

**PROMOTION TO CLASS II POSTS IN THE I
SOUTHERN RAILWAY**

◆695. SHRI M. S. GURUPADA SWAMY: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the results of the last interview held for the selection of candidates for Class II Gazetted Cadre in Traffic and Commercial Branches in the Southern Railway have not so far been published; and

(b) if so, when they are likely to be published?

THE DEPUTY MINISTER OF RAILWAYS (SHRI S. V. RAMASWAMY): (a) Yes, Sir.

(b) Finalization of the result of the selection will take some time. It will be published as soon as finalised.

SHRI M. S. GURUPADA SWAMY: May I know when this interview actually took place, and whether it has come to the notice of the Minister that there has been an inordinate delay in publishing these results? This is not the first time that results are delayed and withheld from publication.

SHRI S. V. RAMASWAMY: The examination was held in April, 1960. The House is aware that the High Court of Madras delivered a judgment on the question of reservation of promotions for Scheduled Castes. That matter is now pending before the Supreme Court. Pending their decision this will have to wait.

SHRI M. S. GURUPADA SWAMY: May I know whether it is not a fact that the criteria on the basis of which selections are made, are changed from time to time giving scope for partiality and favouritism?

SHRI S. V. RAMASWAMY: I reproduce it.

SHRI M. S. GURUPADA SWAMY: May I know whether it is not a fact

that the criteria have been changed from time to time in the past?

SHRI S. V. RAMASWAMY: No, Sir. If it is selection, selection is on merit. There is no question of shifting on points of merit.

SHRI M. S. GURUPADA SWAMY: Is it not a fact that considerations of merit have been changed from time to time?

SHRI S. V. RAMASWAMY: No, Sir. Merit has been merit always.

SHRI N. M. LINGAM: May I know if the decision of the Madras High Court regarding reservation of posts is applicable to the Southern Railway only or to the Madras sector of the Southern Railway or to the whole of the country?

SHRI S. V. RAMASWAMY: It is applicable to the Southern Railway only.

SHRI N. M. LINGAM: If it is a decision of a High Court which has not been set aside or modified so far, should it not apply to the entire Railway administration? If not, why not?

SHRI JAGJIVAN RAM: The judgment of the Madras High Court covers the jurisdiction of the Madras State, and to that extent it has been applied.

SHRI N. M. LINGAM: Do I take it then that since the High Court has jurisdiction only over the Madras State, the order of the High Court applies only to the Madras sector of the Southern Railway?

SHRI JAGJIVAN RAM: Technically it does apply only to the sector of the Southern Railway running in Madras State, but because the Southern Railway is one unit by itself, we have on our own applied it to the whole of the Southern Railway.

SHRI V. C. KESAVA RAO: May I know whether it is not a fact that

the interview was held before the judgement of the Madras High Court was given?

SHRI S. V. RAMASWAMY: I said that it was held in April, 1960. The judgment came subsequently.

SHRIMATI T. NALLAMUTHU RAMAMURTI: Why should there be an exception here in this case? Why should there be this watertight compartment? Is there no Central administration for the Railways? And if so, is not this principle—a High Court decision—of universal application to all, irrespective of Zones?

SHRI S. V. RAMASWAMY: The High Court judgment will apply only to the jurisdiction of the Madras State.

MR. CHAIRMAN: The idea is that on principle, when a High Court gives a judgment, the Minister will, of course, consider whether it is to be extended or not to other Railways.

SHRI AKBAR ALI KHAN: Unless some other High Court or the Supreme Court gives a contrary judgment, that should be the principle.

PAYMENT OF COMPENSATION TO THE PLOT HOLDERS OF LANDS IN DELHI/ NEW DELHI ACQUIRED BY THE DELHI ADMINISTRATION

•696. SHRI NAWAB SINGH CHAUHAN: Will the Minister of HEALTH be pleased to state:

(a) whether Government have taken any decision regarding payment of compensation to the plot-holders of lands in Delhi | New Delhi which were proposed to be acquired by the Delhi Administration *vide* their notification of November, 1959;

(b) if so, what will be the rate of compensation; and by when it is likely to be paid; and

(c) how many objections were received by Government against the said acquisition order?

THE MINISTER OF HEALTH (SHRI D. P. KARMARKAR); (a) No, Sir.

(b) Does not arise.

(c) The total number of objections received by the Delhi Administration was 19,430.

श्री नवाबसिंह चौहान : क्या इनको कम्पेंसेशन देना भी है या नहीं ? अगर देना है तो जब इतने दिन हो गए आवेकेशन रिसेव हुए तब फिर क्यों अब तक उस पर निर्णय नहीं दिया गया ? अगर कम्पेंसेशन देना है तो किस तरह से देना है ? क्या इस सम्बन्ध की कोई मंत्रणा ऑफिसरों के बीच हुई है ?

श्री डी० पी० कर्मकर : आवेकेशन की जांच हो रही है । चूंकि आवेकेशन ज्यादा आए हैं इसलिए उन्होंने मशीनरी भी बढ़ाई है जिन केसेज में कम्पेंसेशन देना उपयोगी या मुनासिब समझा जायगा उन में कम्पेंसेशन दिया जायगा ।

श्री नवाबसिंह चौहान : जांच करने का सवाल नहीं है, जांच तो आपको करनी ही है । लेकिन क्या जमीनों को लेने से पहले आपके यहां कोई नियम नहीं है कि इस प्रकार की जमीन पर इतना कम्पेंसेशन दिया जायगा, इतना नहीं दिया जायगा ? क्या ऐसी भी जमीनें हैं जिनके लिये कम्पेंसेशन नहीं दिया जायगा ?

श्री डी० पी० कर्मकर : जी हां, जब यह तय हो जाता है कि जमीन एम्वायर की जाय तब कम्पेंसेशन का सवाल उठता है । ये जो आवेकेशन आए हैं वे गवर्नमेंट नोटिफिकेशन के खिलाफ आए हैं ।