

# COMMITTEE ON PETITIONS

(THIRTEENTH LOK SABHA)

## THIRTYFOURTH REPORT



**LOK SABHA SECRETARIAT  
NEW DELHI**

November, 2003/Agrahayana, 1925 (Saka)

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(THIRTEENTH LOK SABHA)

*(Presented to Lok Sabha on 4 December, 2003)*



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(THIRTIETH LOK SABHA)

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LOK SABHA SECRETARIAT  
NEW DELHI

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## CONTENTS

	PAGES
COMPOSITION OF THE COMMITTEE ON PETITIONS .....	(iii)
<b>I</b> INTRODUCTION .....	(v)
<b>II</b> REPORT:	
(i) Action Taken by the Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Twenty-fifth Report on the petition regarding provision of passenger amenities at Govandi Railway Station, Mumbai. ....	1
(ii) Action Taken by the Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Twenty-seventh Report on the representation requesting to impose ban on polluting coal mines of Western Coalfields Ltd. in Chandarpur District of Maharashtra. ....	4
(iii) Action taken by the Government on the recommendations of the Committee on Petitions (Thirteenth Lok Sabha) in their Thirty-third Report on representation regarding Grievances of Loco Running Staff of Eastern Railways. ....	9
<b>III</b> MINUTES	
Minutes of the Eighty-fourth sitting of the Committee held on 24.11.2003. ....	11

COMPOSITION OF THE COMMITTEE ON PETITIONS

Shri Basudeb Acharia — *Chairman*

MEMBERS

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

SECRETARIAT

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

## THIRTY-FOURTH REPORT OF THE COMMITTEE ON PETITIONS

(THIRTEENTH LOK SABHA)

### INTRODUCTION

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

- (i) Action Taken by the Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Twenty-fifth Report on the petition regarding provision of passenger amenities at Govandi Railway Station, Mumbai.
- (ii) Action Taken by the Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Twenty-seventh Report on representation requesting to impose ban on polluting coal mines of Western Coalfields Ltd. in Chandrapur District of Maharashtra.
- (iii) Action taken by the Government on the recommendations of the Committee on Petitions (Thirteenth Lok Sabha) in their Thirty-third Report on the representation regarding Grievances of Loco Running Staff of Eastern Railways.

2. The Committee considered and adopted the draft Thirty-fourth Report at their sitting held on 24th November, 2003.

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

NEW DELHI;  
24 November, 2003  

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3 Agra-hayana, 1925 (Saka)

BASUDEB ACHARIA,  
Chairman,  
Committee on Petitions.

## CHAPTER I

### ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) IN THEIR TWENTY-FIFTH REPORT ON THE PETITION REGARDING PROVISION OF PASSENGER AMENITIES AT GOVANDI RAILWAY STATION, MUMBAI

The Committee on Petitions (Thirteenth Lok Sabha) in their Twenty-fifth Report presented to Lok Sabha on 25 February, 2003 had dealt with a petition regarding provision of passenger amenities at Govandi Railway Station, Mumbai.

1.2 The Committee had made certain observations/recommendations in the matter and the Ministry of Railways were requested to implement those recommendations and furnish their action taken notes for the consideration of the Committee.

1.3 Action taken notes have been received from the Ministry of Railways in respect of the recommendations contained in the Report.

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

1.5 In paras 1.12 and 1.13 the Committee had recommended as under:—

"The main demands of the petitioners are that proper entry and exit approaches, Foot Over Bridge (FOB) and the necessary passenger amenities should be provided at the Govandi Railway Station in Mumbai for the facility of the daily commuters. They have pointed out that due to absence of entry and exit approaches to the Govandi Railway Station incidents of accidents and death of the passengers have taken place at the time of approaching this station.

[para 1.12]

The Committee are deeply perturbed to note that the proper exit and entry approaches/roads have not been provided at Govandi Railway Station which has resulted in occurrence of fatal accidents of the railway passengers at this station. The Ministry of Railways (Railway Board) have now informed the Committee that the work of extension of existing FOB at Govandi Station to the West side with provision of landing and exit and work of a booking office accessible from FOB has been sanctioned at a cost of Rs. 30 lakh. Tenders for this work have been invited by the Ministry. The Committee regret to note that as planned the work on FOB, which was to commence in 2002-2003 is yet to start. The tentative date of completion is now July, 2004. Considering the urgency of completion of work, the Committee recommend that sincere efforts should be made by the project authorities so as to complete the construction work in the extension of the FOB and entry and exit approaches at Govandi Railway Station by the targeted schedule of July, 2004."

[para 1.13]

1.6 In their Action Taken replies, the Ministry of Railways have stated:—

**"Provision of FOB with proper entry and exit approaches at Govandi Station:**

The work of extension of existing foot over bridge at Govandi Station to the West side with the provision of landing and exit and also a booking office accessible from FOB has been taken up. It is targeted for completion by July, 2004.

**Provision of passenger amenities:** Stations have been classified into six categories (A to F) based on the passenger traffic and annual earnings therefrom. Govandi Station has been classified as 'C' category station (sub-urban). Passenger Amenities at Govandi Station have been provided as per scale of minimum essential amenities.

1.7 In regard to completion of the work within the targeted date, Ministry of Railways have stated that the suggestion has been noted and efforts would be made to adhere to the target date.

**1.8 The Committee hope that as assured by the Railways, FOB and entry and exit approaches at Govandi Railway Station would be completed by July, 2004.**

1.9 In paragraph 1.14, the Committee had observed as under:

"The Committee have been apprised that amenities like safe drinking water, toilets, electricity, telephone booth, proper security are being provided at Govandi Railway Station. The Committee, however, would like the Railways to devise suitable mechanism to have periodical checks and review existing passenger amenities with a view to maintain requisite standards as also to upgrade the same as and when required."

1.10 In their action taken replies, the Ministry of Railways have informed as under:

**"Mechanism for periodical checks and review of passenger amenities with a view to maintain requisite standards as also to upgrade the same as and when required:** In order to monitor provision and maintenance of passenger amenities at stations and to ensure better co-ordination amongst various agencies involved in upkeep of passenger amenities, Additional General Managers at Zonal Railway Headquarter level and Additional Divisional Railway Managers at Divisional level have been nominated as nodal officers. These officers interact with the concerned officers of various departments periodically and take short-term and long-term measures to ensure provision and maintenance of the passenger amenities. Besides, multi-discipline Service Improvement Groups at the zonal, divisional headquarters and stations level have also been activated to inspect amenities at stations and to suggest/take remedial measures for rectifying the deficiencies/shortcomings in passenger amenities. Inspections are also carried out by officers belonging to various departments in trains/stations to check the amenities.



At the National level, Passenger Amenities Committee and the Passenger Services Committee have been constituted by the Ministry of Railways to check the passenger amenities provided at the railway stations and on trains. The committee inspect various stations and hold discussions with the officers of the zonal railways and submit their reports from time to time.

Review of existing passenger amenities at stations is done annually over all zonal railways and data of the same is maintained/updated in computerized form. Every year deficiencies in existing passenger amenities at stations, required augmentation of passenger amenities due to growth in passenger traffic are identified and prioritized. Items requiring less expenditure are taken up at Zonal/Divisional level within their powers and the rest are proposed in Annual Works Programme after prioritization to Railway Board. Such works are finally approved by Board based on overall availability of funds and inter-se priorities of works.

In this connection, Chief Security Commissioner/RPF, Central Railway has been instructed that proper security arrangement at Govandi Railway Station, Mumbai, should be made immediately.

Adequate lighting arrangements and fans are provided at both the platforms as also in the circulating area of entry from east side."

#### **Observation/Recommendation**

**1.11 The Committee once again reiterate that the concerned Departments of Railways should constantly monitor the maintenance of passenger amenities at all Railway Stations.**

## CHAPTER II

### ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) IN THEIR TWENTY-SEVENTH REPORT ON THE REPRESENTATION REQUESTING TO IMPOSE BAN ON POLLUTING COAL MINES OF WESTERN COALFIELDS LTD. IN CHANDRAPUR DISTRICT OF MAHARASHTRA

2.1 The Committee on Petitions (Thirteenth Lok Sabha) in their Twenty-Seventh Report presented to Lok Sabha on 22nd July, 2003 had dealt with a representation requesting to impose ban on polluting coal mines of Western Coalfields Ltd. (WCL) in Chandrapur District of Maharashtra.

2.2 The Committee had made certain observations/recommendations in the Report and the Ministry of Environment and Forests were requested to implement those recommendations and furnish their action taken notes for the consideration of the Committee.

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

2.4 In brief, the Committee had made the following recommendations/observations in paras 1.12 to 1.16 of the Report:—

- (i) The petitioners requested for protection of the residents of the area from the ill-effects/health hazards of environmental pollution caused by mining/blasting activities of Western Coalfields.

(Para 1.12)

- (ii) The Committee recommended that appropriate Health Study should be carried out in the Chandrapur district to ascertain any possibility of health hazards caused due to pollution from the coal mines. The Committee desired to be apprised of the outcome of such a study within two months of presentation of the Report.

(Para 1.13)

- (iii) The Committee recommended that the state-of-the-art blasting techniques should be used for the blasting process so as to safeguard the constructions, houses, buildings etc., in the nearby areas of the mines.

(Para 1.14)

- (iv) The Committee recommended that the Union Ministry of Environment and Forests, Government of Maharashtra, MPPCB and WCL should take up time-bound action to combat environmental degradation and pollution

in the Chandrapur area and ensure that the area is pollution-free and there are no ill effects on the health of residents of the area.

(Para 1.15)

- (iv) The Committee also recommended that local people and the NGOs should be involved in various schemes/programmes meant for pollution control in the area so as to ensure their better implementation. The Committee desired to be apprised of the steps taken in this regard within three months of the presentation of the Report to the Parliament.

(Para 1.16)

2.5 In their action taken reply, the Ministry of Environment and Forests have stated that in pursuance of the Committee on Petitions recommendation, the Ministry constituted a Committee under its Regional Office (Western), comprising the following members:—

"1.(i) Chief Conservator of Forests, MoEF Regional..... Office (Western region)	Chairman
(ii) Member-Secretary, Maharashtra Pollution Control.... Board.	Member
(iii) Secretary, Env., Government of Maharashtra or a..... Nominee of a senior level	Member
(iv) Member-Secretary, Central Pollution Control Board.....	Member
(v) Chairman/MD of WCL or his nominee.....	Member
(vi) Additional Director, MoEF Regional Office, Bhopal... ..	Member Secretary

The Committee could co-opt or invite any experts/individuals/institutions as per requirement.

2. The terms of Reference of the Committee are as follows:—

- (i) Outline a Plan to Action to combat pollution due to Western Coal Fields Ltd. (WCL), Chandrapur District.
- (ii) Prepare a Programme of Measures to mitigate the environmental degradation of Chandrapur district.
- (iii) To monitor the implementation of the Action Plan and Programme.

3. The Committee was requested to submit its Report by 30th September, 2003.

4. The Committee met on 11th and 12th September, 2003 at Chandrapur District Headquarters under the Chairmanship of the Chief Conservator of Forests (Central) MoEF, Regional Office, Bhopal. Representatives of Secretary, Department of Environment, Government of Maharashtra, Chairman/MD of Western Coalfields Limited, and Member-Secretary, Central Pollution Control Board attended the meeting.

The Regional Officer, Maharashtra State Pollution Control Board, Nagpur, Road Transport Office, Chandrapur, Chief General Manager of WCL at Wani, Majri, Baallrpur, and Chandrapur areas, General Manager (Environment), WCL, Nagpur and the SRO, Maharashtra Pollution Control Board also attended the meeting as invitees. Various issues as per the mandate given to the Committee were deliberated in detail in the said meeting.

5. The participants were informed of the steps being already taken in regard to controlling pollution caused by WCL and containing the environmental degradation of Chandrapur District. These areas are given below:—

#### **Measures taken/under Implementation**

##### **A. Effects due to Blasting Operations**

- (i) Controlled blasting with delay detonators is being practised by the WCL, which substantially controls the intensity of the blasting and the consequent dust generation.
- (ii) The technique involves use of shock tubes whenever the mine working is in the proximity of residential areas.
- (iii) A study has been commissioned by WCL on source apportionment for pollutant identification due to blasting/mining operations.
- (iv) It was reiterated by WCL that the cracks observed in some of the houses were due to poor quality of construction and defect in design as no such instances were observed in the mine colony.

##### **B. Health Effects of Pollution caused by WCL**

- (v) Two studies were earlier conducted on the Impacts of coal mines on the health of the nearby population in villages.

##### **C. Pollution caused by WCL**

- (vi) WCL is supplying LPG cylinders to all their employees.
- (vii) WCL has involved the local NGOs and local people in their various activities, which also includes the health and vibration studies. In addition, the local people are also involved in the awareness programmes.

#### **Recommendations for control of pollution caused by WCL Mines**

##### **A. Effects due to Blasting Operations**

- (1) A study on dust generation and its movement during blasting could be carried out by the Central Mining Research Institute (CMRI), Dhanbad, based on findings of earlier studies of WCL. The study will include the villages identified by Collector, Chandrapur and shall be financed by WCL, Nagpur.
- (2) The matter of cracks due to blasting would also be referred to the CMRI for their advice and to suggest mitigate measures and monitoring equipment preferably auto monitors for vibration monitoring.

- (3) Installation of vibrometers to measure vibrations during blasting should be done immediately.
- (4) Office of the Director General Mines Safety to effectively monitor and control blasting operations.

#### **B. Health Effects of Pollution Caused by WCL**

- (5) A comprehensive health study shall be carried out on the entire Chanderpur District. This shall be done in consultation with the Collector, Chanderpur and District Health Officer, Civil Surgeon of WCL, and the Maharashtra SPCB. The scope of the study would be done in line with the requirement of the issues raised by the Petitions Committee. The study would also include WCL mine colonies. The study shall be financed by WCL, Nagpur.

#### **C. Pollution caused by WCL**

- (6) Strict action would be taken by the RTO, Chanderpur against Transporters for overloading of trucks and improper tarpaulin coverings on trucks.
- (7) Checks will be done at the loading points to control pollution from loading/unloading operations.
- (8) Coal depots should be shifted outside the city area by the district administration.
- (9) A study has already been conducted by the Central Ground Water Board (CGWB) which showed impact of mining on ground water in a 3 km area around the mines. The study should be extended to other coal mines in the district.
- (10) Extensive water harvesting and ground water recharging measures should be done by both WCL and by the district authorities to counter the lowering water table.
- (11) Local people/NGOs could be a member of the Environment Cell constituted by WCL.
- (12) A sub-committee could be constituted wherein an NGO is also represented.
- (13) Need for maximising transport of coal by rail to be explored.

6. Based on the deliberations, a Programme of Measures to mitigate the environmental degradation of Chandrapur District has been prepared by the Committee and is given below:

#### **Measures proposed for improving the environment of Chanderpur District**

- (1) A Master Plan 2025 for the Chanderpur District requires to be prepared incorporating the environmental aspects. Sites for disposal of municipal wastes and biomedical wastes have been identified as per MOEF Notification.

- (2) A District Environmental Policy should be formulated to incorporate strategic decisions in the implementation of the proposed Master Plan. Urban Development Department of the Government of Maharashtra and the district administration should be involved in this exercise.
- (3) The emissions from Chandrapur Thermal Power Station would be controlled by the augmentation of Units 1, 2, 3 and 4 which shall be completed by April, 2004.
- (4) Inventory of all the polluting industries of Chandrapur District including the stone crushers, washers, brick/limekilns, etc. would be furnished by the Maharashtra SPCB and compliance status/action to be taken thereon.
- (5) Shifting of market yard and industrial complex from the city to the outskirts to reduce pollution and ease congestion should be explored.

#### **7. Monitoring of the recommendations of the Action Plan and measures**

Monitoring to be done by a sub-committee consisting of Collector, Chandrapur, Road Transport authorities, district health authorities, representatives of WCL and State Environment Department as members. Maharashtra State Pollution Control Board would be the Member-Secretary of this sub-committee it shall submit periodic reports on the implementation status of the various action plans.

**2.6 The Committee are glad to note that the Government have initiated steps to implement the recommendations made by them for reducing the mining/blasting pollution and resultant health hazards in Chandrapur District of Maharashtra. Based on the recommendations of an Expert Committee, several steps/actions are to be initiated. Similarly a sub-committee has been constituted to review the implementation of the plan.**

**The Committee would like the Ministry to monitor the progress of the proposed steps with a view to making Chandrapur District a model pollution-free-area.**

### CHAPTER III

#### ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) IN THEIR THIRTY-THIRD REPORT ON THE REPRESENTATION REGARDING GRIEVANCES OF LOCO RUNNING STAFF OF EASTERN RAILWAYS

The Committee on Petitions (Thirteenth Lok Sabha) in their Thirty-third Report presented to Lok Sabha on 22 August, 2003 had dealt with representation regarding grievances of Loco Running Staff of Eastern Railways.

3.2 The Committee had made certain observations/recommendations in the Report and the Ministry of Railways (Railway Board) were requested to implement those recommendations and furnish their action taken notes for the consideration of the Committee.

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

3.4 In para 2.12 of the Report, the Committee had recommended as under:—

"Examination of the matter by the Committee has revealed that Eastern Railway has been very casual about the well-being of their employees. Even after the comprehensive judgement of the Supreme Court in the case of R. Redappa in regard to the manner of dismissal of employees, the Eastern Railway is not adhering to it in letter and spirit. A judgement of the Kolkata Bench of CAT given on 12th December, 2001 to give benefit of R. Redappa's case to employees of Loco Running Staff of Eastern Railway has not been implemented by the Railways so far. During the course of evidence, Chairman, Railway Board, assured the Committee that the benefit to the concerned employees would be given now. The Committee desire that this should be done expeditiously. As assured, action should be taken against the officers responsible for delay in implementation of the CAT judgement.

3.5 In their action taken reply, the Ministry of Railways have stated:—

#### **"Implementation of CAT/Kolkata Bench Judgement of 12.12.2001.**

Compensation has since been paid to all the employees. Compensation was not paid to these employees earlier owing to a conscious decision taken by Eastern Railway based on their interpretation of the Supreme Court judgement in the Redappa's case. Difference of opinion may arise in such legal matters. The decision of the Eastern Railway not to pay compensation earlier thus, cannot be termed as willful. It shall, therefore, not be possible to hold any individual responsible for non-payment of compensation. However, the concerned Chief Personnel Officer has been suitably counselled in this regard."

**3.6 The Committee trust that in future Railways will take due care in payment of due compensation to its employees in time.**

3.7 In para 2.13 of the Report, the Committee had recommended that:—

"The Committee regret to note that Eastern Railway is not giving the above benefit to another batch of 13 employees as per orders of CAT/Principal Bench given on 23rd October, 2002. Instead of honouring the verdict of CAT, Railways have gone for appeal in the court. The Committee feel that this is yet another case of high handedness by the Railways. The Committee would like the Railways to re-examine the matter in the right perspective and consider withdrawal of their appeal from the court and give due benefits to the concerned employees."

3.8 In their action taken reply, the Ministry of Railways have informed that a Writ Petition against the judgement was filed by the Eastern Railway in the Hon'ble High Court, New Delhi. The Hon'ble High Court has since stayed the operation of the impugned order of 23rd October, 2002.

**3.9 The Committee reiterate their earlier recommendation that the Railways should withdraw the appeal against the CAT/Principal Bench judgement and pay due compensation to the 13 affected employees.**

3.10 In para 2.14 of the Report, the Committee had recommended as under:—

"The Committee are unhappy to note that Railways forget about their own employees. Shri Gouri Shankar Singh, who retired from the Railways as Driver on 30th November, 2000 has not been paid his retirement benefits even after a lapse of over two years. It is only after intervention by the Committee that some of his dues are being paid now. The Committee would like the Railways to give his dues expeditiously. Needless to emphasize that the Railways would ensure that they would take adequate care of their serving as well as retired employees."

3.11 In their action taken replies, the Ministry of Railways, have informed that all settlement dues have since been paid to Shri G.S. Singh. Apart from this, an amount of Rs. 41,739/- has also been paid to him as interest for delayed payment of gratuity. The Office Superintendent Grade-I in the Establishment Power Section/Howrah was found primarily responsible for the delay in payment. Since the concerned official has already retired from service, Government's Displeasure has been communicated to him.

**3.12. As recommended earlier, the Committee once again reiterate that the Railways should take adequate care of their serving as well as retired employees and make timely payments of their dues.**

NEW DELHI;  
24 November, 2003.  
3 Agraphayana, 1925 (Saka)

BASUDEB ACHARIA,  
Chairman,  
Committee on Petitions.



MINUTES OF EIGHTY-FOURTH SITTING OF THE COMMITTEE ON PETITIONS  
HELD ON 24TH NOVEMBER, 2003 IN COMMITTEE ROOM NO. 62,  
PARLIAMENT HOUSE, NEW DELHI

The Committee sat from 14.30 to 16.00 hrs.

PRESENT

Shri Basudeb Acharia — *Chairman*

MEMBERS

2. Shri Ambati Brahmanaiah
3. Shri Ram Rati Bind
4. Shri Bikram Keshari Deo
5. Shri P.R. Kyndiah
6. Dr. Bikram Sarkar

SECRETARIAT

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

WITNESSES

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

1. Shri S.M. Singla — Member Staff (Railway Board)
2. Shri Anand Mathur — Executive Director Esstt. (N)
3. Shri O.P. Agarwal — Executive Director (RRB)
4. Shri P. Ananth — Director (MPP)
5. Shri A.M. Dharmalingam — Chief Personnel Officer, Southern Railway

**Representatives of the Ministry of Tribal Affairs**

1. Dr. A.V.S. Reddy — Secretary
2. Shri S. Chatterjee — Joint Secretary
3. Dr. R.C. Mahapatra — Deputy Director

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

- (i) Representation requesting to give appointment to the course completed Act Apprentices against existing vacancies in Southern Railway.

- (ii) Representation regarding inclusion of Halba Koshti (Weavers) Tribe residing in Vidarbha, Chhattisgarh and Madhya Pradesh in the List of Scheduled Tribes.
- (iii) Representation regarding inclusion of Panika Community of Chhattisgarh in the List of Scheduled Tribes.

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

4. Thereafter, the Committee considered the Draft Thirty-fourth and Thirty-fifth Reports of the Committee and adopted the same with few modifications. The Committee then authorised the Chairman to finalise the Reports and present them to the House on 4th December, 2003.

5. A verbatim record of the proceedings was kept.

*The Committee then adjourned.*