

187
7

COMMITTEE ON PETITIONS

FIRST REPORT

(THIRD LOK SABHA)

(Presented on the 28th March, 1963)



**LOK SABHA SECRETARIAT
NEW DELHI**

March, 1963/Chaitra, 1885 (Saka)

Price : 50 nP.

CONTENTS

	PAGE
I. Personnel of the Committee on Petitions	(ii)
II. Report	I
III. Appendices I to IV	II

PERSONNEL OF THE COMMITTEE ON PETITIONS

Shri M. Thirumala Rao—*Chairman*
2. Shri N. Arunachalam
3. Shrimati Zohraben Akbarbhai Chavda
4. Maharani Gayatri Devi
5. Shri J. N. Hazarika
6. Shri Narayan Sadoba Kajrolkar
7. Shri Yamuna Prasad Mandal
8. Shri Masuriya Din
9. Shri P. K. Vasudevan Nair
10. Shri S. B. Patil
11. Shri S. Prakash
12. Swami Rameshwaranand
13. Shri Gajraj Singh Rao
14. Shri Prakash Vir Shestru
15. Shri Ram Sahai Tiwary.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary*.

REPORT

I

INTRODUCTION

I, the Chairman of the Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this their First Report.

2. The Committee was nominated by the Speaker on the 25th May, 1962.

3. The Committee held four sittings during the Second, Third and Fourth Sessions of Lok Sabha on the 22nd August and 30th November, 1962 and 25th February and 26th March, 1963.

4. At their sittings mentioned above, the Committee considered the following petitions and other matters:—

- (i) Petition from C. Kesaviah Naidu, Chittoor Dt., Andhra Pradesh, *re*: issue of stamp folders to philatelists by Philatelic Bureaux (Petition No. 1—Appendix I).
- (ii) Petition from Shri C. Kesaviah Naidu, Chittoor District, Andhra Pradesh *re*: amendment of the Conduct of Elections Rules, 1961 (Petition No. 2—Appendix II).
- (iii) Petition from Shri Dwijendra Lal Sen Gupta and nine others *re*: the Defence of India (Amendment) Rules, 1963 relating to Gold Control (Petition No. 3—Appendix III).
- (iv) Note from the Ministry of Home Affairs regarding action taken by Government to implement the recommendations of the Committee on Petitions, Second Lok Sabha, contained in their Eighth Report, on Petition No. 34, from Shri C. Kesaviah Naidu.
- (v) Note from the Ministry of Railways regarding implementation of the recommendation of the Committee on Petitions, Second Lok Sabha, contained in their Fifteenth Report, on Petition No. 50 from the Martin S. Light Railways Yatri Sangha.

5. The Committee considered and adopted their Report at their sitting held on the 26th March, 1963.

6. The recommendations/decisions of the Committee on the above matters as well as their observations regarding representations inadmissible as petitions, which have been considered by the Committee, have been included in this Report.

II

PETITION NO. 1 FROM SHRI C. KESAVIAH NAIDU, CHITTOOR DISTRICT, ANDHRA PRADESH

7. The petition (Appendix I) was presented to Lok Sabha by Shri C. Dass, M.P., on the 1st June, 1962. The Committee considered

the petition, along with the factual comments of the Ministry of Transport and Communications (D.G. P. & T.) thereon at their sittings held on the 22nd August 1962.

8. The petitioner had reproduced a copy of a complaint which appeared in the *Hindu*, dated the 30th March, 1962, under the caption 'Issue of Stamp folders' together with a copy of the reply thereto given by the Postmaster General, Madras.

The complainant had stated that there was unnecessary delay in receipt of commemorative stamp folders at the Philatelic Bureau at Mount Road in Madras and their subsequent release to philatelists. He had alleged that these folders were printed presumably to be stacked away in some corner of the post office. Occasionally, unscrupulous stamp dealers managed to corner the free folders and sold them at high prices. To avoid this, he had suggested that the Posts and Telegraphs Department might fix a price for the folders and make them available only to genuine philatelists, thus ensuring a good profit to the Department also.

The Postmaster General, Madras, in his reply to the above complaint, had stated that at present folders were printed only in small quantities for free supply to Philatelic Clubs, Societies, etc., Cultural, Art, and Educational Institutions, Inland and International Air Companies, Foreign Cultural and Commercial Missions in India etc. for information and reference only. The question of printing larger quantities of the folders for supply to the public and charging a fee therefor was under examination. Efforts would also be made to release the folders sufficiently in time before the date of issue of stamps concerned.

9. The petitioner had suggested that individual philatelists or associations might be treated alike, registered at the nearest Bureau with a nominal fee of Rs. 1/- for lifetime membership and a caution deposit of Rs. 10/- taken. They might then be supplied as many folders as they required on due dates on payment of cost of folders, for opening and use on specific dates and timings.

10. The Ministry of Transport and Communications (D. G. P. & T.) have stated that they are ascertaining the practice obtaining in some of the philatelically advanced countries issuing advanced publicity literature and on receipt thereof, would examine the entire arrangement regarding printing and distribution of such literature to decide the course of action to be adopted in future. The Committee note that the Ministry have also agreed to keep the petitioner's suggestions in view while deciding the new arrangements to be made.

11. The Committee recommend the adoption with suitable modification by Government of the procedure suggested by the petitioner for distribution of the stamp folders, to avoid unnecessary delay in their reaching the philatelists.

III

PETITION NO. 2 FROM SHRI C. KESAVIAH NAIDU, CHITTOOR DT., ANDHRA PRADESH

12. The petition (Appendix II) was presented to Lok Sabha by Shri C.L. Narasimha Reddy, M.P., on the 22nd June, 1962. The

Committee considered the petition in the light of factual comments obtained from the Ministry of Law at their sittings held on the 22nd August and 30th November, 1962.

13. The petitioner had referred to Rule 18 (a) (iii) of the Conduct of Elections Rules, 1961, under which voters on election duty are entitled to vote by post. He stated that many persons like the Elementary School teachers under non-official Samiti Presidents or under non-official Zilla Parishad Chairmen were put on official election duty and thereby they became entitled to vote by postal ballot. Candidates for General Elections had been observed to obtain from voters on official election duty applications for postal ballot on forms printed and supplied by the candidates. Candidates obtained possession of the postal ballot papers after signature by the voters in the declaration forms (Form 13-A) and got them attested without the voter being identified by anyone through some known gazetted officers. Therefore, the candidates themselves posted the ballot papers containing votes in their favour.

The postal ballot papers, both for the Parliamentary and the Assembly constituencies, were of the same colour. This also created confusion at the time of counting.

14. The petitioner had suggested that the Conduct of Elections Rules, 1961, might be so amended that:

- (a) voters posted for official election duty within the same constituency are given endorsements below their applications authorising them to vote at any polling booth on surrendering the endorsements;
- (b) voters posted for polling duty outside the constituency might be issued postal ballot papers in different colours separately for Assembly and Parliament; and
- (c) possession of postal ballot papers by persons other than electors is made an offence both for the electors who part with them and others who obtain them.

15. The Committee have perused the comments furnished by the Ministry of Law, after consulting the Election Commission, on the points raised in the petition.

16. The Ministry of Law have stated that the Election Commission has observed that the mal-practice referred to by the petitioner was not so widespread as was sought to be made out. The stipendiary magistrates and gazetted officers, who are authorised to attest the declarations under rule 24(2) of the Conduct of Elections Rules, 1961, are not expected to sign blindly without regard to truth. The polling officers, presiding officers and other public servants on election duty are also expected to know their rights and should not part with the ballot paper simply because "an influential agent" cajoles or threatens them. The number of such voters who might be amenable to this type of undue influence could not be large. The Ministry feel that, in view of the provisions of section 136(1) of the Representation of the People Act, 1951, there is no need to make it a special offence for any person, other than the voter, to be in possession of a postal ballot paper.

17. The Committee note that under the Conduct of Elections Rules, 1961 the envelopes containing postal ballot papers are received by the Returning Officer and opened at the counting place *only after* the polling is over in the constituency and only after the counting of the ballot papers found in the ballot boxes is over. The Committee understand that the question of enabling the voters, posted on election duty within the constituency (though not at the particular polling station where they are entitled to vote), to vote in the ordinary manner and not by postal voting has been engaging the attention of the Election Commission.

18. The Committee are of the view that a voter on election duty within his constituency can be authorised on a request being made by him to vote at the polling station of his posting by an authorisation sent to him along with his letter of appointment on election duty and a certified extract of the relevant voters' list can be sent to the Presiding Officer of that particular polling station where the voter on election duty can, on presentation of that authorisation, be given the ordinary voting facilities.

19. The Committee, therefore, recommend for implementation by Government the suggestion of the petitioner to provide ordinary voting facilities at the place of posting to the voters put on election duty within their own constituencies.

IV

PETITION NO. 3 FROM SHRI DWIJENDRA LAL SEN GUPTA,
PRESIDENT, BANGIYA SWARNA SILPI SAMITY AND
NINE OTHERS

20. The petition (Appendix III) was presented to Lok Sabha by Shri Tridib Kumar Chaudhuri, M.P., on the 21st February, 1963.

21. The Committee considered the petition at their sitting held on the 25th February, 1963.

22. The petitioners had stated that the promulgation of the Defence of India (Amendment) Rules, 1963 relating to gold control had deprived skilled artisans of their only means of livelihood. Reduction in gold standards from 22 carats purity to 14 carats had rendered fine workmanship impossible, had rendered a large number of artisans surplus to the industry and had accelerated the pace of unemployment. While the petitioners supported the Government in their policy to stop smuggling of gold into the country and thus prevent heavy foreign exchange drainage and to unearth hoarded gold, they felt that the policy should be well-phased so as to allow absorption of the artisans in alternative employment.

23. The petitioners had suggested the following measures as effective checks to eliminate smuggling and hoarding of gold:

- (i) Government might launch a thorough countrywide hunt for hoarded gold as an emergency measure, deploying the Customs and the Police. Bank Lockers might be inspected, private houses of men of means and other places of possible concealment might be placed under rigorous search.

- (ii) Foreign trade might be made a State Enterprise so that persons engaged in foreign trade might not be in physical possession of foreign exchange through such nefarious methods as under-invoicing. Customs barriers be made as far impregnable as could be humanly possible.
- (iii) The Gold Control Rules might be amended to allow the manufacture of ornaments with at least 20 carats purity of gold.
- (iv) The Rules might be suitably amended to exempt the small traders and artisans from payment of any licence fee and the amount chargeable as licence fee be subjected to gradation in conformity with the volume of business, the minimum and maximum of such fees being fixed at Rs. 2.00 and Rs. 10.00.
- (v) Due provision might be inserted exempting the small traders and artisans from submission of returns. Similarly, the artisans might be allowed to keep a certain minimum quantity of gold which was always necessary in the process of manufacture.
- (vi) A provision might be made in the Rules for issuance of special permits for pure gold required to be used in religious and auspicious functions.
- (vii) Government might make arrangements on high-priority basis to provide complete economic rehabilitation and suitable alternative employment to those artisans who were affected by the introduction of the Gold Control Rules.
- (viii) Arrangements might be immediately made for an initial lump-sum financial relief to the affected artisans with provision for continuous gratuitous relief for such period as might be required for their complete economic rehabilitation. |

24. The Committee have perused, in this connection, the calling attention notice given by Shri Tridib Kumar Chaudhuri and other members and the statement laid on the Table by the Minister of Finance in the House on the 20th February, 1963, in reply thereto. The Minister had explained at length the purpose of the Gold Control Rules, *viz.* restriction on movement of non-ornament gold from hand to hand and secondly, reduction, in overall demand for gold in the country by enforcement of the rule that henceforth ornaments would not be manufactured in gold of a purity above 14 carats. The Minister had given facts and figures based on the 1951 census to show that the extent of possible unemployment had been much exaggerated. He had also pointed out that out of a specific quantity of gold more ornaments than before could be made; as the 14 carat alloy would be harder than the 22 carat alloy, labour involved in making an ornament of that purity would be more and wage component in the price of the new ornament would be higher. Further gold was not the only metal out of which ornaments were, or, could be, made. He had also stated that 14 carat purity ornaments had not been unknown in the past, and after the rules had been promulgated, he had

himself witnessed ornaments of 14, 9 and even 8 carat gold being made. He had also pointed out that the Gold Board had already indicated that small goldsmiths could join together and form co-operative societies and avail of the usual financial and other concessions for which co-operatives were eligible.

The Committee understood that the Finance Minister's statement mentioned above was circulated to all the Members of the House.

25. The Committee note in this connection that subsequently, on the 5th and 6th March, 1963, a discussion on the Gold Control Rules under rule 193 was held in the House. During the debate several Members had drawn the attention of the Government to the grievances of the skilled artisans and commended for acceptance the suggestions made in the petition (cf. para 23 *supra*).

The Minister of Finance (Shri Morarji Desai) in his reply to the debate, had explained the Government's policy in this regard and had reiterated their decision to pursue this policy. The main points of his reply, the Committee note, were as follows:

It was wrong to contend that the 14-carat gold would mean adulteration of gold; one had to remember that no ornaments could be made of unadulterated gold.

The primary purpose of the Gold Control Order was to put a check on the smuggling of gold which led to loss of foreign exchange. The *modus operandi* of the smugglers was to exchange the Indian currency in use in the Persian Gulf countries into foreign currency and use that for buying gold abroad. That currency was stopped in consultation with the countries concerned and a special currency was printed. But then the smugglers started buying foreign currency from Indians who went abroad by paying them rupee currency in India. Money obtained by under-invoicing and over-invoicing was also used for smuggling gold.

The other purpose of the Order was to restrict the use of gold in the country for the manufacture of ornaments. The Government wanted that the lure of gold disappeared from the country; only then could the drain on our resources cease.

It was wrong to suppose that recourse should not be taken to law to abolish religious customs which were bad; law had been passed to abolish the custom of sati, dowry, bigamy and untouchability. The process of social reform through legislation was going on and the restriction on the use of gold was another step in that process.

Government were taking steps to see that work was found for the goldsmiths who had lost their means of livelihood because of the Order.

Unless the fascination for gold disappeared nothing could be done; that was why 14-carat gold ornaments had to be made. In time people would get used to it and would then come down to costume jewellery as in all other countries.

It had been asked why a ceiling was not put on possession. But if all the steps had been taken together many other things would have been said. Various steps would be taken as the time went on. However, there was no intention of taking away anybody's gold. When the prices went down they were bound to sell it; and when they sold it, the Government would buy it. But steps would be taken to teach a lesson to those who circumvented the rules.

It was wrong to say that all the five lakhs of goldsmiths had become idle. All of them did not deal in gold; many dealt in silver. There was no ban on silver. Again, those who dealt in gold also dealt in silver and the silver fashion went on increasing.

The State Governments had been asked that they should help the goldsmiths and their children by books, fees etc. and if those people wanted to be trained in any profession or in any other ways, money should be spent on it. If they wanted loans for buying sewing machines and things like that, loans should be advanced to them.

There was absolutely no intention of allowing their art to go out of existence. We were going to make arrangements to get those things prepared in bonded warehouses so that they could be exported. They could be sold to tourists also for foreign exchange. We also wanted to explore if silver goods could be made into goods of art and exported. Many of those people could turn over to that occupation and get more money.

It was not an order which had been hastily thought of. It was an order which would do great good to the country, and its economy and would also change the wrong economic habits which had been ingrained.

26. As the reply given by the Minister of Finance to the calling attention notice had been circulated to the members, the Committee on the 25th February, 1963, had directed that copies of the petition might be circulated *in extenso* to all Members of the House under rule 307. The petition had accordingly been circulated on the 25th February, 1963.

27. In view of the Government's policy on the subject of Gold Control, elucidated by the Minister of Finance again during the discussions held on the 5th and 6th March, 1963, the Committee feel that no further action is necessary on the petition.

NOTE FROM THE MINISTRY OF HOME AFFAIRS RE: ACTION TAKEN TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS, SECOND LOK SABHA, IN THEIR EIGHTH REPORT, ON PETITION NO. 34 FROM SHRI C. KESAVIAH NAIDU

28. In their Eighth Report, presented on the 18th December, 1959, the Committee on Petitions, Second Lok Sabha, after considering Petition No. 34, had recommended amendment of:

- (i) Rule 40 of the Indian Arms Rules, 1951, so that where an arms licensee applies for renewal of his licence well in advance of the expiry thereof, his weapon might not be taken away from him unless the old licence is cancelled; and |
- (ii) Rule 46 of the Indian Arms Rules, 1951, so that all fees in respect of arms licences might be payable in cash or by money order or by postal order as suggested in the petition.

29. The Committee note in this connection that the Indian Arms Act, 1878, had since been repealed by the Arms Act, 1959 and the Arms Rules, 1962, made under the new Act, had already come into force from 1st October, 1962.

30. The Ministry of Home Affairs, with whom the recommendations of the Committee had been pursued, have drawn attention to the provision made in Rule 60 of the Arms Rules, 1962, implementing the second recommendation, which is as follows:—

“60 Collection of fees.—All fees payable shall be paid in cash either in person or, at the option of the person concerned, by money order/postal order, at the time of application.”

31. As regards the first recommendation of the Committee, the Ministry have represented that due to a legal difficulty in view of section 3 of the Arms Act, 1959 (which provides that no person shall acquire, have in his possession, or carry, any firearm or ammunition unless he holds in this behalf a licence, it has not been found possible to incorporate in the statutory rules, a provision on the lines of this recommendation. The Ministry have, however, stated that they had issued the following executive instructions to all the State Governments on the 15th July, 1957 [which was earlier noted by the Committee on Petitions, Second Lok Sabha, while considering Petition No. 34, *vide* Appendix IV, item 3, 8th Report of that Committee] and have again on the 17th December, 1962, drawn the attention of the State Governments and Administrations of Union Territories thereto:

“If a licensee applies for renewal of his licence not less than 30 days before its expiry, his weapon should not be taken away from him until and unless he is informed of the refusal to renew his licence; the applicant will have to—

produce proof, on demand by an authorised officer, of having made the application within the period specified above."

32. The Committee note with satisfaction that while the second recommendation of the Committee on Petitions, Second Lok Sabha, had been implemented in full, the purpose of the first recommendation has been adequately served by the issue of executive instructions. The Committee also accept that in view of the legal provisions it will not be possible to provide in the statutory rules in the manner suggested in Petition No. 34.

The Committee, however, recommend that the Ministry of Home Affairs might ensure that wide publicity is given by the State Governments to the facilities now provided under the rules for payment of licence fees either by money order/postal order or by cash.

VI

NOTE FROM THE MINISTRY OF RAILWAYS (RAILWAY BOARD) RE: IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS, SECOND LOK SABHA, IN THEIR 15TH REPORT ON PETITION NO. 50 FROM THE MARTIN S. LIGHT RAILWAYS YATRI SANGHA

33. The Committee, at their sitting held on the 22nd August, 1962, perused' the representation made by the Ministry of Railways regarding implementation of the recommendation of the Committee on Petitions, Second Lok Sabha, in their 15th Report, on Petition No. 50, for nationalisation of the Howrah-Amra and Howrah-Shealkala Light Railways.

34. The Ministry of Railways, with whom the recommendation had been pursued, have invited attention to the facts already perused by the Committee on Petitions, Second Lok Sabha, and have stated again that it is not the policy of the Government to nationalise private-owned light railways at present.

35. They have added that whenever it is found that the condition of a private-owned light railway has greatly deteriorated and the railway is threatened with closure which would result in great handicap to the local populace, the taking over of the Railway in the public interest is given due consideration. No such contingency has arisen in the case of these two Light Railways and the latest report of the Government Inspector (Railways) does not bring out any defects of significance, which will justify taking over the administration of these Light Railways or call for their nationalisation by resorting to the special powers of the Government of India.

36. The Committee have also perused the replies given by the Deputy Minister of Railways to Unstarred Question No. 52 and Starred Question No. 814 on 21st April, 1962 and 17th May, 1962,

respectively, during the First Session of Third Lok Sabha, in which he had reiterated the policy of Government not to nationalise these two Light Railways.

37. The Committee feel that, in view of the facts mentioned above, nationalisation of these two Light Railways need not be pressed for the present.

VII

REPRESENTATIONS INADMISSIBLE AS PETITIONS

38. At their four sittings held during the period covered by this Report, the Committee have also considered 200 representations and letters addressed by various individuals, associations etc. to the House, the Speaker or the Chairman of the Committee, which were inadmissible as petitions.

39. The Committee observe with satisfaction that, through their intervention during the period under report, twenty petitioners had been provided expeditious relief or complete or due redressal of their grievances or that the Ministries concerned had explained satisfactorily the grounds for not being able to remove the petitioner's grievances (See Appendix IV).

NEW DELHI;

The 26th March, 1963.

M. THIRUMALA RAO,

*Chairman,
Committee on Petitions.*

APPENDIX I

PETITION No. 1

[Presented by Shri C. Dass, M.P. on the 1st June, 1962]
(See Para 7 of the Report)

To

Lok Sabha,
New Delhi

The humble petition of Shri C. Kesaviah Naidu, Chittoor District, Andhra Pradesh.

SHEWETH

A complaint which appeared in the *Hindu*, dated the 30th March, 1962, under the caption, "ISSUE OF STAMP FOLDERS" with a reply underneath is reproduced below, which are self-explanatory:—

COMPLAINT

Philatelists enthusiastically welcome the folders issued by the Posts and Telegraphs Department when commemorative stamps are released. But ever since the Philatelic Bureau in Madras shifted to the Mount Road Post Office for the greater convenience of philatelists, a rather curious thing is happening about these folders. To begin with, they never seem to arrive at the Bureau in time. When they do belatedly reach the Bureau, there seems to be great reluctance on the part of the post office personnel to release them. When the Oil Refinery Stamp was released, the folder was kept back for a week or more. When the stamps of Panchayati Raj and Madam Cama were put on sale, the folders were not made available in Madras. The same story was repeated when the Swami Dayanand Saraswati stamp was issued.

Is it the policy of the Posts and Telegraphs Department to go to the expense of printing these folders only to be stacked away in some corner of the post office to gather dust? Occasionally these folders find their way into the hands of sharps. This thought comes to mind because it is noticed that some unscrupulous stamp dealers manage somehow to corner the free folders and sell them at handsome prices.

If the Postal Department fix a price for the folders and make it their business to see that genuine philatelists get them at this price, they will only be too glad to buy them. The Posts and Telegraphs Department could make a handsome profit on their side if they do this.

REPLY

(The Postmaster-General, Madras, has the following to say on the above complaint: "At present folders are printed only in small

quantities for supply free to Philatelic Clubs, Societies, Associations, Cultural, Art, and Educational Institutions, Inland and International Air Companies, Foreign Cultural and Commercial Missions in India etc. for information and reference only. The quantities being printed at present do not permit these to be supplied to individual philatelists. The question of printing the folders in larger quantities for supply to the members of the public and charging a fee for the folders is under examination. Efforts will also be made to release the folders sufficiently in time before the date of issue of the stamps concerned"—Editor, *The Hindu*).

2. Individual philatelists need not be discriminated from Associations etc. and each may be made to register his/its name with the nearest Bureau with a nominal fee of Re. 1/- for his/its life-time membership (as the commemorative stamps issued in India are few compared to other foreign countries) and allowed to pay a caution deposit of Rs. 10/-. Arrangements may then be made to supply them as many folders as they require, specifically on the due date, like question papers and ballot papers sent to their destinations in advance, for their opening and use on the specific dates and timings, through the respective post offices, without charging anything extra for registration or some such thing and they may be asked to replenish the amount.

and accordingly your petitioner prays that:—

- (a) individual philatelists and Associations may be asked to register their names with the nearest Bureau with Re. 1/- as registration fee for their life time membership; and
- (b) they may be asked to pay caution deposits of Rs. 10/- each and as many folders and stamps required by them may be supplied to them on the due dates without extra charges for registration etc.

and your petitioner as in duty bound will ever pray

Name of Petitioner	Address	Signature with date
C. KESAVIAH NAIDU	President, Bheemavaram Panchayat, Narasingapuram Post, Chandragiri Tluk, Chittoor Dist., Andhra Pradesh.	Sd/-C. Kesaviah Naidu, 2-4-1962

Countersigned by C. Dass, M.P.
(Div. No. 91).

APPENDIX II

PETITION No. 2

[Presented by Shri C. L. Narasimha Reddy, M.P. on the 22nd June, 1962.]

(See Para 12 of the Report)

To

Lok Sabha,
New Delhi.

The humble petition of Shri C. Kesaviah Naidu, Chittoor District, Andhra Pradesh,

SHEWETH

Under Rule 18(a) (iii) of the Conduct of Elections Rules, 1961, voters on election duty are entitled to vote by post. Certain candidates got the application forms printed and made the officials (Elementary School Teachers working under non-official Samiti, Presidents and teachers working in Secondary Schools under non-official Zilla Parishad Chairman, who have got powers to transfer them, within their jurisdictions from one corner to the other) to apply for postal ballots after giving them their full particulars in the voters' list. The candidates obtained possession of the postal ballot papers after signature by the voters in the declaration forms (Form No. 13-A) and got them attested without the voter being seen or identified by anybody to his satisfaction through some known Gazetted Officer. Thereafter the candidates posted the ballot papers containing votes in their favour. This is a malpractice allowed under the law.

2. When an agent of a particular sitting-member standing for election approached a particular officer, he refused to part with his ballot. When he was coerced by two or three influential agents of the candidate, he unwillingly parted with his postal ballot with the remarks "You are taking away my vote by coercion. There are four more votes in my family. Can you take them away?" The said official who is a voter of a particular constituency was posted for polling duty in the same constituency. If he was permitted by the Returning Officer to vote at the other polling booth to which he was posted for polling duty, he would have used his discretion and voted there secretly, without wastage of Government stationery and postage and exertion of undue influence by each contesting candidate and his authorised and unauthorised agent, going to the voters' residence at odd hours, when-in-possession and out-of-possession of the postal ballot and incurring their displeasure till 10 o'clock on the polling day.

3. In General Elections, each official got two postal ballot papers, one for Assembly and the other for Parliament. Both are handed over to the ruling-party-candidate by the elector. When the two ballot papers collected from each official on election duty (Assembly as well as Parliament ballot-paper-covers being of the same colour) were piled up together and exhibited showing that the ruling-party-candidate had got more postal ballot papers, it had a very bad demoralising effect over the whole constituency. If statistics are taken, 95 per cent of the postal ballot goes to the ruling-party-candidate and the remaining 5 per cent is spread over to the other candidates, whereas he polls 40% or below by secret ballot throughout the constituency. In certain constituencies, the postal ballot counted after the secret ballot of each polling station has upset the results.

4. The police officials do not know to which polling station they will be posted for election bandobast. They are taken round in a lorry and one is dropped at each polling booth and some remain in the lorry itself moving about in each zone. Similar is the case in regard to some reserve polling personnel. Lorries are requisitioned with drivers and cleaners with 3 days' notice and they are deprived of the franchise. In such cases, the Returning Officer should enquire and issue him an authority to vote at any polling booth he pleases, if he is a voter within the constituency and postal ballot. if he is a voter outside the constituency, and accordingly your petitioner prays that the 'Conduct of Elections Rules 1961', may be amended suitably to ensure that:

- (a) the official voters posted for election duty within the same constituency are given endorsements below their applications authorising them to vote at the polling booths, wherever they are posted or move about in the constituency, in any booth, on their surrendering the endorsements, and on removing their names from the original voters' list when they are issued posted ballot papers;
- (b) the voters posted for polling duty outside the constituency may be issued postal ballot papers in different coloured covers separately for Assembly and Parliament; and
- (c) the possession of postal ballot paper by any person other than the elector is made an offence for the elector to part with it and the other to hold it, and your petitioner as in duty bound will ever pray.

Name of Petitioner	Address	Signature with date
C. KESAVIAH NAIDU	President, Bheemavaram Panchayat, Narasangapuram Post, Chandrigiri Luk, Chittoor Dist., Andhra Pradesh.	Sd. C. Kesaviah Naidu, 4-5-1962.

Countersigned by C. L. Narasimha
Reddy, M.P.
Div. No. 444.

APPENDIX III

PETITION No. 3

[Presented by Shri Tridib Kumar Chaudhury on 21st February, 1963]

(See Para 20 of the Report)

To

Lok Sabha,
New Delhi.

The humble petition of Shri Dwijendra Lal Sen Gupta, M.L.C., President, Shri Parbati Charan Roy, General Secretary, Bangiya Swarana Silpi Samity and eight others engaged in Ornament and Jewellery industry in West Bengal

SHEWETH

1. The promulgation of the Defence of India (Amendment) Rules 1963 for Gold Control has dealt a severe blow to the artisans engaged in Ornament and Jewellery industry. The number of artisans engaged in this industry is fairly large. According to your petitioners' estimates, these artisans with their dependents will constitute nearly one per cent of the population of the country. In West Bengal alone, the total number of the artisans will exceed a lakh and a half.

2. The characteristic feature of the Ornament and Jewellery industry is similar to that of any other Cottage industry. In this trade, personal skill acquired through heredity experience remains the basis of manufacture. The peculiarity of its features protects the artisans from competitions from other sections of the country's population. But reversely, if they are barred from carrying on their age-old profession, they will prove very unequal to all other sections of Indian population in the matter of alternative employment. Again, in the face of the existing unemployment problem, it is no easy matter to find out of their own any alternative employment.

3. Here, one may ask why this question of unemployment for this vast number of artisans and of the provision for alternative employment when the Government through the Defence of India (Amendment) Rules, 1963 do not intend to stop manufacture of ornaments and jewellery. Only certain restrictions in relation to the standard of gold to be used and formalities to be observed by the trade have been prescribed according to the Government. But your petitioners humbly submit that the implications of the Rules are definitely far wider than perhaps the Government did conceive of.

4. Fine workmanship acquired through ages and heredity forms the basis of the trade. It is unattainable by large-scale production.

That explains for the large number of the artisans. But if the standard of gold to be used is set at 14 carats, as has been laid down by the Rules, the metal will lose the malleability and softness which it is found to possess under the existing standard, i.e., pure gold or Guinea Gold (22 carats)—thereby rendering fine workmanship impossible. Thus, it will open up the scope for introduction of machines for production of simpler varieties. Thereby, the scope for large-scale production will be opened. Under such circumstances, the artisans will in large numbers be rendered surplus due to the changed circumstances of the industry.

5. The prescribed new standard will, on the other hand, fail to attract many of the present users of gold ornaments. Because, the new type of ornaments will lose the fine workmanship, the brightness of the metal and last though not the least, the quality of easy conversion into cash money. As opposed to the popular impression that gold ornaments are generally used by the rich, in West Bengal at least, the middle and lower middle classes constitute by far the largest number of its buyers. They do not consider the use of gold ornaments merely as a beauty-aid, but as a provision against unforeseen family eventualities. The peculiarity of gold ornaments lies in its contrast with Bank Savings which can be drawn upon very easily, while at the same time it has the advantage of being pawned or sold easily in case of dire necessities. The prescribed standard will fail to provide incentive to this peculiar pattern of family savings because ornaments prepared by the metal will not be readily accepted for pawning or outright purchase. Hence, use of ornaments will be curbed by the introduction of the Rules followed by the grim prospects of loss of employment for the artisans.

6. In fact, that process has already started. Since the introduction of Gold Bonds, jewellery shop-owners and bullion merchants pursued a wait-and see policy resulting in partial unemployment of the artisans in West Bengal. After the publication of Gold Control Rules, matters became much more worse for the artisans and they are without work and without employment since that date. One may say that it is a passing phase; things will settle down to normalcy as soon as the new standard gold completely replaces the existing standard. That such optimism does not correspond to the realities of the situation is borne out by reasons already enumerated above.

7. Nobody will dispute the good intentions of the Government in curbing the use of gold by the public in the national interest. Government's anxiety to bring the hoarded gold into effective use for purposes of national reconstruction and to meet the defence needs of the country is fully appreciated. Further, Government's intentions to put a stop to smuggling of gold into the country involving wastage of the much-needed foreign exchange to the tune of 30 to 40 crores annually will receive overwhelming support of the people. Too much use of gold in the shape of ornaments is equally undesirable in principle.

8. But in so far as the Government's gold policy relates to its curbing of the use of ornaments, there are very important problems

involved in its implementation just at this moment. Particularly, the bulk of unemployment it will create cannot be ignored at a time when our national economic structure does not rest on a footing based on which the artisans now engaged in ornament and jewellery industry can be switched over to some sort of alternative employment. Hence, the necessity arises to defer the implementation of the Government's intentions to curb the use of gold ornaments. The measures in this regard should be so phased as to correspond to our economic capacity to absorb the artisans in any suitable alternative employment. The Government in the process of introducing any measure for the benefit of the community, cannot and should not force a considerable section of that community to face unemployment, starvation, destitution and death.

9. If the Government adopts fool-proof measures to unearth the hoarded gold, to put a stop to the continuous conversion of concealed income into 'black' gold and to check and eliminate smuggling of gold into the country, the difficulties and strains that the nation is suffering from for shortage of funds and of foreign exchange can be overcome for the present and national reconstruction and defence preparedness programme can have a better start. Your petitioners hope that the Government will agree with them in view of the results so far achieved that neither the issue of the Gold Bonds, nor the introduction of the Gold Control Rules has helped bringing under use the hidden and idle resources of the country,

10. Your petitioners therefore entreat upon Parliament to concentrate their attention for the present to providing effective checks towards unearthing of hoarded gold and of concealed income as well as eliminating smuggling of gold into the country. If the above measures are effectively pursued it will be almost unnecessary for the present to put restrictions on preparation of gold ornaments.

11. And so, while subscribing to the concern for the solution of the problem of gold hoarding and smuggling, your petitioners accordingly humbly pray that the following steps might be taken for solving this problem:—

- (i) The Government might launch a thorough countrywide hunt for hoarded gold as an emergency measure. The Customs and the Police be deployed wholeheartedly for the purpose. Bank Lockers may be inspected, private houses of men of means and other places of possible concealment may be placed under rigorous search.
- (ii) Foreign Trade may be made a State Enterprise so that persons engaged in foreign trade may not be in physical possession of foreign exchange through such nefarious methods as under-invoicing. Customs barriers be made as far impregnable as is humanly possible.
- (iii) The above two measures serving the purpose in the main, the Gold Control Rules may be amended to allow the manufacture of ornaments with at least 20 carat purity of gold.

- (iv) The Rules may be suitably amended to exempt the small traders and artisans from payment of any Licence Fee and the amount chargeable as licence fee be subjected to gradation in conformity with the volume of business, the minimum and maximum of such fees being fixed at Rs. 2.00 and Rs. 10.00.
- (v) Due provision may be inserted in the Rules exempting the small traders and artisans from submission of Returns. Similarly, the artisans may be allowed to keep a certain minimum quantity of gold which is always necessary in the process of manufacture.
- (vi) A provision may be made in the Rules for issuance of special permits for pure gold required to be used in religious and auspicious functions.
- (vii) The Government may make arrangements on high priority basis to provide complete economic rehabilitation and suitable alternative employment to those artisans who are affected by the introduction of the Gold Control Rules.
- (viii) Arrangements may be immediately made for an initial lump-sum financial relief to the effected artisans with provision for continuous gratuitous relief for such period as will be required for their complete economic rehabilitation.

While apprising you with the adverse reactions of the gold policy of the Government and putting forward the above suggestions, your petitioners hope that the whole matter will receive your favourable consideration, and your petitioners as in duty bound will ever pray.

Name of 1st Signatory	Full Address	Signature with date
1. Shri Dwijendra Lal Sen Gupta, MLC.	President, Bangiya Swarna Silpi Samity, 3, Nabin Chand Baral Lane, Cal- cutta-12.	Sd : Dwijendra Lal Sen Gupta

Countersigned by Tridib Kumar Chaudhury
(Div. No. 363)
19-2-1963.

APPENDIX IV

(See para 39 of Report)

List of Representations on which the Committee's intervention had procured speedy, partial or complete relief, or elicited replies from the Ministries concerned meeting adequately the petitioners points.

Serial No.	Name of petitioner	Brief subject	Facts perused by the Committee
1	2	3	4
1	Shri T. P. Shrivastava, Delhi.	Suggesting provisions in the Insurance Act, 1938 :	(Finance, Deptt. of Economic Affairs). (i) No amendment of the Act was required. The rights of the policy-holder in this respect had not been disputed by the Life Insurance Corporation, the only insurer doing life insurance work in India.
2	Shri H.M. Matui, New Delhi.	(i) to confer rights on a policy-holder to make or change nominations for his remaining interests in the policy after assigning it to the insurer in consideration of a loan ; and (ii) so that nominations might be made on a separate paper to be kept by the insurer with the assigned policy.	(ii) Implementation of the suggestion required amendment of the Act, which would be made, not piecemeal, but when Government move next in the matter.
3	Shri V.N. Thakar, New Delhi.	Issue to him of Premium Receipt Book for Postal Life Insurance Policy on own life to enable him to pay premia through Receipt Books.	(Transport & Communications, D.G., P. & T.) He had been apprised on 3rd June, 1962 that Ledger Account card for his policy was being requisitioned from the P.M.G., Calcutta and on receipt thereof, he would be issued the Premium Receipt Book. Meanwhile, he had been permitted to deposit the premia in cash in Khan Market Post Office.
		(i) Renewal facilities for card holders under Delhi Milk Scheme at the Central Dairy even after last date for renewal in a month, on payment of penalty; and	(Food and Agriculture) (i) The Scheme Administration with a view to avoid extra expenditure, had been discouraging the practice of card-holders getting their cards renewed at the Central Dairy Office.

4

(ii) Alleged refusal by the Chairman of the Scheme to renew his milk card after the due date.

4 Shri Sitalmal Ramoornal, Delay in verification of Rehabilitation Grant Application filed under Rule 96 of the Compensation Rules. Bombay.

(ii) Shri Thakar's card had been renewed and the position explained to him.

[*Works, Housing and Supply (Rehabilitation Department)*]. Delay in submission of application was condoned, petitioner's application was registered in March, 1960 and notice asking him to appear before Additional Settlement Commissioner was issued on 5th September, 1960, at the address given by him. It was received back undelivered. On 1st March, 1962, he had intimated to the Department his present address. After expressing his desire to be heard at Delhi, he had also appeared before the Settlement Officer, Delhi and necessary action had been taken on his application.

3

(ii) Alleged refusal by the Chairman of the Scheme to renew his milk card after the due date.

4 Shri Sitalmal Ramoornal, Delay in verification of Rehabilitation Grant Application filed under Rule 96 of the Compensation Rules. Bombay.

(ii) Shri Thakar's card had been renewed and the position explained to him.

[*Works, Housing and Supply (Rehabilitation Department)*]. Delay in submission of application was condoned, petitioner's application was registered in March, 1960 and notice asking him to appear before Additional Settlement Commissioner was issued on 5th September, 1960, at the address given by him. It was received back undelivered. On 1st March, 1962, he had intimated to the Department his present address. After expressing his desire to be heard at Delhi, he had also appeared before the Settlement Officer, Delhi and necessary action had been taken on his application.

2

(ii) Alleged refusal by the Chairman of the Scheme to renew his milk card after the due date.

4 Shri Sitalmal Ramoornal, Delay in verification of Rehabilitation Grant Application filed under Rule 96 of the Compensation Rules. Bombay.

(ii) Shri Thakar's card had been renewed and the position explained to him.

[*Works, Housing and Supply (Rehabilitation Department)*]. Delay in submission of application was condoned, petitioner's application was registered in March, 1960 and notice asking him to appear before Additional Settlement Commissioner was issued on 5th September, 1960, at the address given by him. It was received back undelivered. On 1st March, 1962, he had intimated to the Department his present address. After expressing his desire to be heard at Delhi, he had also appeared before the Settlement Officer, Delhi and necessary action had been taken on his application.

1

(ii) Alleged refusal by the Chairman of the Scheme to renew his milk card after the due date.

4 Shri Sitalmal Ramoornal, Delay in verification of Rehabilitation Grant Application filed under Rule 96 of the Compensation Rules. Bombay.

(ii) Shri Thakar's card had been renewed and the position explained to him.

[*Works, Housing and Supply (Rehabilitation Department)*]. Delay in submission of application was condoned, petitioner's application was registered in March, 1960 and notice asking him to appear before Additional Settlement Commissioner was issued on 5th September, 1960, at the address given by him. It was received back undelivered. On 1st March, 1962, he had intimated to the Department his present address. After expressing his desire to be heard at Delhi, he had also appeared before the Settlement Officer, Delhi and necessary action had been taken on his application.

[*Finance, (Dept. of Revenue)*]. Under the Additional Duties of Excise (Goods of Special Importance) Act, 1957, additional excise duty in replacement of sales tax was levied on 'sugar' with effect from 14th December, 1957. In the case of Khandasari sugar, additional duty of excise had not been actually levied thereon till 28th February, 1959. The Government of Uttar Pradesh pointed out that if no sales tax was permitted to be levied on Khandasari sugar it would gain in invidious advantage over sugar coming out of mills that was subjected to additional excise duty in replacement of sales tax. It was also found that there was a growing tendency of diversion from factory sugar to Khandasari sugar, thus adversely affecting the State revenues. In the circumstances, the Central Government, by an order, permitted the State Government of U.P. to levy sales tax on Khandasari sugar so long as it was not subjected to additional excise duty. By an order of 15th January, 1959, the

5 Shri C. P. Agrawal, Kaimganj, U.P.

Central Government permitted the share of additional excise duty being paid to the State Govt. of U.P. notwithstanding the levy and collection of sales tax by the State Govt. on Khandsari sugar during the period 1st July, 1958 to 31st March, 1959. Additional excise duty was subsequently levied on Khandsari sugar with effect from 1st March, 1959 from which date the Govt. of U.P. had exempted Khandsari sugar from the levy of sales tax. Thus, there was nothing wrong on the part of U.P. Government in continuing the levy of sales tax on Khandsari sugar upto 28th February, 1959 and that there had been no breach of any agreement arrived at between the Central Govt. and the State Govts. in this behalf.

[*Works, Housing and Supply (Dept. of Rehabilitation)*]. The Regional Settlement Commissioner, Lucknow, had issued the conveyance deed for the said property to Sri Daulat Ram on the 20th August, 1962.

[*Railways (Railway Board)*]. (i) At present a third class through service ~~ccch~~ runs daily between Bombay and Cochin Harbour Terminus on 11 Dn/12 Up Bombay-Madras Expresses and 19 Dn/20 Up Madras-Cochin Expresses. A bi-composite First and Third class ~~ccch~~ also runs on these trains bi-weekly. If the latter is run daily, there will be no room for clearance of occasional rush of traffic by attaching an additional coach on these trains. There is also no room on Nos. 9 Dn/10 Up Bombay-Madras Mails and Nos. 13 Dr/14 Up Bombay-Madras Janata Expresses for attaching an additional coach regularly.

As there is not sufficient traffic justification and as all available resources by way of line capacity and power have to be pooled for movement of essential goods

6 Shri Daulat Ram, Ghaziabad, U.P. Delay in adjustment of claims of two associates towards balance of cost of property purchased by the petitioner.

7 General Secretary, Kerala Kendra Sangha-tana, Bombay.

Asking for travel facilities from Bombay to South and to Kerala in particular ; amenities for passengers and representation for Malayalee organisations on the Regional Railway Users' Consultative Committee.

1

3

2

4

traffic, it is not desirable to run a weekly Janata Express between Bombay-Cochin or any more additional passenger trains regularly. During the period 14-4-1962 to 10-7-1962 this year, one first class and one third class coach have been attached thrice a week to Nos. 9 Dn/10 Up Bombay-Madras Mails and No. 11 Dn/12 Up Bombay-Madras Expresses.

(ii) Sleeping accommodation has been provided on trains running 800 kilometres and over on Broad Gauge and 450 kilometres and over on metre gauge, as well as in Holiday specials. Due to paucity of coaches, the service could not be extended to other trains.

(iii) For reservation from intermediate stations the following procedure is being observed:—

- (a) Specific quotas are allotted to some of the large intermediate stations as also for roadside stations.
- (b) Passengers desiring reservation apply to the concerned intermediate stations and firm reservations upto quotas allotted are made in the same manner as at train-starting stations.
- (c) Reservations in excess of quotas or for intermediate stations which do not have quotas, are made at the train-starting stations. Requisitions received from passengers from intermediate stations are registered along with those from passengers at the train-starting stations and accommodation is allotted on the basis of 'First come First served'. To ensure better and expeditious compliance of requests from intermediate stations, the Ministry have issued the following instructions :

(a), Passengers may, if they so desire, indicate alternative trains by which they require reservation

to enable the reserving stations to consider allotments on the basis of availability.

- (b) For quick transmission of reservation answers, Railway administrations should use teleprinters, administrative trunk phones and book trunk calls on P. & T. trunk system where necessary.
- (c) Time limit of 10 days in accepting applications for reservations should be relaxed to an additional 2 to 3 days as necessary from intermediate stations keeping in view the lines of communication available etc.
- (iv) Under the Rules, the General Managers of the Southern and Central Railways nominate representatives of six chambers of commerce and trade etc. associations and two passengers' associations to each Divisional Committee serving Kerala area, to the Divisional Railway Users' Consultative Committees of the two railways. As the rules provide for representation of organisations on functional basis and not on community basis, it is not feasible to provide for such sectional representation to the Bombay Divisional Railway Users' Consultative Committee. The Central Railway has already given representation to the Lonnaya Poona Pravasi Association, and the Thana Transport and Passengers Relief Association to serve interests of passengers in general, including Malayalees.

- (v) During the period April to July, 1962, a dining car is run on the Delhi-Madras special. As regards Bombay-Cochin specials, the Central and Southern Railway Administrations have been instructed to alert catering establishments at stations *en route* and to ensure that passengers' meals and refreshments requirements are satisfactorily met.

Generally coaches with fans and light conforming to existing amenity standards are utilised on such specials. However, the Railways are being impressed

1 2 3 4

upon the necessity to verify this as well as to maintain electrical equipments in proper working condition.

Railways have been especially asked to ensure punctual running of holiday special trains.

8 Shri Tilokchand Chetandas,
Badmura, Amravati.

Delay in verification of his share in an agricultural land claim.

Shri Titankdas Bhagwandas
Amravati.

Verification of his land claim.

[*Works, Housing and Supply (Depot. of Rehabilitation)*]. The case of the petitioner was pending for an order to be passed in review after linking of his co-sharer's claim files. This had since been done and a judicial order passed by the Additional Settlement Commissioner.

[*Works, Housing and Supply (Depot. of Rehabilitation)*]. The petitioner had put in a claim for 69 acres and 28 guntas out of which an area of 42 acres and 18 guntas pertained to non-bearrege land and the rest was 'Daryo Khard' or un-surveyed land. The Claims Officer (Lands) had allowed him an area of 16 acres and 9 guntas for former type of land on the basis of an extract from the revenue records obtained by him from Pakistan. As the extract was not attested by the Muthiarkar and the Collector concerned nor by the High Commission of India in Pakistan, as required by the prescribed procedure, he was informed by the Ministry that his request for reopening the case could not be accepted. It was now for the petitioner to produce documents as prescribed under the procedure to enable his case being considered further.

10 Shrimati Subhadra Devi, Secy, Lumpur Marginal Bund, Shahdara, Delhi. Grant of financial assistance as a blind old destitute who lost all her belongings in a fire.

(Home Affairs) The petitioner was one of the victims of the fire that broke out at Baghchhi Madho Dass on 30-4-1962 and lost all her belongings. Under the Jhuggis and Jhonpris Removal Scheme, she had been allotted a plot of land. As decided by Government she along with 135 other families affected by the fire had been rehabilitated by—

(a) issue of lease deed for the plot by the Municipal Corporation and by Delhi Administration.

(b) sanction of a loan of Rs. 1000/-.

11 Shri V. S. Agarwal, President, Indian Produce Association, Calcutta. Alleged destruction of 378 bags of mustard seeds on 19-6-1962 under the Prevention of Food Adulteration Act, 1954.

(Health) The Municipal Magistrate, Calcutta, had on 19-9-60 ordered the destruction of mustard seeds as samples collected from the stocks were found to be not in conformity with the standards of prescribed quality. The High Court rejected an application for stay order and also refused leave to move the Supreme Court. The stocks were finally destroyed on 19-6-62.

The standards of quality for mustard seeds had been prescribed in consultation with the Central Committee for Food Standards and after prior publication the provisions of the Act lay down the manner of disposal of adulterated foodstuffs.

12 Shri Gobindram and 2 Finalisation of Compensation Claim. others.

(Works Housing & Rehabilitation) A statement of account had been issued to Shri Moolchand on 23-2-1962. Cases of other brothers, Shri Gobindram and two others, had also been finalised and payment made to them on 17-12-1962.

13 Shri C.C. Basantani Adjustment of remaining cost of 3 tenements from compensation due to his associate, Shri Ram Dass Khama- mal, and issue of conveyance deed to petitioner.

(Works, Housing & Rehabilitation) Conveyance deed for tenements Nos. 2 and 3, Barrack No. 307-A, Kalyan Camp No. 2, and tenement No. 2 Barrack No. 713, Kalyan Camp No. 3 had been issued to petitioner on 22nd September and 3rd November, 1962, respectively.

4

3

2

1

14 Shri Bodhraj Totaram Refund of Rs. 1,845/- wrongly adjusted from compensation claim.

15 Shri Valarmal Rupomal Adjustment of Government loan and rent of quarter from compensation due.

(*Works, Housing & Rehabilitation*) Regional Settlement Commissioner, Lucknow, had intimated that a statement of account for Rs. 1,845/- representing the necessary refund was disbursed to petitioner on 24-12-1962.

16 Shri Madan Mohan Om - Alleged non-delivery of Steel and iron quots by M/S Swadeshi Industries, Ltd., Calcutta, to petitioners.

17 Shri Hans Raj, Secretary, Alleged non-renewal of permits for quarrying stone and recovery of penalty.

(*Works, Housing & Rehabilitation*) No action could be taken as Assistant Settlement Commissioner, Indore had intimated that Shri Valarmal had no interest in the claim assessed in his father's name only. This claim had since been exhausted by adjustment towards the purchase price of evacuee property associated by Shri Valarmal's father.

[*Steel and Heavy Industries (Department of Iron and Steel)*] On the Iron and Steel Controller taking up the matter with suppliers, the latter had informed the petitioner that they could supply the indented M.S. Rods untested to 6 mm., 10 mm. and 12 mm dia from 3' 66 to 5' 50 metre length. They had also requested M/S Madan Mohan to make necessary financial arrangements with Sales Tax Declaration form to enable them to arrange for early supply of material subject to booking availability. There would, therefore, be no ground for any further complaint.

(*Home Affairs*) As decided by the Delhi Development Provisional Authority in 1957, the Collector (Mines and Quarries) was asked not to permit further quarrying of stone in Anand Parbat, Mochi Bagh and Masudpur with a view to future development of these areas. The Contractors, after obtaining a temporary injunction order from

Civil Courts, continued quarrying. As the order did not prevent realisation of royalty plus penalty for quarrying without a permit, the Collector raised the demand therefor on which the Contractors appealed to the Chief Commissioner who ordered that during pendency of the injunction order, penalty should not be realised. The Contractors lost their case in Civil Courts and the injunction was finally vacated. The Collector (Mines and Quarries) raised a demand for penalty again, and the Contractors' appeal against this to the Chief Commissioner was dismissed.

Subsequently, this area was transferred to the Delhi Municipal Corporation who, on a review of the subject, permitted, limited quarrying in this area. The Collector issued fresh temporary permits for this. This cannot, however, be considered to have regularised the quarrying done for about 3 years under cover of a temporary injunction which was ultimately vacated by Court. Penalties imposed cannot be reduced under the rules, but the Delhi Administration can realise them in instalments.

(Food & Agriculture) After due enquiry, the Depot Manager who, it was found, had failed to issue a milk Card to Shri Malhotra, in time was remanded for trial for delinquency and directed to be more careful in future.

(Railways) (i) There is no traffic justification for a direct train between Delhi and Trivandrum by the Metre Gauge route.

(ii) Line capacity on certain sections between Trivandrum and Delhi is fully utilised by the existing passenger and goods services and there is no scope for running any more passenger services.

(iii) The speed of trains on the newly opened Khandwa-Hingoli section has not yet been raised to the requisite

Alleged harassment by 'K' Block Depot Manager, (Delhi Milk Scheme) Sarojini Nagar and failure to renew petitioner's milk Card which had to be renewed at the Central Dairy Office, West Patel Nagar.

Shri S.S. Malhotra, Sarojini Nagar, New Delhi.

18

Suggests running of a through metre gauge train between Delhi and Trivandrum or Trichy via Aimer-Khandwa, Secunderabad etc. named the Tamil Nadu Express.

Shri I. V. Ramchandra Rao, Tirukodikaval, Tanjore Dt., Madras.

19

standard and it is therefore, not possible to run fast trains on this section.

(iv) The distance between Trivandrum and Delhi by the all metre gauge route is 3396 Kms. Whereas that by the metre gauge -*caum*-broad gauge route is 3009 Kms. It will be seen that the distance by the M.G. route is longer than the M.G. -*caum*-B.G. route *via* Madras. Through passengers would resent the payment of extra fare.

(v) On account of the restricted overall speed of trains on the metre gauge as compared to broad gauge, the journey time by the all metre gauge route will be much more and passengers between Trivandrum and Delhi will not like to travel by metre gauge even if a train is introduced. At best the train will be made use of by local passengers travelling for short distances for which trains are already available.

(*Works, Housing and Rehabilitation*) (a) Details of compensation payable and adjustments made have been furnished to him.

(b) Adjustment made and bill sent to P & A.O. After it is passed, conveyance deed for property will be issued to his son and intimation sent by Regional Settlement Commissioner, Bombay.

(c) Conveyance deed was issued on 24-9-1960.
No. 2096, Ulhasnagar-5.

20 Shri Hasrajmal Tetumal, (a) Supply of statement showing progressive balance standing to his credit.

(b) Adjustment of balance cost of tenement No. 8, Brk. No. 2096, Ulhasnagar and its rent arrears outstanding against his son from his compensation dues.

(c) Issue of conveyance deed for tenement No. 9, Brk. No. 2096, Ulhasnagar-5.