

COMMITTEE ON PETITIONS

(FOURTH LOK SABHA)

EIGHTH REPORT

(Presented on the 1st September, 1970)



LOK SABHA SECRETARIAT
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COMPOSITION OF THE COMMITTEE ON PETITIONS (1970-71)

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EIGHTH REPORT OF THE COMMITTEE ON PETITIONS (FOURTH LOK SABHA)

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 Eighth Report of the Committee to the House.

1.2. The Committee, after the presentation of their Seventh Report, held six sittings, on the 18th May, 15th and 16th July, 7th, 13th and 27th August, 1970.

1.3. At their sittings mentioned above, the Committee considered, *inter alia*, the following Petitions|Representations which form the subject-matter of this Report:—

- (i) Petition (No. 21) from Shri Shibdas Mukherjee and others regarding the Banking Laws (Application to Co-operative Societies) Act, 1965 (See Appendix I);
- (ii) Petition (No. 27) from Shri Baidhar Sethi and about two lakh others, for setting up a new steel plant in Orissa (See Appendix III);
- (iii) Representation from Shri Ch. Kalachand Singh and others, Imphal, regarding inclusion of Manipuri language in the Eighth Schedule to the Constitution of India;
- (iv) Representation from Shri Chandra Prakash Agrawal, Kaimganj (U.P.) regarding extension of Self Removal Procedure Scheme to tobacco dealers licensed under the provisions of the Central Excise and Salt Act;
- (v) Representation from Shri A. N. Venkatasubramanian, Convenor Indian Federation of the Blind, Taruvai, Tirunelveli, regarding setting up of a Commission for the welfare of Blind in India;
- (vi) Representation from Shrimati Ramnika Gupta and others regarding grievances, of workers of the Kedla-Jharkhand Colliery (Bokaro-Ramgarh Ltd.) Kedla, Hazaribagh, Bihar; and
- (vii) Nine representations and letters etc. inadmissible as petitions.

1. 4. In addition to the above, the Committee also considered the replies received from the Government indicating action taken on some of the recommendations contained in the Committee's earlier Reports.

1.5. The Committee considered and adopted the Report at their sitting held on the 27th August, 1970.

1.6. The recommendations|observations of the Committee on the above matters have been included in this Report.

PETITION NO. 21 SIGNED BY SHRI SHIBDAS MUKHERJEE AND OTHERS REGARDING THE BANKING LAWS (APPLICATION TO CO-OPERATIVE SOCIETIES) ACT, 1965

2.1. Petition No. 21 (See Appendix I) signed by Shri Shibdas Mukherjee and others, was presented to Lok Sabha by Shri R. Umanath, M.P., on the 24th December, 1969.

A. Petitioners' Grievances and Prayer

2.2. The petitions in their petition had *inter alia* stated as follows:—

“WHEREAS imposition of the Banking Regulation (as applicable to Co-operative Societies) Act, 1965 on all Non-agricultural Co-operative Credit Societies having a paid-up share capital and reserve of 1 lakh or more and accepting deposits from Non-members has already made grave inroad into the very existence of these Co-operatives apart from smooth functioning and development of Co-operative movement as a whole;

WHEREAS at a time when the Government are encouraging these Co-operatives to thrive and prosper with added support and financial assistance, the provisions for cash and liquid cover of 28 per cent of the total deposits to be maintained with Reserve Bank of India without or with meagre interest and maintenance of records at par with giant Commercial Banks have inflicted a crippling effect to cater the economic need of about 50 lakhs middle-class people of West Bengal;

WHEREAS the giant Commercial Banks have ample avenues of investment and deposits in various channels, these Co-operatives have scanty sources of deposits and the investment being mainly limited to loan among members to meet the expenses towards social obligations, medical, educational, construction and repair of house thereby maintaining hardly any surplus the placing of the latter at par with the former would be a negation to the very concept of the principles of Co-operatives.”

2.3. The petitioners had prayed that immediate steps might be taken:—

- “(1) To exempt the Salary Earners' Co-operative Credit Societies from the purview of the Banking Regulation Act;
- (2) To cause issuance of policy directives to Reserve Bank of India to accept Nominal members as members in the legal and real sense of the term as accepted by the Government of West Bengal; and
- (3) To relax in case of Urban Co-operative Banks the relative provisions of the Banking Regulation Act as to
 - (a) reduce in number and content and simplify periodical returns;
 - (b) apply the provisions of the Act in respect of cash reserve and liquid cover only to the deposits from non-members; and
 - (c) scale down the limit of cash reserve and liquid cover.”

B. Comments of the Ministry of Finance

2.4. The Ministry of Finance (Department of Banking) have, in their written comments (See Appendix II) on the various points raised in the petition, stated *inter alia* as follows:—

“Following the enactment of the Banking Laws (Application to Co-operative Societies) Act, 1965 (23 of 1965) some of the provisions of the Banking Regulation Act, 1949 (10 of 1949) became applicable to Co-operative Societies. Among the provisions of the latter Act so made applicable to Co-operative Societies were those relating to maintenance of minimum cash and liquid reserves. The provisions have been made with a view to protecting the interests of the depositors.

In January, 1966 the Reserve Bank of India advised all Salary Earners|Employees' Co-operative Credit Societies that unless they amended their bye-laws before the 1st March, 1966 (i.e. the date on which the Banking Regulation Act was made applicable to Cooperative Societies) so as to restrict acceptance of deposits to members only and also refunded deposits collected from non-members before 28th February, 1967, the societies would come within the definition of banking companies as they would be accepting deposits from the 'public' and would accordingly have to maintain cash and liquid resources to the extent of 28 per cent of deposits.

In July, 1966 the Reserve Bank of India allowed the former members of these societies to keep deposits in them by treating those members as nominal|associate members.

It was clarified that barring this category of former employees, none else should be treated as nominal|associate members.

The above relaxation was not found adequate as the societies were taking deposits from persons other than former members and present members and the matter was further examined in consultation with the concerned authorities. It has now been decided that the term 'member' will include nominal|associate| sympathiser members also, provided they are admitted as nominal|associate| sympathiser members in accordance with a specific provision to that effect under the by laws of the society subject to and in conformity with the provisions of the State Co-operative Societies Act| Rules. Thus, deposits from nominal|associate|sympathiser members will be treated as deposits from members for purposes of section 36A(2) of the Act. It should now be possible for salary earners' co-operative credit societies to go out of the purview of the Act as already clarified by the Reserve Bank of India to the Registrars of Co-operative Societies.....

As regards the demand for reduction in the number and content and simplification of periodical returns, it may be stated that a co-operative bank is required to submit such returns in terms of the Banking Regulation Act, 1949 (As Applicable to Co-operative Societies) and the Rules framed thereunderThese statutory returns are minimum necessary to protect the interests of depositors and to see that the affairs of the co-operative banks are conducted on sound banking principles. Further, the information in these returns is also required to enable the Reserve Bank to make an annual report to the Central Government on the trend and progress of banking in the country with particular reference to the Bank's activities under clause (2) of section 17 of the Reserve Bank of India Act, 1934. Since these returns are statutory in character, any exemptions or modifications can be effected only by an amendment of the Banking Regulation Act, 1949 (As Applicable to Co-operative Societies) and the Rules framed thereunder.... The data in the return in Form IX relating to assets and liabilities are, however, somewhat more exhaustive. It may be stated that the simplification of this form is under Reserve Bank's consideration."

C. Conclusions and observations of the Committee

2.5. The Committee note that the provisions of the Banking Regulation Act, 1949, relating to maintenance of minimum cash and

liquid reserves, were made applicable under the Banking Laws (Application to Co-operative Societies) Act, 1965, to the Co-operative Societies with a view to portecting the interests of the depositors. As such, the feel that the Co-operative societies which accept deposits from the general public should not be exempted from these provisions. The Committee note that Government have decided that the term 'member' will now also include nominal|associate|sympathiser members. They hope that in view of these relaxations, the difficulties faced by the Salary Earners' Cooperative Credit Societies would be removed.

2.6. The Committee find that the Cooperative banks have, under a statutory obligation, to furnish periodical returns in terms of the Banking Regulation Act, 1949 (as applicable to Cooperative Societies) and the rules framed thereunder, and that these are the minimum necessary to protect the interests of depositors and to see that the affairs of the cooperative banks are conducted on sound banking principles. The Committee note that the question of simplification of one of the prescribed forms, relating to assets and liabilities, is already under consideration of the Reserve Bank of India.

2.7. The Committee feel that the steps taken by the Government would meet the grievances of the petitioners to a large extent.

III

PETITION NO. 27 SIGNED BY SHRI BAIDHAR SETTHI AND ABOUT TWO LAKH OTHERS, FOR SETTING UP A NEW STEEL PLANT IN ORISSA

Petition No. 27 (See Appendix III) signed by Shri Baidhar Sethi and about two lakh others, for setting up a new steel plant in Orissa, was presented to Lok Sabha by Shri Surendranath Dwivedy, M.P., on the 3rd August, 1970.

Petitioners' Grievances and Prayer

3.2. In their petition, the petitioners had *inter alia* stated:—

“THAT grave injustice has been done to Orissa by the Government of India by its decision regarding the establishment of steel plants during the Fourth Five-Year Plan period. Many experts are of the opinion that for the location of steel plants, Orissa offers the best sites and that the cost of production will be much less, which will be definitely in the interest of the economic development of the country.

THAT all these facts are known to the Government of India, yet the Prime Minister announced Government's decision in the month of April, completely ignoring the facts stated above.

THAT we have no dispute with the claims of other States, but in taking a decision for the establishment of heavy industries in the public sector, the Government should not be influenced by political or other extraneous considerations.

THAT for these reasons, there is a great discontentment amongst the people of Orissa.”

3.3 The petitioners had prayed that justice might be done to the undeveloped State of Orissa and a new steel plant might be set up in the State during the Fourth Five-Year Plan period without much delay.

3.4 As discussion on the demand for a new steel plant for Orissa was to take place in the Lok Sabha, under Rule 193 of the Rules of Procedure and Conduct of Business in Lok Sabha, on the 4th

August, 1970, the petition was circulated *in extenso* to all the Members of Lok Sabha on the 3rd August, 1970, in pursuance of the Speaker's direction under Rule 307(1) *ibid*.

3.5 The Committee have noted that on the 30th July, 1970, the Minister of Steel and Heavy Engineering (Shri B. R. Bhagat) laid on the Table of Rajya Sabha a statement relating to the location of the second steel plant in Orissa in which he stated *inter-alia*:

"There has been concern in the House and agitation outside in regard to the setting up of a second steel plant in Orissa . . . The agitation today is to set up a steel plant in Bonaigarh. This place is only about 25 miles away from Rourkela. The installed capacity of Rourkela is 1.8 million tonnes and when this is reached there will be scope to develop the plant to a capacity of nearly 4 million tonnes. The time that will be taken to expand Rourkela, and the cost of such expansion will be less than if a new plant of similar capacity were to be set up elsewhere, even in its neighbourhood.... Facilities available in Orissa as well as in other parts of the country for locating new steel plants are fully known to Government. In view of the constraints on our resources, both financial and technical, and in view of our decision to depend entirely on indigenous know-how, it is not possible to take up more than a limited number of steel plants at a time. In subsequent Plan periods, however, more steel plants will undoubtedly have to be set up and new locations taken into account. The Hon'ble Members and the people of Orissa may rest assured that full consideration will be given to the facilities in Orissa and in other States in the future programme of development of steel industry in the country."

3.6 Subsequently, during the debate in Lok Sabha on the 4th August, 1970, the Minister of Steel and Heavy Engineering (Shri B. R. Bhagat) said:

".... All that I can say is this...that it was felt that first the existing plants should be expanded to the full capacity, that is, to its economic capacity and now Rourkela would be expanded to its full capacity, that is, nearly 4 million tonnes, and then new site can be thought of... Probably this was what was in mind at that time and Orissa was not considered at that point of time. But it is not true that Orissa has been barred...the

techno-economic considerations were the only considerations in coming to that decision...the three sites selected were on the basis of the techno-economic studies. Therefore, to come forward and say that the Prime Minister has come forward with this statement in order to please one State or the other is not fair... The Question has been asked why Orissa had not been included, although six sites had been mentioned. It is true that it was so. We do not deny the fact that Orissa's resources and requirements are also there. In the future, in any site-selection studies, these things will come up."

3.7 During a debate on the matter in the Rajya Sabha on the 6th August, 1970, the Minister of Steel and Heavy Engineering (Shri B. R. Bhagat) stated *inter alia* as follows:

"It is very gratifying to learn that all the hon. Members have welcomed the new sites for the steel plants and they have said that Orissa should also be considered. I am glad to say, Sir, I can emphasise that even in the new site selection—six sites that were selected for a study—they were done on no other consideration except the techno-economic consideration. Orissa was not included because, it was thought, for good reasons, that in Orissa there is a steel plant in Rourkela which has not reached the rated capacity and when it reaches the rated capacity, the first priority is to expand it to its full economic capacity. The country is interested in the full realisation, the maximum economic realisation of the investment that has been made and at that time it was thought that here is a plant which has been built for a capacity which it has not reached, it will take some time and then it is to be expanded and then a new site can be considered...the other day I had said in this House that we have decided to undertake a study of the national steel policy, a long-term policy, in which all the elements connected, the steel plants, their sizes, their complex and various things would be there. For the benefit of the hon. Members, I may say that the demand for the next 10 to 15 years has been studied... The Steel plants in the Fourth Plan will meet the requirements of the country...I know Orissa has large potentialities but we have a plethora of sites... The point that I am making is that there is absolutely no doubt that Orissa's case will be considered, Orissa will find a place and there is ample opportunity of expanding the steel capacity in the country... What is relevant in the context of this strong feeling in Orissa is that some more machinery and processing for site selection should be started. On that I can assure the Member that in the

site selection process during this Plan, we will certainly include Orissa and Orissa's case will be considered along with others."

Observations of the Committee

3.8 The Committee find that the demand for setting up a second steel plant in Orissa has been generally supported in both Houses of Parliament during discussions on the 4th and 6th August, 1970 in Lok Sabha and Rajya Sabha, respectively. . . .

The Minister of Steel and Heavy Engineering has conceded in Lok Sabha on the 4th August, 1970 that "we do not deny the fact that Orissa's resources and requirements are also there". He also assured that "in the future, in any site-selection studies, these things will come up". In his statement laid on the Table of Rajya Sabha on the 30th July, 1970 also, he had said that "the Hon'ble Members and the people of Orissa may rest assured that full consideration will be given to the facilities in Orissa and in other States in the future programme of development of steel industry in the country". In the subsequent discussion on the matter in Rajya Sabha on the 6th August, 1970, the Minister of Steel and Heavy Engineering restated the above position and said that "I know Orissa has large potentialities.....there is absolutely no doubt that Orissa's case will be considered, Orissa will find a place.....I can assure the Member that in the site-selection process during this Plan, we will certainly include Orissa and Orissa's case will be considered along with others."

3.9. The Committee hope that in view of the general support given to the demand for a new steel plant for Orissa, in both Houses of Parliament, Government will favourably consider the case of Orissa for a second steel plant and implement the assurance given by the Minister of Steel and Heavy Engineering in Parliament as early as possible.

IV

REPRESENTATION FROM SHRI CH. KALACHAND SINGH AND OTHERS' IMPHAL, REGARDING INCLUSION OF MANIPURI LANGUAGE IN THE EIGHTH SCHEDULE TO THE CONSTITUTION OF INDIA

A. Petitioners' Prayer

4.1 Sarvashri Dhireshwar Kalita and M. Meghachandra, M.Ps., forwarded a representation (See Appendix IV) from Shri Ch. Kalachand Singh and others, Imphal, praying that Manipuri language should be included in the Eighth Schedule to the Constitution of India as one of the National Languages of India, in order to safeguard the interests of those who speak and use Manipuri language, to ensure the preservation and promotion of Manipuri language and literature etc.

B. Factual comments of the Ministry of Home Affairs

4.2 The Committee asked the Ministry of Home Affairs to furnish their comments on the representation.

The Ministry of Home Affairs, in their comments (See Appendix V) stated *inter-alia* as follows:

"Under Section 34 of the Government of India Territories Act, 1963, which is applicable to the Union Territory of Himachal|Manipur|Tripura|Goa, Daman and Diu and Pondicherry, the Legislative Assembly of a Union Territory may by law adopt any one or more of the languages in use in the Union Territory or Hindi as the official language or languages to be used for all or any of the official purposes of the Union Territory.....

Facilities for Manipuri language as a subject of study at the under-graduate level exist in 8 colleges of the Gauhati University.....

The petitioners have claimed that Manipuri language is the official language of the Territory. English continues to be the official language of the Territory. It has been reported by the Manipur Government that when ever necessary, important orders, circulars, notifications etc., are translated into Manipuri and other important tribal dialects.....

From the number of uses to which according to the petitioners themselves Manipuri language is being put, it would appear that it is not necessary to include Manipuri in the Eighth Schedule either for the protection of the interests of Manipuri-speaking people or for recognition of Manipuri for different purposes in the areas where it is prevalent. It is open to the Governments of concerned States|Union Territories and bodies who may be interested in the cultural preservation of the Manipuri Language to take appropriate measures in this behalf. So far as Central Government is concerned, the programme in Manipuri including news, music and composite etc., are broadcast on A.I.R., Imphal.....

Sufficient justification does not exist for the inclusion of Manipuri language in the Eighth Schedule. Government have already declared more than once in the recent past that they are not in favour of any further enlargement of the list of languages included in the said Schedule. Government's stand would, therefore, be to oppose the demand for the inclusion of Manipuri in the Eighth Schedule to the Constitution."

C. Observations of the Committee

4.3. The Committee have noted that a Private Member's Constitution (Amendment) Bill by Shri M. Meghachandra, M.P. seeking to insert 'Manipuri' in the Eighth Schedule to the Constitution was introduced in Lok Sabha on the 27th February, 1970, and is pending before the House.

4.4. As an amendment to the Constitution can be made only by the relevant Bill being passed by the both Houses of Parliament, the Committee have decided that the representation and the comments of the Ministry of Home Affairs thereon, may be placed before the House in-extenso for consideration, which is accordingly done at Appendices IV & V respectively.

**REPRESENTATION FROM SHRI CHANDRA PRAKASH AGRA-
WAL, KAIMGANJ (U.P.), RE: EXTENTION OF SELF RE-
MOVAL PROCEDURE SCHEME TO TOBACCO DEALERS
LICENSED UNDER THE PROVISIONS OF THE
CENTRAL EXCISE AND SALT ACT.**

5.1. Shri Mohan Swarup, M.P., had forwarded a representation from Shri Chandra Prakash Agrawal, Kaimganj (U.P.), regarding extension of the Self Removal Procedure Scheme to tobacco dealers licensed under the provisions of the Central Excise and Salt Act.

A. Petitioner's Grievances

5.2. The petitioner, in his representation, had stated inter-alia as follows:

“The clearance of goods from the warehouse licensed under the provisions of the Central Excise & Salt Act (Act No. 1 of 1944) are to be normally made under the personal supervision and control of the Central Excise Officer, but after coming into force of the SELF REMOVAL PROCEDURE SCHEME commonly known as S.R.P. Scheme this is done away and now the clearance is taken by the licensee himself. Consequently the Central Excise staff posted in the factories have been withdrawn.

While this S.R.P. Scheme has been applied in case of most of the goods, unfortunately, under step motherly treatment, this has not ben particularly applied in case of manufactured tobacco in warehouses not attached to cigarette factories.

There is no uniform rule and procedure applicable to all central excise goods. Even there is different treatment in the manner of collection of revenue in as much as that while the factories pay the excise duty by cheque on any schedule Bank, but this is not the same case so far the tobacco warehouse dealers are concerned, who are required to pay duty in cash in the State Bank of India only.

Every day there is tobacco checking on the road as well as in the warehouses. The surplus staff, which is idle and have no work, some time appears to be active in harassing the

poor tobacco dealers. While the factories are free to do what they like and they do so, the poor dealer is always in trouble.

The following suggestions may kindly be given immediate effect to, to provide interim relief to the poor tobacco dealers:—

- “(a) facility of payment of excise duty on tobacco by cheque in the same manner as it is in case of factories, should be extended to poor tobacco dealers.
- (b) subsequent removals from the duty-paid should be by the dealer himself, and
- (c) there should be proper arrangement to attend the work to give clearance or such other work on public holidays.”

B. Comments of the Ministry of Finance (Department of Revenue and Insurance)

5.3. The Ministry of Finance (Department of Revenue & Insurance) to whom the representation was referred for factual comments, have in their comments, stated as follows:—

“Since the introduction of Central Excise Rules, 1944 there have been different rules and procedure for unmanufactured goods and manufactured goods. A common feature, however, was that the physical presence of a Central Excise Officer was necessary at the time of assessment and clearances of excisable goods. Under the S.R.P., this necessity of physical supervision by a Central Excise Officer for assessment and clearances of manufactured excisable goods has been dispensed with. It is correct that this new procedure, known as a Self-Removal Procedure, as set out in Chapter VII-A of the Central Excise Rules, 1944 has been introduced for all manufactured excises, and also, that growers and curers of tobacco, and tobacco warehouse licensees, have been excluded from the purview of this scheme. The reason for this distinction is because of different pattern of production, sales and distribution of manufactured and unmanufactured excisable goods. While manufactured goods are required to pay duty before they are cleared from the factory, unmanufactured tobacco has the facility of moving in bond, and duty collection is deferred to the time when it is finally cleared for consumption. Such tobacco is permitted to move under bond from the curer's premises to the warehouse licensee, and again, from one warehouse to another. This facility does not exist for manufactured goods (except in

the case of mineral oil). Again, tobacco, being hygroscopic in character, loses or gains in weight during storage or in transit, depending upon weather conditions. The ultimate charge of duty is on the actual weight of tobacco found at the time of clearance of goods; reasonable losses in weight being condoned after proper adjudication by the competent authority. In the case of manufactured goods, the charge for duty is raised as soon as they are produced, and this duty liability is not extinguished and does not vary until the goods are cleared. This clearance of manufactured goods (which are clearly identifiable at the time of manufacture and on which the quantum of duty liability does not vary with storage) is not on all fours with clearance of un-manufactured goods like tobacco. It is for this and other similar reasons that it was not found proper or administratively feasible to extend the S.R.P. Scheme to tobacco.

As regards the second point, it is not correct to say that the facility of payment of excise duty through cheques is not available to tobacco warehouses licensees. The only condition for the grant of this facility is that the licensee claiming this concession should have paid more than Rs. 25,000 by way of excise duty during the previous year. There is thus, no discrimination, so far as the question of payment of duty by cheque is concerned.

There is no substance in the representation that while the tobacco consignments are checked in transit as well as in warehouses no such check is exercised in respect of manufactured goods. Preventive checks, both for manufactured and un-manufactured commodities, are alike. There have been no complaints of harassment from the trade in this respect.

Instructions already exist for permitting clearances etc. on public holidays on payment of prescribed overtime fees. This facility is available both for the manufacturers of excisable goods, and to tobacco warehouses licensees.

In so far as the question of clearance of the duty paid tobacco by the dealer himself is concerned, there is already a provision in the rules that quantities of tobacco, upto a specified limit, may be cleared by the dealer himself on a sale note to be signed by him. This facility has been accorded to the trade to save them from official supervision etc. in respect of their day to day transactions. However, as the rates of excise duties on unmanufactured tobacco vary according to the physical form of tobacco and its end use,

it is necessary to keep excise control over the bonded warehouses until it is finally consumed. For example, if un-manufactured tobacco is actually used for manufacture of biris, cigarettes and smoking mixture, it attracts a higher rate of duty. In order, therefore, to ensure that there is no loss of revenue by the diversion of tobacco to uses to which it is not entitled, the movement of un-manufactured tobacco has to be kept under excise control until its consumption."

C. Observations of the Committee

5.4. The Committee, while taking note of the comments furnished by the Ministry of Finance, feel that as explained by the Ministry, the present Self-Removal Procedure Scheme cannot be extended to tobacco as the case of tobacco and the case of other manufactured goods are not on all fours. The rates of excise duties on un-manufactured tobacco also vary according to the physical form of tobacco and its end-use.

The Committee consider that no further action on their part is necessary in this matter.

REPRESENTATION FROM SHRI A. N. VENKATASUBRAMANIAN, CONVENOR, INDIAN FEDERATION OF THE BLIND, TARUVAI, TIRUNELVELI, REGARDING SETTING UP OF A COMMISSION FOR THE WELFARE OF THE BLIND IN INDIA.

A. Petitioner's Prayer

6.1. Shri A. N. Venkatasubramanian, Convenor, Indian Federation of the Blind, had sent a representation in which he had requested the Lok Sabha to enact a statute to set up a Commission for the welfare of blind on the same lines as in U.S.A. Shri Venkatasubramanian, in his representation, had stated as follows :

"The President of India has declared at Hyderabad a plea for the reservation of jobs for the blind. Mere talking is not enough. Men may come and men may go but a statute alone will remain like the Magna Carta. We, therefore, request you to enact a statute to set up a commission for the blind.

The difficulty with the characteristic of blindness is that, for centuries, there has been wide spread public misunderstanding and mis-conception about the nature of blindness and the extent of the limitations which it *actually* exposes. It was generally believed that the mere fact of blindness some how, stopped away a man's ability to perform any but the most menial tasks and that the blind person could not be independent and self-sufficient. But was condemned to the care and custody of charity.

In recent years these mistaken and harmful attitudes about blindness have slowly been giving way to the enlightened attitudes discussed in the enclosure. Rehabilitation Centres whose purpose is to prepare blind persons for competitive employment have come into existence. A wide range of alternative technics have been developed which enable blind persons to compete successfully in this world. Therefore, Govt. action is urgent and it is lawfully in our hands."

B. Comments of the Department of Social Welfare

6.2. The Committee asked the Department of Social Welfare to furnish their comments on the representation. That Department, in their comments, had stated *inter-alia* as follows:

"This Department has already appointed a National Advisory Council for the Education of the Handicapped with the Minister of State for Social Welfare as its Chairman. This is a permanent body which advises the Government on all problems concerning the education, training and rehabilitation of the blind, the deaf, the orthopaedically handicapped and the mentally retarded. It is felt that it will not be advisable to appoint a separate commission for the blind at the present stage.

This Department has also established a comprehensive National Centre for the Blind at Dehra Dun. Among others, this Centre imparts training in engineering and non-engineering occupations to adult blind men and women on modern lines. The Department is at present, in consultation with appropriate authorities, examining the possibility of enacting a legislation to reserve a percentage of vacancies for the disabled, including the blind, in the public services as well as in the private sector."

State Commissions for the Blind in United States of America

6.3 From the material received from the Indian Embassy in Washington, through the Department of Social Welfare, regarding the State Commissions for the Blind in the United States of America, it is observed that in one of the Commissions for the Blind in Iowa State in U.S.A., the services provided for the blind are: vocational rehabilitation, home teaching, home industries programme and special tools, devices and aids services. The agency is also responsible for the business enterprise programme as provided by the Federal Randolph-Sheppard Act. The Commission also administers a library for the blind, distributes braille and talking books to blind and physically handicapped individuals throughout the State. It maintains a residential, orientation and rehabilitation centre where its headquarters offices are located.

Similar services for the blind are provided by other Commissions of the various States in the U.S.A.

C. Recommendations of the Committee

6.4 The Committee note that there is already a national Advisory Council for the education of the handicapped which is a permanent body and advises the Government on all problems concerning the education, training and rehabilitation of the blind, the deaf and other

handicapped persons. There is also a national Centre for the Blind at Dehra Dun.

The Committee recommend that more Centres for the Blind on the pattern of the one at Dehra Dun should be established in the country and more funds should be allocated for the education, training and rehabilitation of the blind. If necessary, suitable legislation may be introduced in Parliament to give these matters a statutory basis with a view to achieve the desired end.

6.5 The Committee hope that, as stated by the Department of Social Welfare, necessary measures will be speedily taken by Government to reserve a percentage of vacancies for the disabled, including the blind, in the public services as well as in the private sector.

VII

REPRESENTATION FROM SHRI RAMNIKA GUPTA AND OTHERS REGARDING GRIEVANCES OF WORKERS OF THE KEDLA—JHARKHAND COLLIERY (BOKARO-RAMGARH LIMITED) WEDLA, HAZARIBAGH, BIHAR

7.1. Shri George Fernandes, M.P., forwarded a representation from Shrimati Ramnika Gupta, General Secretary, Kedla-Jharkhand Colliery Workers' Union, Kedla, and others of District Hazaribagh, regarding grievances of the workers of the Kedla-Jharkhand Colliery.

A. Petitioners Grievances

7.2. The petitioners, in their representation, had submitted *inter-alia* as follows :—

- “(i) Small and big contractors of the collieries have been looting our money in collusion with the officers of the Government. While full payments have been shown in the fake registers without our knowledge, we were neither paid in full nor in cash and after putting in a week's work we received only a chit for the rations. Only a sum of Rs. 20 was paid as weekly wages for both husband and wife but in the account books it was entered that the payment was made according to the Award. Action should be taken for the payment of lakhs of rupees which are due to us;
- (ii) The practice of misappropriation of workers' wages by affixing fraudulent thumb impression on our behalf should be stopped and the persons responsible for the same be punished;
- (iii) Despite having worked for a number of years, Coal Mines Provident Fund, Bonus, etc., have not been paid. Workers' attendance is not marked by the owners and officers also do not take notice of it. The money due to the workers should be paid after making investigations in the matter and their attendance should be marked daily;
- (iv) Wages are paid on the basis of the measurements but measurements are entered in the diaries of the petty contractors. This should be made available to the workers in the prescribed measurement slips;
- (v) The Receiver, since appointed—and he is a representative of the Government—is maintaining that he is not the

owner; the company has no proof of ownership and the petty contractor, though illegal, is very much there to exploit the workers on account of facilities available to him and also due to the collusion of the Government and the employer. Changes are being done everyday with respect to workers' names and place of work, and so far as their rank, grade or category are concerned, we are totally unaware of them. This is done in order to eradicate the workers' identity so that we may not be able to claim our dues under the law. Identity Cards should, therefore, be issued to each worker showing full details as to who he is, who is his employer, what is the worker's rank, category and wages, the date from which he is working and the person from whom and the place where he is to get his wages; and

- (vi) With the arrival of the Receiver, insecurity is hanging over the heads of the workers in the shape of dismissals and transfers. The workers are not aware whether they would lose their jobs or when they would be transferred. Security of service should be provided.

B. Factual comments of the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment).

7.3. The Committee asked the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) to furnish their factual comments on the representation. The Ministry, in their comments, have stated *inter-alia* as follows :—

“The Kedla and Jharkhand Collieries belonged to Messrs Bokaro Ramgarh Limited, Hazaribagh. These Collieries were being run by the management through a number of contractors, although this was not in consonance with the recommendations of the First Court of Inquiry in regard to the coal mining industry. Out of about 2,000 workers employed in the collieries hardly 107 workers were employed directly by the management rest being employed through contractors. As there were many civil cases pending against the company in different courts, the Sub-Judge, Hazaribagh appointed the Deputy Commissioner, Hazaribagh as ad-interim Receiver and the District Mining Officer as Agent of the collieries. These collieries thus came under the control of the State Government of Bihar from the 10th October, 1969; the big and small contractors functioning from the time of Messrs Bokaro Limited were allowed to continue. At present there are 2 main contractors and 80 petty contractors in Kedla Colliery and another contractor in Jharkhand Colliery. The

ad-interim receiver remained in charge of the collieries from the 10th October, 1969 to 13th April, 1970 when the regular receiver, now in charge, took over from him.

The Deputy Chief Labour Commissioner (Central) was deputed to enquire into the petition presented to the Lok Sabha. He visited Hazaribagh and had a preliminary discussion with the ad-interim Receiver, the regular Receiver and the General Secretary of the Koyala Sharamik Sangathan on the 13th April, 1970 about the workers, grievances. The new Receiver, who had just taken over, offered to look into the grievances and set matters right. At his request, the Deputy Chief Labour Commissioner visited the collieries again and had further discussions with the General Secretary of the Sangathan. He also met the Receiver on the 18th of April, 1970 at Patna and apprised him of the conditions prevailing in the collieries. A further meeting was fixed for 28th and 29th of April, 1970 to decide on the definite lines of action.

The Receiver accordingly convened the meeting. This was at Hazaribagh on the 28th and 29th of April. Besides the Receiver, the Deputy Chief Labour Commissioner (Central), other officers of the Central Industrial Relations Machinery, and the General Industrial Relation Machinery, and the General Secretary of the Sangathan were present. The main grievances of the workers as represented by the General Secretary of the Sangathan, at this meeting were as follows:—

- (i) Workers' attendance is not marked properly;
- (iii) Payment is also made according to the recommendations slips are not issued regularly;
- (iii) Payment is also not made according to the recommendations of the Wage Board;
- (v) Bonus cards are not issued;
- (v) Short payment and irregular payments are made;
- (vi) Provident Fund not deducted; and
- (vii) 'B' register not maintained under the Mines Act by the Contractors.

It would be seen that the grievances pressed on behalf of the workers at this meeting were substantially the same as those mentioned in their petition to the Lok Sabha except that due implementation of the recommendation of the Coal Wage Board was also urged.

As a result of the discussions at the meeting on 29th April, 1970 the following understanding was reached between the parties :

"The Receiver agreed that immediate steps would be taken to redress the legitimate grievances of the workers and en-

force all statutory liabilities. To achieve this purpose, six attendance clerks in Kedla and three in Jharkhand Collieries would be deputed by the Receiver to carry out the following duties :

- (a) For the purpose of marking proper attendance of the workers, Kedla will be divided into 6 blocks and each Attendance Clerk will maintain a master register to cover the quarries under his charge. Similarly the Jharkhand Colliery will be divided into 3 blocks and 3 master registers will be maintained. The Attendance registers will be maintained. The Attendance Clerk will check the attendance registers and maintained by the contractors with his own master register and certify that attendance has been marked properly by the contractor. In case this arrangement is not found satisfactory the Receiver will review the position, in consultation with the General Secretary of the Sangathan.
- (b) Attendance clerks will also verify that the measurements of the daily output are properly taken and measurement slips are regularly issued to each group of workers. Measurement slips will also be signed by the clerks concerned.
- (c) Bonus clerk and Coal Mines Provident Fund Clerk will also check the attendance register and see that the bonus cards are issued regularly and provident fund deducted according to the statutory provisions.
- (d) As far as payment of the workers is concerned, it will be centralised at 6 places in Kedla and 3 places in Jharkhand colliery. All payments will be made in the presence of the Receiver's representatives.
- (e) Cases of short payment to workers—with reference to the recommendations of the Wage Board—reported by the Sangathan will be looked into by the officers of the Central Industrial Relations Machinery as well as the representatives of the management. In case of actual short payment, necessary steps will be taken to pay the arrears due to the workers.
- (f) Drinking water will be supplied by trucks, if not already done, as a temporary measure, by the Receiver. In due course, permanent arrangement will also be made. There is already a dispensary where a full time medical officer is working with one compounder. The receiver agreed to appoint one dresser and one dhai. Payment for the purchase of an ambulance van has already been made and it is expected to be commissioned shortly. The Receiver

also agreed to make a reference to the Coal Mines Welfare Commissioner to get subsidy for constructing adequate number of workers' quarters. Arrangements for canteens and creches would also be made.

The understanding thus reached was committed to writing. The document was signed by the General Secretary of the Sangathan, the Receiver and the Deputy Chief Labour Commissioner (Central) as well as the Regional Labour Commissioner. A formal memorandum of settlement was, however, not recorded, as the Sangathan had only been formed in October 1969 and the management wanted to see its functioning for the normal period of one year before according formal recognition.

The Sangathan brought it to the notice of the officers of the Central Industrial Relations Machinery subsequently that the assurances given at the meeting of 29th April, 1970 had not been properly implemented. A further discussion with the parties was, therefore, arranged. The Deputy Chief Labour Commissioner met the Receiver and the General Secretary of the Union at Patna on 30th May, 1970, when the implementation of the agreement was reviewed in detail. It was found at this meeting that, although implementation had been started, complete action in respect of each one of the points agreed to on April 29th had yet to be taken by the management. The Receiver again assured the Deputy Chief Labour Commissioner that immediate action would be taken to implement the assurances not already implemented and further that the Wage Board recommendations would be implemented and variable dearness allowance also paid at the rate of Rs. 1.53 from the 1st April, 1970.

The Receiver was found by the Deputy Chief Labour Commissioner on the 30th May, 1970 to be firm in implementing the recommendations of the Wage Board and other labour laws. The Receiver also said that, since the resent contractors working in the mines had not been appointed formally, the management had decided to appoint by the end of June, 1970 a single managing contractor who would be made responsible for implementation of the labour laws, including implementation of the Wage Boards' recommendations. It is reported that tenders, already received from 139 parties for the selection of a Managing Contractor, have since been opened a few days back and await final decision.

The Deputy Chief Labour Commissioner (Central) meeting on the 30th May, 1970 was followed up by a visit which the Labour Enforcement Officer, Hazaribagh made to the collieries on the 3rd June, 1970 to verify further the steps taken in implementation of the

assurances given at the meeting on the 29th April, 1970. He visited the collieries along with the Receiver. The progress of implementation was reviewed by the Receiver in the presence of Labour Enforcement Officer, the Agent of the collieries and the Vice-President and General Secretary of the Sangathan.

The present position in respect of the grievances put forward and understandings reached at the meeting on 28th and 29th April, 1970, are reported as follows:

- (i) Clerks have been deputed for checking the attendance registers. When the Receiver and the Labour Enforcement Officer visited the colliery on the 3rd June, 1970, however, it was found that, while the clerks were noting down the attendance of the workers in the master registers issued to them by the Receiver, they were not initialling the attendance registers maintained by the munshis of the contractors as a proof of the checking and verification. The Receiver, thereupon instructed all the Attendance Clerks invariably to check and initial the attendance registers maintained by the contractors' munshis. It is reported that they are acting on the instructions of the Receiver.
- (ii) The Receiver has taken steps to ensure that sufficient number of measurement slips are procured for distribution to the contractors for issue to the workmen. It has since been reported that measurement slips have been issued to the workers.
- (iii) The Receiver has issued strict instructions for payment being made to the workers as per the Wage Board's recommendations, and to display the rates of payment prominently on the Notice Board at each counter.
- (iv) The latest report indicates that bonus cards are issued to the workmen from the 16th May, 1970.
- (v) The Receiver has agreed that if proper payment was not made by any of the contractors on pay day, which is Saturday, or if short payments were made, the General Secretary of the Sangathan would make a complaint immediately to the management and that, after due investigation by the officers of the Central Industrial Relations Machinery the amount found to have been short paid would be made good to the workers by the Receiver on the following Tuesday—the amount thus made good being deducted from the bills of the contractors concerned.

With the proposed appointment of a single managing contractor, the scope for malpractices is expected to be substantially reduced.

Under the revised scheme of payments, the contractors have already been made responsible to make payment regularly; in cases of default the payment would be made by the Central office at the respective counters and the amount thus paid would be adjusted against the contractors' bills. The contractors have been asked further to make payments at the counters fixed by the Central office and at no other place; if the payments are made elsewhere, it would be treated as a case of non-payment. On payment days, apart from the attendance clerk, a responsible officer from the management is also required by the Receiver to be present at the counter to supervise the payments.

- (vi) The Receiver had given an assurance to take steps to ensure proper deductions in respect of coal mines provident fund and for the issue of bonus cards. Strict instructions have been issued to the officers of the Central Industrial Relations Machinery to take appropriate steps to recover the past arrears from the management. As for bonus cards, as already stated, they are being issued to the workers from the 16th May, 1970.
- (vii) 'B' form registers, showing the particulars of the employees, are now being maintained. Steps have also been taken to issue Identity cards to the workers on their furnishing their photographs.

In accordance with the assurance given on the 29th April, 1970, a dresser has been appointed at the dispensary. The Receiver has also given instructions to move the Coal Mines Welfare Commissioner for subsidy for the construction of workers' quarters and overhead water tanks for water supply.

With the appointment of a single managing contractor on whom responsibility, as due, can be squarely fixed, the workers should have a measure of greater job security. If any illegal transfers or dismissals still occur, the aggrieved employees can individually or collectively raise an industrial dispute and seek the intervention of the industrial relations machinery.

The Central Industrial Relations Machinery staff has been instructed to keep due watch on the implementation of the assurances and to send monthly reports on the progress. They have also been instructed to take legal action wherever necessary for any violation of labour laws. Even before the receipt of the present petition, the officers of the Chief Labour Commissioner's organisation were, as usual, inspecting these collieries periodically and taking up the infringements of laws with the managements for rectification. As a result of these efforts, infringements were rectified in a number of cases; but wherever the infringements were repetitive or of a major character, necessary legal action was taken. Thus the management of Kedla Colliery was prosecuted in 1968 under the Coal Mines

Bonus Scheme for non-issue of bonus cards and non-payment of bonus. A certificate case has also been lately sanctioned against the same management for recovery of bonus due to the workers. Similarly, during the last two years, the management of Kedla Colliery have been prosecuted thrice under the Payment of Wages Act and another prosecution has also been launched against the management of Jharkhand Colliery. These prosecutions are for non-issue of measurement slips, non-maintenance of wage register, register of deductions and measurement register, etc., as well as non-submission of annual returns. The cases are still pending in the courts. Some other proposals for legal action against the erstwhile managements are under examination."

C. Observations of the Committee

7.4. The Committee have noted with satisfaction that, as a result of the intervention by the Receiver, the Deputy Chief Labour Commissioner (Central) and other Officials of the Central Industrial Relations Machinery, an agreement has been arrived at between the workers and the management. The Committee would like that full implementation of that agreement should be ensured and, if there is any violation of the labour laws by the management, necessary legal action should be taken in the matter. The Committee hope that with the intervention of the Receiver and the Labour Officials, all the grievances of the workers would now be fully redressed.

VIII

ACTION TAKEN ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS (FOURTH LOK SABHA), CONTAINED IN THEIR SEVENTH REPORT, ON THE REPRESENTATION FROM SHRI C. KESAVIAH NAIDU, DISTRICT CHITTOOR, REGARDING INTRODUCTION OF GIRO SYSTEM IN THE POST OFFICES.

8.1. In their Seventh Report, presented to Lok Sabha on the 30th April, 1970, the Committee on Petitions after considering the representation from Shri C. Kesaviah Naidu of District Chittoor, regarding introduction of *Giro* system in Post Offices and in the light of the comments of the Ministry of Communications (Directorate General of Posts and Telegraphs), had recommended that Government should consider the feasibility of introducing the *Giro* system in the Post Offices.

[Para 7.3, P.27, Seventh Report, Fourth Lok Sabha].

8.2 The Ministry of Communications (Directorate General of Posts and Telegraphs) with whom the above recommendation of the Committee was pursued, have, in their comments, stated as follows:—

“The *Giro* is a highly sophisticated system of money transmission through a centralised agency. The practical difficulties of introducing such a system in India are considerable. The system requires a highly centralised arrangement for maintaining and operating the *Giro* accounts with quick and reliable communications and ultimately computerisation and this may not be practical for the present in India.

So far the *Giro* system has been introduced in some Western countries and in Japan. Even in a highly developed and small country like U.K., it took almost 3 years of preparatory work to introduce the *Giro* and it has not made as much progress there as had been anticipated even though it is computerised.

A proposal to send a study team to some European countries and Japan to study the *Giro* system in actual operation was examined in consultation with the Ministry of Finance. It was noted in this connection that in the countries in which the *Giro* system has been introduced in the

Post Offices, the banking system is privately owned whereas in India the principal banks have been nationalised some time ago and a policy for a more comprehensive coverage of the requirements of the rural sector by these banks is being worked out. In view of these considerations the present does not appear to be the opportune time for introducing the *Giro* system in the Post Offices in India. The Department of Banking have also advised that the whole subject deserves study in depth before any directional line is decided upon. They are also consulting the Reserve Bank in the matter."

8.3. The Committee appreciate the difficulties pointed out by the Government in the immediate introduction of the *Giro* system in Post Offices in India.

The Committee note that Government propose to undertake a study in depth on the subject in consultation with the Reserve Bank of India and they feel that no further action in the matter is needed at present on the part of the Committee.

IX

ACTION TAKEN ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR FIRST REPORT, FOURTH LOK SABHA, ON THE REPRESENTATION FROM SHRI H. P. GAJRIA REGARDING SETTLEMENT OF CLAIM TO INSURANCE POLICIES OF HIS DECEASED FATHER SHRI P. M. BHATIA, TAKEN IN PAKISTAN.

9.1. In their First Report, presented to Lok Sabha on the 16th November, 1967, the Committee, after considering Shri H. P. Gajria's representation regarding settlement of claim to insurance policies of his deceased father, Shri P. M. Bhatia, taken in Pakistan and in the light of the comments of the Directorate of Posts and Telegraphs thereon, had recommended as follows:

"The Committee are distressed to observe that P.L.I. Policy holders who migrated from Pakistan to India in the wake of partition of the country should have been subjected to such a great hardship by the non-payment of the sums due on the policies held by them in Pakistan. The Committee further note with regret that the Government have not provided any relief to Shri Gajria in respect of the policies held by his deceased father, Shri P. M. Bhatia, especially when he had remitted the premia in respect thereof from 9/49 to 9/66 in a post office in India. The Committee are not convinced by the explanation given by the D.G. P&T in this respect and see no reason why the Government of India should evade its responsibility in extending relief to this and other such affected persons, when once Government accepted payment of the premia in an India Post Office. The Committee desire that Government should reconsider the whole matter from the humanitarian point of view and devise some measures whereby such claims could at least be paid *pro-rata* to the policy-holders. In the context of the present political situation, the relations with Pakistan being what they are, the Committee doubt whether Government of India could come to an agreement with Pakistan over Indo-Pakistan Settlement Account in the near future. The Committee are also unable to appreciate as to why this matter should be linked with the settlement of the Partition Debt due from Pakistan. The Committee are further pained to observe that the P.L.I. Policy-holders should be subjected

to such hardships for the non-payment of their claims even on a provisional basis, when Government had already paid a sum of Rs. 9,89,000 to the P.L.I. Policy-holders on behalf of Pakistan Government on the basis of valuation certificates issued by the Government."

[Pages 205-206, First Report, Fourth Lok Sabha].

9.2. The Directorate of Posts and Telegraphs with whom the above recommendation of the Committee was pursued, have stated as follows:—

"It has since been decided by the Government of India to grant interim relief to the holders of Pakistan liability PLI policies in anticipation of the receipt of requisite authorities for payment from the Pakistan Postal Administration and subject to fulfilment of certain conditions.

In accordance with the said decision arrangement is being made to sanction interim relief in the relevant individual cases."

9.3. The Directorate of Posts and Telegraphs have subsequently furnished a copy of the President's order dated the 30th January, 1970 (See Appendix VI) conveying the sanction for payment of interim relief to P.L.I. Policy-holders who migrated from Pakistan.

9.4. Regarding the personal case of Shri H. P. Gajria, the Posts & Telegraphs Directorate have intimated that the Dy. Director (PLI) Calcutta has sanctioned interim relief in respect of Pakistan liability PLI policies Nos. 29932-C/66315 and 37878-C/82509 to the assignee Shri H. P. Bhatia (alias Gajria) on the 25th February, 1970.

9.5. Subsequently, Shri H. P. Gajria submitted a further representation in which he requested that (a) bonus should be paid on the policies bearing Nos. 29932-C/66315 and 37878-C/82509 upto September 1966, the month of death of the insurant instead of upto August '47 as had been paid to the assignee, and that (b) the extra amount paid by the insurant by way of premiums over and above the sum assured might be refunded to him.

9.6. The Directorate of Posts and Telegraphs to whom the further representation of Shri H. P. Gajria was referred for factual comments, have stated as follows:—

"The policies are the liability of Govt. of Pakistan and under Indo-Pakistan agreement payment of the value of the policies can be made by this Administration on behalf of Pakistan Administration only on receipt of payment authority from them.

Owing to undue hardship caused to the Indian nationals holding Pakistan liability policies and due to the fact that Pakistan authorities are not releasing the authorities for payment, it was decided by the Govt. of India to grant some interim relief to such policy holders on ex-gratia basis against those policies, in order to mitigate hardships caused to Indian Nationals.

The interim relief was restricted to full value of policies on maturity plus bonus upto August '47 which was declared by the Govt. of undivided India. This step was taken in spite of the fact that there is hardly any prospect of recovery of the amount paid by this Administration on behalf of Pakistan in as much as the said Administration has not even accepted the debit raised against it on account of payments already made by this Administration.

This Administration is not aware of the rates of bonus declared by Pakistan Administration after August '47 nor it is sure that the rates of bonus so declared would be applicable to the policy holders residing in this country. Hence it would not be possible for this Administration to act on some hypothesis without any basis.

Finally, the payment in question has been made as a measure of relief and not as settlement of claim. The assignee will get the balance amount if and when payment authority is received from Pakistan.

The policy being the liability of Govt. of Pakistan the petitioner may take up this issue with the said authority. It may, however, be pointed out that the petitioner has not correctly appreciated the principle of Insurance. According to the terms of contract which existed between the insurant and the then Govt. of India, the insurant was liable to pay, a specified amount by way of premiums every month and the value of the policies was payable only on his death. There is no relevance between the sum assured and the amount of premia paid. The Insurant was also compensated in as much as, he was required to pay premiums at a lower rate than those taking out policies at his age on Endowment terms and earned more bonus than those on Endowment category. Further, the petitioner has overlooked the salient point that many claims on account of premature deaths in this group of policies had to be settled in full without receiving the equivalent amount of sum assured. The Fundamental principle of Insurance is that the lesser amount on account

of premia in relation to sum assured received by the Fund, is made good by those fortunate ones who live a little longer.

The claim for refund of the amount paid in excess of the sum assured is due to mis-conception and is untenable according to principle of Insurance."

9.7. The Committee note that as an interim relief, Government have paid to the petitioner the full value of the policies and bonus upto August, 1947. The Committee, however, find that the demand of the petitioner for refund of premia paid in excess of the assured amount is contrary to the principle of insurance. As regards the bonus after the year 1947, the Committee have no doubt that if, after the necessary intimation from the Government of Pakistan is received, with whom such matters are being pursued by the Government of India, any further amount is due to the petitioner, it will be paid to him. The Committee do not consider it necessary to pursue the matter any further.

X

REPRESENTATIONS INADMISSIBLE AS PETITIONS

10.1. During the period under report, the Committee have considered nine other representations and letters addressed to the House, the Speaker or the Committee, by various individuals, which were inadmissible as petitions.

10.2. The Committee observe that through their intervention the petitioners have been provided expeditious, partial or complete relief or due redressal of their grievances, or that the Ministries| Departments concerned have explained satisfactorily the grounds for not being able to remove the petitioners' grievances. (See Appendix VII).

NEW DELHI;
The 27th August, 1970.

S. SUPAKAR,
Chairman,
Committee on Petitions.

APPENDIX I

(See para 2.1 of the Report)

PETITION NO. 21

(Presented to Lok Sabha on 24th December, 1969)

TO

LOK SABHA
NEW DELHI.

The humble petition of Shri Shibdas Mukherjee and others.

SHEWETH

WHEREAS imposition of the Banking Regulation (as applicable to Co-operative Societies) Act, 1965 on all Non-agricultural Co-operative Credit Societies having a pair-up share capital and reserve of 1 lakh or more and accepting deposits from Non-members has already made grave in road into the very existence of these Co-operatives apart from smooth functioning and development of Co-operative movement as a whole;

WHEREAS at a time when the Government are encouraging these Co-operatives to thrive and prosper with added support and financial assistance the provisions for cash and liquid cover of 28 per cent of the total deposits to be maintained with Reserve Bank of India without or with meagre interest and maintenance of records at par with giant Commercial Banks have inflicted a crippling effect to cater the economic need of about 50 lakh middle-class people of West Bengal;

WHEREAS the deposits accepted by these Co-operatives mainly from members and or their friends or relatives are invested with surety and guarantee as per State Co-operative Act for regular recovery, the directives for statutory deposits with Reserve Bank of India over the provisions of liquid cover under State Act would be a bar to the spontaneous growth of the Co-operatives;

WHEREAS the giant Commercial Banks have ample avenues of investment and deposits in various channels, these Co-operatives have scanty sources of deposits and the investment being mainly limited to loan among members to meet the expenses towards social obligations, medical, educational, construction and repair of house thereby

maintaining hardly any surplus, the placing of the latter at par with the former would be a negation to the very concept of the principles of Co-operatives;

and accordingly your petitioners pray that immediate steps be taken:—

- (1) to exempt the Salary Earners' Co-operative Credit Societies from the purview of the Banking Regulation Act;
- (2) to cause issuance of policy directives to Reserve Bank of India to accept Nominal members as members in the legal and real sense of the term as accepted by the Government of West Bengal; and
- (3) to relax in cases of Urban Co-operative Banks the relative provisions of the Banking Regulation Act as to:
 - (a) reduce in number and content and simplify periodical returns;
 - (b) apply the provisions of the act in respect of cash reserve and liquid cover only to the deposits from non-members and
 - (c) scale down the limit of cash reserve and liquid cover.

and your petitioners as in duty bound will ever pray.

Name of Petitioner	Address	Signature Or thumb impression
Shri Shibdas Mukherjee	Office of the Joint Manager (P. O.), 2, St. George Gate Road, Calcutta—22. and others	Sd./

Countersigned by:
SHRI R. UMANATH, M.P.

APPENDIX II

(See para 2.4 of the Report)

Comments of the Ministry of Finance (Department of Banking)

Following the enactment of the Banking Laws (Application to Co-operative Societies), Act 1965 (23 of 1965) some of the provisions of the Banking Regulation Act 1949 (10 of 1949) became applicable to Co-operative Societies. Among the provisions of the latter Act so made applicable to Co-operative Societies were those relating to maintenance of minimum cash and liquid reserves. The provisions have been made with a view to protecting the interests of the depositors.

In January, 1966 the Reserve Bank of India advised all Salary Earners|Employees' Co-operative Credit Societies that unless they amended their bye-laws before the 1st March, 1966 (i.e. the date on which the Banking Regulation Act was made applicable to Co-operative Societies) so as to restrict acceptance of deposits to members only and also refunded deposits collected from non-members before 28th February, 1967, the societies would come within the definition of banking companies as they would be accepting deposits from the 'public' and would accordingly have to maintain cash and liquid resources to the extent of 28 per cent of deposits.

In July, 1966 the Reserve Bank of India allowed the former members of these societies to keep deposits in them by treating those members as nominal|associate members. It was clarified that barring this category of former employees, none also should be treated as nominal|associate members.

The above relaxation was not found adequate as the societies were taking deposits from persons other than former members and present members and the matter was further examined in consultation with the concerned authorities. It has now been decided that the term 'member' will include nominal|associate|sympathiser members also, provided they are admitted as nominal|associate|sympathiser members in accordance with a specific provision to that effect under the bye-laws of the society subject to and in conformity with the provisions of the State Co-operative Societies Act|Rules. Thus, deposits from nominal|associate|sympathiser members will be treated as deposits from members for purposes of section 36A(2) (Extract attached) of the Act. It should now be possible for salary earners' co-operative credit societies to go out of the purview of the Act as already clarified by the Reserve Bank of India to the Registrars of Co-

operative Societies. It may, however be mentioned that until all the formalities (including repayment or adequate provisions for repayment of non-member deposits) are completed and the salary earners' employees' Co-operative Credit Societies are declared as non-banking institutions, the Banking Regulation Act will continue to apply to them.

2. It is expected that in view of the above clarification, the difficulties faced by the Salary Earners' Co-operative Credit Societies as indicated in the Petition under reference, will be duly resolved.

3. As regards the demand for reduction in the number and content and simplification of periodical returns, it may be stated that a co-operative bank is required to submit periodically the following returns in terms of the Banking Regulation Act, 1949 (As Applicable to Co-operative Societies) and the Rules framed thereunder:

Return in Form	Section of the Banking Regulation Act read with Banking Regulation Rules	Subject	Mode
1	2	3	4
1. I	18	Cash reserve . . .	Monthly
2. II	20	Unsecured loans and advances	Monthly
3. VI	23	No. of offices opened and closed	Quarterly
4. VII	24	Liquid assets . . .	Monthly
5. VIII	26	Unclaimed deposits . .	Yearly
6. IX	27	Statement of assets and liabilities . . .	Monthly
7. Forms A & B.	Sections 29 and 31	Balance sheet and profit and loss account . .	Yearly

The above statutory returns are the minimum necessary to protect the interests of depositors and to see that the affairs of the co-operative banks are conducted on sound banking principles. Further, the information in the above returns is also required to enable the Reserve Bank to make an annual report to the Central Government on the trend and progress of banking in the country with particular reference to the Bank's activities under clause (2) of section 17 of the Reserve Bank of India Act, 1934. Since the returns mentioned above are statutory in character, any exemptions or modifications

can be effected only by an amendment of the Banking Regulation Act, 1949 (As Applicable to co-operative Societies) and the Rules framed thereunder.

As may be seen from the above statement, two returns have to be furnished to Reserve Bank of India only annually, on return at the end of every quarter and only four returns on a monthly basis. The returns at Sl. Nos. 1 to 5 and 7 above, cover a few items only and an urban co-operative bank should not normally have any difficulty in furnishing the requisite data in these returns. The data in the return in Form IX relating to assets and liabilities are, however, somewhat more exhaustive. It may be stated that the simplification of this form is under Reserve Bank's consideration.

Enclosure to Appendix F

EXTRACT OF SECTION 36A (2) OF THE BANKING REGULATION ACT, 1949 (AS APPLICABLE TO CO-OPERATIVE SOCIETIES)

36A. *Certain provisions of the Act not to apply to certain co-operative banks—*

(1) * * * * *

(2) Where the Reserve Bank is satisfied that any such co-operative bank as is referred to in sub-section (1) has repaid, or has made adequate provision for repaying all deposits accepted by the co-operative bank, either in full or to the maximum extent possible, the Reserve Bank may, by notice published in the Official Gazette, notify that the co-operative bank has ceased to be a co-operative bank within the meaning of this Act, and thereupon all the provisions of this Act applicable to such co-operative bank shall cease to apply to it, except as respects things done or omitted to be done before such notice.

(3) * * * * *

APPENDIX III

(See para 3.1. of the Report)

PETITION NO. 27

[Presented to Lok Sabha on the 3rd August 1970 and circulated in pursuance of the Speaker's direction under Rule 307(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.]

TO

LOK SABHA
NEW DELHI.

The humble petition of Shri Baidhar Sethi and about two lakh others.

SHEWETH

THAT grave injustice has been done to Orissa by the Government of India by its decision regarding the establishment of steel plants during the Fourth Five-Year Plan period. Many experts are of the opinion that for the location of steel plants, Orissa offers the best sites and that the cost of production will be much less, which will be definitely in the interests of the economic development of the country.

THAT all these facts are known to the Government of India, yet the Prime Minister announced Government's decision in the month of April, completely ignorning the facts stated above.

THAT we have no dispute with the claims of other States, but in taking a decision for the establishment of heavy industries in the public sector, the Government should not be influenced by political or other extraneous considerations.

THAT for these reasons, there is a great discontentment amongst the people of Orissa.

Hence, we submit this petition before the highest democratic sovereign institution—Indian Parliament.

and accordingly your petitioners pray that

Justice may be done to the undeveloped State of Orissa and a new steel plant may be set up in the State during the Fourth Five-Year Plan period without much delay.

and your petitioners as in duty bound will ever pray.

Name of the Petitioner	Address	Signature or thumb impression
Shri Bajdhar Sethi	Village Narharpur, P. O. Babal, District Balasore (Orissa) and about two lakh others.	Sd./-

Countersigned by:
SHRI SURENDRA NATH DWIVEDY.
M.P.

APPENDIX IV

(See para 4.1 of the Report)

[Representation from Shri Ch. Kalachand Singh and others, Imphal
re. inclusion of Manipuri Language in the Eighth Schedule to the
Constitution of India]

To

THE SPEAKER,

LOK SABHA.

The humble petition of Sarvashri Ch. Kalachand Singh, President, Kh. Ibohal Singh, General Secretary, H. Dwijamani Dev Sharma, member and E. Nilakanta Singh, member of the Manipur Sahitya Parishad, inhabitants of the Union Territory of Manipur at Imphal.

SHEWETH

1. *An independent language.*—That Manipuri is an independent member of the Tibeto-Burman sub-family (one of the four groups) of the great Sino-Tibetan-Speech Family. It is distinct and separate from Tibetan and Burmese and from other languages or dialects belonging to the Tibeto-Burman sub-family. The differences between Manipuri and its sister languages are much greater than those among Assamese, Bengali and Oriya, which have been already recognised as independent languages.

2. *Manipuri developed its own literary mode which is essentially Meitei and had preserved an independent tradition.*—That though Manipuri literature like the literatures in the Modern Indian languages both Aryan and Dravidian, has looked to Sanskrit literature for inspiration it has preserved its independent tradition for nearly 2,000 years. Although Indo-Aryan (Sanskrit and Prakrit) words were absorbed in large numbers along with the forms and the contents of Indo-Aryan literature. Manipuri developed a literary mode of its own which is characteristic of Meitei. The ancestors of the present day Manipuris were a highly cultivated people living at the gateway between India and Burma and taking a great interest in literature.

3. *Early Manipuri literary institutions.*—That from very early times, the court of Manipur encouraged poets and scholars and

adjudged their words. There are some important literary words like *Ningthourol Tan-veiba*, *Augri* and *Thengourol*, still current which are connected with the Royal Archives and Records. These words are claimed to have been dated as far back as the first century A.D.

4. *Manipuri script*.—That Manipuri script is of Indian origin according to Dr. Suniti Kumar Chatterji. Dr. Kalidas Nag was of the opinion that this script is as old as pre-Asoka period. The earliest epigraphic evidence recorded in the script is represented by the copper plate of King Khongtekcha dated Saka 721 (799 A.D.).

5. *Early prose literature*.—That the copper plate of King Khongtekcha proves the emergence of a flourishing prose literature in Manipuri in the eighth century A.D. It marks a religious transition from Saivism to Vaisnavism. There was a continuous flow of prose literature from this time onwards.

6. *Historical literature*.—That Manipuri had the distinction of maintaining a very rich historical literature. The two court chronicles of Manipuri—*Cheitharol Kumbaba* and *Ningthourol Lambuha* may be favourably compared with *Rajatarangini* of Kashmir, the *Buranjis* of Assam and *Iyazwin* of Burma. The difference between the two chronicles of Manipur on the one hand and the other chronicles is that the former contains records as early as 33 A.D. while *Rajatarangini* starts from 1,200 A.D. and *Buranjis* and *Iyazwin* starts from 1,500 A.D. Apart from the two court chronicles, the Amaiba Loishang, the Department of Scholars, maintained many subsidiary chronicles like *Moirang Kangleilol Lambuba*, *Khuman Kangleiron*, *Luwanglon*, *Angomlon*, *Chengleiron*, etc. giving detailed description of the events which took place in the principalities like Morang, Khuman, Luwang, Chenglei, etc.

7. *Medium of instruction and examination upto the middle stages*.—That Manipuri is used as a medium of instruction and examination from the Primary to the Middle (Class VIII) stages of education both in the valley and tribal areas of the Territory. The Government of Assam has also recognised it, for the Manipuri speaking people of Assam, as a medium of instruction upto class VII.

8. *Medium of instruction upto High and Higher Secondary stages*.—That Manipuri is practically adopted as a medium of instruction in the High and Higher Secondary Schools of Manipur though it has not yet been recognised as a medium of examination in these schools. The Manipuri Sahitya Parishad has been making earnest endeavours to make Manipuri the medium of examination upto the High and Higher Secondary levels. The Government of Manipur is also considering the question of establishment of a separate Board of Higher Secondary Education for the conduct of

the High School Leaving Certificate and Higher Secondary Examinations through the medium of Manipuri.

9. *Major Indian Language upto High and Higher Secondary stages.*—That Manipuri has obtained from the Board of Secondary Education, Assam, recognition as a Major Indian Language subject (of two papers of 100 marks each) and also as an additional subject in lieu of classics (of 100 marks) for the High School Leaving Certificate Examination. It is also recognised by the Central Board of Secondary Education, Delhi as a Major Indian Language subject (of two papers of 100 marks each). It has also obtained recognition from the Board of Secondary Education, West Bengal as a Modern Indian Language subject (for 100 marks).

10. *Major Indian Language upto B.A. stage.*—That there is a provision for the study of Manipuri under the Gauhati University as a Major Indian Language (B.A. standard) of two papers (of 100 marks each) and also as a Second Language (B.A. standard of three papers of 100 marks each) and also as an Alternative subject (B.A. standard of two papers of 100 marks each). It is also recognised upto B.A. (Pass) standard by the Universities of Calcutta and Dibrugarh as a Modern Indian Language.

11. *Method subject for B.T. Examination.*—That Manipuri has been recognised as a Method subject for the B.T. Examination of the University of Gauhati. Manipuri books form a separate section of the Library of the Gauhati University.

12. *State language.*—That Manipuri has been the State language of Manipur from time immemorial. Coins were struck, royal chronicles were recorded, royal firmans, edicts and copper plates were issued in this language. Maharaj Chandra Kirti wrote in Manipuri to the Governor General, Lord Dufferin congratulating the latter on the British victory over the Burmese in the third Anglo-Burmese War in 1886. During the British regime (1891—1947), the state language status of Manipuri was continued. Deliberations of the Darbar (the highest executive, legislative and judicial body) were held in Manipuri. Even the resolutions of the Darbar were recorded in the language. The then administration of Manipur issued *parwanahs*, orders, notices and proclamations in Manipuri. Judgements of law courts were delivered and summons to the parties issued in the language. The state language status of Manipuri finds special recognition in the relevant provisions of the Manipur State Courts Act, 1947 and Manipur State Constitution Act, 1947.

13. *Official language.*—That Manipuri is the official language of the Territory. The Government Gazette is published both in Manipuri and English. Manipuri text books and other publications of the Government of Manipur are fairly impressive in number. The

Government is publishing a Manipuri fortnightly journal under the name and style of *Thakhaigi Chephang*. It is also publishing three journals—*Anganggi Numit*, *Eikhoigi Thourang* and *Panchayati Raj* once every year. The Government also gives financial assistance towards the publication of outstanding books in Manipuri every year and regular annual grants-in-aid to the premier literary organisations like the Manipuri Sahitya Parishad, the Cultural Forum, the Naharol Sahitya Premee samiti, etc., for the promotion of Manipuri language and literature. More than 96 per cent of the employees of the Government understand and speak Manipuri.

14. That the Legislative Assembly of Manipur conducts their proceedings in Manipuri. The Tribal members from the hill areas speak in Manipuri though a summary of the proceedings is kept in English.

15. *Court language*.—That Manipuri is the language of the Courts. The litigant public, lawyers and judges use it in the courts. Judgements are also announced in Manipuri. Summons to the parties are also issued in the language.

16. *Regional language*.—That Manipuri is regarded by the Government of India, Ministry of Information and Broadcasting as the regional language of this Territory. Seven out of the total ten hours programme of the A.I.R., Imphal is devoted to the Manipuri medium broadcasts.

17. *Speakers in Manipuri*.—That the total number of the speakers of Manipuri is more than one million. With a total population of about one million in the Territory (projected census figure for 1969 being 998844), Manipuri is the mother tongue of about 70,00,000 people and is understood and spoken by almost all speakers of the different tribal dialects in the hill areas in Manipur.

18. *Speaker in Assam, West Bengal, U.P., etc.*—That in the neighbouring State of Assam, speakers of the language are more than one lakh. In Tripura there are about 30,000 speakers of this language. There are also speakers of Manipuri in Uttar Pradesh and also in West Bengal.

19. *Speakers in Burma*.—That during the period, 1764—1824, that is, before and during the first Anglo-Burmese War, the total number of Manipuris captured and killed by the Burmese was about two lakhs. Now descendants of those survivors number about several lakhs. Important centres of concentration of Manipuri speakers in Burma are Mandalay, Bhamo, Rangoon, Myitkiana, Kalemyo, Tenanyung, Hemzada, Homelin, Maniwa, Sagain, etc.

20. *Speakers in East Pakistan*.—That in East Pakistan, the Speakers of Manipuri number about 30,000. Important Manipuri inhabited areas are Dacca, Sylhet District, etc.

21. *Lingua-franca among the speakers of different tribal dialects.*—That Manipuri is the only medium of communication among the speakers of different tribal dialects inhabiting the hill areas of the Territory. Almost all the speakers of the different tribal dialects of Manipur understand and speak Manipuri. Inter-tribal meetings are conducted in Manipuri. Missionary organisations working in the hill areas in the Territory learn Manipuri and publish their literatures in this language. In pursuance of section 56 of the Manipur (Village Authorities in Hill Areas) Act, 1956 proceedings of these village Authorities are kept in Manipuri.

22. *Medium of instruction and examination in the hill areas.*—That Manipuri is adopted as the medium of instruction and examination from the primary to the middle (Class VIII) stages of education in educational institutions in the hill areas of the Territory. Some tribal scholars are making their share of contribution towards the enrichment of Manipuri literature.

23. *Manipuri as vehicle of literary and cultural expression.*—That the greatness of Manipuri does not flow from the number of its speakers but rather from the degree of perfections which it has attained in making itself fit as an instrument of higher literatures and as a vehicle of cultural thought. The greatness of Manipuri is thus the reflection of the height of civilisation of its speakers. All these and the achievement of the Manipuri writers during the last 2000 years are enough indication of a still greater future destiny for Manipuri in free India. As a language of a well advanced people, Manipuri has already made notable contributions to Indian culture and literature. In the matter of output and number, and achievements of writers, poets, and scholars, Manipuri literature stands a favourable comparison with some of the literatures of the Modern Indian languages included in the 8th Schedule to the Indian Constitution as the National Languages. The catalogue of the Manipuri books (1901—1969) shows 1,300 titles in such section of literature as poetry, drama, one-act-plays, novel, short stories, essays, critical writings, Indology, dance, music, etc.

24. *Manipuri, a instrument for propagation of Indian culture.*—That apart from the richness of its literature, Manipuri language is the only language among the different groups of the Tibeto-Burman language family in the Trans-Himalayan regions of India, which has emerged as a potent and effective instrument for the propagation and popularisation of Indian culture among the Tibeto-Burman tribes in the North Eastern Frontier regions. The Mahabharata, Ramayana, a portion of the Rigveda, Bhagavata Purana, Gita, Kumar Sambhava, Kiratarjuniyam, the dramas of Bhasa and Kalidasa, Kadambari of Vanabhatta, Manusamhita, Gita Govinda, etc., have been translated into Manipuri and published with the original Sanskrit texts. A considerable number of important works in Modern Indian languages, particularly Bengali, have also been translated into Manipuri and

published. The growing influence of Manipuri language is thus an important factor contributing towards Indian national integration.

25. *Journals, news papers, etc.*—That there are four Manipuri dailies viz., the *Prajatantra*, *Simanta Pstrika*, *Khollao* and the *Anouba Samaj*. *Thakhaigi Chephong*, a fortnightly, is published regularly by the Manipur Government. Among the monthly journals, the *Panchayati Raj* published by the Government of Manipur is aimed at the propagation and popularisation of the Gram Panchayat, while the *Lamyamba* of the Jan Manipuri Youth League deals with socio-economic problems. Among the monthlies devoted to general literature, *Aikhot* (Silchar, Cachar), *Marup* (Agartala, Tripura), *Maleiya* (Imphal) may be mentioned. The *Ritu* of the Cultural Forum (Imphal), a bi-monthly journal deals with general literature, religion and culture. *Sahitya* of the Manipuri Sahitya Parishad, *Wakhal* of the Naharol Sahitya Premee Samiti, *Anouba Ichel* of the Manipuri Sahitya Parishad (Cachar Branch), etc., are literary quarterlies. The *Malem*, a literary journal, is published twice a year by the Matamgi Mangal (Imphal). The Government of Manipur is also publishing the *Anganggi Numit* and *Eikhoigi Thourang* once every year.

26. *Complete Aryanisation of Manipur before the Gupta age.*—That even before the establishment of Gupta supremacy in India, Manipur had already developed into a stronghold of Aryan Culture. After the Gupta age there is abundant evidence to show that Manipur had been completely Aryanised. Dr. S. K. Chatterji has rightly observed, “the Kuki-Chin or Meithei people of Manipur were similarly within the fold of Hindudom by 500 A.D. at least, although tradition would take it much earlier” (*Religious and Cultural Integration of India*, April, 1967, page 28). The discovery of a large number of coins dated Sambat 135 with inscriptions in Sanskrit and in Devanagiri script and the copper plate of king Khongtekcha dated 799 A.D. show the continuity of the process of Aryanisation. Manipur has thus been fully integrated with the rest of India with its culture and literature.

27. That so far scholars in the rest of India have not bestowed much attention to the study of Manipuri language and literature. The Committee on Petitioners may find it difficult to find books and other reference works to consult. The petitioners will be glad to have a chance to substantiate their statements by reference to appropriate works.

Accordingly your petitioners pray that as a step towards safeguarding the interest of those who speak and use Manipuri, and ensuring the preservation and promotion of Manipuri language and literature and also giving impetus to the role of Manipuri literature as the most potent instrument for propagation and popularisation of the rich cultural heritage of India among the speakers of the different Tibeto-Burman language in the Territory and the North

Eastern Frontier regions. Manipuri language be included in the 8th Schedule of the Constitution as one of the National Languages of India and your petitioners pray that the Bill for inclusion of this language in the said Schedule standing in the name of Shri Maharaja Singh Bharati, M.P. (Lok Sabha) be proceeded with.

And your petitioners as in duty bound will every pray,

Name of petitioners	Address	Signature
1. Sri Ch. Kalachand Singh	Manipuri Sahitya Parishad, Imphal.	Sd./- President, Manipuri Sahitya Parishad.
2. Sri Kh. Ibohal Singh	Manipuri Sahitya Parishad, Imphal.	Sd./- General Secretary, Manipuri Sahitya Parishad.
3. Sri H. Dwijamani Dev Sharma.	Manipuri Sahitya Parishad, Imphal.	Sd./-
4. Sri E. Nilakanta Singh	Manipuri Sahitya Parishad, Imphal.	Sd./-

Imphal, the 21st Nov., 1969.

Countersigned by :

Sd/-(i) Dhireswar Kalita, M.P.

(ii) M. Meghchandra, M.P.

APPENDIX V

(See para 4-2 of the Report)

[Comments of the Ministry of Home Affairs on the representation regarding inclusion of Manipuri Language in the Eighth Schedule to the Constitution of India.]

MINISTRY OF HOME AFFAIRS

(O. L. SECTION)

SUBJECT: Representation from Shri Ch. Kalachand Singh and others regarding inclusion of Manipuri language in the eighth Schedule to the Constitution of India.

Will the Lok Sabha Secretariat please refer to their U.O. No. 51/15/CI/69, dated the 17th December, 1969 on the subject mentioned above."

2. The Eighth Schedule to the Constitution of India in which the inclusion of Manipuri language is demanded in the representation countersigned by Sarvashri Dhireswar Kalita and Mr. Meghachandra, Members of Parliament is referred to in Articles 344 and 351 of the Constitution. The position in regard to these Articles is as under:—

- (i) Article 344(1) of the Constitution provides for appointment at the expiration of five years and thereafter at expiration of ten years from the commencement of the Constitution, of an Official Language Commission, consisting of such members, representing the different languages specified in the Eighth Schedule, as the President may appoint, to make recommendations as to the progressive use of Hindi and allied matters. The period of ten years from the commencement of the Constitution has already expired. This article has, therefore, ceased to have any significance now.
- (ii) Under Article 351, enrichment of Hindi has to be secured (a) by assimilating without interference with its genius, the forms, style and expressions used in Hindustani and other languages of India specified in the Eighth Schedule; and (b) by drawing wherever necessary or desirable for its vocabulary primarily on Sanskrit and secondarily on "other languages". The phrase "Other Languages" covers all languages including Manipuri. In the

words of the Official Languages Commission the source of Hindi vocabulary that is predicated here is much wider and covers "all languages whether included in Eighth Schedule or not."

In this connection it may be useful also to recall the observations of the late Shri Jawahar Lal Nehru during the Lok Sabha debate (7th August, 1959) on Shri Frank Anthony's resolution for inclusion of English in the Eighth Schedule: "The Eighth Schedule is not an exclusive list of Indian languages. It is a list of the more widespread Indian languages spoken by large number of people. There are quite a number which are not included which was very much Indian Languages." Accordingly, all the languages spoken in the country are national languages and no disability need attached to a language by its mere exclusion from the Eighth Schedule.

3. The inclusion of a language in the Eighth Schedule has also no bearing on the question of safeguards for linguistic minorities. Article 29(1) expressly provides that "any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same." All other provisions of the Constitution relating to safeguards for linguistic minorities (eg. Articles 29, 30, 350A) apply as much to the speakers of Manipuri as to speakers of languages included in the Eighth Schedule.

4. Under Section 34 of the Government of Union Territories Act, 1963, which is applicable to the Union Territory of Himachal Pradesh, Tripura, Goa, Daman and Diu and Pondicherry, the Legislative Assembly of a Union Territory may by law adopt any one or more of the languages in use in the Union Territory or Hindi as the official language or languages to be used for all or any of the official purposes of the Union Territory.

5. The population of Manipur Meitei-speaking people in India according to 1961 Census is 6,36,430. Manipuri speaking people are mainly concentrated in Manipur (5,02,838), Assam (1,04,222) and Tripura (27,953). In Manipur there is heavy concentration of these speakers in all the Sub-Divisions excepting those of Ukhrul, Mao and Sadar Hills, Temenglong and Tengnoupal Sub-Divisions, most of which include hill areas. The next major concentration is in Assam where Cachar and Nowgong districts have significant concentration of Manipuri speaking people. In Manipur the language is spoken by 64.46 per cent of the entire population and not by all of them, as claimed in the representation. There is a considerable section of non-Manipur Meitei speakers, viz., 35.54 per cent in Manipur.

6. Facilities for Manipuri language as a subject of study at the under-graduate level exist in 8 colleges of the Gauhati University. These Colleges are Cachar College, Silchar; D. M. College, Imphal;

G. P. Women's College Imphal; Imphal College, Imphal; Manipur College, Imphal; Modern College, Imphal; Moirang College, Meigang; Thoubal College, Thoubal. The petitioners have claimed that Manipuri language is the official language of the Territory. English continuous to be the official language of the Territory. It has been reported by the Manipur Government that whenever necessary, important orders, circulars, notifications, etc. are translated into Manipuri and other important tribal dialects. As regards the use of Manipuri language, it is not difficult with the plains Manipuri people, but the people from communities are found to be hardly conversant with Manipuri and thus help of interpreters locally known as "Lambu" has to be invariably taken. As regards the claim of the petitioners that Manipuri is the Lingua-franca among the speakers of different tribal dialects, it may be stated that only that section of tribal population which lives adjacent to the plains or which has day to day dealings with Manipuri speaking population can speak or understand that language with ease while most of the tribal inhabitants of the hill areas can neither speak nor understand Manipuri. As regards inter-tribal meetings, they are conducted in Manipuri with the help of tribal interpreters "Lambu" who provide translations of Manipuri into the relevant tribal languages. Missionary publications meant for the particular tribal community are published in the respective language only.

7. From the number of uses to which according to the petitioners themselves Manipuri language is being put, it would appear that it is not necessary to include Manipuri in the Eighth Schedule either for the protection of the interests of Manipuri-speaking people or for recognition of Manipuri for different purposes in the areas where it is prevalent. It is open to the Governments of concerned States, Union Territories and bodies who may be interested in the cultural preservation of the Manipuri Language to take appropriate measures in this behalf. So far as Central Government is concerned, the programme in Manipuri including news, music and composite etc. are broadcast on A.I.R., Imphal.

8. Sufficient justification does not exist for the inclusion of Manipuri language in the Eighth Schedule. Government have already declared more than once in the recent past that they are not in favour of any further enlargement of the list of languages included in the said Schedule. Government's stand would, therefore, be to oppose the demand for the inclusion of Manipuri in the Eighth Schedule to the Constitution.

Sd/- K. P. MISRA,
Deputy Secretary.

Lok Sabha Secretariat (Committee Branch-I)

Ministry of Home Affairs U.O. No. 4/12/69-OL dt. the 20th April, 1970.

APPENDIX VI

(See Para 9.3 of the Report)

[Copy of the Department of Communications (P. & T. Board) O.M. No. 30/7/67-LI, dated the 30th January, 1970, on the subject of Claims of displaced persons—Indo-Pakistan Agreement of April, 1958—Grant of interim relief to those persons in India whose cases could not so far been settled under the said agreement.]

In April, 1958 an agreement was arrived at between the Government of India and Pakistan that claims in respect of Postal Life Insurance policies which are the liability of one country while the claimants/insurants reside in the other, would be settled by the country of domicile on the basis of authorities for payment received from the liable country on reciprocal basis in accordance with certain agreed procedure. Under the said agreement which applied to the policies, the holders of which migrated to India from Pakistan by the 30th June, 1955, the authorities for payment were exchanged between the two countries and the claims of displaced persons in India were thus settled without any difficulty. After 1965, there has not been, however, any exchange of such payment authorities between the two countries and this has caused considerable hardship to the displaced persons in India.

2. In the circumstances stated above, a proposal has been under the consideration of the Government of India for some time past to provide interim relief to the claimants in India without waiting for the receipt of payment authorities from Pakistan. The President is now pleased to decide, as a special case, that the claims on account of such policies, the holders of which had migrated to India by 30th June, 1955 and in respect of which payment authorities are yet to be received from Pakistan, may be settled provisionally by the Director-General, Posts and Telegraphs, New Delhi, pending revival of the process of exchange of payment authorities between the two countries. In making the provisional payments it should be ensured that the amount to be sanctioned as interim relief does not exceed the amounts that might be authorised by the Government of Pakistan in future, and that the claimant executes a personal indemnity bond and signs a declaration in the prescribed forms.

3. The expenditure incurred on account of grant of interim relief as stated above should be debited to the head of account "P—Loans and Advances by the Central Government Loans to Local Funds, Private parties etc.—Miscellaneous Loans and Advances—Loans to other Parties". In all such cases where interim relief is granted the Director-General, Posts and Telegraphs shall continue

to press his counter-part in Pakistan for the release of authorities for payment in accordance with the terms of the Indo-Pakistan Agreement of 1958 so that the amounts now paid by the Government of India can eventually be adjusted through the Indo-Pakistan Settlement Accounts.

4. This has the concurrence of Posts and Telegraphs Finance vide their No. 110-FA III/70, dated 21st January, 1970.

APPENDIX VII

[See para. 10.2 of the Report.]

Representations inadmissible as petitions—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 petitioner's points.

Name of petitioner	Brief subject	Facts perused by the Committee.
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(Department of Rehabilitation)

1. Shri Ramchand Kewalram, President, Sindhi Panchayat, P. O. Vidhsha, Gwalior [Vide Appendix X, Part 1, Item 3, Page 105, Sixth Report, Fourth Lok Sabha] Issue of sale deed in respect of property No. 1268, Darbar Shahji, Agra. It has been reported by the Assistant Settlement Commissioner I/c, Uttar Pradesh, Lucknow, that the sale certificate in respect of the above property has been issued in favour of the auction purchaser on 6-3-1970.
2. Shrimati Dhiranbai Hari-ram, C/o M/s. Gangumal Notandas, Cloth Dealers, Ajit Market, Subash Bazar, Agra. Re-opening the case under Rule 19 of D.P. (C & R) Rules, 1955 on land claim. The case of Shrimati Dhiran Bai has been considered in consultation with Asstt. Settlement Commr. I/c. Lucknow. The lady had filed a revision petition before the Chief Settlement Commissioner for allowing the benefit of Rule 19 (2) in respect of her Agricultural land claim. Her revision petition was dismissed on 30-3-1968. Since the case of the lady stands decided judicially it is regretted that no relief can be rendered to her on the Administrative side at this stage.
3. Shri Bhai Amolakdas, Block No. 20 Vaidya Nagar Colony, Yeotmal. Verification of claim in respect of properties left in Pakistan—bearing index No. S/LK-2/488. Bhai Amolakdas had filed a claim in respect of the following 5 properties claiming Rs. 27,100 :
 - (i) residential house in village Gaji Khuhawar.
 - (ii) residential house in village Kamber Alikhan

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(iii) Darbar, Office and two shops in Yarodero.

(iv) Darbar and residence in Village Iso.

v) Agricultural land in deh. Nagar Kakro.

Claim for residential house in village Gaji Khuhwar and Darbar cum shop and otak in Yaro Dero was verified for Rs. 2,500 and Rs. 6,000 by the Claims officer Shri Narain Tejmal on 5-12-1952. Claim for property Darbar with residential house in village Iso was verified for Rs. 9,140 by Claims Officer Shri Ishwardas Gera on 15-4-1952. The claim for the house in Kamber Alikhan was left unverified as the same pertained to mortgagee rights of the claimant and according to instructions at that time such claims were not verifiable. Now it has been decided according to recent instructions to verify such claims, and therefore the claim of the complainant is being sent to the board of verifying officer from whom he will receive notice for hearing in due course.

As for the fifth property which is stated to be a garden, the claim was filed as agricultural land in Nangar Hakro. The claim for this land was rejected by the Claims Officer Shri Shanti Narain in the presence of the claimant as he was unable to adduce documentary evidence to prove his title to the property. Subsequently on receipt of revenue record from Bakhtan the rejection order was confirmed by the Adl. Settlement Commissioner Shri Shiva K. Talwar on 29-3-1962 on the ground that the

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name of the claimant was not entered therein.

No such appeal dated 12-12-1952 is lying pending on the record of the case. The claim stands disposed of excepting for one property sheet (claim application) for the mortgage rights of the claimant which has been taken up for disposal and the claimant will be summoned in due course.

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| <p>4. Shri Lilaram Lokchand, Palaswadi, Camp, Yeotmal.</p> | <p>Verification of R.G. application.</p> | <p>The applicant could not produce sufficient proof to establish that he did file the alleged R. G. application in erstwhile office of the Settlement Officer, Nagpur, his request for entertaining the rehabilitation grant application, at the late stage, was not acceded to and he has been informed of the same by the Regional Office, Bombay.</p> |
| <p>5. Shri Girdhari Lal Ji wandas National Cloth Store, Bhandara Road, Nagpur-2.</p> | <p>Payment of compensation from CAF. No. M/N/ N/R/(A) 468/XXI-L</p> | <p>Regional Settlement Commissioner, Bombay to whom the matter was referred to has reported that the claimant had 1/4 share in the claim assessed for Rs. 4015 and the compensation amounting to Rs. 550.50 for his share had already been adjusted towards urban loan under Bill No. 1228 dated 26-7-1956 and nothing further remains to be paid.</p> |
| <p>6. Shrimati Haribai Hundo Mal, c/o Shri Kishin Chand I.H. No. 42/326, Biloch Pura, Lohamandi, Agra.</p> | <p>Request for re-opening of land claim in respect of Deh. Sandhki-Claim bearing index No. S/HB-6/895, for verification and assessment.</p> | <p>The case has been examined and it has been decided to re-open it. The complainant will receive notice for the hearing of her case from the verifying officer in due course.</p> |
| <p>[Ministry of Railways (Railway Board)]</p> | | |
| <p>7. Shri Ranjit Singh, Retd. Chief Goods Clerk, H. No. 25, Mohalla Chatta, Delhi Gate, Ghaziabad, Distt. Meerut.</p> | <p>Alleged non-payment of arrears of annual increment and officiating allowances.</p> | <p>The matter has been examined and the position is that some of the posts of Commercial Clerks at New Delhi were upgraded to grade Rs. 205-280</p> |
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(AS) retrospectively from 1-12-1964. Shri Ranjit Singh, while working as Goods Clerk, Delhi, in grade Rs. 150—240 (AS) was transferred to New Delhi with effect from 1-3-1966 on promotion to grade Rs. 205—280. The arrears against the up-graded posts were actually payable to staff who worked in these posts. Since no posts of Commercial Clerks were upgraded at Delhi, where Shri Ranjit Singh was formerly working and he joined at New Delhi against the upgraded posts only with effect from 1-3-1966, the question of paying him arrears in this grade retrospectively with effect from 1-12-1964 did not, therefore, arise.

The officiating pay of Shri Ranjit Singh has been correctly re-fixed in scale Rs. 205—280 with effect from 1-3-1966 consequent on revision of his pay in the substantive scale of Rs. 150—240 as admissible under the rules.

[Department of Communication (Directorate General of Posts and Telegraphs)]

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| <p>8. Shri Suresh Chandra Sen Gupta, Agra Club Limited Agra-1.</p> | <p>Non-delivery of Express Telegram Money Order to petitioner's daughter.</p> | <p>Enquiries made shows that the amount of M.O. was fraudulently paid by the Postman, Jamshedpur. Now the P. M. G., Patna has sanctioned the payment of Rs. 900 to the remitter Shri Suresh Chandra Sen Gupta. The amount has now been paid to him on 14-3-1970.</p> |
| <p>9. Shrimati Shuba Wati, Yeshan Mohalla, Zaisakadal, Srinagar, Kashmir.</p> | <p>Employment of Shri M. K. Nazir, in relaxation of recruitment rules.</p> | <p>Shri Dina Nath, who was working as Sub-Inspector in Srinagar Engg. Division, had expired some time in the year 1956. One of his sons, Shri Piary Lal was appointed as Telephone Operator, in relaxation of normal</p> |

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recruitment rules in the same year viz. 1956. *vide* this office letter No. STB.382-95/56, dated 23-10-1956.

Now after fourteen years, the wife of the deceased employee has come up again with a request for employment of her another son Shri M. K. Nazir, in relaxation of normal recruitment rules. Since employment under relaxation of normal recruitment rules is generally given to dependents of the deceased, which in this case had already been provided *vide* para 149 above, it is regretted that the request of the petitioner cannot be considered, in view of the position explained above. The rules that have been issued by the Ministry of Home Affairs in this regard do not provide for employment of a second son in relaxation of the rules in manner in which it has been sought now.