

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

**TWENTIETH REPORT**



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

## CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE ON PETITIONS .....	(iii)
INTRODUCTION.....	(v)
REPORT	
I. Representation for implementing the Award of Board of Arbitration under the scheme for Joint Consultative Machinery and Compulsory Arbitration for encashment of leave, etc. of Central Government Employees .....	1
II. Representation from Shri V.L. Jadhav, an ex-NDS Instructor, National Fitness Corps Scheme, for absorption in service .....	14
APPENDICES	
I. Parawise explanations offered by the petitioners on the comments furnished by the Ministry of Personnel, Public Grievances & Pensions on 25.2.94 .....	20
II. Details of estimated expenditure of encashment of leave while in service for the year 1991-92 .....	25

**COMPOSITION OF THE COMMITTEE ON PETITIONS  
(1994-95)**

1. 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 Pattanayak
10. Shri Prabhulal Rawat
11. Shri Muhi Ram Saikia
12. Shri Gabhaji Mangaji Thakore
13. Dr. Ramesh Chand Tomar
14. Shri Arjun Singh Yadav
15. Shri Satyapal Singh Yadav

**SECRETARIAT**

Shri S.N. Mishra	—	<i>Additional Secretary</i>
Shri G.C. Malhotra	—	<i>Joint Secretary</i>
Shri Ram Autar Ram	—	<i>Deputy Secretary</i>
Shri J.P. Jain	—	<i>Under Secretary</i>

# TWENTIETH 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 Twentieth Report of the Committee to the House on the following matters:—

(1) Petition No. 32 from Sangli and Kolhapur Zilla Dugdha Vyasayik Sangathana, Sangli (Maharashtra) regarding difficulties in implementing Rules made under Prevention of Food Adulteration Act in respect of their products "Chakka" and "Shrikhand".

(2) Action taken by Government on the recommendations of Committee on Petitions (Tenth Lok Sabha) contained in their Fourteenth Report on Petition No. 20 regarding problems of workers of Railway Shramik Sangharsh Samiti, Moradabad, Northern Railway.

2. The Committee considered the draft Report at their sitting held on 30 May, 1995 and adopted it.

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

NEW DELHI;  
May 30th, 1995  

---

9 Jyaishta, 1917 (Saka)

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

**PETITION NO. 32 FROM SANGLI AND KOLHAPUR ZILLA  
DUGDHA VYAVASAYIK SANGATHANA, SANGLI  
(MAHARASHTRA) REGARDING DIFFICULTIES IN  
IMPLEMENTING RULES MADE UNDER PREVENTION OF  
FOOD ADULTERATION ACT IN RESPECT OF THEIR  
PRODUCTS "CHAKKA" AND "SHRIKHAND".**

1.1 Prof. Ram Kapse, M.P., presented to Lok Sabha on 31.3.1993 a petition (No. 32) (See Appendix-I) signed by Shri Kirit Mehta, Secretary, Sangli and Kolhapur Dughda Vyavasayik Sangathana, Sangli and others regarding difficulties in implementing Rules made under Prevention of Food Adulteration Act in respect of their products "Chakka" and "Shrikhand" stating *inter alia* that the new rules of Prevention of Food Adulteration for Chakka and Shrikhand have adversely affected their production, as a result milk producing village farmers have been put to heavy losses.

1.2 In the petition, the petitioners raised *inter alia* the following main points:—

(i) Historically Srikhand and Chakka has been a product of Western India made in homes and Cottage Industries and few organised sectors. It is known as common man's cheapest sweet. Chakka, the basic raw material for Srikhand, is made from buffalo milk and obtained by draining of whey by hanging curd in muslin cloth.

(ii) According to Prevention of Food Adulteration standard the minimum protein percentage required in Chakka is 37 percent but buffalo milk itself does not contain that much proteins to achieve desired protein percentage in Chakka. Also while making Chakka, some part of proteins also drains with the whey.

(iii) The moisture contents in Chakka, made from curd changes from season to season. Thus to get uniform moisture in Chakka is very difficult.

(iv) The whole procedure in Chakka making takes 24 hours. It is packed and sent to big cities and in the transit period of 2-3 days, the lactose remains in Chakka are further rapidly fermented into lactic acid. Higher acidity affects protein percentage of Chakka. Higher acidity, though not harmful for human consumption, is an offence as per rules of the Prevention of Food Adulteration Act.

(v) Testing of protein percentage requires well equipped laboratories. Chakka is prepared and handled by illiterate farmers who do not have facilities of testing.

1.3 The petitioners, therefore, prayed for amendment in Prevention of Food Adulteration Rules, 1955, item Nos. A.11.02.22 Chakka and A.11.02.22.01 Shrikhand so that—

1. The fat percentage may remain as per the Act.
2. The solid percentage may reduce by 5%.
3. All other parameters like Acidity. Proteins and Ash should be removed from the Act.

1.4 The petition was referred to the Ministry of Health & Family Welfare (Department of Health) for furnishing their comments on the points raised therein.

1.5 The Ministry of Health & Family Welfare (Department of Health) vide their communication dated 17.5.1994 stated as under:—

“The standard of “Chakka” and “Shrikhand” has been laid down under the Prevention of Food & Adulteration Rules, 1955, in 1991, vide notification No. GSR 10(E) dated 7.1.1991. This Ministry had received a number of representations from Chakka and Shrikhand Manufacturers Association requesting for revising the existing standards of these two products.

As most of the manufacturers are from Gujarat and Maharashtra, the Govts. of these two States have been requested to conduct detailed surveys by collecting sizeable number of samples of these two products for getting them analysed, on an urgent basis, for conducting a review. The final reports from these States are awaited. As per the request of the Sangli and Kolhapur Zilla Dugdha Vyavasayik Sanghathana, this Ministry has also requested National Dairy Research Institute, Karnal, to take up a project for carrying out analysis of Chakka and Shrikhand for the purpose of generating necessary data.”

1.6 The Ministry of Health & Family Welfare further intimated vide their communication dated 16.3.1995 as under:—

“After examining the data submitted by Government of Maharashtra & Gujarat and National Dairy Research Institute Karnal and Bangalore, the Dairy products Sub-Committee of the Central Committee on Food Standards, a statutory body under the Prevention of Food Adulteration Act, has recommended to revise the existing standards of Chakka and Shrikhand under PFA Rules, 1955”.

## OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

1.7 The Committee note from the comments furnished by the Ministry of Health & Family Welfare on the points raised in the petition that the standard of "Chakka" and "Shrikhand" was laid down under the Prevention of Food & Adulteration Rules, 1955 in the year 1991. On receiving a number of representations from Chakka and Shrikhand Manufacturers Association, they requested the State Governments of Maharashtra and Gujarat to conduct detailed surveys in this regard.

1.8 The Committee further note from the reply of the Ministry that after examining the date submitted by the Government of Maharashtra and Gujarat and National Dairy Research Institute, Karnal and Bangalore, the Dairy Products sub-Committee of the Central Committee on Food standards, a statutory body under the Prevention of Food Adulteration Act, has recommended revision of the existing standards of Chakka and Shrikhand under PFA Rules, 1955.

1.9 The Committee hope that the recommendations of the Dairy products Sub-Committee of the Central Committee on Food Standards would be implemented soon and the existing standards of Chakka and Shrikhand under PFA Rules, 1955 would be revised without further loss of time to alleviate the plight of the manufacturers of these two products, the common man's sweets.

## II

### **ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS (TENTH LOK SABHA) CONTAINED IN THEIR FOURTEENTH REPORT ON PETITION NO. 20 REGARDING PROBLEMS OF WORKERS OF RAILWAY SHRAMIK SANGHARSH SAMITI, MORADABAD, NORTHERN RAILWAY.**

The Committee on Petitions (Tenth Lok Sabha) in their Fourteenth Report presented to Lok Sabha on 12 May, 1994 dealt with the petition No. 20 signed by Shri Shyam Bihari Lal, Convenor, Railway Shramik Sanghrash Samiti, Moradabad, Northern Railway, regarding problems of workers of the said Samiti. The petition was presented by Shri Mohan Singh, M.P. to Lok Sabha on 28 July, 1992.

2.2. Action taken notes in respect of the recommendations contained in the Report have been received from the Government and are given in the Appendix II.

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

#### **Recommendation (Para No. 1.20)**

2.4. The Committee had regretted that proper and effective supervision was not exercised by the Senior Officers of the Moradabad Division of Northern Railway in maintenance of live registers of casual labour which led to the consequence of fraud in issuing of fake certificates by the supervisors and selection of candidates on the basis of such certificates by the Selection Board. The Committee had, therefore, recommended that the Ministry must ensure proper maintenance and updating of registers of casual labour under supervision of senior officers to eliminate the scope for manipulations etc. by officials in future. The Committee also recommended that pending cases of corruption and irregularities against officials involved in this case be finalised without further delay and appropriate action taken against guilty persons.

The Government in their reply have stated that instructions have already been issued from time to time for proper maintenance of live registers and to ensure that only genuine casual labour are re-engaged/regularised. These instructions have, however, been further reiterated to the Railways *vide* Ministry of Railways (Railway Board) letter number E(NG) II/90/LG-3/31 pt. dt. 23.1.95 stipulating *inter alia* that the casual labour live registers should be maintained in duplicate and one copy should be lodged with the Division while the other copy is to be maintained in the respective

field formation on the Zonal Railways. These registers should be reviewed every year and updated preferably during the first quarter of the year. The registers so maintained should be scrutinised by senior gazetted officers at least once annually and the record kept in the register itself to show by whom and when it was checked. These instructions regarding proper maintenance of casual labour live registers should be scrupulously followed and any lapse on the part of any authority in this regard should be viewed seriously and deterrent action should be taken against the officers/staff concerned.

The Railway Board also instructed the zonal authorities that in future the entries in the casual live register/supplementary registers, service book and casual labour cards should be the ones which should be relied upon while considering the eligibility of the casual upon while considering the eligibility of the casual labour for re-employment, screening etc.

The Railway Board had further instructed that all pending cases of corruption and irregularities against the officials in respect of the empanelment of casual labour for absorption as Loco Cleaner and Fitter Khalasis in the Moradabad Division in 1987-88 examined by the Committee on Petitions, Lok Sabha, should be finalised without any further delay and appropriate action taken against the guilty officers under advice to the Board.

2.5. The Committee note with satisfaction the steps taken by the Ministry of Railways (Railway Board) for proper maintenance and updating of casual labour live registers in all Divisions of the Railways for re-employment, screening, absorption etc. of casual labour. The Committee need not emphasise again that all the instructions issued in this regard should be followed/implemented by the concerned officers/staff scrupulously and also monitored periodically by senior officers to prevent recurrence of the kind of irregularities that had taken place in Moradabad Division and also to ensure fair and just selection/absorption of only genuinely eligible casual labour in vacancies wherever existing.

The Committee desire that action against officials found guilty in the case of selection of casual labour for absorption as Loco Cleaner, etc. in Moradabad Division be expedited and details of final action taken against such persons be furnished to the Committee for information at the earliest.

#### Recommendation (Para No. 1.21)

2.6. The Committee were informed that all the casual labour who are genuine and who are borne on live registers would be regularised in due course. The Committee expressed the hope that genuine casual labour

who fulfil the eligibility criteria would be absorbed and regularised without delay.

The Ministry in their reply have stated that extant instructions provide that all posts in the Group 'D' categories barring certain exceptions like compassionate appointments, appointments against sports quota and posts in Diesel/Loco Sheds and workshops etc. should be filled by screening and absorption of casual labour. The Railway Board in their fresh instructions in the matter have advised all the Zonal Railways and Production Units for taking prompt action for screening and absorption of casual labour against vacancies wherever existing in accordance with the extant instructions.

2.7. The Committee are happy to note that the Railway Board have instructed their zonal authorities regarding absorption of genuine and eligible casual labour borne on the live registers. The Committee stress that the same may be implemented at the earliest so that justice is done to the genuine casual labour.

#### Recommendation (Para No. 1.22)

2.8. The Committee had recommended that the vigilance machinery should be strengthened and deterrent action taken against guilty officials to eliminate the menace of pilferage of Railway property as well as booked consignment.

The Government in their reply have stated that necessary instructions have been issued to all Zonal Railways *vide* their letter No. 94/Sec(Cr)/45/42/NR dt. 22.12.1994 to ensure better security of booked consignments and Railway materials.

2.9. The Committee note the detailed and comprehensive instructions issued to the Chief Security Commissioners, Railway Protection Force of all the Zonal Railways *vide* the aforesaid letter for ensuring improved security of both the booked consignment and Railway property. The Committee trust that these detailed instructions would be strictly implemented to eliminate the menace of pilferage. To ensure effective implementation of the same, periodical monitoring of the process of implementation may be conducted and prompt and suitable corrective action taken to rectify the deficiencies/inadequacy, if any, in the instructions and also the lapses on the part of implementing agencies.

#### Recommendation (Para No. 1.23)

2.10. The Committee had desired the Railways to be watchful and take appropriate measures to ensure that no misgivings arise in the minds of any honest and upright employees that they were victimised for their suggestions/representation for improvement of the working of Railways.

In their reply, the Government have stated that necessary instructions have been issued *vide* Ministry of Railways (Railway Board) letter No. 91/V-1/VP/1/1 dt. 17.8.1994 to ensure that no misgivings arise in the minds

of honest and upright employees that they were victimised for their suggestion/representations for improvement of working of Railways.

2.11. The Committee note the instructions given to the General Managers (Vigilance) in all the Zonal Railways and Production Units *vide* the aforesaid letter of the Ministry of Railways and trust that they would be implemented in letter and spirit to ensure a healthy and harmonious work atmosphere in the organisation and to encourage honest and upright employees to come forth with their positive suggestions for improvement of the working of Railways without any fear of being victimised/harassed for the same.

NEW DELHI;  
30 May, 1995  

---

Jyaistha 9, 1917 (Saka)

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

**(APPENDIX I)**  
**(See Para 1.1 of the Report)**

**LOK SABHA**

**PETITION NO. 32**

[Presented to Lok Sabha on 31.3.1993]

To

**LOK SABHA  
NEW DELHI**

The humble petition of Shri Kirit Mehta, Secretary, Shri Atul Kothari and Shri Sanjay Kumbhojkar, Directors, Sangli & Kolhapur Zilla Dugdha Vyavasayik Sanghatana, Sangli requesting in the matter of Amendment in P.F.A. Act No. A. 11.02.22 Chakka & A. 11.02.91 Shrikhand is not practicable needs revision.

**SHEWETH**

Historically Srikhand and Chakka has been a product made in homes and individual houses and cottage industries and few organised sectors. The Srikhand has been known as common man's cheapest sweet available in market.

Generally Srikhand is age old product of Western India, especially Maharashtra and North Karnataka, Chakka is a basic raw material of Srikhand and Chakka is made from buffalo milk, obtained by draining of the whey by hanging curd in muslin cloth. P.F.A. Standard says that minimum protein percentage in Chakka is required 37% but Buffalo Milk itself does not contain that much proteins to achieve desired protein percentage in Chakka. Also while making Chakka, some part of proteins also drains with the water (whey). So it is very difficult to achieve the protein percentage as per standard of P.F.A. In support of the above statement we are enclosing a certification from the National Dairy Research Institute, Karnal.

The moisture contents in Chakka, made from curd changes in season to season, thus to getting uniform moisture in Chakka is very much difficult. Increasing of draining time leads to increase in acidity. So with conventional procedure it is very difficult to maintain moisture and acidity in fermented product like Chakka. For setting of curd generally it takes 8 hours, then hanging it in muslin cloth for draining of water takes 10 hours. Means the whole procedure of Chakka making takes 24 hours. Then it is packed in tins and sent to big cities for sale. The transit period takes another 2 days

and the traders of big cities will take further 1-2 days for sale. So whatever lactose remains in Chakka are further rapidly fermented into lactic acid, in our tropical country, in final product and may increase at any level. Higher acidity affects on protein percentage of Chakka. Higher acidity and lower protein which occur by nature, is an offence as per rules of the Act. But higher percentage of lactic acid is not harmful for human being this just for your information.

Milk is being produced and handled by the illiterate farmers, who did not have any facilities of testing. While conversion of surplus milk into Chakka by traditional, manual method at village level, for testing of protein percentage and acidity, it requires well equipped laboratory and it is not possible to set up such laboratories at village level by small illiterate farmers, it is also not possible to check in laboratories, at District level, of every batch, every day.

Our Association of Farmers and Milk Producers feel that above new rules of P.F.A. for Chakka and Shrikhand have adversely affected their production, as a result milk producing village farmers are put into heavy losses.

Accordingly, your petitioners pray that looking to the consumer's interest.

1. The fat percentage may remain as per the Act.
2. The solid percentage may reduce by 5%.
3. All other parameters like (i) Acidity (ii) Proteins (iii) Ash, should remove from the Act.

And your petitioners as in duty bound will ever pray

Name of Petitioner	Address	Signature and thumb impression
1. Shri Kirit Mehta Secretary, Sangli and Kolhapur Dugdha Vyav. Sangathan, Sangli.	2557-B, Mangalwar Peth, Kolhapur-416012.	Sd/-
2. Shri Atul Kothari Director, Sangli and Kolhapur Dugdha Vyav. Sangathan, Sangli.	652-E, 2nd Lane, Shahupuri Kolhapur.	Sd/-
3. Shri Sanjay Kumbhojkar, Director, Sangli and Kolhapur Dugdha Vyav. Sangathan, Sangli.	920, Path Bhagh, Sangli-416416.	Sd/-

Countersigned by Shri Ram Kapse, MP  
Div. No. 474

## **APPENDIX II**

**(See para 2.2 of the Report)**

***Action taken note furnished by the Government on the Recommendations made by the Committee on Petitions (Tenth Lok Sabha) in their fourteenth Report***

### **OBSERVATIONS/RECOMMENDATIONS (PARAS 1:18, 1.19, 1.20 & 1.21)**

The Committee perused the case regarding alleged irregularities in the appointment of substitute Loco-cleaners from the live casual labour registers and pilferage/theft of Railway properties/booked consignment in Moradabad Division of Northern Railway.

During the oral evidence, the representative of the Ministry of Railways had informed the Committee that Subordinates in the field had not maintained the casual labour registers properly. They admitted that there was a system failure. The Committee failed to understand how the railway authorities could ensure a proper check about the number of working days put in by casual labour and arrive at a conclusion that none of the 456 casual labour could be considered for recruitment when there was a system failure and casual labour registers were not being maintained properly.

The Committee regret that proper and effective supervision was not exercised by the senior officers of the Division in this regard. The Committee feel that it was lack of proper maintenance of live registers of casual labour which led to the consequence of fraud in issuing fake certificates by the Supervisors and selection of candidates on the basis of such certificates by the Selection Board. The Committee, therefore, recommend that the Ministry must ensure proper maintenance and updating of live registers of casual labour under supervision of senior officers so as to eliminate the scope for manipulations etc. by officials, in future. The Committee also recommend that pending cases of corruption and irregularities against officials may be finalised without further delay and appropriate action taken against the guilty persons.

The Committee have been informed that to avoid recurrence of such irregularities in future, the Live Registers are being maintained both in the offices of the Unit-incharge as well as in the Divisional Office and in future any induction/absorption of the casual labour will be done only on the verification of past working days available in the live registers (with the muster roll as well as the payment records maintained by the Senior subordinates, being made use of as a further cross check). It has also been stated by the Ministry that all the casual labour who are genuine and who

are borne on live registers will be regularised in due course. The Committee trust that the genuine casual labour who fulfil the eligibility criteria will be absorbed and regularised without delay.

#### Reply of Government

Instructions have already been issued from time to time for proper maintenance of Live Registers and to ensure that only genuine casual labour are re-engaged/regularised. However, these instructions have been further re-iterated to the Railways *vide* Ministry of Railways letter number E(NG) II/90/LG-3/31 Pt. dated 23.1.95 (copy enclosed as Annexure 'A').

Instructions have also been issued to Northern Railway *vide* para 7 of the Ministry of Railways letter dated 23.1.95 that all pending cases of corruption and irregularities against the officials, in respect of the empanelment of casual labour for absorption as Loco Cleaner and Fitter Khalasis in the Moradabad Division in 1987-88 examined by the Committee on Petitions (Lok Sabha) should be finalised without any further delay and appropriate action taken against the guilty officials under advice to Railway Board.

As regards absorption of the casual labour, extant instructions provide that all posts in the Group 'D' categories barring certain exceptions like compassionate appointments, appointments against sports quota and posts in Diesel/Loco Sheds and workshops etc., should be filled by screening and absorption of casual labour.

All zonal Railways and Productions Units have been advised that prompt action should be taken for screening and absorption of casual labour against vacancies wherever existing *vide* para 8 of Ministry of Railway's letter dated 23.1.95 referred to earlier.

#### Recommendation (Para 1.22)

The Committee note that the number of outsiders and Railway employees arrested for theft of Railway material during the years 1988-1993 are far greater than those arrested for theft of booked consignment. The Committee, therefore, recommend that the Vigilance machinery should be strengthened and deterrent action should be taken against guilty officials to eliminate the menace of pilferage of Railway property as well as booked consignment.

#### Reply of Government

Necessary instructions have been issued to all Zonal Railways *vide* Ministry of Railway's letter No. 94/Sec (C)/45/42/NR dated 22.12.94 to ensure better security of Booked Consignments and Railway Materials (copy enclosed as Annexure 'B').

#### Recommendation (Para 1.23)

Regarding the allegations of vindictive suspension of persons fighting against corruption etc., the Ministry have clarified that no details of the

persons so suspended were given in the petition. Shri Shyam Bihari Lal, the petitioner and Shri Musharraf Ali, Divisional Secretary, IRLMSA, were dismissed in 1991 on charges of stopping train and causing disruption of train services etc. On appeal, their punishments were reduced to reduction in pay by way of clemency. As such, it could not be concluded that these cases were vindictive action against sincere and honest officers. Nevertheless, the Committee would like the Railways to be watchful and take appropriate measures to ensure that no misgivings arise in the mind of any honest and upright employees that they were victimised for their suggestion/representation for the improvement of working of Railways.

#### **Reply of Government**

Necessary instructions have been issued vide Ministry of Railway's (Railway Board) letter No. 91/V-1/VP/1/1 dated 17.8.94 (copy enclosed as Annexure 'C') to ensure that no misgivings arise in the minds of any honest and upright employees that they were victimised for their suggestion/representations for the improvement of working of the Railways.

#### **Recommendation (Para 1.24)**

The Committee learn from the Ministry that there was no link between the murder of Shri Chhavi Lal and matter of screening of casual labour which was the subject matter of suit filed by him in the court. Murder was motivated act out of personal rivalry between the victim and the accused Shri Ghan Shyam Dass. Both were railway employees and the rivalry related their dispute of rent regarding Railway Canteen. As such the Committee do not desire to proceed further in the matter.

#### **Reply of Government**

No action is called for.

**GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)**

No. E(NG) IL/90/LG-3/31 dt.

New Delhi, dt. 23.1.95

**The General Manager (P),  
Northern Railway,  
New Delhi.**

**Sub: *Petition of Shri Shyam Bihari Lal, Convenor, Railway Shramik Sangharsh Samiti, Moradabad Division, Northern Railway presented by Shri Mohan Singh, M.P.***

Kindly refer to the correspondence resting with your letter No. 961-E/123/IRLMSA/EIIA/Pt. I dt. 6.5.94 on the above subject.

2. The above petition was examined by the Committee on Petitions (10th Lok Sabha) who, in their 14th Report presented to Lok Sabha in May, 1994, have *inter-alia* observed that it was lack of proper maintenance and updating of live registers of casual labour which led to the Selection Board to depend upon the certificates issued by the supervisors and gave an opportunity to the concerned supervisors to issue fake certificates. The Committee have, therefore, *inter alia* recommended as under:—

- (i) The Ministry must ensure proper maintenance and updating of live registers of casual labour under supervision of senior officers so as to eliminate the scope of manipulations etc. in future.
- (ii) pending cases of corruption and irregularities against officials may be finalised without any further delay and appropriate action taken against the guilty persons.
- (iii) genuine casual labour who fulfil the eligibility criteria must be absorbed and regularised without any delay.

3. The above recommendations have been considered by the Railway Board, who desire to reiterate the instructions issued by the Board, from time to time for proper maintenance of casual labour live registers. The Railway's particular attention, in this connection is invited to instructions issued vide Board's letters No. E(NG)IL/18/CL/2 dated 22.11.84, E(NG)IL/87/CL/38 dated 12.6.87, E(NG)IL/78/CL/2 dated 8.12.88 and E(NG)IL/85/CL/1 dated 23.2.90.

4. As already stipulated in Board's letters refer in para (3) above, the casual labour live registers should be maintained in duplicate. While one copy should be lodged with the Division the other copy is to be maintained in the respective field formation on the Zonal Railways. These registers should be reviewed every year and updated preferably during first quarter of the year. The registers so maintained should be scrutinised by senior gazetted officers atleast once annually and the record kept in the register itself to show by whom and when it was checked.

5. Board desire that the above instructions regarding proper maintenance of casual labour live registers should be scrupulously followed. Any lapse on the part of any authority in this regard should be viewed seriously and deterrent action should be taken against the officers/staff concerned.

6. The Board also desire that in future, the entries in the live register/ supplementary live registers, Service Book and Casual Labour Cards should be the ones which should be relied upon while considering the eligibility of the casual labour for re-engagement, screening etc.

7. Board also desire that all pending cases of corruption and irregularities against the officials, in respect of the empanclement of casual labour for absorption as Loco Cleaner and Fitter Khallasis in the Moradabad Division in 1987-88 examined by the Committee on Petitions (Lok Sabha) should be finalised without any further delay and appropriate action taken against the guilty officials under advice to Board.

8. As regards absorption of the Casual labour, attention is invited to the extant instructions which provide that all posts in the Group D categories barring certain exceptions like compassionate appointments, appointments against sports quota and posts in Diesel/Loco Sheds and Workshops etc. should be filled by screening and absorption of casual labour. Board desire that prompt action should be taken for screening and absorption of casual labour against vacancies wherever existing, in accordance with the extant instructions.

Please acknowledge receipt.

(SD/-)  
(M.D. PILLAI)  
Dy. Director ESTT(N)I  
Railway Board.

**Copy to GMs(P), All Indian Railways (Except Northern Railway) for strict compliance of instructions contained in Paras 3 to 6 and 8 above.**

**(SD/-)  
(M.D. PILLAI)  
Dy. Director ESTT(N)I  
Railway Board.**

No. 94/Sec(Cr)/45/42/NR

22.12.94

The Chief Security Commissioners,  
Railway Protection Force,  
All Zonal Railways.

**SUBJECT:** *Implementation of the recommendations made by the Committee on Petitions in their Fourteenth Report (10th Lok Sabha) on Petition No. 20 regarding problems of workers of Railway Shramik Sangharsh Samiti, Moradabad, Northern Railway.*

The 10th Lok Sabha Committee in their 14th Report after discussing the problems of workers of Railway Shramik Sangharsh Samithi Moradabad, Northern Railway has recommended that the vigilance machinery should be strengthened and deterrent action taken against the guilty official to eliminate the menace of pilferage of Railway property as well as Booked Consignments.

In order to ensure better security to Booked Consignments and Railway Materials, the Board desires that the following security measures should be implemented to achieve better results:—

- (1) Adequate and prompt security arrangements should be made to wagons which remain unconnected or suffer detentions enroute or at transshipment points, in yards and platforms. Special precautions must be taken for open wagons for transporting foodgrains, iron & steel and other valuable items.
- (2) In order to eliminate incidences of thefts/pilferage of Booked Consignments in running trains and in yards, it is desired that RPF pickets and patrols be deployed round the clock in vulnerable section/sectors and at black spots.
- (3) A close watch should be maintained on suspected guards/brakemen and other Railway staff who are reportedly indulging in crime.
- (4) Surprise seal-checking at interchange points and at important marshalling yards be conducted by the supervisory officers of the RPF.
- (5) Seal defective wagons and wagons with defective doors/body cut and panel-cut etc. be properly checked and records maintained so as to facilitate localisation of crime.
- (6) Periodical co-ordination meetings should be held with Chief Claims

Officers, Chief Commercial Superintendents and Chief Mechanical Engineers, to discuss and devise ways and means for prevention of crime and for chalking out programmes for joint checking at interchange points, loading stations, unloading stations, important transshipment points, for arranging revetting and panel-patching of defective wagons.

- (7) Liaison with CRP/State Police and Commercial Departments should be maintained at all level. Inspector/RPF, SHO/GRP, Commercial Inspectors should hold monthly meetings to discuss way and means to prevent crime affecting Booked Consignments/Railway Materials.
- (8) Crime Intelligence staff should be utilised to collect criminal intelligence, conduct ambush checks and raids at the hide-outs of the criminals/receivers.
- (9) Test-checks incooordination with the Commercial Department should be conducted on the loaded and sealed wagons between stations frequently reporting shortages.
- (10) The areas during transit where anti-social elements frequently strike should be identified and adequate steps be taken to guard such vulnerable zones/sectors in an effective manner in co-ordination with Civil and GRP authorities.
- (11) As far as possible, escorting of goods trains/Parcel-cum-Passenger trains carrying valuable commodities be undertaken by RPF staff during night in vulnerable sections or sectors.
- (12) Surveillance be kept on the criminals/receivers and raids must be organised frequently to nab them and bring them to book.
- (13) Close liaison with the Engineering Department be made to safeguard the scattered released engineering materials which are prone to thefts.
- (14) Staff found indulging/conniving in crime must be taken up severely and exemplary punishment awarded.

Sd/-  
(S.C. SINHA)  
Joint Director/Crime  
Railway Board

GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)

No. 91/V-1/VP/1/1

17.8.94

The General Manager (Vig.),  
All Indian Railways and  
Production Units.

Sub.: *Observations made by the Committee on Petitions in their 14th Report (10th Lok Sabha).*

The Committee on Petitions in their 14th Report (10th Lok Sabha) has stressed the need that the railways should be watchful and take appropriate measures to ensure that no misgivings arise in the minds of any honest and upright employees that they were victimised for their suggestions/representations for the improvement of working of railways.

2. The Vigilance is positive in approach and not merely a reactive action limited to investigation of complaints received. Its primary task is to make efforts to promote integrity and eliminate corruption from the root and must therefore emphasis on the preventive aspect—create conditions in which corruption cannot flourish. It is an integral part of the management. Every employee can play a positive constructive and catalistic role by way of making suggestions and pointing out shortcomings in the Rules & Regulations in order to bring about improvement and efficient functioning of the administration.

3. Vigilance is not an enemy of initiative and should not be allowed to become an alibi of the inefficient. While it must be the duty of the vigilance to ensure that the crooked and corrupt officials get deterrent punishment but the moral of honest and efficient employees must remain high and should not be allowed to suffer under any circumstances. With this end in view, it should be our endeavour to see that the honest and upright employees are not harassed or punished and taken up for any suggestions/representations for the improvement in railway working.

4. These instructions may be brought to the notice of all concerned for their guidance and further necessary action as considered necessary.

5. Receipt of this letter may please be acknowledged.

Sd/-  
(S.P. MEHTA)  
EXECUTIVE DIRECTOR VVIG(E)  
RAILWAY BOARD