

**COMMITTEE ON PETITIONS**  
**(TENTH LOK SABHA)**

**SIXTEENTH REPORT**



*[Presented to Lok Sabha on 24 August, 1994]*

**LOK SABHA SECRETARIAT**  
**NEW DELHI**

*August, 1994/Sravana, 1916 (Saka)*

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## CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE ON PETITIONS.....	(iii)
INTRODUCTION.....	
REPORT.....	(v)
 I. (i) Petition No. 18 regarding inclusion of Khatve Community of Bihar in the Schedule to the Constitution (Scheduled Castes) Order, 1950 pertaining to the State of Bihar.....	1
(ii) Petition No. 35 regarding inclusion of Limboo Community in the Scheduled Tribes List of Sikkim. ....	3
II. Representation regarding problems, grievances and demands of officers and staff of the Employees Provident Fund Organisation. ....	8
III. Representation from Kumari Chanchala Malakar and others requesting for immediate recognition of Pondicherry University Degrees and Publication of the results of students of Andaman & Nicobar Islands.....	15
<b>APPENDICES</b>	
I. Petition No. 18 regarding inclusion of Khatve Community of Bihar in the Schedule to the Constitution (Scheduled Castes) Order, 1950 pertaining to the State of Bihar. ....	16
II. Petition No. 35 regarding inclusion of Limboo Community in the Scheduled Tribes List of Sikkim. ....	18
III. Representation from Shri Dileep Singh Bhuria, M.P. Chief Patron, EDF Staff Union, Delhi, regarding problems, grievances and demands of officers and staff of the Employees Provident Fund Organisation. .	23
IV. Comments furnished by the Ministry of Labour on the representation regarding problems, grievances and demands of officers and staff of the Employees Provident Fund Organisation. ....	26

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**COMPOSITION OF THE COMMITTEE ON PETITIONS  
(1993-94)**

**Shri P.G. Narayanan** — *Chairman*

2. **Shri L. Adaikalaraj**
3. **Shri Naresh Kumar Baliyan**
4. **Shri Prataprao B. Bhosale**
5. **Shri Lokanath Choudhury**
6. **Prof. Sudhir Giri**
7. **Dr. B.G. Jawali**
8. **Shri Lalit Oraon**
9. **Shri Sarat Chandra Pattanayak**
10. **Shri Prabhulal Rawat**
11. **Shri Muhi Ram Saikia**
12. **Shri Gabhaji Mangaji Thakore**
13. **Shri Ramesh Chand Tomar**
14. **Shri Arjun Singh Yadav**
15. **Shri Satya Pal Singh Yadav**

**SECRETARIAT**

**Shri Murari Lal** — *Joint Secretary*  
**Shri M.R. Khosla** — *Director*  
**Shri J.P. Jain** — *Under Secretary*

# **SIXTEENTH REPORT OF THE COMMITTEE ON PETITIONS**

**(TENTH LOK SABHA)**

## **INTRODUCTION**

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

- I. (i) Petition No. 18 regarding inclusion of Khatve Community of Bihar in the Schedule to the Constitution (Scheduled Castes) Order, 1950 pertaining to the State of Bihar.
  - (ii) Petition No. 35 regarding inclusion of Limboo Community in the Scheduled Tribes List of Sikkim.
  - II. Representation regarding problems, grievances and demands of officers and staff of the Employees Provident Fund Organisation.
  - III. Representation from Kumari Chanchala Malakar and others requesting for immediate recognition of Pondicherry University Degrees and Publication of the results of students of Andaman & Nicobar Islands.
2. The Committee considered the draft Report at their sitting held on 22 August, 1994 and adopted it.
3. The observations/recommendations of the Committee on the above matters have been included in this Report.

NEW DELHI;  
22 August, 1994

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31 Srawana, 1916 (Saka)

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

(I) PETITION NO. 18 REGARDING INCLUSION OF 'KHATVE' COMMUNITY OF BIHAR IN THE SCHEDULE TO THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950, PERTAINING TO THE STATE OF BIHAR

Shri Lalit Oraon, M.P., presented to Lok Sabha on 12 May, 1992, a petition (No. 18—See Appendix I) signed by one Shri Kameshwar Chaupal of Patna (Bihar) for inclusion of 'Khatve' community of Bihar in the Schedule to the Constitution (Scheduled Castes) Order, 1950, pertaining to the State of Bihar.

1.2 In the petition, it has been *inter alia* stated that the 'Chaupal' caste of Bihar State was included in the Scheduled Caste List under the Constitution of India (Scheduled Castes) Order, 1950. The people of Chaupal caste were called 'Khatve' at some places which was clearly mentioned for the first time in the Third Report of the Backward Classes Commission (Government of Bihar), 1976. The people of Chaupal caste are also called 'Khatve' in some parts of Bihar. 'Chamar' and 'Bhangi', 'Dom' and 'Dhangarh' and 'Pan' and 'Swasi' were one caste. The people of 'Khatve' caste were very poor and were socially, culturally and educationally backward.

1.3 The petitioner has prayed that the 'Khatve' word may also be added to the 'Chaupal' caste and the 'Khatve' community of Bihar may be included in the List of Scheduled Castes Order, 1950.

1.4 The petition was referred to the Ministry of Welfare for their factual comments on 13 May, 1992. The Ministry of Welfare in their communication dated 29 May, 1992 have stated as follows:

"The points in the petition by Shri Kameshwar Chaupal, Patna, Bihar, have been considered in the Ministry which related to the inclusion of Khatve in the List of Scheduled Caste in the State of Bihar. In this connection, it may be mentioned that all such proposals, suggestions and recommendations are under consideration of the Government. It may be pointed out that any amendment in the existing SC/ST Lists can be done by an Act of Parliament as laid down under Articles 341(2) and 342(2) of the Constitution. Further, it may be stated that Khatve have already been specified in OBC list of Bihar."

1.5 The Committee on Petitions considered the comments furnished by the Ministry of Welfare and directed that a clarification might be sought from the Ministry whether the State Government had recommended the name of 'Khatve' for inclusion in the list of Scheduled Castes or not.

1.6 Accordingly, a clarification was sought from the Ministry of Welfare. The Ministry of Welfare in their communications dated 27 January and 19 March, 1993 have stated as under:—

“Government of Bihar have not yet furnished comments/recommendations. The State Government have again been reminded to expedite reply. The issue is a part of the broader issue of proposed comprehensive revision of Scheduled Caste and Scheduled Tribe Lists which is still under consideration of the Government. The subject matter is of serious and complex nature and pending consideration for a pretty long time and may take more time. As and when decision is taken it will be communicated.”

1.7 The Ministry of Welfare in their latest communication dated 2 March, 1994 have stated as follows:—

“The issue of inclusion of Khatve in Scheduled Caste list of Bihar is still under consideration of the Government. And all such proposals are being examined by the Advisory Committee set up in this Ministry. Since this issue is also a part of the broader issue of revision of Scheduled Castes and Scheduled Tribes Lists comprehensively which is treated as secret further details cannot be disclosed in the public interest. It may also be added that any amendment in the existing lists of Scheduled Castes and Scheduled Tribes can be done by an Act of Parliament as laid down under Articles 341(2) and 342(2) of the Constitution.”

## (II) PETITION NO. 35 REGARDING INCLUSION OF LIMBOO COMMUNITY IN THE SCHEDULED TRIBES LIST OF SIKKIM

1.8 Smt. Dil Kumari Bhandari, M.P., presented to Lok Sabha on 20 December, 1993 a petition (No. 35—See Appendix II) signed by <sup>1</sup>Shri Bir Bal Limboo, Action Committee for Tribal Status, Gangtok, Sikkim, regarding inclusion of Limboo community in the Scheduled Tribes List of Sikkim.

1.9 The petitioners in support of their claim for inclusion of Limboo community in the Scheduled Tribes List, have mentioned various grounds viz. historical background of Limboos, Culture and tradition, script and language and their general backwardness. They have also stated that the Limboos exhibit the characteristics of tribals and satisfy all the requirements for inclusion in the Scheduled Tribe List.

1.10 The petitioners have prayed that necessary action be taken for inclusion of Limboos in the Scheduled Tribes List of Sikkim.

1.11 The petition was referred to the Ministry of Welfare for furnishing their comments on the points raised therein. The Ministry of Welfare *vide* their O.M. dt. 15 February, 1994 have furnished their comments as follows:—

“The issue of inclusion of Limboo community in the list of Scheduled Tribe in the State of Sikkim is already under consideration of the Government alongwith other such proposals, recommendations, suggestions and representations in accordance with the criteria laid down in the context of the proposed comprehensive revision of Scheduled Caste and Scheduled Tribe Lists. Further, any amendment in these existing lists can be done only through an Act of Parliament in view of Articles 341(2) and 342(2) of the Constitution.”

1.12 Considering similarity of the issues raised in these two petitions and the unsatisfactory replies given by the Ministry of Welfare in both cases, the Committee on Petitions took oral evidence of the representatives of the Ministry on these petitions on 31 May, 1994.

1.13 During evidence the Secretary (Welfare) explained the procedure to be followed as laid down under articles 341 and 342 of the Constitution for amending the SC/ST Lists. Giving the historical background of the Lists of Scheduled Castes/Tribes the Secretary stated:—

“The Scheduled Caste List was first issued in 1936 and the word ‘Scheduled Castes’ was used for the first time in the Government of India Act, 1935.

The first list of Scheduled Tribes was issued in 1950 and thereafter we issued another 17 Presidential Orders but most of them were on account of new States coming up in the wake of Reorganisation of States or quite a few States being formed in the Northern Region of the country. Every list is in relation to certain States and Union Territories. Some Castes have been included in the List but major decision was taken in 1976 where area restrictions were removed in respect of many castes and communities in respect of SCST. We had been receiving representations. There were some cases where spelling should be changed. There were a few cases where they were added like J&K. There are a large number of cases pending and Government of India constituted a Committee known as Locur Committee, 1965 and they came out with recommendation of caste and community to be included and certain other related matters. A Bill was put up and it was referred to the Joint Committee headed by the then Hon. Member Mr. A.K. Chanda. We prepared a Cabinet Note and we went to the Cabinet. The Cabinet said let it be considered by a group of Ministers which had eight meetings during 1986 and again we prepared a Cabinet note."

1.14 The representatives of the Ministry further stated that during the National Front Government again a decision was taken to write to all the State Governments and invite any case that might still be pending. So, the Ministry again wrote to all in 1992 giving 30th November, 1992 as the last date for sending recommendations and comments. By now, the Ministry had received 10,000 petitions and applications including these also. But broadly they related to 1254 castes and communities and they could be further grouped for inclusion for synonyms, for area restrictions, for change of names or transfer from the Scheduled Castes to the Scheduled Tribes, etc. The Ministry were also trying to thoroughly go through everything and then go to the Cabinet for a decision. That is why a Committee was constituted to examine the entire material that had been accumulated over a period of two decades or so and the Committee was given a time of three months to submit its report. It was to submit the Report by 31 January, 1994. On enquiry, the representative of the Ministry stated that the Advisory Committee would take at least three months more to finalise their recommendations. They hoped to go to the Cabinet by December.

1.15 About the inclusion of Limboo community in the List of Scheduled Tribes of Sikkim, the representative of the Ministry informed that Sikkim Government and Registrar General of India had recommended for inclusion of Limboo community in Scheduled Tribes List and the Government would take a decision in the matter.

1.16 The representative of the Ministry also stated that when reservation was made for Scheduled Castes and Scheduled Tribes, it was 22.5 per cent according to the proportion of their population. Since the population had now gone upto 24.5 per cent, the percentage of reservation



had also to go up if more people were to be added to these Lists. There was 27 per cent reservation for other Backward Classes. So, already it came to 49.5 per cent and the Supreme Court had laid down that the total reservation cannot exceed 50 per cent. So, the question was how to accommodate more groups of people unless percentage of reservation goes up.

1.17 Members disagreed with the view of the representative of the Ministry and stated that the reservation in many States was already more than 50 per cent. When asked to state whether there was any link between increasing the percentage of reservation and accommodation of more castes/communities in SC/ST Lists, the representative of the Ministry replied in negative.

1.18 Members of the Committee expressed the view that Khatve and Stave Communities were sub castes of Chaupal and the Third Backward Classes Commission Report and Revenue Records also clearly mentioned 'Khatve' community as 'Chaupal' and also since the Bihar Government had recommended for inclusion of 'Khatve' community in Scheduled Castes List, it must be included in Scheduled Castes List.

In regard to the members view, the representative of the Ministry in his reply quoted the following portion from the report of the Registrar General of India received in January, 1980:—

"Some of the informants during the field enquiry reported that such adoption of new titles is motivated to acquire the constitutional benefits being provided to the Scheduled Castes. The title cannot be taken as a synonym to the caste name. For example, 'Chaupal', is a notified scheduled caste in the State. Adoption of 'Chaupal' as a title by the Khatve cannot make it a synonymous name to 'Chaupal' community. This way any high caste person can adopt the Harijan caste name as his title and try to claim the Scheduled Caste status."

1.19 When asked to state on what basis the Bihar Government had then recommended inclusion of 'Khatve' in S.C. List, the Secretary of the Ministry stated that the Bihar Government in their Report had not furnished any reasons nor stated any S.C. characteristics manifest in the 'Khatve' community. Therefore, the State Government had been asked to furnish a detailed report on these points.

1.20 When members pointed out that the State Government was reminded just on 30.5.1994 and desired to have copies of all the correspondence the Ministry of Welfare have had with State Government since 1986 in this regard, the representative of the Ministry asked for some time to supply copies of the entire correspondence including a detailed note for information of the Committee. The Committee agreed to the request of the witness.

1.21 Accordingly, the Ministry have furnished on 10 June, 1994 a note including the copies of the correspondence. In their reply, the Ministry of Welfare have stated that for the first time the Ministry received in 1991 an endorsed copy of a representation of Shri Kameshwar Chaupal along with a copy of recommendatory letter of Shri Ramdev Ram, M.P., addressed originally to the Union Home Minister and the same was forwarded to the State Govt. of Bihar on 23 December, 1991 for comments. The petition regarding inclusion of Khatve community of Bihar in S.C. List was received in the Ministry from Lok Sabha Secretariat on 15.5.1992. But since the points raised in the aforesaid representation and the petition were practically the same, the representation already sent to Bihar Government was pursued.

1.22 The Ministry have furnished particulars of the reminders issued during the years 1992, 1993 and 1994 for expediting comments from State Govt. of Bihar and stated that only a telex reply from Bihar Govt. was received on 27 May, 1994 wherein it had been stated that the Bihar Govt. had recommended inclusion of Khatve community in the Scheduled Castes List. A decision of the Govt. of India on this is under consideration. The Ministry have clarified that the correspondence being made with Bihar Govt. is about "treating Khatve Community as synonym to Chaupal which is already in the S.C. List."

#### OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

1.23 The Committee note from the comments furnished by the Ministry of Welfare that the issue of inclusion of Khatve Community in the list of Scheduled Castes in Bihar and inclusion of Limboo Community in the List of Scheduled Tribes in Sikkim is already under consideration of the Government along with other such proposals, recommendations, suggestions and representations.

1.24 The Committee also note that both the State Govt. of Sikkim and the Registrar General of India recommended for inclusion of Limboo community in Scheduled Tribes List and in the case of Khatve Community, while the State Govt. of Bihar recommended for its inclusion in Scheduled Caste List, the Registrar General of India did not favour its inclusion in Scheduled Caste List on the ground that adoption of Chaupal as a title by the Khatve community can't make it a synonym to Chaupal community. This way any high caste person can adopt the Harijan Caste name as his title and try to claim the Scheduled Caste status.

1.25 The Committee recommend that in view of the opinion expressed by the Registrar General of India in his report the question of inclusion of Khatve community in Scheduled Caste List may be decided as per criteria laid down for inclusion of a community in Scheduled Caste List in its own right instead of examining it from the point of view of it being synonymous or not with Chaupal community which is already included in Scheduled Caste List in Bihar. If necessary, the State Government of Bihar might be asked to give additional specific information

in respect of Khatve Community with reference to the criteria laid down for the purpose.

1.26 The Committee trust that the Ministry would ensure that the Advisory Committee set up in the Ministry and presently examining all the cases regarding SC/ST Lists and the issues arising therefrom would finalise their report by December, 1994 and go to the Cabinet for a decision.

1.27 The Committee note that any amendment in the existing SC/ST lists can be done only by an Act of Parliament in view of Articles 341(2) and 342(2) of the Constitution.

1.28 The Committee trust that the Govt. will finalise the matter expeditiously and will bring the necessary legislation before Parliament for making necessary amendments to the Lists of Scheduled Castes/Tribes in various States — including the State of Sikkim and Bihar.

## II

### REPRESENTATION REGARDING PROBLEMS, GRIEVANCES AND DEMANDS OF OFFICERS AND STAFF OF THE EMPLOYEES PROVIDENT FUND ORGANISATION

2.1 Shri Dileep Singh Bhuria, M.P. Chief Patron, Employees Provident Fund Staff Union, in his letter dated 15 April, 1993, (*See Appendix III*) pointed out certain problems, grievances and demands of the officers and staff members of the Employees' Provident Fund Organisation.

2.2 The Ministry of Labour with whom the matter was taken up have furnished their para wise comments. (*See Appendix IV*). The points raised by the member and reply furnished by the Ministry are given below seriatim:

Points raised by the member	Reply of the Ministry
1	2
(1) A number of employees of selected Sub Regional Offices like Guntur, Nasik, Jalpaiguri, etc., have been paid honorarium @Rs. 500/- each, but the same honorarium has not been paid to Delhi employees who were awarded shield for better performances on 40th year celebration. This may be given to all other employees also.	Honorarium to the officials in Maharashtra, including Nasik was granted for clearing the huge backlog of accounts slips to be issued to the subscribers as non issue of accounts slips had come under severe criticism at all forums including the Estimates Committee. After calculating the work load, sanction for Rs. 5 lakh was given by the Government and the Central Board of Trustees for bringing this item of work up-to-date and the honorarium was paid to the staff on completion of the work. As regards, Jalpaiguri, the specific honorarium was sanctioned with the approval of the CBT for preparing the data for feeding to the computers at the stage of computerisation and for bringing the accounts up-to-date. In Guntur, the honorarium was paid for settling of all the pending claims and issues of accounts slips and bringing the pendency to zero level. As such, the honorarium has been paid for a specific items of

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<p>(2) Even after spending more than 4 lakh of rupees by getting a booster pump installed at B.N. Enclave, New Delhi through H.P.L. ignoring the CPWD which is overall incharge of maintenance of the colony housing 172 families the water of the booster pump which is unfit for human consumption is mixed with the M.C.D. water which is injurious to health, whereas the CPFC is getting direct MCD water. Resident have to fetch M.C.D. water from the neighbouring colonies daily. Necessary remedial action is requested.</p>	<p>work whereas the shields are given every year for overall performance as part of the normal duty.</p> <p>To make good the water shortage requirement, a borewell was set up in the complex two years back. The borewell over the years dried up gradually necessitating its replacement. MCD supply also gradually declined in its quantum. Based on the technical advice given and to bridge the wide gap between water availability and its daily requirement, a decision was taken to sink a new bore-well and redesign the internal water supply system.</p> <p>On the basis of the test reports it was decided to separate the storage tank for MCD water and borewell water and operating staggering supply process by using separate pumping system. To meet this requirement, a new set of pump has been installed. Thus, two sources of water supply has been worked out and there is no mixing of MCD water with bore well water. The M.C.D. water supply is to be utilised for drinking purpose and for kitchen use and water from the borewell to be supplied to toilets and bathrooms. The job has been executed by M/s HPL Ltd., a Government of India Undertaking, and approved by the Central Board of Trustees,</p>

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for carrying out our civil works in addition to CPWD.

With constant efforts, water supply to the colony has been augmented and separate supply is available for drinking and separately for other purposes.

- (3) The EPF authorities are crushing the elected representatives of the Unions of Haryana, Delhi and U.P. region by issuing charge sheets, transfers, suspensions and involving them in false and manipulated cases. Proper recognition be granted to the elected unions registered under the Indian Trade Union Act 1926 and the victimisation of the Union office bearers and active members be stopped forthwith.

The allegation is vague and general in nature. As no specific instance of victimisation of union officials by way of uncalled for charge sheets, transfer, suspension has been mentioned it is not possible to offer any specific comments except to say that it is totally false.

- (4) Some deputationists have been given undue extension which adversely affects the promotional avenues of the departmental officers in chain. Moreover, these extensions are against the central deputation rules and EPF Recruitment Rules. Even the extension has been given to the Accounts officer which has long ago in 1983 been declared as cadre and the departmental officers are awaiting for their promotional chances since long. Immediate remedial action is required in the interest of the departmental officials.

There has been acute shortage of officers in the grade of Assistant P.F. Commissioner (Gr. I) as well as shortage of officers qualified for promotion to the grade of Regional P.F. Commissioner (Gr. II) and Regional P.F. Commissioner (Gr. I). This shortage was so acute that management was finding it extremely difficult to man all the vacant posts in these grades.

To fill up the gap and awaiting availability of officers to become eligible for promotion, one or two officers were taken on deputation under the provision of recruitment rules, and one officer in RPFC (Gr. I) was granted extension by the competent authority within the ambit of the Government instructions on this subject.

- (5) Post of Law Officer has not been filled up which has jeopardised the interest of existing officials. Moreover, a number of gazetted/non gazetted officers given extension/re-employment against the rules instead of filling up these posts by promoting the eligible existing officials.

The post of Law Officer is an ex-cadre and isolated post. According to the recruitment rules for this post, the same is to be filled up by transfer on deputation failing which by direct recruitment. For legal advice on the issues pertaining to this Organisation, experience of knowledge of the Government of India rules and EPF Scheme provisions and Act are necessary which is not available with the fresh law graduates. Therefore, a decision was taken in the year 1990 in consultation with the Ministry of Labour that this being an isolated post, it was not advisable to go in for directed recruitment. Instead, the requirement of legal advice of the organisation could be better met by engaging an eminent legal expert on retainer basis as has been done by the Employees' State Insurance Corporation. Accordingly, one retired Additional Secretary of the Ministry of Law and who was later appointed as Chairman, Railways claims Tribunal, was appointed as Legal Adviser on retainer basis. The arrangement has been working very well and it has enhanced the organisational strength, immensely.

- (6) The department having its own land but not constructing its own building and paying heavy rent of Rs. 40,000/- approx. per day in Delhi. The employees are afraid, in case the wastage of public money and administration account is not restrained, the em-

At present, the organisation has not only one plot of land measuring 1.4 acres in institutional area at Janakpuri. The executive Committee of the Central Board of Trustee has already sanctioned a project for construction of the permanent building for the apex training institute of the organisation. There

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ployees will not be able to get salary after a few years in Delhi offices suitable action to affect the economy on rental be taken and steps to construct own office building be taken and curb imposed and taking further binding on rent from private parties.

- (7) In addition to the above said grievances there are cases of wasting the public money, misuse of powers allotment of construction work of crores of rupees without calling and accepting the proper tenders and violation of prescribed Govt. rules. Purchase of buildings at different places from private parties purchase of books for domestic use on official account and supply of furniture to the CPDC's house and former Chairman CBT houses and in spite of acute shortage of accommodation in metropolitan cities the cheapest accommodation on mere rent of Rs. 357/- per month has been vacated in Bombay and searching for costly rental accommodation. Re-employment of certain officers to serve personal interest to seek appointment in Grindlays Bank for Ms. Nandini Som through ACTUARY of the organisation and running of export company in the name of Kanika Export, Delhi.

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is no other plot of land available with the organisation. However, efforts over the last two decades to get allotment of suitable land from Land and Development Commissioner, Delhi Development Authority have been unsuccessful.

Although, the regional authorities are making all efforts to get land from the DDA, for construction of its own building, it is pointed out here that contrary to common belief paying monthly rental on lease basis for office accommodation works out cheaper than investing in own capital for purchase of land and construction of the building.

Regarding vacation of a flat it is to be clarified that the organisation had taken five flats in year 1969-70 pending construction of its staff quarters. It was decided that these flats would be surrendered as soon as the departmental quarters were available. Accordingly, four flats were surrendered in mid 70's and one flat was retained. It took several years to meet this assurance and finally the flat was surrendered two years back to the owner.

Regarding appointment of Ms. Nandini Som in Grindlays Bank it is to be clarified that as this even has no connection with the functioning of the Organisation it needs no clarification here excepting that this appears to be a malicious insinuation.



## OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

2.3 The Committee note that the main points raised by the Chief Patron of Employees' Provident Fund Staff Union, Delhi, in his representation are:- non payment of honorarium to the Delhi employees of the Organisation; mixing of M.C.D. water with the borewell water in the employees' colony at B.N. Enclave, New Delhi; no proper grant of recognition to elected Unions registered under the Trade Union Act, 1926; grant of undue extension to officers including officers on deputation affecting promotional avenues of departmental officers and non-construction of office building on the land owned by the organisation but paying heavy rent of Rs. 40,000/- approx. per day in Delhi.

2.4 The Committee have perused the points made in the representation received on behalf of the employees of the Employees' Provident Fund organisation in Delhi and the factual position stated by the Ministry of Labour thereon.

2.5 As regards grant of recognition to elected Unions registered under the Indian Trade Union Act, 1926, the Committee observe that recognition should be granted to the registered Unions in accordance with the law and no effort should be spared to develop better relations with the employees so as to achieve a conducive work atmosphere in the Organisation in the interest of the workers in general for whom the Employees' Provident Funds Organisation has been established.

2.6 Regarding extension to officers (Gazetted/non-gazetted) including deputationists, the Committee note that due to shortage of eligible officers for promotion from within the department, one or two officers were taken on deputation under the provision of the rules and one officer was granted extension within the ambit of the Government instructions. In view of the position stated by the Ministry of Labour, the Committee feel that no intervention is required in the matter on their part.

2.7 The Committee, however, recommend that the Organisation should so plan the requirement, the recruitment and promotions of staff that eligible staff are available from within the department for filling up the required number of posts in various grades by promotion as far as possible. It would not only obviate the shortage of trained and experienced staff but also eliminate dependence on deputationists and at the same time provide reasonable promotional avenues to the existing staff.

2.8 It has been represented that the Organisation, though having its own land, is not constructing its own building but paying heavy rent of Rs. 40,000/- approx. per day in Delhi.

2.9 The Committee note that the Organisation has got a plot of land measuring 1.4 acres in institutional area at Janakpuri, New Delhi, on which construction of a building for apex training institute of the Organisation has been sanctioned. There is no other plot of land available with the Organisation for construction of its own Regional Office building in Delhi.

2.10 The Committee are of the view that keeping in view the scarcity of land and its high prices in Delhi, the project for construction of permanent building for the training institute may be revised in such a manner that the required accommodation for the Delhi Office of the Organisation is also made permanently available on the same plot.

2.11 In view of the position explained by the Ministry of Labour on other points raised in the representation against the Organisation, the Committee feel that there is hardly any need to pursue the matter further.

### III

## REPRESENTATION FROM KUMARI CHANCHALA MALAKAR AND OTHERS REQUESTING FOR IMMEDIATE RECOGNITION OF PONDICHERRY UNIVERSITY DEGREES AND PUBLICATION OF THE RESULTS OF STUDENTS OF ANDAMAN & NICOBAR ISLANDS

Kumari Chanchala Malakar and others from Port Blair in their representation to the Committee requested for recognition of Pondicherry University Degrees by the Berhampur University and other Indian Universities, publication of results of the students of Andaman and Nicobar Islands and age relaxation by three years to the petitioners for the purpose of employment.

3.2 The Ministry of Human Resource Development (Department of Education) with whom the matter was taken up have *vide* their O.M. dated 13.7.1994 furnished their comments intimating *inter alia* that the Berhampur University has accorded reciprocal recognition to three years B.A./B.Sc. and B.Com (Gen. & Hons.) and M.A. Political Science degrees of Pondicherry University with the corresponding Examinations of Berhampur University. They have stated that according to the information furnished by the Berhampur University, the results of B. Lib. and Information Science in respect of those students who have submitted their Migration Certificates have been published.

3.3 The Ministry have further stated that according to the information furnished by the association of Indian Universities (AIU), the degrees/diplomas awarded by the Pondicherry University have been recognised by the Association and AIU has already requested all the Universities in the country to recognise the degrees of Pondicherry University *vide* letter No. EV/II(80)/86 dated 12.12.1986.

3.4 Regarding age relaxation by three years to the petitioners for the purpose of employment, the Ministry have stated that the issue of age relaxation for the purpose of employment is not within the jurisdiction of the Department of Education.

3.5 The Committee note with satisfaction that through their intervention, the main demands of the petitioners have been met.

NEW DELHI;  
Dated 22 August, 1994

P.G. NARAYANAN,  
*Chairman,*  
Committee on petitions.

31-Sravana, 1916(Saka)

## APPENDIX I

(See Para 1.1 of the Report)

### LOK SABHA

#### PETITION NO. 18

[Presented to Lok Sabha on 12.5.1992]

To LOK SABHA  
NEW DELHI.

The humble petition of Shri Kameshwar Chaupal, 8, Virchand Patel Marg, Patna (Bihar)—

#### *SHEWETH*

1. The Chaupal caste of Bihar state was included in the Scheduled Caste List (Serial No. 7) under the Constitution of India (Scheduled Castes) Order 1950 (S.O. 19).
2. Under the Scheduled Castes and Scheduled Tribes list (Modification) Order 1956 issued by the Department of Personnel, Government of Bihar, also the Chaupal Caste has been declared as Scheduled Caste.
3. According to the latest list published by Government of Bihar also Chaupal caste has been treated as Scheduled caste.
4. As per Appendix 5 Page 104 of the III Report of the Backward Classes Commission (regarding other Backward classes), 1976 it is clearly mentioned under the heading 'Khatve caste' that this caste is popularly known as 'Chaupal' in Darbhanga, Purnia and Saharsa dsitriacts. They are also found in Darbhanga, Purnia, Madhubani and Saharsa Districts. Their traditional occupation is to make 'Tana'. Due to poor economic condition this caste has taken up the occupation of digging the earth. On changing the occupation their economic condition has deteriorated further. It is explained that 10 per cent of the people of this community depend on labour for their livelihood. They live in shabby huts. It is also explained that there is no difference between 'Mushar' and 'Khatve'. Both have the same occupation. People belonging to other communities don't drink water that is touched by them.  
Even the Harijans don't eat anything that is touched by this community. As per information received by the commission no person of this community is employed either in any Govern-

ment department or in any private enterprise and no person has passed the higher secondary examination. Evidently, they are economically and educationally backward.

In this context, it may be mentioned that on the division of the Darbhanga, Madhubani, Purnia and Saharsa districts as mentioned in the above report following new districts have come into being:

Samastipur, Katihar, Kishanganj, Araria, Madhepura, Supaul and Khagaria.

Therefore, while taking any decision the inhabitants of Darbhanga, Madhubani, Samastipur, Muzaffarpur, Seetamarhi, Purnia, Katihar, Kishan Ganj, Araria, Saharsa, Madhepura, Sapaul and Khagaria districts should be treated at par.

(b) The Ministry of Welfare on 9th February mentioning the norms regarding inclusion of any community in the list of Scheduled Castes have stated:

“Extreme social, educational and economic backwardness arose due to traditional system of untouchability.”

5. There is no mention of ‘Khatve’ caste in any list issued by the Government of Bihar before 1976. The people of Chaupal caste are called ‘Khatve’ at some places which is first time clearly mentioned in the report (above point 4) of Third Backward Class Commission (Government of Bihar) 1976.
6. The People of Chaupal Caste are also called ‘Khatve’ in some parts of Bihar. Such as ‘Chamar’ and ‘Mochi’ ‘Dusad-Ghari’ and ‘Gharhi’, ‘Dhadi-Mehtar’ and ‘Bhangi’, ‘Dome’ and ‘Dhangarh’ and ‘Pan’ and ‘Swasi’ are one and the same caste. Similarly, ‘Khatve’ is also a local name of ‘Chaupal’ Caste.

And Accordingly, your petitioner pray that:

‘Khatve’ word may also be added in ‘Chaupal’ Caste and kindly be included in the list of Scheduled Caste.

And Your petitioner as in duty bound shall ever pray.

Name of the Petitioner	Address	Signature
Shri Kameshwar	Chaupal 8, Virchand Patel Marg, Patna (Bihar), 800001.	Sd/-

Countersigned by Shri Lalit Oraon, M.P. Division No. 467

## APPENDIX II

(See para 1.8 of the Report)

### LOK SABHA

#### PETITION NO. 35

[Presented to Lok Sabha on 20.12.1993]

To

LOK SABHA  
NEW DELHI.

The humble petition of Shri Bir Bal Limboo, Chairman and other office bearers of the Sikkim Limboo Action Committee for Tribal Status, Gangtok, Sikkim.

*SHEWETH*

Since the merger of Sikkim into Indian Union and since the commencement of the Indian Constitution to Sikkim from the 26th April, 1975, the Limboo community which forms 20% of the population of Sikkim have repeatedly been submitting memoranda till date to Central Government through the State Government for their inclusion in the scheduled tribe list of Sikkim. The claim of Limboo community for their inclusion in the scheduled tribe list are based, *inter alia*, on the following grounds:—

#### *A. Historical Background of Limboos in Sikkim*

The modern history of Sikkim begins with the consecration of the First King of Namgyal Dynasty in 1642 A.D. as the religious and temporal King. Before advent and establishment of Namgyal Dynasty the Limboo and Lepcha chiefs were independently ruling the area which is presently covered by West and South Sikkim including Darjeeling and Kalimpong extending upto Mahandi. With a view to establish a Commonwealth among Bhutia, Lepcha and Limboo (Tsong), an agreement known as "LHOMANTSONG SUM" was entered and it was proclaimed that the Bhutias, the Lepchas and the Tsongs (Limboos) belonged to one family. The Limboos are called 'Tsongs' by the Bhutias. The second ruler of Namgyal Dynasty, Etensung Namgyal married a Limboo girl named Thungwamukma Yo Yohangma. The marriage has great significance in the history of Sikkim. It was after the Limboo Queen entered the ruling family that the present name "SIKKIM" came to be coined from two Limboo words "Song—Kham" meaning new home. Therefore the application Sikkim is the contribution of Limboo Queen. There are many similarities between Limboo and Lepcha in respect of sub-title, language, tradition and culture. There are common sub-titles such as Lucksom, Setling,

Sering, Tilikchom etc. There are some common words like Sing (wood), Mee (fire), sha (meat) etc. These are some of Historical significance of Limboos existence in Sikkim prior to the establishment of Namgyal Dynasty in Sikkim.

### *B. Political Protection and Safeguards for Limboos (Tsongs)*

Due to primitive tradition and culture and mass illiteracy, the socio-economic life of Limboo (Tsongs) suffered great set back during the reign of successive rulers of Namgyal Dynasty. After the installation of Palden Thondup Namgyal as the Thirteenth Chogyal of Sikkim, the Limboos (Tsongs) were provided with one seat reserved in the then State Council in the year 1966. The reservation of Tsong seat was justified by the then Chogyal (King) on the ground that "The Tsong (Limboos or Subbas) were a distinct identity in themselves." Unfortunately, the Reservation of seat for the Limboos was abolished after the May 8, Agreement of 1973 between the Chogyal of Sikkim, Government of India and the representatives of all political parties. Although there is a constitutional provision under Articles 371 F(f) of Indian Constitution, the reservation of seat for the Limboos has not been restored inspite of various representations made to the Government of India.

### *C. Culture and Tradition*

Because of their backward social standing and their simple and superstitious nature they lack spirit of enterprise. Agricultural farming is their main occupation but the food grains produced by them is not sufficient for consumption for the year round. During the scarcities of food grains they do not mind to go to jungle in search of wild edible roots, fruits, shoots, etc. Major portion of the crop produced by them are spent in preparation of ZAR (Maize or Millet beer) and RAKSI (Distilled liquor) which is used in different social occasions and functions. Drinking is an integral part of Limboos' social life. Such social habit have never freed them from the bondage of poverty. They live a primitive life. The Limboos' social life is not different from that of other tribes of the country. The Limboos believe in a traditional religion without its proper name but it is animistic in nature. It has its own mythology based on MUNDHUM which narrates the creation of this whole universe, its own Gods and Goddesses and its own group of priests. They worship their own Goddess YOOMA SAM. They worship a host of spiritual beings, good or bad, by slaughtering buffalos, pigs, goats and fowls. They recognise different kinds of priests who are called YEBA, YEMA, SAMBA AND PHEDANGMA.

### *D. Songs and Dances*

Limboos have their own songs and dances. The typical Limboo dances are called KE-LANG, YAH RAKMA, ETC. The songs are classified into various categories HAKPAREY. PHUMNGWAM-CHANGMA SAMLO TAMKE-DAK SAMLO YAHANGSEMA SAMLO, MERING SAMLO. These songs are sung on different occasions.

### *E. Customs Relating to Marriage and Death Ceremony*

The Limboos have their own unwritten code relating to death marriage which consists of several rules and regulations. They have their own rules and regulations for divorce. The rules and regulations governing the marriage of a son and daughter are altogether different. A typical custom of taking HAKTABA (fully grown 4 pigs slaughtered) to the house of the bride as per the instruction from the parent of bride. This is called LI-NATLA custom. On the occasion of LI-NATLA, a legal document called SAI-MUNDRI PHARPAI is executed with the joint consent of the parents of both bride and groom witnessed by the TUMYANGHANG (village elders). With the execution of this document the bride's relationship with her blood relations are severed for the purpose of customary rites.

At the time of child birth there is occasion for purification after the child birth called "YANGDANG PHONGMA". On this occasion the newly born baby is put into new cradle. This occasion is performed on the third day in case of a female baby and on the fourth day in case of male baby respectively by their own priests.

Death ceremony is performed after three days in case of a female member's death and four days in case of a male member's death. This ceremony is called YUMSHA-NAKMA. On this day of YUMSHA-NAKMA there are other rituals called KHA-OOMA, SAM-SHAMA, MIKWA-NHA-WHA-SANGMA. These rituals are performed in series by the LIMBOO priests.

### *F. Adoption*

In Limboo community there is a custom of adoption called "CHOK-PHUNG". A Limboo can adopt a non-LIMBOO into their society after performing CHOK PHUNG by the priest in the presence of TUMYANGHANG (village elders).

### *G. Script and Language*

The Limboos speak a uniform language called LIMBOO language and they have got their own script known as SRI JUNGA which is totally distinct and independent script not similar to any of the existing scripts in the world. The Limboo language is recognised by the Government of Sikkim as one of the official languages in the year 1981 and the said Limboo language has been introduced as vernacular in various schools of



Sikkim since 1968 and it has been taught upto Class XII in the various schools of Sikkim. All India Radio of Gangtok Station has introduced a bye-weekly Limboo programme since the year 1983. There are more than 200 Limboo language teachers appointed by the Government in various schools of Sikkim. There are number of journals, periodicals which are being published in LIMBOO language. SIKKIM HERALD, an official bulletin, is being published in LIMBOO language.

#### *H. General Backwardness*

The Limboos have been inhabitants of remote and interior areas and not easily accessible, Though the Limboos are sizeable in population, hardly a dozen of them are having a permanent residential house in the urban area of Sikkim. In the remote villages the Limboos live a life of social backwardness. In the field of education, there are hardly half a dozen Limboo post graduates and just about 20 to 30 graduates and mostly Limboos are un-educated.

The Following is the statistics of Limboo members who are in various profession as on 31.8.1993.

Indian Administrative Service	One Member
Indian Police Service	One Member
Senior Sikkim Govt. Officers	Two Members
Sikkim Public Service	Four Members
Sikkim Finance and Accounts Service	Five Members
Sikkim Police Service	Two Members
Sikkim Forest Service	Two Members
Sikkim Higher Judicial Service	One member
Engineers	Nine Members
Doctors	Three Members
Lawyers	Two Members

The Limboos manifest all the characteristics of tribal and fulfill the requirement for inclusion in the tribal list such as the tribal origin, primitive life, inhabitants of remote and interior areas and backwardness in all respects. The Limboo tribe of Sikkim have been representing since the merger of Sikkim into India Union in 1975 but their genuine demands still remain unsolved. The Limboos have represented even during the tenure of Shri. L.D. Kazi, the first Chief Minister of Sikkim. The following is the list

of representation submitted to the Government of India through the State of Sikkim from time to time:—

1. Memorandum dated 15.6.1976 submitted to the H.E. the President of India.
2. Telegram dated 15.6.1976 sent to H.S. The President of India.
3. Memorandum dated 31 October, 1977 submitted to the Chief Election Commissioner of India, Camp Gangtok, Sikkim.
4. Memorandum dated 14.11.1981 submitted to the Prime Minister through the Chief Minister of Sikkim.
5. Memorandum dated 29.7.1983 submitted to Smt. Indira Gandhi, Prime Minister of India, Camp Gangtok.
6. Memorandum dated 29.11.1986 submitted to the H.E. the President of India, Camp Raj Bhawan, Gangtok.
7. Memorandum dated 21.8.1987 submitted to Shri Rajiv Gandhi, prime Minister of India.
8. Memorandum dated 14.6.1990 submitted to the H.E. The President of India, New Delhi.
9. Memorandum dated 6.6.1993 submitted to Shri N.B. Bhandari, Chief Minister of Sikkim.

In fact, if a close comparative study of Limboos of Sikkim with the tribals of North Eastern Region is undertaken it can be taken for granted that the Limboos will exhibit all the characteristic of tribals and satisfy all the requirement for inclusion in the tribal list.

In the circumstances it is most humbly prayed that your Hon'ble Sir be pleased to take necessary action for the inclusion of Limboos in the Scheduled Tribe List of Sikkim.

And your petitioners as in duty bound will ever pray.

Name of the petitioner	Address	Signature or Thumb Impression
1. Shri Bir Bal Limboo, Chairman	Sikkim Limboo Action Committee for Tribal Status, Gangtok, Sikkim.	Sd/-
2. Shri S.M. Limboo, Vice-Chairman	-do-	Sd/-
3. Shri S.R. Limboo, General-Secretary and others	-do-	Sd/-

Countersigned by Smt. Dil Kumari Bhandari, M.P. Division No. 307

### APPENDIX III

(See para 2.1 of the Report)

DILEEP SINGH BHURIA, M.P.  
CHAIRMAN,  
HOUSE COMMITTEE,  
LOK SABHA,

CHIEF PATRON,  
E.P.F. STAFF UNION, DELHI.

29.3.1993

Dear Shri Narayanan,

I am writing this letter about the problems and grievances of the officers and staff members of the Employees Provident Fund Organisation under the Ministry of Labour.

1. A number of employees of selected Sub-Regional offices like Guntur, Nasik, Jalpaigiri, etc. have been paid honorarium @ Rs. 500/- each, but the same honorarium has not been paid to Delhi employees who were awarded shield for better performances on 40th year celebration. This may be given to all other employees also.
2. Even after spending more than 4 lacs of rupees by getting a booster pump installed at B.N. Enclave, New Delhi through H.P.L. ignoring the C.P.W.D. which is overall incharge of maintenance of the colony housing 172 families, the water of the booster pump which is unfit for human consumption is mixed with the M.C.D. water which is injurious to the health, whereas the C.P.F.C. is getting direct M.C.D. water. Residents have to fetch M.C.D. water from the neighbouring colonies daily. Necessary remedial action is requested.
3. The E.P.F. authorities are crushing the elected representatives of the Unions of Haryana, Delhi and U.P. regions by issuing charge sheets, transfers suspensions and involving them in false and manipulated cases. Proper recognition be granted to the elected unions registered under the Indian Trade Union Act 1926 and the victimisation of the union office bearers and active members be stopped forthwith.
4. Some deputationists have been given undue extension which adversely affects the promotional Avenues of the departmental officers in chain. Moreover these extensions are against the central deputation Rules and E.P.F. Recruitment Rules. Even the extension has been given to the Account Officer which has long ago in

1983 declared as dying cadre and the departmental officers are awaiting for their promotional chances since long. Immediate remedial action is requested in the interest of the departmental officials.

5. The post of Law Officer has not been filled up which has jeopardised the interest of existing officials. Moreover a number of gazetted/non gazetted officers given extension/re-employment against the rules instead of filling up these posts by promoting the eligible existing officials. List of officers given extension/re-employment to serve own interest is enclosed.
6. The department having its own land but not constructing its own building and paying heavy rent of Rs. 40,000 approx, per day, in Delhi. The employees are afraid, in case the wastage of public money and administration account is not restrained, the employees will not be able to get salary after a few years in Delhi offices. Suitable action to effect the economy on rentals be taken and steps to construct own office building be taken and curb imposed on taking further building on rent from private parties.

In addition to the above said grievances, there are cases of wasting the public money, misuse of powers, allotment of construction work of crores of rupees without calling and accepting the proper tenders and violation of prescribed govt. rules. Purchase of buildings at different places from private parties, purchase of books for domestic use on office account and supply of furniture to the C.P.F.'s house and former chairman, C.B.T. houses and inspite of accute shortage of accommodation in metropolitan cities the cheapest accommodation on mere rent of Rs. 357/- per month has been vacated in Bombay and searching for costly rental accommodation. Re-employment of certain officers to serve personal interest to seek appointment in Grindlays Bank for Ms. Nandini Som through ACTUARY of the organisation and running of export company in the name of Kanika Export, Delhi.

In case such misuse of powers and money is not checked and curbed, the organisation may face financial crises in future. Copies of some details are enclosed.

I shall be grateful if you very kindly get the same examined and take remedial measures.

With regards,

Sincerely yours,

Sd/-

(DILEEP SINGH BHURIA)

Shri P.G. Narayanan, M.P.  
Chairman,  
Committee on Petitions  
Lok Sabha, Parliament House,  
New Delhi.

## APPENDIX IV

(See para 2.2 of the Report)

### COMMENTS OF THE ORGANISATION

1. A number of employees of selected Sub-Regional Offices like Guntur, Nasik, Jalpaiguri, etc. have been paid honorarium @ Rs. 500/- each, but the same honorarium has not been paid to Delhi employees who were awarded shield for better performances on 40th year celebration. This may be given to all other employees also.

### COMMENTS

The Central Board of Trustees instituted three rolling trophies in the year 1992 for encouraging higher productivity and for excellence in performance. These trophies are:—

- (i) Chairman's shield for the region selected for best all round performance both in the matter of enforcement, service to subscribers.
- (ii) Vice-Chairman's shield for best performance in service to subscribers.
- (iii) Vice-Chairman's shield for best performance in enforcement work.

The Chairman's shield for all round best performance for the year 1991-92 and Vice-Chairman's shield for best performance in the area of 'Enforcement Work' for the same period were awarded to Andhra Pradesh region and the other vice-Chairman's shield for best performance in the area 'Service to Subscribers' for 1991-92 was awarded to Delhi region. In addition to awarding these rolling trophies, no cash payment was approved by the Board. Hence the question of making any cash payment to the staff of Delhi region does not arise.

Honorarium to the officials in Maharashtra, including Nasik was granted for clearing the huge back-log of accounts slip to be issued to the subscribers as non-issue of accounts slip had come under severe criticism at all forums including the Estimates Committee. After calculating the workload, sanction for Rs. 5 lakhs was given by the Government and the Central Board of Trustees for bringing this item of work up-to-date and the honorarium was paid to the staff on completion of the work. As regards Jalpaiguri, the specific honorarium was sanctioned with the approval of the CBT for preparing the data for feeding to the computers at the stage of computerisation and for bringing the accounts up-to-date. In Guntur, the honorarium was paid for settling of all the pending claims and

issue of accounts slips and bringing the pendency to zero level. Thus it may be seen that whereas the honorarium has been paid for a specific items of work, the shields are given every year for overall performance as part of the normal duty.

2. Even after spending more than 4 lacs of rupces by getting a booster pump installed at B.N. Enclave, New Delhi through H.P.L. ignoring the CPWD which is overall incharge of maintenance of the colony housing 172 families the water of the booster pump which is unfit for human consumption is mixed with the MCS water which is injurious to the health, whereas the CPFC is getting direct MCD water. Residents have to fetch MCD water from the neighbouring colonics daily. Necessary remedial action is requested.

## COMMENTS

The problem of water shortage in residential complex, namely, Bhavishya Nidhi Enclave, is continuing feature right from the start of this housing complex. Municipal Corporation of Delhi, on account of overall shortage of water in South Delhi area, has all along been regretting its inability to augment the supply position. It would not even keep up the allotted quantum of water supply to this complex. In the circumstances, to make good the water shortage requirement, a bore-well was set up in the complex years back. The bore-well over the years dried up gradually necessitating its replacement. MCD supply also gradually declined in its quantum. To state precisely, against the allotted quantum of 200 kilo litres a day, it could hardly supply on an average of 90 kilo litres a day and in peak summer period or on other problematic situation, this quantum of supply further dwindles down to even 40-50 kilo litres a day. To augment this position and on technical advice hydrogeological test was got done utilizing the services of a professionally expert agency. Based on the technical advice given and to bridge the wide gap between water availability and its daily requirement, a decision was taken to sink a new bore-well and redesign the internal water supply system.

The water supply from the bore-well was got tested before the installation of multigrade filtration plant and clorination as well after the installation of the plant. On the basis of the test reports it was decided to separate the storage tank for MCD water and bore-well water and operating staggering supply process by using separate pumping system. To meet this requirement, a new set of pump has been installed. Thus, two source of water supply has been worked out and there is no mixing of MCD water with borewell water. The MCD water supply is to be utilised for drinking purpose and for kitchen use and water from the borewell to

be supplied to toilets and bath rooms. The job has been executed by M/s. HPL Ltd., a Government of India Undertaking, and approved by the Central Board of Trustees, for carrying out our civil works in addition to CPWD. The project cost is about Rs. 3.39 lakhs. The Chairman, CBT had granted his approval to the project. The revised water supply system has been made operational on 24.5.1993 and is working satisfactorily. Therefore, it may be appreciated that with constant efforts, water supply to the colony has been augmented and separate supply is available for drinking and separately for other purposes.

3. The EPF authorities are crushing the elected representatives of the Unions of Haryana, Delhi & U.P. regions by issuing charge sheets, transfers, suspensions and involving them in false and manipulated cases. Proper recognition be granted to the elected unions registered under the Indian Trade Union Act 1926 and the victimisation of the union office bearers and active members be stopped forthwith.

#### COMMENTS

The allegation is vague and general in nature. As no specific instance of victimisation of union officials by way of uncalled for charge sheets, transfer, suspension has been mentioned it is not possible to offer any specific comments except to say that it is totally false. It is, however, to be observed here for the purpose of record that the EPF authorities have never sought to stop the trade union activities in the Organisation. No such complaint has also even been made either by any recognised local union or by the All India EPF Staff Federation, either to the Central Office or to the Central Board of Trustees. In fact, the industrial relation climate in the Organisation has been quite cordial for last few years. A reference to the industrial relation position in the Organisation during the year 1991-92 as brought out in the 39th Annual Report of the organisation would be a testimony to this statement. It is also not a fact that any elected representative of Haryana, Delhi or U.P. has been penalised due to their involvement in staff union activities.

4. Some deputationists have been given undue extension which adversely affects the promotional avenues of the departmental officers in chain. Moreover, these extensions are against the central deputation Rules and EPF Recruitment Rules. Even the extension has been given to the accounts officer which has long ago in 1983 declared as dying cadre and the departmental officers are awaiting for their promotional chances since long. Immediate remedial action is required in the interest of the departmental officials.

#### COMMENTS

The statement in this paragraph is factually incorrect. It is not a fact that by granting of extension of tenure by the Organisation to some deputationists has resulted in affecting the promotional avenue of the departmental officers. The fact is that there has been acute shortage of officers in the



grade of Assistant P.F. Commissioner (Gr. I) as well as shortage of officers qualified for promotion to the grade of Regional P.F. Commissioner (Gr. II) and Regional P.F. Commissioner (Gr. I). This shortage was so acute that management was finding it extremely difficult to man all the vacant posts in these grades. The recruitment rules provide for obtaining services of persons on deputation in case of non-availability of officers on promotion. Accordingly, to fill up the gap and awaiting availability of officers to become eligible for promotion, one or two officers were taken on deputation and one officer in RPFC (Gr.I) was granted extension by the competent authority within the ambit of the Government instructions on this subject. As there were no officer eligible for promotion to this grade, the grant of extension to deputationist has not resulted in blocking promotion in the Organisation. On the other hand, the Organisation found it necessary to resort to short form extension in the interest of service.

Regarding Accounts Officers it is pointed out that with the approval of the Department of Personnel, Public Grievances and Pension D.O. letters No. 4/34/89—P&PWID dated 17.1.90 & 28.1.91, 80 Accounts Officers were held on deputation from other departments against the vacant posts of Assistant P.F. Commissioner under 'D.R. Quota' to overcome acute shortage of officers in that grade. However, number of such deputationist officers in the grade of Accounts Officers has now come down to 30 on induction of direct recruit officers in the grade of Assistant P.F. Commissioner through UPSC. At present, 47 more direct recruit vacancies are to be filled up through UPSC for which a requisition has been sent to the UPSC during the year 1992 and as soon as the D.R. candidates would be nominated by the UPSC, the Accounts Officers on deputation would also cease to exist. On the other hand, during the last one year 75 posts in the grade of APFC has been filled up on *ad hoc* basis by granting *ad hoc* promotion to Enforcement Officers/Assistant Accounts Officers/Supdts., of the organisation pending DPC meeting to be convened by UPSC. This has resulted in accelerated promotion of Group 'B' officers to Group 'A'. From this analysis of facts it would be clear to what extent the statement made in this paragraph is misleading.

5. Post of Law Officer has not been filled up which has jeopardised the interest of existing officials. Moreover, a number of gazetted/re-employment against the rules instead of filling up these posts by promoting the eligible existing officials. List of officers given extension re-employment to serve own interest is enclosed.

## COMMENTS

The post of Law Officer is an ex-cadre and isolated post. According to the recruitment rules for this post, the same is to be filled up by transfer on deputation failing which by direct recruitment. For legal advice on the issue pertaining to this Organisation, experience, knowledge of the Government of India rules and EPF Scheme provisions and Act are

necessary which is not available with the fresh law graduates. Therefore, a decision was taken in the year 1990 in consultation with the Ministry of Labour that this being an isolated post, it was not advisable to go in for direct recruitment. Instead, the requirement of legal advice of the Organisation could be better met by engaging an eminent legal expert on retainer basis as has been done by the Employees' State Insurance Corporation. Accordingly, one retired Additional Secretary of the Ministry of Law and who was later given appointment as Chairman, Railways Claims Tribunal, was appointed as Legal Adviser on retainer basis. The arrangement has been working very well and it has enhanced the organisational strength, immensely.

#### EXTENSION/RE-EMPLOYMENT

Regarding the other point about grant of extension/re-employment of certain officers of the Organisation, it is pointed out that in each case a decision was taken keeping the interest of the organisation in view, the Government instructions on this subject and after obtaining the approval of Chairman, CBT as prescribed. To amplify, S/Shri M.K. Talegaonkar, DD(Vig.), Shri J.B. Burman, RPFC Orissa were granted extension for a period of 5 months from 1.11.89 to 31.3.90 as at that time there was acute shortage of RPFC (Gr. II) officers in the Organisation. Proposal for filling up of 33 posts of RPFC (Gr. II) had been sent to UPSC and pending UPSC's approval to the proposal, the Chairman, CBT was pleased to grant extension to these two officers so that these two important posts were not left vacant. This extension has already come to an end and no further extension was granted to them thereafter.

S/Shri R. Parthasarathi, RPFC, Tamil Nadu, P.S. Sunder Markal, RPFC, Karnataka were granted extension for a period of 6 months from 1 December, 1992 to 31 May, 1993 by Chairman, CBT as there were no officer eligible for promotion to RPFC (Gr. I) nor any offer on deputation was available and these two regions could not be left vacant without causing serious dislocation in work. This extension has already come to an end.

It is reiterated that granting of extension to Shri K.C. Jain, Shri Bhajan Singh, Accounts Officer, Shri Srivastava Accounts Officer have been done within the competence of the Chairman, CBT and the Labour Minister. In case of Shrimati Jaya Balachandran, RPFC (Gr. II) no extension was involved as she did not remain in the Organisation for more than 3 years and the normal tenure on deputation to the grade of RPFC (Gr. II) (Rs. 3000-4500) is three years. She was reverted in January, 1993.

Regarding appointment of certain officers after retirement, it is clarified that at times, for certain specific assignments it become necessary to have short-term consultants and it is a matter of executive policy and decision to decide for how long such consultants are required and who should be given this consultancy. It is in this context that the Government of India,

Department of Personnel *vide* its OM No. 16014/12/86—Estt. (Allowance) dated 9.10.83 and 15.12.88 has introduced the system enlisting services of retired Government servants as consultants after their retirement. The same scheme has been adopted by the Organisation. Further, the Executive Committee of the CBT approved appointment of consultants for accelerating the process of growth of the training institutions, development of training materials within the Organisation with the help of expert retired officers. Accordingly, Shri M.K. Pathak, Shri M.K. Menon, Shri S.D. Mane, Shri S.S. Arora, Shri S.K. Banerjee were appointed as consultants for a period of 6 months (as per details given below) to organise training projects as well as for completion of certain specific project work.

<i>Name</i>	<i>Period of employment as consultant</i>
M.K. Pathak	18.11.91 to 17.5.1992
M.K. Menon	21.2.92 to 20.7.92
S.D. Mane	11.11.92 to 10.5.93
S.S. Arora	12.11.92 to 11.5.93

As may be seen, the consultancy of these persons have come to an end.

Shri J. N. Chabra's service were utilised as consultant for implementation of action plan on computerisation for the Organisation. Shri M.R. Vaidya has been appointed as consultant for drafting of the proposed pension scheme. He was earlier Director (Pension) in the Department of Pension under D.O.P.T. To sum up, it may be stated that all these appointments have been made for a specific performance and according to the laid down policy of the Organisation compatible with Government system in this regard. These appointments were made solely in the interest of the overall development of the Organisation.

Shri R.R. Mukherjee, E.O., was granted re-employment from January, 1993 to June, 1993, strictly according to the Government instructions on the subject, for smooth setting up of the EDP centre in Calcutta. Shri Mukherjee has strong industrial relation background, firm control over staff and an experienced officer. To facilitate the work of computerisation in Calcutta where resistance to computerisation and modernisation was striff, it was felt necessary to enlist the services of an experienced official capable of handling vexatious industrial problem and ensure smooth computerisation.

6. The Department having its own land but not constructing its own building and paying heavy rent of Rs. 40,000/- approx. per day in Delhi. The employees are afraid, in case the wastage of public money and administration account is not restrained, the employees will not be able to get salary after a few years in Delhi offices. Suitable action to effect the economy on rentals be taken and steps to construct own office building be taken and curb imposed on taking further building on rent from private parties.

## COMMENTS

The allegations are misleading and factually incorrect. At present, the organisation has got only one plot of land measuring 1.4 acres in institutional area at Janakpuri. The Executive Committee of the Central Board of Trustees has already sanctioned a project for construction of the permanent building for the apex training institute of the Organisation. There is no other plot of land available with the Organisation. However, recently the Executive Committee of the Central Board of Trustees has approved in principle the out-right purchase of a readymade building from Housing & Urban Development Corporation Ltd., (A Government of India Undertaking) at Bhikaji Cama Palace. For the Delhi Regional Office and Sub-Accounts Office at Inderlok no land is available and, therefore, these offices will continue to be located in hired accommodation. At present, for these two offices and the Central Office we are incurring an expenditure of Rs. 7.31 lakhs per months for an area of 68649 sq. feet. It is worth-mentioning that the Organisation efforts over the last two decades to get allotment of suitable land from Land and Development Commissioner or Delhi Development Authority have been unsuccessful. Even the Headquarters Office is being run from a dilapidated building with the landlord (N.D.M.C.) pressing for its vacation as it is unsafe. Although, the regional authorities are making all efforts to get land from the D.D.A., for construction of its own building, it is pointed out there that contray to common belief paying monthly rental on lease basis for office accommodation works out cheaper than investing in own capital for purchase of land and construction of the building. In any case it is reiterated here that in each case office accommodation has been hired on lease basis after observing all the formalities prescribed in the General Financial Rules in this regard and after obtaining prior concurrence of internal finance and the approval of the Chairman, Central Board of Trustees. It is also to be noted here that our administration is run with utmost concern for economy and this is why we are able to generate more and more surplus by spending less than our income in our administrative account. To clarify the point, it may be stated that whereas our annual surplus under Administration Account No. 2 in the year 1988-89 was Rs. 11.33 crores it has risen to Rs. 22.18 crores during the year 1991-92 i.e., in three years' time, we have doubled our surplus in our Administrative Accounts. This is not a mean achievement and gives lie to the allegation made in the representation.

Regarding purchase of private building, it is to be clarified that the Executive Committee of the CBT has taken a policy decision to make out-right purchase of office accommodation, if available, and for this purpose the Chairman, CBT has set up a High Power Committee consisting of a member of the CBT as the Chairman, and the Additional CPFC Construction Engineer and the Regional Provident Fund Commissioner concerned as other members of the Committee to examine all proposals

for purchase of property from private parties and then to make a suitable recommendations to the Executive Committee for consideration. The High Power Committee for the South Zone and make a recommendation for purchase of a ready made office accommodation for SRO, Trichy which was accepted by the Executive Committee and approval given for its purchase. To sum up, it may be stated that the allegation of wastage of public money, misuse of power etc., are nothing but distortion of facts.

7. In addition to the above said grievances there are cases of wasting the public money, misuse of powers allotment of construction work of crores of rupees without calling and accepting the proper tenders and violation of prescribed government rules. Purchase of buildings at different places from private parties, purchase of books for domestic use on official account and supply of furniture to the CPFC's house and former Chairman CBT houses and in spite of acute shortage of accommodation in metropolitan cities the cheapest accommodation on mere rent of Rs. 357/-per month has been vacated in Bombay and searching for costly rental accommodation. Re-employment of certain officers to serve personal interest to seek appointment in Grindlays Bank for Ms. Nandini Som through Actuary of the Organisation and running of export company in the name of Kanika Export, Delhi.

#### COMMENTS

Regarding vacation of a flat in Bombay it is to be clarified that the Organisation had taken five flats in the year 1969-70 pending construction of its staff quarters. It was decided that these flats would be surrendered as soon as the departmental quarters were available. Accordingly, four flats were surrendered in mid 70's and one flat was retained. It took several years to meet this assurance and finally the flat was surrendered two years back to the owner.

Regarding appointment of Ms. Nandini Som in Grindlays Bank it is to be clarified that as this event has no connection with the functioning of the Organisation it needs no clarification here excepting that this appears to be a malicious insinuation.

#### CONCLUSION

From the analysis of the contents of the representation it becomes clear that it is the handiwork of some disgruntled and frustrated elements due to the quick turn around of the Organisation during the last few years. It is pertinent to point out that the Organisation has experienced dramatic transformation during the last few years. The Ramanujam committee set up in mid 80's to study the unsatisfactory delivery of service by the Organisation to its subscribers had recommended sweeping structural changes of the Organisation if it was to serve the purpose for which it was established in November, 1952. Then, the Estimates Committee of Parliament (1988-89) went into the functioning of the Organisation and made several recommendations for revamping its activities including

computerisation to wipe out the backlog of work, clearance of huge arrear in the issue of accounts slips which had fallen in arrears from 1970-71 to quicken the process of the settlement of claim which was taking months to settle and transferring of accounts was becoming a nightmarish experience. It called for drastic administrative actions to set right these things.

With the service to subscribers at doldrum and the Organisation under severe criticism at various forums, the industrial relations was at its worst. The instances of Officers being insulted, manhandled were not uncommon. Malpractices thrived and undesirable elements got upper hand. On slightest provocation strike, dharnas and even storming Central Office in strength were resorted to. The rule of law was abandoned and the administration took the line of least resistance. This situation deteriorated further due to acute shortage of officers at all levels, mainly because of delay in framing/amending recruitment rules. It took five years for the recruitment rules for the post of R.P.F.C. (Grade II & Gr. I) to be finalised and several years for recruitment rules for the post of A.P.F.Cs to be notified. No confirmation of any DR quota officers was done from the year 1973 onwards and similar was the case for Group 'C' and 'D' staff. The grade of P.F.I. (Gr. II & I) which was abolished in 1982 creating a new cadre of EOs/AAOs, it took eight years to frame the recruitment rules of EOs/AAOs resulting in *ad-hoc* appointment in this cadre creating a chain of *ad-hoc* promotion down the line. Examination system for promotion had degenerated so much that staff had lost faith in it.

To redeem the situation, to revamp the Organisation to bring order out of chaos to correct the industrial relation environment, to bring skill and efficiency in administration to modernise the working of the Organisation by introducing a new work culture, a series of actions were taken with the full support of the Central Board of Trustees in general and the Chairman, Central Board of Trustees in particular from 1989-90. In pursuance of the same, after carefully analysing the problems that affected the Organisation, the needs and aspiration of the staff and the officers of the Organisation the needs of the subscribers, an action plan, called, Central Action Plan, was developed and put in use from the year 1990-91 to achieve the following objectives:—

- (a) Enhancing subscribers satisfaction.
- (b) Reducing subscribers grievances.
- (c) Enrolment of new members.
- (d) Improving book-keeping & documentation work.
- (e) Improving personal skill to liquidate grievance of the staff.
- (f) Enhancing productivity.
- (g) Increasing revenue collection as also profitability.

Under the Central Action Plan, targets are set for each region in consultation with the latter. Performance of each region is monitored, bottlenecks identified and corrective action taken on monthly basis. The

experiment had instant support and success. The measure of success may be seen as indicated in the enclosed statement under the following heads.

## PERFORMANCE PARAMETER

No. of subscribers: Whereas the No. of subscribers was 142.88 lakhs at the end of 1988-89, it sharply rose to 166.15 in three years. It is seen whereas the increase in new membership was 30 lakhs in the entire decade of the 80's, the same grew by over 26 lakhs in three years from 1989-90 to 1991-92.

(ii) The unfilled vacancies were filled up through timely recruitment action, special drive was undertaken for filling up of SC/ST vacancies which led to substantial increase in productivity. The system of recruitment of clerical staff has since been handed over to staff selection commission for obtaining better quality of personnel.

(iii) The greatest achievement was in the area of issue of statement of accounts. The productivity has increased from 123.97 lakhs slip is used in 1988-89 to 182.40 in 1991-92 thus bringing down drastically the arrears. The old arrears have been whiped out in most of the regions excepting UP, West Bengal and N.E.R. In these regions also it is hoped that by the end of this financial year the position would be upto-date. It is a matter of great achievement that during the 1990-91 and 1991-92, 344.55 lakhs account slips have been is used thus liquidating arrears of last two decades. The balance to be issued at the end of 1992-93 is 71 lakhs, thus complying in full with the recommendation of the Estimates Committee.

(iv) One more landmark achievement has been securing higher subscriber to staff ratio during last four years., Whereas in 1988-89, one staff member could look after 1019.74 subscribers, at the end of 1991-92 the same was raised to 1049.67. Similarly, whereas in 1988-89, one staff could issue 1028.71 account slips, the same figure rose to 1366.79 at the end of 1991-92. In the matter of settlement of claims, in 1988-89, per staff disposal was 143.17 case per year, the same has gone up sharply to 166.48 at the end of 1991-92. Thus the new work appropach has resulted in handling more work with less cost. The cost containment is the hall mark of the new work approach for higher productivity.

(v) True to its resolve to improve sarvice to subscribers and to bring down the No. of grievances, it has brought about a sharp change here also. Whereas the No. of grievances, per thousand subscriber was 11.64 in 1988-89, it has come down sharply to 2.52 per thousand by the end of 1991-92.

(vi) It also succeeded in enhancing the profitability of the Organisation. The excess of income over expenditure as shown in the statement will substantiate this point. With judicious planning of expenditure, by observing the tenets of financial propriety, curtailing infructious expenditure, the margin of surplus which was Rs. 11.33 crore in 1988-89 was doubled to

Rs. 22.18 crore by the end of 1991-92. The same trend continued during 1992-93 also.

(vii) As on today, there is no backlog in confirmation of staff. Regular promotion is the order of the day and *ad hocism* is fast becoming a thing of the past. The excellence of examination system is another important milestone in the turn around story of the Organisation. The industrial relation is harmonious. What could be a better tribute to the excellence of that the computerisation programme has been successfully launched, so far 23 EDP centres have been set up, without losing a single manday. This is a record achievement in our national environment. By setting up computer, the Organisation complied with the most important recommendation of the Estimates Committee and could increase productivity all round, enhance subscribers satisfaction and remove several bottlenecks in office working.

(viii) The Organisation had set to itself a norm of settling all claims within a period of 30 days of their receipt. Accordingly, the staff and supervisors were told that at no point of time any one should have more than 8.33 per cent of paper pending. It is a matter of great satisfaction that this has been achieved in most of the regions and in most of the work areas. Enclosed at Annexure the performance highlights illustrating this point.

From the achievements of the Organisation and its perspective planning, it would be clear that the present representation is the handiwork of some misguided and disgruntled element with which no staff or officer of the Organisation has any link. It is a vile attempt to tarnish the image of the Organisation by the vested interest group whose capacity to create disservice to the subscribers has been effectively check-mated during the last few years.