

COMMITTEE ON PETITIONS

(FOURTEENTH LOK SABHA)

TWENTY EIGHTH REPORT

MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS
(DEPARTMENT OF SHIPPING)

MINISTRY OF FINANCE
(DEPARTMENT OF ECONOMIC AFFAIRS–INSURANCE DIVISION)

MINISTRY OF COMMUNICATIONS AND IT
(DEPARTMENT OF TELECOM)



LOK SABHA SECRETARIAT
NEW DELHI

May 2007/Vaisakha, 1929 (Saka)

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(DEPARTMENT OF TELECOM)

(Presented to Lok Sabha on 8.5.2007)



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COMPOSITION OF THE COMMITTEE ON PETITIONS

Shri Prabhunath Singh — *Chairman*

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2. Shri Shingada Damodar Barku
3. Shri Nandkumar Singh Chauhan
4. Shri N.S.V. Chitthan
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7. Shri Wangyuh W. Konyak
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9. Adv. Suresh Kurup
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SECRETARIAT

- | | | |
|-----------------------------|---|-----------------------------|
| 1. Shri M. Rajagopalan Nair | — | <i>Additional Secretary</i> |
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| 3. Shri A.K. Singh | — | <i>Director</i> |
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| 5. Smt. Jagriti Tewatia | — | <i>Committee Officer</i> |

TWENTY EIGHTH REPORT OF THE COMMITTEE ON PETITIONS
(FOURTEENTH LOK SABHA)

INTRODUCTION

I, the Chairman, Committee on Petitions, having been authorized by the Committee to present the Report on their behalf, present this Twenty Eighth Report of the Committee to the House on the following representations:—

- (i) Representation requesting for restoration of ex-gratia pension to Smt. Janaki Devi W/o (late) Shri J.P. Verma, No. Exp.-3908, EP-4259, Kolkata Port Trust, Kolkata.
- (ii) Representation from Shri Shailesh Jain, agent of New India Assurance Company Limited relating to the harassment of Development Officers and agents by New India Assurance Company by forcing them not to accept the third party insurance.
- (iii) Representation regarding irregularities in Telecom Department of Saran, Bihar.

2. The Committee considered and adopted the draft Twenty Eighth Report at their sitting held on 7th May, 2007.

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

NEW DELHI;
7 May, 2007

17 Vaisakha, 1929 (Saka)

PRABHUNATH SINGH,
Chairman,
Committee on Petitions.

CHAPTER I

REPRESENTATION REQUESTING FOR RESTORATION OF EX-GRATIA PENSION TO SMT. JANAKI DEVI, W/O (LATE) SHRI J.P.VERMA, NO EXP.-3908, EP-4259, KOLKATA PORT TRUST, KOLKATA

1.1 Shri Ravi Atal, Senior Correspondent from Patna forwarded a representation signed by Smt. Janaki Devi W/o Late J.P. Verma, “Arunima” Kalam Bagh Road, P.O. Ramna, Muzaffarpur-842002 and countersigned by Shri Vijoy Krishna, MP on the above subject.

1.2 Smt. Janaki Devi, in her representation has submitted as follows:—

“After death of my husband on 02.02.1998, who retired from the post of Wharf Sircar, LDC No. 79/F103, CPF No. 15796, CPT, Kolkata in 1984. I had applied for ex-gratia pension as per normal rules. After rigorous chasing I could succeed in getting the ex-gratia Pension from the month of January 2002. It continued till April 2002 after which I am getting no pension. After a long chasing I was informed by Sr. Accounts Officer (Cash & Pay), Kolkata Port Trust, Kolkata *Vide* Letter No. Fin./3659, dated 14.07.2003 (copy enclosed) for opening a pension account with any of the State Bank of India to draw the pension through the Bank, which was replied immediately with full Bank details and address.

After a lapse of 17 months I was asked by Kolkata Port Trust authorities to submit certified copy of Ration Card/Electric Bill/House Tax receipt etc. These documents were personally made over by me in January 2005 at Kolkata Port Trust Office/Kolkata before a committee set up by the Port Trust Authorities. My fingerprints were also taken there and I was assured to get the ex-gratia Pension through my Bank account. But, I am yet to receive/ex-gratia Payment through bank.

Being fed up with the delaying attitude of the Port Trust authorities. I preferred an appeal to Joint Secretary, Ministry of Shipping, New Delhi on 22.07.2004 through registered post and again to the Director, Public Grievance (Cabinet Secretariat), Sansad Marg, New Delhi through registered post on 4.11.2004, but nothing favourable has happened so far and I am living in harness since April 2002 without any pension and without any monetary support from any other source.”

1.3 The petitioner has finally requested to look into the matter and help her to restore her ex-gratia pension immediately to save her from starvation.

1.4 The Committee took up the matter in accordance with Direction 95 of the Directions by the Speaker and the representation was forwarded to the Ministry of Shipping, Road Transport and Highways (Department of Shipping—Ports Wing) on 17th March, 2006 for furnishing their comments on the points raised therein.

1.5 In response, the Ministry of Shipping, Road Transport and Highways (Department of Shipping) *vide* their O.M dated 18th May, 2006 furnished their comments as follows:—

“Kolkata Port Trust had introduced a system of verification of identity of pensioners in view of complaints regarding drawal of pension by fake pensioners. Smt. Janaki Devi who used to draw pension in cash failed to appear for verification of her personal identity and from September 2002 onwards her pension payment was discontinued. She was again advised to appear for verification on 2nd May 2005 when her fingerprint was recorded. The fingerprint was sent to the State Crime Record Bureau under CID for verification. The CID report along with other evidence has since been examined and Kolkata Port Trust has decided to restore the pension of Smt. Janaki Devi.

Accordingly, Kolkata Port Trust has made arrangements to remit arrear pension upto 31.03.2006 to Smt. Janaki Devi.”

Observations/Recommendations

1.6 The Committee note that late Shri J.P. Verma husband of the petitioner (Smt. Janaki Devi) retired from the post of Wharf Sircar, Lower Division Clerk from Kolkata Port Trust (KPT) in 1984. He expired on 02.02.1998. The petitioner applied for ex-gratia pension under the rules. According to the petitioner, after rigorous pursuing of her case with the concerned authorities, she succeeded in getting pension from January 2002 *i.e.* nearly four years after the demise of her husband. The Committee note that the petitioner received pension only for 4 months *i.e.* till April 2002 and thereafter her pension was stopped without assigning any reason by the Kolkata Port Trust. The petitioner again pursued the matter with Sr. Accounts Officer (Cash & Pay), Kolkata Port Trust who *vide* letter dated 14.07.2003 *i.e.* after 13 months asked her to open an account with any Branch of State Bank of India to draw the pension and then again after a lapse of 17 months she was asked to submit certified copy of her ration card, electricity bill, house tax receipt. The petitioner personally handed over these papers in January 2005. Her fingerprints were also taken and she was assured that she would get her pension in her Bank account.

1.7 The Committee note from the Ministry’s submission that, Kolkata Port Trust had introduced a system of verification of identity of pensioners in view of complaints regarding drawal of pensions by fake pensioners.

1.8 The Committee further note that the petitioner was again advised to appear for verification on 2nd May 2005 when her fingerprint was recorded. The fingerprint was sent to the State Crime Record Bureau under CID for verification. The CID report along with other evidence has since been examined and Kolkata Port Trust has decided to restore the pension of Smt. Janaki Devi. Accordingly, Kolkata Port Trust has made arrangements to remit arrear pension upto 31.03.2006 to Smt. Janaki Devi.

1.9 The Committee take serious note of the casual and lackadaisical approach of the concerned officials in delaying the case of Smt. Janaki Devi on the grounds of verification of the identity of the pensioners. The Committee feel that, had the concerned authorities been more vigilant, the case of the petitioner would have been settled much earlier, as she had been vigorously pursuing her case for restoration of her *ex-gratia* pension for the past 5 years. The Committee are, therefore, of the opinion that it was an insensitive approach on the part of the officers of Kolkata Port Trust who were dealing with the case of the petitioner that caused delay of more than 5 years in restoration of her pension because of which she had to face unavoidable financial hardship and harassment in running from pillar to post to get her *ex-gratia* pension restored. The Committee deplore this callous and insensitive approach of the concerned authorities. The Committee desire that the Ministry should enquire into the matter and fix the responsibility and take appropriate action against the guilty officials causing unavoidable delay in restoration of *ex-gratia* pension of the hopeless petitioner. The Committee hope that the Ministry will take necessary steps to ensure expeditious settlement of arrears as a result of restoration of *ex-gratia* pension of the petitioner. The Committee also direct the Ministry to issue instruction to the Kolkata Port Trust (KPT) to be more sensitive to the grievances of the pensioner to obviate such instances in future. The Committee would like to be apprised of the conclusive action taken in this regard. However, the Committee, are satisfied to note that with the intervention of the Committee the grievance of the petitioner has been redressed.

CHAPTER II

REPRESENTATION FROM SHRI SHAILESH JAIN, AGENT OF NEW INDIA ASSURANCE COMPANY LIMITED RELATING TO THE HARASSMENT OF DEVELOPMENT OFFICERS AND AGENTS BY NEW INDIA ASSURANCE COMPANY BY FORCING THEM NOT TO ACCEPT THE THIRD PARTY INSURANCE

2.1 Shri Shailesh Jain, Agent, the New India Assurance Company submitted a representation regarding harassment of Development Officers and Agencies by New India Assurance Company by forcing them not to accept third party Insurance.

2.2 The Petitioner, in his representation submitted as follows:—

- “(i) For the last couple of months New India Assurance Company has been harming the future prospects of its officers and agents, so that the private Insurance companies may expand their business. The works of companies which function under the rules of IRDA, have become only an eye wash. These companies are being run as private companies and the complaint in this regard has also been made to IRDA but no initiative has been taken so far in this regard. It would create unemployment problem for thousands of families of agents. The order of regional manager, of New India Insurance, Bhopal dated 21st February, 2006, clearly instructs not to insure third party and if anyone does so, action will be taken against him while it is mandatory under section 146 of Motor Vehicle Act, 1988.
- (ii) The circular of zonal office of the New India Assurance, Indore dated 28.02.2006 which clearly mentions that such sanction of the insurance was withdrawn.
- (iii) It is clear from the regional office Bhopal’s circular dated 23.02.2006 that the vehicles will not be insured by the company and the prior sanction in this regard will have to be taken from the regional office which when sent to regional office is neither sanctioned nor rejected so that the insurance of the customer may automatically lapse.
- (iv) It is clear from the circular of zonal office, Indore dated 05.06.2006 that the company has refused to insure the passenger service vehicle.
- (v) It has been made clear by the head office circular 2 BD/ADMN/2006 403/60 dated 7th June, 2006 that the agents will not be given commission on the insurance of commercial vehicles and passenger vehicles anymore. Circular No. IBD/ADMN/2006 405/62 also clearly says that the agents will not be given commission but the customer who utilizes finance facility from the bank and the bank is company’s agent then he will be given commission. Why this step-motherly treatment with the agent? Whether only bank is the agent and agent himself is not agent? Bank can insure passenger vehicle but the agent cannot.

- (vi) Union Office bearers have written to company CMD and regional manager from time to time to see that development officers and agents are not harassed, but no action has been taken so far. The Government of India has provided health insurance scheme for the common people of 80 years of age but the insurance company has refused to insure persons above the age of 45 years.”

2.3 The petitioner, therefore, requested to take action in the matter so that thousands of agents who have come on the verge of starvation may earn decent livelihood for their families.

2.4 The Committee took up the matter in accordance with Direction 95 of the Directions by the Speaker, Lok Sabha and the representation was forwarded to the Ministry of Finance (Department of Economics Affairs— Insurance Division) on 17.07.2006 for furnishing their comments on the points raised therein.

2.5 In response, the Ministry of Finance (Department of Economic Affairs— Insurance Division) *vide* their O.M dated 27th July, 2006 submitted as follows:—

“The New India Assurance Company has reported that the Third Party Insurance for vehicles being mandatory as per M.V.Act, no insurer can refuse. However, the experience of the third party insurance with special reference to the commercial vehicle and passenger carrying vehicle is quite adverse. Being compulsory nature of insurance, the insurance company accepts such insurance with sufficient underwriting control directly in the office. The insurance company does not encourage any intermediary. *e.g.* Agent, Broker etc. to canvass for the same, since the insurance company need not to bear the additional cost of commission or brokerage and such insurance does not require any marketing/setting efforts. So, complaint of Shri Shailesh Jain is not tenable.”

2.6 The Ministry *vide* their subsequent O.M dated 14.08.2006 further submitted as follows:—

“In regard to the complaint of Shri Shailesh Jain, Agent. The New India Assurance Company Limited has mentioned that they have imposed strict underwriting control with an intention to minimize adverse claim ratio and bring it to break-even level.

The referred Circular of February 28th, 2006 issued by Bhopal Regional Office/ Indore Divisional Office in regard to acceptance of motor insurance proposal by Regional Office is to have strict underwriting control over motor insurance. This kind of underwriting control are resorted to by all the companies for the class of insurance where the claims ratio over the years have gone adverse. New India have verified with its Bhopal Regional Office and have been informed that the proposal sent for their acceptance are decided on the merits considering various underwriting factors and a decision conveyed to the Divisional Office/ Branch Office Promptly.

The experience shows that the Third Party as well as Own Damage claims ratio is the worst in case of Passengers Carrying Commercial Vehicles. As such all

the fresh proposals for insurance of passengers carrying Commercial Vehicles are properly scrutinized and acceptance is granted only when they meet the requisite underwriting considerations.

The commission payment on insurance of Motor Act only Policies has been stopped long back and NIACL have now stopped payment of commission on package policy w.e.f. 1st July 2006, in view of the adverse claims ratio caused by commercial vehicles. This restriction on commission is for all Agents, Brokers, Corporate Agents except Bancassurance and tie-ups.”

This Exception has been made for the following reasons:—

- “(i) Bancassurance and tie-up Memorandum of Understanding (MoU) signed in past mentioning therein that the commission will be paid at the rates decided by the Regulatory (IRDA) on different class of insurance. As such the same cannot be withdrawn before the expiry of MoU.
- (ii) Bancassurance and Tie-ups has been entered into with various banks and it is for the entire business emanating from banks and their Customers, Borrowers, Account Holders etc. Commercial Vehicle Insurance contributes a very small portion of premium in Bancassurance and the balance business from banks are highly profitable as such it will not be appropriate on our part to withdraw the commission on any class of Insurance coming from banks.
- (iii) Moreover, the commercial vehicle Insurance policies provided to the Borrowers of the Banks work as Collateral Securities to the Bank. In view of the above withdrawal of commission in case of any Bancassurance agreements and tie ups will cost the entire business from these channels and will also be in violation of the MoUs already signed between New India and Banks/Other’ Tie-up Partners in past. Under the provisions of the Motor Vehicle Act, the insurance of Motor Vehicles is mandatory and not much efforts are made for procurement of these class of business by any intermediaries. Keeping the mandatory nature of this class of Insurance all the operating offices of New India are accepting motor insurance and issuing policies directly without involving any intermediaries or agents.
- (iv) The commission structure circulated by IRDA is upto a percentage of net premiums and the exact percentage of the commission is always decided by the insurer for the particular class of risk or business. Similarly, in case of Health Insurance, the claim experience is very adverse and certain underwriting controls such as compulsory medical check-up of the proposer of age of 45 years or more has been introduced and mediclaim (health Insurance) proposals are accepted on its merit after due consideration of various underwriting factors. Therefore, it is not correct to say that New India are denying Insurance to the people who are above 45 years of age.”

2.7 When the Ministry were asked to explain as to how strict underwriting control would minimise adverse claim rates and bring it to break even level, the Ministry in their written comments stated as under:—

“The New India Assurance Company Limited (NIACL) has reported that whenever it is observed that a product is causing losses continuously, extra underwriting controls are imposed to weed out loss producing policies. The underwriting control means to evaluate the proposal basing on the loss experiences, physical hazard involved in the subject matter of the insurance, the moral hazard of the insured person and the risk to be covered. All these aspects which are material to the acceptance of the risk and have bearing on the losses are considered before acceptance of any insurance proposal. If any market segment in respect of any particular class of insurance is found prone to continuous losses the underwriting in such market segment for that class of insurance is either restricted or discouraged. In this process the company’s underwriting policy envisages to encourage the profitable market segment and policies and accordingly underwriting guidelines are issued to the operating offices. By adopting such measures the losses are controlled and efforts are made to bring that particular class of insurance to break-even initially and profitable subsequently.”

2.8 In response to a question as how stopping of Payments of Commission to agents would help in overcoming the adverse situation of the company, the Ministry of Finance *vide* their subsequent written reply submitted as follows:—

“The losses caused in Motor portfolio are more than the premium procured as such more acceptance of large number of motor proposal will further aggravate the loss ratio. It is pertinent to note that the total outgo on a particular class of business consists of claim expenses, management expenses and procurement cost that is Agents’ Commission, brokerage etc. which is 10% in case of Motor Insurance.

Stoppage of commission on commercial vehicle will reduce the procurement cost as well as inflow of loss producing commercial vehicle policies which ultimately result in reduction of claim cost.”

2.9 On being asked about the reasons for not implementing the stoppage of commission to Bancassurance and tie-ups, the Ministry in their written note stated as under:—

“Bancassurance and Tie-ups has been entered into with various banks and it is for the entire business emanating from banks and their Customers-Borrowers, Account Holders etc. Commercial Vehicle insurance contributes a very small portion of premium in Bancassurance and the balance business from banks are highly profitable as such it will not be appropriate on NIACL’s part to withdraw the commission on any class of insurance coming from banks.

Moreover, the commercial vehicle insurance policies provided to the Borrowers of the Banks work as Collateral Securities to the Bank. In view of the above

withdrawal of commission in case of any Bancassurance Agreements and Tie-ups will cost us the entire business from these channels and will also be in violation of the MoUs already signed between New Indian and Banks/other Tie-up Partners in past.

Under the provisions of the Motor Vehicle Act, the insurance of Motor Vehicles is mandatory and not much efforts are made for procurement of these class of business by any Intermediaries. Keeping the mandatory nature of this class of insurance all operating offices of NIACL are accepting motor insurance and issuing policies directly without involving any intermediaries or agents.

In view of the facts and circumstance mentioned herein before, NIACL has made exception for Bancassurance and Tie-ups, in regard to commission payment on insurance of commercial vehicles.....”

2.10 When asked if the rate of commission to be paid to various Agencies is decided by IRDA, the Ministry commented as follows:—

“The IRDA approved commission/brokerage structure prescribes only the maximum allowable commission/brokerage as percentage, leaving scope to the insurance companies to decide on the actual percentage of commission allowable for each class of business from zero to the maximum prescribed by IRDA.

Thus, stopping of commission to the Agents/Brokers is the decision of the company and it is well in conformity with IRDA regulations.”

2.11 When pointed out that withdrawal of commission would make the Agents, Brokers etc. jobless after rendering service for so many years, the Ministry in their written reply submitted as follows:—

“The withdrawal of commission only on Stand Alone Motor Third Party business as well as commercial vehicles package policies relating to goods carrying and passenger carrying vehicles is not going to make the Agents jobless unless they are producing business to the insurance company only from these extremely loss making classes of business. The whole idea in withdrawing commissions on these loss making classes of business is to divert the focus and attention of these Agents into other classes of business where the insurance company is also able to meet its ends as well as the masses’ need the guidance of the Agents for insuring themselves and properties against various natural calamities and other risks. NIACL has over 250 insurance products and out of them its only a couple of extremely loss making classes of business have been withdrawn from the Agency commission structure.”

2.12 Responding in response to a query as to how the resentment if any, amongst Agents, Brokers etc. was settled, the Ministry stated as under:—

“ Various groups of Agents resented and later filed cases in different High Courts *i.e.* Kolkata, Cuttack, Chennai, Ernakulam and Madurai and the Hon’ble Court has not stayed the implementation of the circular issued by us. However, the case is still pending in the courts.”

2.13 The Committee, thereafter, took oral evidence of the representative of the Ministry of Finance (Department of Economic Affairs—Insurance Division) on 18.09.2006 on the subject.

2.14 The witness from the Ministry explained the case as under :—

“Shri Shailesh Kumar’s complaint is that non-insurance companies do vehicle insurance in his area. The company suffers a loss in cases where third party insurance is done when commercial vehicles are damaged. As such the company has issued directives that such type of insurance should be done after due consideration that is what was done thereagainst which he has made a complaint. The Divisional Manager has issued directives to his subordinate officers that if such a vehicle comes for insurance they should, instead of taking decision at their own level, forward all facts to them and they will, in their turn, say whether insurance of the vehicle is to be done or not. The point is that insurance which was easily done at Divisional Office is not being done easily. That is why the insurance company is suffering huge losses. Loss to the tune of Rs. 2000 crores has been suffered. The company cannot bear the loss of such a huge amount. This ban was put due to that. The insurance companies put this ban to allay the chances of vehicles getting insured which have become pretty old, in very bad condition and have met accidents many a time.”

Observations/ Recommendations

2.15 The Committee note from the submissions made by the petitioner that the New India Assurance Company Limited (NIACL) stopped payment of commission on insurance of third party, commercial vehicles and passenger vehicles to the agents/brokers etc. whereas the banks are getting commission for insurance of passenger vehicles.

2.16 The Committee are informed that the third party insurance for vehicles being mandatory as per Motor Vehicles Act, the insurance company accepts such insurance with sufficient underwriting control directly in the office. The insurance company does not encourage any intermediary e.g. Agent, Broker to canvass for the same, since the company need not to bear the additional cost of commission/ brokerage and such insurance does not require any marketing / setting efforts. It was also informed that NIACL have imposed strict underwriting control with an intention to minimize adverse claim ratio and bring it to break even level. Such underwriting controls are resorted to by all the companies for the class of insurance where the claims ratio over the years have gone adverse. The NIACL have also stopped commission on package policy w.e.f. 1st July, 2006 in view of adverse claims ratio caused by commercial vehicles. This restriction is for all agents, brokers, Corporate Agents except Bancassurance and tie-ups.

2.17 The reasons attributed by the Ministry for making exception for Bancassurance and tie-up are that Memorandum of Understanding (MoU) signed in the past mention therein that commission will be paid at the rates decided by the Insurance Regulatory and Development Authority (IRDA) on different class of insurance and the same cannot be withdrawn before the expiry of MoU. The

commercial vehicle insurance contributes a very small portion of premium in Bancassurance and the balance business from banks are highly profitable. As such it would not be appropriate on their part to withdraw the commission on any class of insurance coming from banks. Moreover, the commercial vehicle insurance policies provided to the borrowers of the Banks work as collateral securities to the Bank.

2.18 The Committee further note that the IRDA approved commission/brokerage structure prescribes only the maximum allowable commission/ brokerage as percentage, leaving scope to the insurance companies to decide on the actual percentage of commission allowable for each class of business from zero to the maximum prescribed by IRDA. The Committee have been informed that the stopping of Commission to the Agents/Brokers is the decision of the company and it is well in conformity with IRDA Regulations.

2.19 According to the Ministry the withdrawal of commission only on Stand Alone Motor Third Party business as well as commercial vehicles package policies relating to goods carrying and passenger carrying vehicles is not going to make the Agents jobless unless they are producing business to the insurance company only from these extremely loss making classes of business. The whole idea in withdrawing commission on the loss making classes of business is to divert the focus and attention of these Agents into other classes of business where the insurance company is also able to meet its ends as well as the masses' need the guidance of the Agents for insuring themselves and properties against various natural calamities and other risks. The NIACL has over 250 insurance products and out of them its only a couple of loss making classes which have been withdrawn from the Agency Commission Structure.

2.20 It was also informed that the decision of the NIACL has been resented by various groups of Agents and they have filed cases in different High Courts i.e. Kolkata, Cuttack, Chennai, Ernakulam and Madurai and the Hon'ble Court has not stayed the implementation of the Circular issued by NIACL and the case is still pending in the Courts.

2.21 In view of the foregoing and the fact that the cases over the issue are pending in various Courts, the Committee would not like to pursue the matter further. The Committee however, desire that the Ministry should examine the working of NIACL vis-à-vis other Insurance companies which have not stopped, insurance of third party and Commercial Vehicles by Agents in order to ensure that the agents enrolled with NIACL are not being deprived of the benefits which are being given by other Insurance Companies to their Agents/Brokers. The Committee would like a report in this regard.

CHAPTER III

REPRESENTATION REGARDING IRREGULARITIES IN TELECOM DEPARTMENT OF SARAN, BIHAR

3.1 Shri Narendra Kumar Singh, from Village—Siswan, Post-Daudpur, District Saran, Bihar, submitted a representation regarding irregularities in Telecom Department of Saran, Bihar.

3.2 In the representation, the petitioner *inter-alia* submitted as follows:—

- (i) “The Government make payment at the rate of Rs. 7461/- and Rs. 6019/- per month for the guards who are armed with rifles and those who are armed with lathis respectively, appointed in the telecommunication offices of Saran, Bihar. In addition to it 10 per cent service tax is also paid by the Government apart from the salary of the guards, while the guards are paid only Rs. 1500/- to Rs. 2000/- as salary. In each telecommunication office three guards have been appointed unnecessarily. There is no need of more than one guard, whereas the telephones of common subscribers are not in order for months due to insufficient number of cable jointer. Cable jointers are required to be appointed, but they are not being done.
- (ii) As per convenience, waitlisted telephone connections are provided by taking money from the subscribers. Telephones of common subscribers are frequently disordered and, then, they are mended by taking money. No action takes place even though the complaints are made to the senior officer.
- (iii) Cables have not been supplied so far in the rural areas even after the tender for U.G. Cable was invited in the months of October.
- (iv) Andar Dhala Telephone Exchange has been made functional on papers only since March 2005, but it is not operational till date.
- (v) Siwan, D.E.T., who is working at same place for the last 24 years, is not being transferred.
- (vi) Telephone connections are being provided to the subscribers by taking money from them and without inviting application for N.T.C for the last four years.
- (vii) The Telephone Exchange is looked after by the Department of Electricity (Telecommunication). They are looting money without doing any work whereas there are many telephone exchanges in which communication systems are usually non-operational due to faults in electrical equipments.
- (viii) Consumers registering their grievances are turned out by the General Manager by scolding them and their grievances are not addressed. The Deputy General Manager also behaves the same.
- (ix) The mobile voucher having two coupons at a time, among which one was free of cost, was not distributed and was sold out through black-marketing.

In this episode, the General Manager embezzled lakhs of rupees, which was published in the newspapers also.”

3.3 The Petitioner, therefore, requested that the grievances of the consumers may be investigated and the action may be taken against the aforesaid irregularities.

3.4 The Committee took up the matter in accordance with Direction 95 of the Directions by the Speaker, Lok Sabha and the representation was forwarded to the Ministry of Communications and IT (Department of Telecom) on 17th May, 2005 for furnishing their comments on the points raised therein.

3.5 In response, the Ministry of Communications and IT (Department of Telecom) *vide* their communication dated 13.06.2005 furnished their comments as follows:—

- (i) Security guards are engaged through D.G. (Resettlement) for safety and security of Telecom Vital installation as per direction of BSNL and payment is made to approved Agency. In order to ensure full safety and security, guards are engaged round the clock for which at least 3 persons are required.
- (ii) Cable jointing work is being done by phone mechanics trained in splicing work and also through approved cable contractor allotted work of cable laying, jointing, D.P. erection etc. At present there is no question of appointing Cable jointer.
- (iii) The NTC are being provided in feasible area to wait listed applicants as per turn only. A brief of NTC provided during financial year 2004-05 is furnished below:—

Name of District	Name of SDCA	Name of Telephone exchange where cable has been laid or is being laid.	Connections provided during the year 2004-05
1	2	3	4
Chapra	Chapra	Garkha, Chapra (Main) Khairah (Partially), Parsa, Doriganj, Bheldi.	4245
	Ekma	Ekma, Rasulpur (Partially), Daudpur (Partially), Mnjhi (Partially).	
	Sonepur	Sonepur (Partially), Nayagaon, Dariapur (Partially), Demi, Dighwara.	
	Mashrakh	Taraiya, Amnaur, Marhowrah (Partially), Mashrakh (Partially).	
Siwan	Siwan	Siwan main, Tarwara, Chainpur (Partially), Gopalpur, Hassanpura, Raghunathpur, Lakari Dargah (Partially), Siswan (Partially).	4839

1	2	3	4
	Maharajganj	Maharajganj, Arad More (Partially), Gopalpur Kothi, Basantpur (Partially)	
	Mairwa	Darauli, Hasua	
	Gopalganj	Sasamusa, Thawe	1740
Gopalganj	Hathwa	Mishir Batraha	
	Sidhwalia	Dighwa Dubauli	

(iv) Tender Agreement was done in the month of October 2004 for U.G Cable laying work for the following exchanges:

Name of District	Name of SDCA	Name of Exchanges
Chapra	Ekma	Nagra, Janta Bazar, Jalalpur (Partially)
Siwan	Maharajganj	Basantpur
Gopalganj	Gopalganj	Gopalganj
	Hathwa	Shyampur Bazar

- (v) The Andar Dhala area is presently served with Telephone service from Siwan main exchange and as per plan to open 2K ES WD-RSU during 2004-05. The exchange is ready in all respect since March 2005 but telephone numbers could not be shifted due to non-functioning of Engine Alternators (E/As) which are recovered from Garkha exchange and installed by Telecom Electrical Wing. Despite constant persuasion with Electrical wing, they have been able to make one E/A workable. Which also gives trouble after continuous running for 3 to 4 hours. The electrical wing is assuring for commissioning both E/As within one week and under this condition there is possibility to commission this RSU by last of June 2005.
- (vi) Shri P.N.P Shrivastwa joined at Siwan as D.E.(T), Siwan on 06.07.2001. At present he has been transferred from Siwan to Chapra and Shri B.C. Prasad, D.E has joined as DE(T), Siwan on 12.05.2005.
- (vii) The Cable laying, jointing, DP erection etc. are getting done by the approved Agency and NTCs are being provided as per list released by SDE/JTO in technically feasible area. Hence, allegation is baseless.
- (viii) Telecom Electrical Wing is maintaining the E/As and A/Cs of this SSA. As and when any problem occur the field officers immediately contact different officers of Electrical Wing but some time difficulties arise due to delay in attending fault by electrical wing. However, under this situation by engaging local mechanic from market by DE/SDE all efforts are being taken so that Telecom Services may not suffer.
- (ix) The allegation is baseless. It is worth to mention that on many occasion, the people along with recommendation of Public representative, for mobile connection used to rush to the office as per their wish and will, which normally affected the departmental work.
- (x) The Allegation is baseless.

3.6 The Committee, thereafter, took oral evidence of the representatives of the Ministry of Communications and IT (Department of Telecom) at their sitting held on 17th February, 2006 on the subject.

Appointment and Payment of Security Guards

3.7 When asked about the guidelines being followed for engaging security guards, the Ministry of Communications and IT (Department of Telecommunications) *vide* their written reply dated 17.02.2006 submitted as follows:—

“As per Government of India instructions, requisition is sent by the field units of BSNL to Director-General of Resettlement (DGR), Ministry of Defence, Government of India for sponsoring Security Agencies. DGR, in general sponsors three (3) agencies managed by Ex-servicemen against any requisition. Selection is generally made based on limited tender amongst these three sponsored agencies.

Final approving authority for selection of a particular agency is the concerned SSA Head.”

3.8 The Ministry *vide* their subsequent written reply dated 28th March, 2006 further submitted that:—

“According to the guidelines issued by the Directorate General of Resettlement the sponsored Security Agency has to employ at least 90% securitymen from Ex-Servicemen. Regarding security guards, who are not ex-servicemen, there are no specific guidelines regarding qualification and experience. But in this case, in Saran and Siwan Districts, where non ex-servicemen security guards are deployed by the Security Agency, the securitymen are having at least 5 years experience of working as security guards in different prestigious organization. They are also trained in security duties from Security Training Institutes.”

3.9 When asked if any supervision is done by the Ministry to check that there is no violation of guidelines, the witness while tendering evidence before the Committee submitted that:—

“Our GM is the TDM officer and he is the competent authority. He deposes an official to see that the persons who are doing the payment follow the guidelines. It is the 10% percent staff including staff, drivers and clerks. Some margin is kept for it.”

3.10 On being enquired if these 10 percent include only drivers and not security men, the witness replied that, mostly they are drivers, but in security also outside men are kept.

3.11 When asked if the Government gets the list of the review made by the GM regarding the non Ex-Servicemen security guards, and that, if the review is correct the witness replied, “this is not being done we give instruction and quote DGCR guidelines that they should be complied with fully.”

3.12 Giving the number of security guards employed in Saran and Siwan District in Bihar, the Ministry *vide* their written note dated 28th March, 2006 submitted that, there are 45 Security Guards in Saran and 24 in Siwan.

3.13 To a query, regarding the time period for which a guard is appointed, the Ministry replied as follows:—

“The Security Agencies as sponsored by DGCR are engaged by BSNL on a contract basis, usually for two years, extendable to maximum period of four years depending upon satisfactory performance, as per DGR Guidelines. The individual guards are appointed by the Security Agency. The contract is revised after 2/4 years, as the case may be.”

3.14 When asked about the reasons for appointing guards through an Agency instead of appointing guards on regular basis by the Telecom Department, the Ministry submitted that:—

“Deployment of Guards in BSNL establishment through Security Agency managed by Ex-Servicemen is as per the prevailing instructions of Ministry of Defence, Government of India to address the objective of resettlement of Ex-Servicemen.”

3.15 When asked about the monthly wages being paid to the Security Guards, the witness submitted before the Committee that:—

“Disbursement of monthly wages as given in the DGCR guidelines. They have made a wage structure on the basis of minimum wages for every area. For example, security guard in Delhi is paid a salary of Rs. 3029/-. The contractor is given ESI at the rate of 4.75 percent. EPF is given at the rate of 12 percent, bonus and gratuity benefits are given at the rate of 8.33 percent and 4.81 percent respectively. 10% is given for uniform and HRA each 0.5% for EDLI and 1.11% for administrative charges. Besides these, there is a service charge of 12% to 18%. The basic wages of Rs. 3029/- gets the total of Rs. 6467/-. This is the rate of Delhi, different states have different rates.”

3.16 As regards the rate being given in Chapra, the Witness submitted that they get Rs. 2655/- as basic and total salary of Rs. 6019/-. The Gunman gets little extra. His basic is Rs. 3292/- and net salary is Rs. 7461/-.

3.17 When asked if the Guards are getting their full payment or less, the Ministry in their reply submitted that:—

“As a Principal Employer, BSNL verifies documentary evidence as to the exact payment is being given to the individual guard as per DGR Guidelines.”

3.18 When the Committee desired to know if the matter of appointment of security guards and payment of their salary being done as per DGR guidelines has ever been enquired, the witness replied in affirmative and further added that, it is with their vigilance wing. They will chargesheet the guilty persons, as per their own set procedure.

Appointment of Cable Jointer

3.19 Giving reasons for non-appointment of Cable Jointer, the Ministry *vide* their written reply, have submitted that:—

“Consequent upon restructuring of Technical cadres in Group C and D in the Department of Telecom, in view of the changing requirements of technology,

cadre of phone Mechanic (later on called Telecom Mechanic) was introduced in October 1990 by conversion of posts of Lineman/Wireman in prescribed ratio. Further, cadre of Cable splicer (also known as Cable Jointer) was declared as wasting cadre besides number of other cadres. Later, in September 1991 posts of Cable Splicers were also converted to phone Mechanic with the stipulation that since the cadre, job presently done by them are to be done by phone Mechanics in future. Thus, there is no post of Cable Jointer/Splicer after introduction of restructuring scheme.”

3.20 When asked if the duties of the Cable Jointer are being performed perfectly by the Phone Mechanics, the Ministry in their written note replied in affirmative and further stated that the Phone Mechanics have been imparted due training for doing the duties of Cable Splicers/ Jointers and they are also not paid any extra allowance for carrying out the job of Cable Jointer.

Tender Agreement with U.G. Cable

3.21 When asked about the position of Cable laying work for the remaining Telephone Exchanges, the Ministry *vide* their subsequent written note submitted that:—

“The cable laying, wherever required, in other exchanges is being done. Tenders for U.G Cable are being called zone-wise. Each zone consists of a group of telephone exchanges. The cable laying works are being done zone-wise by the approved contractors of that zone.”

3.22 On being asked about the reason for partial U.G Cable laying work at Jalalpur, the Ministry submitted that:—

“The work was given to approved contractor though it was given in parts depending on availability of cable. The work was completed on 05.11.2005.”

3.23 As regards cable laying work of the remaining part of Jalalpur, the Ministry submitted that:—

“The cable work for remaining part of Jalalpur will be laid by the new approved contractor with whom agreement was made on 27.10.2005 and work order issued on 08.02.2006.”

3.24 To a query as to the number of applicants pending in each exchanges where cable laying work has been completed, the Ministry *vide* their written reply submitted the number of pending applicants as follows:—

Nagra	17
Jauli Bazar	352
Jalalpur	122
Basantpur	336
Gopalganj	76
Shyampur Baxar	46

Andar Dhala Telephone Exchange

3.25 When asked about the reasons which caused delay in installation of Engine Alternators (E/As), the Ministry *vide* their subsequent written reply submitted that:—

“New E/A sets were ordered on 22.12.2004. Government of India (Pollution Control Board) implemented the Act of Prevention of Pollution on 01.01.2005 banning installation of E/A sets without canopy. There was no space available in the Exchange for E/A sets with canopy. So recovered E/A sets were moved from Garkha Exchange, repaired and installed in Andar Dhala.”

3.26 Giving reasons for working of only one E/A that too only for 3 to 4 hours, the Ministry submitted as follows:—

“E/A sets were idle for a long time at Garkha and so were not in top condition. There were teething troubles. First E/A was set right on 07.04.2005 and the second was overhauled and commissioned on 21.05.2005. In fact, due to implementation of noise and exhaust norms, additional arrangements were required and this took some time. The Exchange Earth was also completed by Telecom Wing in April 2005.”

3.27 The Ministry have further submitted that, both E/As have been commissioned. First on 07.04.2005 and second on 21.05.2005 after repairs and overhauling and are running without any trouble and both are suitable for giving continuous back-up power supply.

Maintenance of Telecom Electrical Wing

3.28 As regards duties/functions of the Telecom Electrical Wing, the Ministry *vide* their subsequent written reply submitted that:—

“Telecom Electrical Wing is involved in project and maintenance work of EI, Sub-Station, E/A, A/C plants, lifts, Fire protection, pumps, lighting protection etc.”

3.29 When asked about the number of employees, employed in a Telecom Electrical Wing to attend to complaints related to E/As and A/Cs etc. the Ministry submitted that, one SDE and one JTO are stationed at Chapra to monitor complaints etc. The manufacturer has trained sufficient staff of their authorized dealer.

3.30 When asked if it is permissible to get the repairs done by a local mechanic, specially when sufficient staff is posted in Electrical Wing, the Ministry replied as follows:—

“Generally, the repairs are got done through the authorized agencies of the manufacturers of Engine Alternators. However, in emergent circumstances when the authorized repairer is not available, the field Executives of BSNL have financial powers to get the repairs done from local market, so as to ensure the continuity of the Telecom services.”

3.31 When asked, if it is advisable to use the services of local Mechanics, the Ministry submitted:—

“Local Mechanic from the market is not having any expertise in these engines and so not advisable.”

Observations/Recommendations

3.32 The Committee note from the above submissions that Security Guards are engaged by Bharat Sanchar Nigam Limited (BSNL) through the Directorate General of Resettlement (DGR), Ministry of Defence for the safety and security of vital Telecom installations. The Security Guards are engaged round the clock for which at least 3 persons are required. As per Government of India's instructions, requisition is sent by the field units of BSNL to DGR, for sponsoring Security Agencies. The DGR, in general sponsors three agencies managed by Ex-servicemen against any requisition. Selection is generally made based on limited tender from amongst the sponsored agencies. Final approving authority for selection of a particular agency is the concerned Secondary Switching Area (SSA) Head.

3.33 The Committee also note that as per the guidelines issued by the DGR at least 90% security personnel employed by the sponsored Security Agency has to be Ex-servicemen to meet the objective of resettlement of Ex-servicemen. The Committee are constrained to note that in a number of cases, non-ex-servicemen have been employed as security guards. The Committee are not satisfied with the plea given by the Ministry for redeployment of non-ex-servicemen by security agencies as Security Guards *viz.* the more experience of these security guards in different prestigious organization apart from being trained in security duties from Security Training Institutes. The Committee are, of the considered view that by appointing non-ex-servicemen as Security Guards by DGR sponsored security agencies, the very objective of the Government of India to resettle the ex-servicemen is being defeated. The Committee are extremely unhappy at this state of affairs. The Committee, therefore, recommend that the Ministry should instruct BSNL to strictly adhere to the DGR guidelines and for this purpose they should also carry out routine inspections so as to keep check that there is no violation of guidelines. The Committee would also like to be apprised of the action taken in this regard.

3.34 The Committee also note from the submissions made by the petitioner that in Chappra Bihar, these guards are getting only Rs. 1500/- to Rs. 2000/- as salary whereas the individual guards appointed by the Security Agency are paid basic of Rs. 2655/- and a total of Rs. 6019/-. The Gunman gets little extra *i.e.* basic pay of Rs. 3292 and their net salary is Rs. 7461/-. The Committee also note that as a Principal Employer, BSNL verifies documentary evidence regarding the payment being given to the individual guards as per DGR Guidelines. The Committee are not satisfied with the submission of the Ministry and are of the opinion that the Ministry should have enquired into the matter instead of evading the issue by just getting verification of the documentary evidence done by BSNL. The Committee strongly deprecate that despite the clear assurance given by the BSNL during the evidence, no enquiry has been conducted in the matter so far and no report submitted to the Committee. The Committee, therefore, desire that a thorough enquiry be

conducted into the matter by a Vigilance Wing within a period of six weeks. The Committee would like to be apprised of the outcome of the enquiry and the action taken against the guilty officials.

3.35 The Committee note that after introduction of restructuring scheme of Technical Cadres in Group C & D in the Department of Telecom, in view of the changing requirements of technology, Cadre of Phone Mechanic (later known as Telecom Mechanic) was introduced in October 1990 by conversion of Posts of Lineman/Wireman in the prescribed ratio. Subsequently in September 1991, posts of Cable Splicers were also converted to Phone Mechanic since cadre jobs presently done by them are to be done by Phone Mechanics in future. Thus, there is no post of Cable Jointer/Splicer after introduction of restructuring scheme. The Committee note with satisfaction that the Phone Mechanics have also been imparted due training for doing the duties of erstwhile Cable Splicers/Jointers and that the job of Cable Jointer/Splicer are being performed satisfactorily by the Phone Mechanics for which they are not paid any extra allowance.

3.36 The Committee note that tenders for Under Ground (UG) Cable are being done zone wise by the approved contractors of that zone. Tender Agreement for laying of Under Ground (UG) Cable was done in October 2004 for Nagra, Jauli Bazar, Jalalpur (Partially), Basantpur, Gopalganj, Shyampur Bazar. The Committee also note that for Jalalpur, work laying of UG cable was given in parts to the approved contractor depending on availability of cable. The work was completed on 05.11.2005. The agreement for cable work of the remaining part of Jalalpur was made on 27.10.2005 and work order issued on 08.02.2006. The Committee were informed that the total number of applicants pending in Jauli Bazar, Jalalpur and Basantpur is quite high *i.e.* 352, 122 and 332 respectively. The Committee strongly deplore the logic of carrying out the work of the underground cable laying in small contracts thereby delaying the entire scheduled. The Committee desire that the Ministry should review their policy of smaller contracts and make efforts to finish the job of UG cable laying with in a fixed time frame specially in the areas where Tender Agreement has already been made and work order has also been issued so that pending applications for new Telephone Connections are cleared expeditiously. The Committee would like to be apprised of the progress made in this regard.

3.37 The Committee note that Andar Dhala Telephone Exchange was ready in all respect since March 2005 but telephone numbers could not be shifted due to non-functioning of Engine Alternators (E/As). The reasons attributed by the Ministry for non-functioning of (E/As), were that though new E/A sets were ordered on 22.12.2004, the Government of India (Pollution Control Board) implemented the Act of prevention of pollution on 01.01.2005, banning installation of E/A sets without canopy. There was no space available in the Exchange for E/A sets with canopy. So recovered E/A sets were moved from Garkha Exchange, repaired and installed in Andar Dhala. It was informed that E/A sets were idle for a long time at Garkha and so they were not in top condition and used to give troubles.

3.38 However, the Committee are not convinced with the clarification given by the Ministry for delayed installation of E/As at Andar Dhala Exchange and are of

the view that new E/A sets were procured just 8 days prior to implementation of the Act of prevention of pollution on 01.01.2005. After implementation of the Act by the Government, the new E/A sets procured by the Government could not be used and instead the E/A sets which were lying idle for long time at Garkha Exchange were repaired and used. The Committee are, therefore, of the view that had the ministry taken a judicious decision of using idle E/A sets before procuring new E/A sets instead of procuring new E/A sets for Andar Dhala Telephone Exchange, they could have saved the scarce resources. This only goes to show the failure of the Ministry as regards their planning and foresightedness. The Committee would like the Ministry to take concrete steps in this regard and the Committee be apprised of the action taken in the matter. However, the Committee note with satisfaction that first E/A was set right on 07.04.2005 and second on 21.05.2005 after repairs and overhauling and are running without any trouble and both are suitable for giving continuous back-up power supply.

3.39 The Committee note that the Telecom Electrical Wing (TEW) is involved in project and maintenance work of E/A, A/C Plants, Lifts, Fire Protection, Pumps, etc. For attending to complaints related to E/As and A/Cs etc. the manufacturers have trained sufficient staff of their authorised dealer. The Committee are, however, surprised to note that in emergent circumstances, when authorized repairer is not available, the Field Executives of BSNL get the repairs done from local Market in order to ensure continuous telecom service. According to the Ministry it is not advisable to get these engines repaired by the Local Mechanic as they don't have any expertise in these engines. The Committee would, therefore, desire that the TEW should not always be dependent upon the trained staff of the authorised dealer of the manufacturer and steps should be taken to train the in-house staff to attend the complaint/repair work in emergent circumstances and to avoid such complaints being attended by work mechanic from local market. They should also arrange deployment of their manpower in such a way so that they are always available to attend any eventuality in an emergent circumstances. The Committee would like to be apprised of the action taken in this regard.

NEW DELHI;
7 May, 2007

17 Vaisakha, 1929 (Saka)

PRABHUNATH SINGH,
Chairman,
Committee on Petitions.

MINUTES OF THE THIRTY-FIRST SITTING OF THE COMMITTEE
ON PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Friday, 17th February, 2006 from 1530 hrs. to 1700 hrs. in Committee Room No. 139, First Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMEBRS

2. Shri Raj Babbar
3. Shri N.S.V. Chitthan
4. Shri M. Jagannath
5. Shri Baliram Kashyap
6. Adv. Suresh Kurup
7. Shri Dharmendra Pradhan
8. Shri Damodar Barku Shingda
9. Shri Vijoy Krishna

SECRETARIAT

1. Shri A.K. Singh — *Director*
2. Shri U.B.S. Negi — *Under Secretary*
3. Shri M.S. Jaspal — *Assistant Director*

WITNESSES

Ministry of Telecommunications & IT
(Department of Telecommunications)

1. Dr. J.S. Sarma — Secretary(T)
2. Shri Yashwant S. Bhawe — Addl. Secretary(T)
3. Shri M. Sahu — Joint Secretary (T)
4. Shri H.C. Jayal — Joint Secretary (A)
5. Shri N. Parmeswaran — Deputy Director General (VAS)
6. Shri A.K. Sinha — Chief Managing Dir. (CMD) (BSNL)
7. Shri Satish Tandon — Deputy Director General (Estt.)
8. Shri R.L. Dube — Director (Planning), BSNL
9. Shri J.R. Gupta — Director (O), BSNL
10. Shri Niranjana Singh — Director (HRD), BSNL

11. Shri A.N. Rai	—	Deputy Dir. General (RN) BSNL
12. Shri Rakesh Kumar	—	Advisor (O)
13. Shri Ombir Singh	—	Chief General Manager, CGM, Bihar
14. Shri Rakesh Babu	—	Deputy Dir. General (CS), BSNL
15. Shri S.C. Mishra	—	Sr. Deputy Dir. General (Estt.) BSNL
16. Shri P.K. Mittal	—	Deputy Director General (BS)
17. Shri A.K. Chaturvedi	—	Advisor (HRD) DOT

2. At the outset, Chairman welcomed the representatives of the Ministry of Telecommunications & IT (Department of Telecommunications) and drew their attention to Direction 55(1) of the Directions by the Speaker Lok Sabha regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 which clearly stipulates that the Committee shall also meet as often as necessary to consider representations, letter, telegrams from various individuals, associations etc. which are not covered by the rules relating to petitions and given directions for their disposals.

3. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Telecommunications & IT (Department of Telecommunications) on the following representations.

** ** *

- (ii) Representation from Shri Narendra Kumar Singh regarding irregularities in Telecom Department of Saran, Bihar.

** ** *

II. Case of Narendra Kumar Singh regarding irregularities in Telecom Department of Saran, Bihar

The following issues/points were discussed by the Committee:—

- (i) guidelines for deputing guards to Telecom exchanges and their wage structures.
- (ii) monitoring of appointment of security guards as per guidelines.
- (iii) investigation by vigilance agency regarding providing security to telecom exchanges particularly in Chappra, Siwan and Saran Districts of Bihar and the details thereon be informed to the Committee within one month.

** ** *

4. The Committee asked the witness to send the replies on points or demands which were not supplied or readily available with them during the evidence, within the stipulated period.

A copy of the verbatim proceeding of the sitting of the Committee was kept on records.

*The witness then withdrew.
The Committee then adjourned.*

MINUTES OF THE FORTY-FOURTH SETTING OF THE COMMITTEE ON
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Monday, 18th September, 2006 from 1400 hrs. to 1640 hrs. in Committee Room No. 'C' Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri Anant Gangaram Geete
3. Shri Mohan Jena
4. Shri Wangyuh W. Konyak
5. Shri Kishan Singh Sangwan
6. Shri Mansukhbai Dhanjibhai Vasava
7. Shri Paras Nath Yadav

SPECIAL INVITEE

Capt. Jai Naraiyan Prasad Nishad, MP (Rajya Sabha)

SECRETARIAT

1. Shri P. Sreedharan — *Joint Secretary*
2. Shri A.K. Singh — *Director*

WITNESSES

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Ministry of Finance

(Department of Economic Affairs, Banking Division)

1. Shri Vinod Rai — Special Secretary (FS)
2. Shri Amitabh Verma — Joint Secretary (BO)
3. Shri G.C. Chaturvedi — Joint Secretary (B&I)
4. Shri J.S. Bhattacharya — MD (SBI)
5. Shri K. Bhattacharya — GM. RBI, Mumbai
6. Shri J.S. Vijayan — Chairman, LIC
7. Shri A.C. Verma — Dy. MD, SBI
8. Shri Abhijit Dutta — Dy. MD, SBI
9. Shri Rajiv Lal — DGM
10. Shri N.K. Singh — DGM, New India Assurance Co. Ltd.

(Department of Economic Affairs)

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|------------------------|---|---------------|
| 1. Dr. K.P. Krishnan | — | JS |
| 2. Shri Arvind Mayaram | — | JS |
| 3. Shri M.S. Sahoo | — | Director (SM) |
| 4. Dr. Shashank Saxena | — | Director (PR) |
| 5. Shri Amarjeet Singh | — | GM (SEBI) |
| 5. Shri Achal Singh | — | AGM (SEBI) |
| 7. Shri S.K. Sharma | — | AGM (SEBI) |

(Department of Revenue)

- | | | |
|-----------------------------|---|------------------------------------|
| 1. Shri K.M. Chandrashekhar | — | Secretary (Revenue) |
| 2. Shri V.P. Singh | — | Chairman (CBEC) |
| 3. Shri Bhargava | — | Member (Inv.) CBDT |
| 4. Shri A. Biswas | — | Res. Mgr. The New India Assu. Com. |

** ** *

2. At the outset, Chairman welcomed the Members of the Committee which was reconstituted on 25th August, 2006.

** ** *

3. The Chairman welcomed the representatives of the Ministry Finance and drew their attention to Direction 55(1) of the Director by the Speaker regarding confidentiality of the proceedings. The Chairman also drew attention to Direction 95 which clearly stipulates that the Committee shall also meet as often as necessary to consider representations, letters, telegrams from various individuals, associations etc. which are not covered by the rules relating to petitions and give directions for their disposals.

4. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Finance on the following representations:—

** ** *

- (x) Representation from Shri Shailesh Jain, Agent, the New India Insurance Company Limited regarding harassment of Development Officers and Agents by General Insurance Company by forcing them not to accept third party insurance.

** ** *

X. Representation from Shri Shailesh Jain, Agent, the new India Insurance Company Limited regarding harassment of Development Officers and Agents by General Insurance Company by forcing them not to accept third party insurance.

The Committee considered and discussed about the reasons for stopping third party insurance in case of commercial vehicles by development officers and agents directly.

7. The Committee asked the witness to sent the replies on points or demands which were not supplied or readily available with them during the evidence, within, the stipulated period.

The witnesses then withdrew.

8. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

MINUTES OF THE FIFTY-EIGHTH SITTING OF THE COMMITTEE ON
PETITIONS (FOURTEENTH LOK SABHA)

The Committee on Petitions sat on Monday, the 7th May, 2007 from 1500 hours to 1530 hours in Chairman's Room No. 45(II) Ground Floor, Parliament House, New Delhi.

PRESENT

Shri Prabhunath Singh — *Chairman*

MEMBERS

2. Shri N.S.V. Chitthan
3. Shri C. Kuppusami
4. Shri Suresh Kurup
5. Shri Dharmendra Pradhan
6. Kunwar Jatin Prasada
7. Shri Jyotiraditya M. Scindia
8. Shri Paras Nath Yadav

SECRETARIAT

1. Shri A.K. Singh — *Director*
2. Shri U.B.S. Negi — *Deputy Secretary*
3. Shri V.P. Gupta — *Under Secretary*
4. Smt. Jagriti Tewatia — *Committee Officer*

2. The Committee considered the draft Twenty-Seventh and Twenty-Eighth Reports and adopted the same with slight modifications.

3. The Committee also authorised the Chairman to finalise and present the Reports to the House.

The Committee then adjourned.