in the river leading to floods down stream, part of the excess water would be stored in the reservoir leaving the balance water to flow down into the river. Thus, continuous flow of water shall be maintained in the river throughout the year. In fact, the hydrology of the river would improve by the construction of the Tehri Dam. The excess water stored during the rainy season would be released during the lean period thereby improving the flows in the river Ganges during lean period.
- The Ganga is formed after the confluence of the Bhagirathi river with the Alaknanda at Devprayag, 40 km. downstream of the confluence of Bhagirathi and Bhilangana. The Alaknanda contributes major portion of water, i.e. 67% to the Ganga and the rest 33% is contributed by Bhagirathi (25% from Bhagirathi and 8% from Bhilangana). Thus, major portion of water in Ganga is coming from Alaknanda and its tributaries and would not be affected by construction of the Tehri Dam. Also, the data indicates that the quantum of glacier water in the Ganga during non-monsoon period would, in fact, increase after the construction of Tehri Dam on Bhagirathi.
- The average annual inflow at the Dam site is 8000 Million cum against which only 1/3rd (2615 Mcum) will be stored during monsoons. As earlier stated, the operation of the reservoir will be so regulated that continuous flow is maintained at Haridwar. There will be no storage built up in the lake during non-monsoon period i.e. October-June. Thus, it is only a small portion (11%) of the total water of river Ganga which will be stored in the reservoir during monsoon.

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- It is not correct to assume that water in the reservoir is going to be stagnant. The operation of the reservoir is so envisaged that there is a fluctuation of 90 m from FRL (Full Reservoir

Level) of EL 830 m to MDDL (Minimum Draw Down Level) EL 740 m, which is one of the largest fluctuation levels in the reservoirs in India and abroad. Thus, the different layers in the reservoir will always be in motion due to inflows and outflows. This fact has been highlighted by the University of Roorkee in their study of water quality modeling.

- Storage in the Tehri reservoir would be built up only with the excess water in the months of July-September. The irrigation requirement is mainly during the months of November to May. Bhagirathi flow during these months would be supplemented with water from reservoir to meet the irrigation requirement. Thus, the flow in the river even after withdrawal for irrigation requirement would be more than the natural flow in the river during the above mentioned months.
- Regarding the catchment area treatment, the correct position is that the HRC in its report had recommended that the entire degraded area of very high and high level of erodibility in the catchment of Tehri Project, should be treated at the project cost. In addition, the Committee had also recommended that the remaining catchment, with areas of only medium and low category of erosion, should also be taken up for treatment, though such areas need not be treated at project cost.
- It was decided by the Government, after consideration of recommendations of HRC (Hanumantha Rao Committee) that while it is necessary and desirable to treat the entire degraded catchment of all categories, the Tehri Project authorities would be responsible for the treatment of only the degraded areas of very high and high erodibility classification (as recommended by Hanumantha Rao Committee (HRC) through the State Forest Department. For treatment of remaining areas of medium and low categories of erosion, the state authorities may formulate separate plans, in consultation with Ministry of Environment & Forests and the Ministry of Agriculture, which could be funded and executed as an independent project.
- The recommendation of HRC for treatment of the entire catchment of very high and high levels of erodibility at the cost of Tehri Project is being duly implemented. Based on this decision, the state forest department, has already formulated a revised CAT Plan, as advised by Ministry of Environment & Forests, for treating an area of 52, 204 ha. of high and very high erodibility classification in the whole catchment of Tehri

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Project, for which funds are being met by THDC. Work is already progressing based on this revised CAT Plan. It is, therefore, not correct to say that only negligible area is brought under treatment as against the area recommended by HRC.

- Regarding safety of Tehri Dam against all possible seismic hazards of the area, various studies and tests conducted on the Dam design, both by Indian and foreign experts, have established that the Tehri Dam is safe from the point of view of seismicity of the region. The Expert Group constituted by the Government in 1996, comprising five expert members, to examine the relevant scientific and technical reports and other information relating to the safety of the Tehri Dam, had unanimously concluded after examining the various data, reports and after conducting further tests, that the present design of the dam is safe to withstand the maximum credible earthquake of the region. Thus, there need be no apprehensions about the safety of the dam structure.
- Regarding land slides, it may be noted that the rim side hill slopes stability studies have been got carried out by the project authority through the Department of Engineering, University of Roorkee. The study has established that slopes around the reservoir rim are stable even after impoundment.
- As regards the issue raised over the reported subsidence of soil the project authority has intimated that this related to an incident which happened at Project site near Control Gate

Shaft area, in which a portion of hill, where the platform of control gate shaft is located, witnessed localized subsidence of ground, which is not unusual in hydel project. The incident was thoroughly investigated and area examined by experts, including Russian Consultants. The Experts in their report stated that localized subsidence occurred in the area where share zones intersected the gate shaft under construction. The remedial measures suggested have been implemented. Thus, this localized subsidence of soil at Project site near Control Gate Shaft had no relationship with the catchment area treatment, and was an occurrence which can happen in any hydel project.

- Under Ganga Action Plan (GAP) Phase-I, out of a targeted capacity of 873 million litres per day(mld), a capacity to treat 835 mld has been commissioned by setting up 32 sewage treatment plants. The O&M of assets is not very satisfactory in Bihar and to some extent in Uttar Pradesh. However, O&M of assets is satisfactory in West Bengal.”

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5. The Committee considered the issues raised by the petitioners in their petition and the point-wise clarifications of the Ministry of Environment & Forests on the petition at their sitting held on 3rd July, 2001.

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OBSERVATIONS/RECOMMENDATIONS

6. The Committee note that the Tehri Dam has been planned as a multi purpose project for providing irrigation, power and drinking water. The operation of the Tehri Dam has been planned to regulate continuous flow of water in the river throughout the year. The average annual inflow at the Dam site is 8000 Million Cubic Meter against which 2615 Mullion Cubic Meter would be stored during monsoon season. The storage in the Tehri reservoir would be built up only with the excess water in the months of July to September and the irrigation requirements are mainly in November to May.

7. One of the main contention of the petitioners is that the basic elements of Ganga water which continuously get purified automatically with its flow could necessarily be affected in changed pressure and temperature of still water when mixed with rainy water in a 265 meter deep lake spread over an area of 42.5 sq. kilometer. Hence, it must be ensured that the sanctity and purity of Ganga water must be maintained by making it pollution free.

8. According to the Ministry the operation of the reservoir will be so regulated that continuous water flow is maintained at Haridwar. The operation is so envisaged that there is a fluctuation of 90m. from Full Reservoir Level(FRL) of EL 830m. to Minimum Draw Down Level(MDDL) of EL 740m. Thus, the different layers in the reservoir will always be in motion due to inflows and outflows. The Committee, however, wish to point out that although the reservoir would be built by excess water during the monsoon

period i.e. July-September, certain amount of stagnant water may remain in the reservoir as the irrigation requirements are mainly in the months of November to May. The Committee,

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therefore, firmly recommend that adequate safeguards should be taken by the Project Authorities to prevent the river water getting dirty due to mixing with stagnant water in the reservoir.

9. The Committee are informed that based on the recommendations of the Hanumantha Rao Committee, the treatment of the entire catchment area of the river of very high and high levels of erodibility is being implemented at project cost. Also, the State Forest Department has already formulated a revised CAT Plan, as advised by the Ministry, for treating an area of 52,204 hectares of high and very high erodibility classification for which funds are being met by THDC. The Committee desire that the treatment work of high and very high erodibility should be completed in a specific time frame and they may be apprised about the progress made in this regard.

10. As regards the treatment of the areas of medium and low categories of erosion, the Committee are informed that the State Authorities may formulate separate plans, which could be funded and executed as an independent project. The Committee recommend that the Ministries of Agriculture, Environment & Forests and the State Government Authorities should make concerted efforts to finalize/formulate and execute these plans so as to revive the medium and low eroded areas.

11. As regards the implementation of the Ganga Action Plan, the Committee are also informed that under Ganga Action Plan (GAP) Phase-I, out of a targeted capacity of 873 million litres per day (mld), a capacity to treat 835 mld has been commissioned by setting up 32 Sewage Treatment Plants. O&M of assets is satisfactory in West Bengal. However, the O&M of assets is not very satisfactory in States of Bihar and Uttar Pradesh.

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The Committee consider it unfortunate that the working of the Sewage Treatment Plants particularly in Bihar and Uttar Pradesh has not been taken seriously by the concerned Government Authorities. The Committee, therefore, recommend that suitable remedial action may be taken so that all the 32 Sewage Treatment Plants are effectively utilized to make the river Ganga absolutely pollution free.

12. As regards the safety aspect of Tehri Dam, the Committee are convinced by the reply of the Ministry that an Expert Group constituted by Government in 1996 had unanimously concluded after examining the various data, reports and conducting tests that the present design of the dam is safe to withstand the maximum credible earthquake of the region. The Committee also trust that the Project authorities would

take adequate safeguards to ensure that land slides do not occur at the hill slopes adjoining the Tehri Dam areas.

CHAPTER II

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR SIXTH REPORT (THIRTEENTH LOK SABHA) ON THE REPRESENTATION REGARDING INCLUSION OF LIMBOO (SUBBA) COMMUNITY IN THE LIST OF SCHEDULED TRIBES OF WEST BENGAL.

The Committee on Petitions in their Sixth Report (Thirteenth Lok Sabha) presented to Lok Sabha on 1 March, 2001 had dealt with a representation regarding inclusion of Limboo (Subba) Community in the List of Scheduled Tribes of West Bengal.

2. The Committee had made certain observations/recommendations in the matter and the Ministry of Tribal Affairs was requested to furnish their action taken notes for the consideration of the Committee.

3. Action taken notes have been received from the Ministry of Tribal Affairs in respect of the recommendation contained in the Report.

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

5. In paragraph 3.5 of the Report, the Committee observed as follows:-

“The Committee note that the Government has approved on 15.06.1999 the “Modalities for inclusion, exclusion and other modifications in the Scheduled Castes and Scheduled Tribes Lists.” According to these modalities, cases favoured both by the State Governments and Registrar General of India would be referred to the National Commission for Scheduled Castes and Scheduled Tribes for their opinion. The Committee

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also note that the issue of inclusion of Limboo (Subba) Community of West Bengal is under examination of the Ministry of Social Justice & Empowerment in consultation with the National Commission for Scheduled Castes & Scheduled Tribes.”

6. In paragraph 3.6 of the Report the Committee observed as follows:-

“In this context, the Committee would like to point out that the Committee on Petitions in their Sixteenth Report (Tenth Lok Sabha) presented to Lok Sabha on 24 August, 1994 had expected the Government to expeditiously bring the necessary legislation before Parliament for making amendments to the Lists of Scheduled Castes/Tribes in various States. The Committee are deeply constrained to note that the issue of inclusion of various Scheduled Castes/Tribes including the Limboo (Subba) Community in the Lists of Scheduled Castes and Scheduled Tribes is being inordinately delayed for want of a final decision of the Government in the matter. The Committee, therefore, recommend that the Ministry of Social Justice & Empowerment should thoroughly review the issue of inclusion of Scheduled Castes and Scheduled Tribes Community in the Lists of Scheduled Castes & Scheduled Tribes including the Limboo (Subba) Community of West Bengal in a specific time frame and place their final proposal before the Cabinet without any further delay.”

7. In their action taken note the Ministry of Tribal Affairs have stated that according to the approved modalities amending legislation would be proposed to the Cabinet in all cases in which the National Commission for SCs and STs, Registrar General of India as well as the State Governments have favoured inclusion, exclusion and other modifications in the lists of Scheduled Castes and Scheduled Tribes. A proposal detailing therein claims agreed to by the above three agencies was submitted to the Cabinet Secretariat on 26th June, 2000 for placing before the Cabinet. The above proposal included the issue of inclusion of Limboo (Subba) community in the list of Scheduled Tribes of West Bengal. The Cabinet considered the matter in its meeting held on 4th September, 2000 and

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deferred their decision in the matter. Efforts are now being made to submit the proposal with other similar proposals for the approval of Cabinet after following due procedure, regarding inclusion in the list of Scheduled Tribes.

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Recommendations/observations

8. The Committee note that as per the approved modalities of the Government all cases of inclusion of Scheduled Castes and Scheduled Tribes in the Lists of Scheduled Castes and Scheduled Tribes which had been favoured by the National Commission for Scheduled Castes and Scheduled Tribes, the Registrar General of India and the concerned State Government were to be placed before the Cabinet for a final decision on the matter. Accordingly, on 26th June, 2000 the Ministry had placed a proposal before Cabinet regarding inclusion of Scheduled Castes and Scheduled Tribes which included the issue of including the Limboo (Subba) community in Lists of Scheduled Tribes of West Bengal. The cabinet had considered the matter in its meeting held on 4th September, 2000 and had deferred their decision in the matter.

9. The Committee cannot but express their distress over the fact that on the issue of inclusion of Scheduled Castes and Scheduled Tribes in the Lists of Scheduled Castes and Scheduled Tribes including the case of Limboo (Subba) Community, a final decision has not yet been given. The Committee, therefore, recommend that the matter should be placed again before Cabinet at an early date so as to resolve the issue. The Committee hope that the issue of inclusion of Scheduled Caste/Scheduled Tribes in the State Lists of Scheduled Caste/Scheduled Tribes is resolved with an earnest perspective in mind, if necessary, by bringing an amending Legislation.

DRAFT CHAPTER

REPRESENTATION REQUESTING FOR DOUBLING OF RAIL TRACK OF BANDEL-KATWA SECTION OF EASTERN RAILWAY.

On 29 July, 2000 Shri Siby Mukherjee, General Secretary, Howrah-Katwa Suburban Passengers Association, Village Kaliagarh, Balagarh, Hooghly and others submitted a representation requesting for doubling of rail track of Bandel-Katwa Section of Eastern Railway.

2. The petitioner, in their representation submitted that since electrification of Bandel-Katwa section for a period of five years, it has been observed as well as experienced that without doubling of the track of this section the fullest possible utilisation of EMU service could not be materialized. The agricultural products of this section contributing a considerable item for transportation can not be made available to consumers of urban and metropolitan areas in time due to single track. Five pairs of Express trains are detained in peak hours even to make way to the express trains. So it can be easily conceived how the passengers of 105 km. are commuting their journey with this sort of trouble which can easily be removed by making an arrangement for double line.

The petitioners have further stated that since electrification, the revenue of this section has increased remarkably, which may grow more, subject to doubling of the track. Preliminary Engg-cum-Traffic survey for doubling of Bandel-Katwa line has already been completed by the Eastern Railway authority but this is being procrastinated/ postponed.

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3. The petitioners, therefore, requested to urge upon the Ministry of Railways to complete the necessary formalities and sanction may be given for doubling of railway track of Bandel-Katwa Section of Eastern Railway in the Railway Budget.

4. The Ministry of Railways (Railway Board) were requested on 13 September, 2000 to furnish their comments on the points raised in the representation. The Ministry of Railways (Railway Board) vide their communication dated 20 October, 2000 furnished the following comments:-

“A survey for doubling of Bandel-Katwa section has been completed recently. The results of the survey are under examination in consultation with the Zonal Railway. Further consideration of the project would be possible once the results of the survey are finalised.”

5. The Ministry of Railways (Railway Board) were requested to furnish their final reply in the matter. The Ministry of Railways (Railway Board) vide their communication dated 29 November, 2000 furnished the following comments:-

“The survey report for the subject project is under examination in consultation with the Zonal Railway, which has been asked to furnish clarification about certain aspects of the report. Further consideration of the project would be possible once the results of the survey become available.”

6. After perusing the comments furnished by the Ministry, the Committee under took on-the-spot study visit to Katwa on 1 February, 2001 to discuss the matter with the petitioners.

7. The Committee, thereafter, took oral evidence of the representatives of the Ministry of Railways (Railway Board) on 12 February, 2001. During the evidence the Committee desired to know whether the Railway Board will consider that doubling of Bandel-Katwa section is required to increase the capacity of this section and whether the

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traffic, both goods and passenger was saturated The member engineering in Ministry of Railways (Railway Board) stated as follows:-

“The doubling of the section has been under consideration of the Ministry of Railways for some time along with other proposals for doubling of various sections. It was mainly a question of comparative priorities. The capacity utilisation of this line is above 100 per cent. But we have also lines where the line capacity utilisation is more than 130 per cent. So, it is a question of comparative priorities as to which work we should take up first.

I have the pleasure to inform the Committee that only two days back the Ministry of Railways has taken a decision to take up the doubling of this line firstly in the three block sections starting from Bandel towards Katwa, up to Zeerat. When we take up a work like doubling, then we go block section by block section because we cannot open all the sections at one time. So, we have taken this decision to start the work from Bandel and go up to Zeerat, for which approval has been given.”

8. When the Committee desired to know as to when the survey report for the doubling of the section was submitted, the witness stated that the survey report was submitted in December, 1999.

9. The Committee asked about the criteria adopted to select these two blocks for doubling of track. To this, the representative of the Ministry of Railways (Railway Board) stated as follows:-

“When we decide to double a section, there are two criteria which we follow to select a block section which would require doubling. We see which section require doubling first and whether they may get additional advantage out of that. These sections are decided normally after a study. If the section is adjacent to the main station from where the traffic is moving to both the directions, such section are given priority. Therefore, the block stations adjacent to the main station are given priority when we start doubling work.

The representative of the Ministry of Railways (Railway Board) further added:-

Secondly, if there is any block section which is very long as compared to other sections, then that sort of doubling gives some advantage. That is given second

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priority. That is how we choose block section by block section for doubling. In the case of Bandel, it is a very heavy traffic station and therefore, entry and exit from Bandel is a problem. So, starting from Bandel, we will go in for two or three block sections and in the second phase, we will decide on the others depending on the length which are required to be done. The reason why two or three blocks are done is mainly because when the Parliament is not in session, the Railways have got a certain power to sanction works. Within that power, we can carry out our work. We cannot do more than that.”

10. When the Committee desired to know the estimated cost for doubling one kilometer of railway track and also the difference in expenditure between construction of new lines and doubling of lines, the witness stated as follows:-

“In a flat terrain like this, doubling will cost about Rs. 2 crore per kilometer and a new line would cost about Rs. 3.5 crore a kilometer. This is the rough comparison. If we go into mountainous regions, both the costs will go up. The new line would cost about Rs. 5 crore a kilometer and doubling will cost upto Rs. 3 crore a kilometer. About 300 kilometres of doubling are done per year.”

11. The Committee asked whether the funds allotted for doubling were sufficient or more funds were required. At this the representative of the Ministry of Railways (Railway Board) stated as follows:-

“We need more funds for doubling. We have been asking for it in various forums because we need to increase our capacity quadrilaterally and diagonally for which additional lines are required. We have sections where the line capacity is more than 130 per cent but we would not be able to take it up. So, we could not sanction this line also. Therefore, we need more funds. This particular year, we did increase the allocation for doubling from about Rs. 400 to Rs. 600 crore but still it is inadequate. We had held discussions on this point. We would be happy if the allocation would be Rs. 1000 crore for doubling because we have a number of sections where we have sanctioned doubling work but we have not been able to give additional funds for it.”

12. When the Committee asked whether the Ministry would give any assurance to be followed for completion of this work the witnesses stated as follows:-

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“It will again depend upon how much money we will get. The procedure is, first based upon the survey report, we will make a detailed estimate about the portion which has been approved. Then that detailed estimate will be sanctioned by the Railway Board, the competent authority and after the detailed estimate, technical approval has to be given. What had been given earlier is administrative approval. Technical approval is given after the sanction of the detailed estimate. Wherever there are bridges, detailed plans will be made and tenders will be called and then the work will start. Now, we are allocating money for the next year. This year, the allocation has been very nominal and we will have to arrange it by appropriation only. Allocation for the next year will come in the Budget. At the end of the Monsoon Session, we shall be able to finalise.”

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OBSERVATIONS/RECOMMENDATIONS

13. The Committee note that since electrification of Bandel-Katwa section for a period of five years, the problems of the passengers commuting their journey as well as goods transportation like agricultural products on this section could be solved by doubling of this section as it is a busy link rail track.

14. The Committee are satisfied to note that the Ministry of Railways (Railway Board) have taken a decision to take up the doubling of this line firstly in the three block sections starting from Bandel towards

Katwa, upto Zeerat. The Committee are, therefore, hopeful that the requisite action is taken as early as possible.

CHAPTER IV

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) IN THEIR SIXTH REPORT ON THE REPRESENTATION REQUESTING FOR ISSUE OF SCHEDULED CASTE CERTIFICATES TO 'SUNRI' CASTE IN WEST BENGAL BY AMENDMENT OF THE LIST OF SCHEDULED CASTES OF WEST BENGAL.

The Committee on Petitions (Thirteenth Lok Sabha) in their Sixth Report presented to Lok Sabha on 1st March, 2001 dealt with the representation requesting for issue of Scheduled Caste Certificates to 'Sunri' caste in West Bengal by amendment of the List of Scheduled Castes of West Bengal.

2. The Ministry of Social Justice and Empowerment were requested to furnish their action taken notes indicating action taken by them to implement the recommendations made by the Committee for their consideration. The replies of the Ministry of Social Justice & Empowerment have been received. The recommendations made by the Committee and the replies furnished by the Ministry of Social Justice & Empowerment are discussed in succeeding paragraphs.

3. In paragraph 4.18 of the Sixth Report (Thirteenth Lok Sabha), the Committee observed as under:-
"The Committee note that about 5000 families belonging to 'Chasa Sunri'; 'Moda Sunri', 'Bokharia Sunri' and Akalia Sunri claiming to be divisions of the main 'Sunri' caste and residing in Purulia district of West Bengal are not getting the benefits admissible to the Scheduled Castes. According to the petitioners these sub-groups of 'Sunri Caste' observe social and cultural practice like worshipping, marriage, similar to those of 'Sunri Caste' enlisted as scheduled caste in the List of Scheduled Castes of West Bengal. They have contended that while the people residing within the districts of Burdwan, Bankura and Birbhum with identical surnames of 'maji' and 'majhi' of Sunri community have got the Scheduled Caste Certificates from the competent authority, the people residing in Purulia district, inspite of the similar characteristics with the 'Sunri' caste do not get the scheduled caste certificates."

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4. In their action taken note, the Ministry of Social Justice & Empowerment have stated that as required under Article 341 of the Constitution, the President has with respect to every State and Union Territory and where it is State after consultation with the Governor of the concerned State, issued orders notifying various castes as Scheduled Castes in relation to that State or Union Territory from time to time. The list of Scheduled Castes are thus State specific.

In their Report Cultural Research Institute of Government of West Bengal has clarified that 'Sunri' and 'Chasa Sunri' are entirely different groups and 'Chasa Sunri' is a regional term restricted predominately to Purulia and also used in Bankura and Bardhaman districts. This group of 'Chasa Sunri' were one time 'Sunris' and not enlisted in the Scheduled Caste list of Bihar. After State reorganisation, they became the residents of West Bengal. The 'Chasa Sunris' of Purulia did not belong to the same community of Sunri

(excluding Saha) of West Bengal who were actually a part of the Sunri caste of Bihar for the following reasons;

- (i) The clan structure, occupation, rites and rituals, religious festivals of the Chasa Sunris were quite different from the Sunris (excluding Saha).
- (ii) Chasa Sunri and Sunri (excluding Saha) of West Bengal had no matrimonial relations with each other.
- (iii) The Chasa Sunris were found mainly in Purulia and other areas adjoining Bihar.
- (iv) The title 'Majhi' was used by most of the Chasa Sunris and also used by the Sunris of Bihar and not by the Sunri (excluding Saha) of West Bengal.

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5. In paragraph 4.19 of their Sixth Report, the Committee observed as follows:-

“The Committee have been informed by the State Government that as per 1971 census, the total number of people belonging to ‘Sunri’ (excluding Saha) Caste is 1,66, 418 in the State of West Bengal. The Scheduled Caste Certificates for this caste have been issued all over the State of West Bengal. The Community wise data has been published in the census 1981 and 1991 by the Registrar General of Census, Government of India. The Committee have been further informed that the Chasa-Sunri of Purulia district and others belonging to this community in other border districts of State of West Bengal are not a part of ‘Sunri’ (excluding Saha) caste as specified at Sl. No: 57 in the List of Scheduled Caste of West Bengal. However, some certificates of the ‘Sunri’ Caste have been issued without proper knowledge and through error of judgement. The Committee take a serious note of the fact that authorities competent to issue such certificates are not fully conversant with the identification of the persons belonging to ‘Sunri’ Caste. The Committee desire that specific norms may be laid down by the Central Government so as to ensure that any kind of error in judgement while issuing the Scheduled Caste Certificates by the State Administration does not recur.”

6. In their action taken note, the Ministry of Social Justice & Empowerment have stated that the Government of India has issued detailed guidelines, which should be taken into account before issue of Scheduled Castes and Scheduled Tribes certificates. Ministry of Home Affairs vide their letter No. 35/1/72(RU.SCT V) dated 2nd May, 1975 has communicated all the State Government/Union Territory administrations, a set of points which should be taken into account for the guidance of those empowered to issue Scheduled Castes and Scheduled Tribes certificates (See Annexure-I). These guidelines were reiterated and clarified by the Ministry of Home Affairs later on vide letter No. 12025/2/76 SCT-I dated 22nd March, 1977, No.13/2/74-Estt.(SCT) dated 5th August, 1975, No.BC.12025/1/82.SC&BCD-IV dated 29th June, 1982, No.BC.16014/1/82. SC & BCD-I dated 18th November, 1982 and No.16014/1/82 dated 6th August, 1984 to all the State Governments and UT Administrations.

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The Government of West Bengal vide their letter No.701/BCW/MR-141/2000 dated 14.2.2001 has informed that the State Government have advised the certificate issuing authorities to be cautious in the matter of issuing caste identification certificates to the persons belonging to 'Chasa Sunri'.

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OBSERVATIONS/RECOMMENDATIONS

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8. The Committee note that the Ministry of Home Affairs vide their letter dated 2 May, 1975 have communicated all the State Government, Union Territory administrations, a set of points which should be taken into account for the guidance of those empowered to issue Scheduled Castes and Scheduled Tribes Certificates. The Committee also note that the Government of West Bengal vide their letter dated 14 February, 2001 have informed that the State Government have advised the certificate issuing authorities to be cautious in the matter of issuing caste issuing certificates to the persons belonging to 'Chasa Sunri'. The Committee recommend that the Central Government may ensure from time to time that the guidelines issued by the Ministry of Home Affairs should strictly be followed by the authorities who are empowered for issue of Scheduled Castes/Tribes Certificates.

9. In paragraph 4.20, the Committee observed as follows:-

“According to the Report of CRI, the 'Chasa Sunri' of Purulia did not belong to the same community of Sunri (excluding Saha) of West Bengal. This group of 'Chasa Sunri' were one time 'Sunris' of Bihar and not enlisted in the Scheduled Caste list of Bihar. After State reorganisation people belonging to 'Chasa Sunri' in Purulia became the residents of West Bengal. The Committee regret to note that the State Government of West Bengal have endorsed the comments of the Director, Cultural Research Institute (CRI) by stating that the claim of the petitioners for 'Chasa Sunri' to be included as Sunri (excluding Saha in West Bengal is not correct.”

10. In their action taken note the Ministry of Social Justice & Empowerment have stated that the issue and verification of caste certificates approved by the Government on 15.6.1999, the cases of inclusion of communities in the list of Scheduled castes are

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examined only when such cases are recommended by the State Government concerned and duly concurred in by the Registrar General of India (RGI) and National Commission for Scheduled Castes and Scheduled Tribes (NCSCST). In the present case, State Government has not recommended for inclusion of Chasa Sunri in Scheduled caste list of West Bengal.

11. In paragraph 4.21 of the Report, the Committee observed as follows:-

“The Committee find that the matter has again been referred by the Ministry of Social Justice & Empowerment to the State Government of West Bengal for their comments. The Committee recommend that a detailed enquiry may be made in consultation with the State Government of West

Bengal and Registrar General of India so as to ascertain the community wise data of the people belonging to 'Sunri' Caste in West Bengal. A thorough review may then be made to assess the caste characteristics and innate character of the 'Sunris' in Purulia district of West Bengal so that they are not deprived of the benefits provided to the Scheduled Castes. The Committee desire the Government to complete the enquiries and finalise the matter expeditiously and include the sunris belonging to the Purulia district in West Bengal in the 'Sunri Caste' as enlisted in the list of Scheduled Caste in West Bengal."

12. In their action taken note, the Ministry of Social Justice & Empowerment have stated that the Government of West Bengal vide their letter No.701/BCW dated 14.2.2001 has intimated that the State Government does not recognize any division amongst persons belonging to Sunri (excluding Saha) caste, the question of issuing caste certificates to any of the such division of Sunri caste does not arise. The State Government has been requested to initiate a detailed enquiry as stated in the above-mentioned recommendation. Consultation with the Registrar General of India will be held only after receipt of the recommendation of the State Government as per modalities approved by the Government on 15.6.1999.

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OBSERVATIONS/RECOMMENDATIONS

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13. The Committee note that the Ministry of Social Justice & Empowerment have requested the State Government of West Bengal to initiate a detailed enquiry to ascertain the community-wise data of the people belonging to 'Sunri' caste in West Bengal. The Committee recommend that the Central Government may impress upon the State Government of West Bengal to furnish their report on the data of people belonging to 'Sunri' caste expeditiously. The Committee desire that the issue of inclusion of Chasa; Moda; Bokharia and Akalia sects of 'Sunri-Caste' may be settled in consultation with the Registrar General India and an appropriate legislation may be initiated in order to safeguard the interest of the 'Sunris' belonging to the Purulia District in West Bengal.