

**COMMITTEE  
ON  
GOVERNMENT ASSURANCES  
(1975-76)**

**(FIFTH LOK SABHA)**

**FIFTEENTH REPORT**

*Presented on the 4th February, 1976*



**LOK SABHA SECRETARIAT  
NEW DELHI**

*February 4, 1976/Magha, 15, 1897 (Saka)*

40777/1

Price : Rs. 1.80

# LOK SABHA

## CORRIGENDA

to

### The Fifteenth Report of the Committee on Government Assurances (Fifth Lok Sabha)

Page No.	Correction
28	Line 6 from bottom: <u>for</u> 'consesuent' <u>read</u> 'consequent'
33	Sl. No.3, col. 3, part (b), line 1: <u>for</u> 'Siresia' <u>read</u> 'Sirsia'
36	Sl.No.10, col. 5, item (2), line 2: <u>for</u> '3-10-775' <u>read</u> '3-10-75'
39	Sl.No.22, col.5, item (3), line 2: <u>for</u> '24' <u>read</u> '24-10-75'
40	Sl.No.23, col.4, line 3: <u>for</u> 'atest' <u>read</u> 'latest'
40	Sl.No.24, col.3, part (b), line 3: <u>for</u> 'emp-' <u>read</u> 'em'
43	Sl.No.30, col.2, line 1: <u>after</u> 'USQ' <u>insert</u> 'No.'
43	Sl.No.31, col.2, (i) line 1, <u>after</u> 'USQ' <u>insert</u> 'No.' (ii) line 3, <u>for</u> 'Thuna' <u>read</u> 'Tuna'
43	Sl.No.32, col.2, line 3: <u>for</u> Thuna' <u>read</u> 'Tuna'
44	Sl.No.33, col.5, line 1: <u>for</u> 'Request' <u>read</u> 'Requests'
46	Sl.No.38, col.3, part (b), line 2: <u>for</u> 'gard' <u>read</u> 'regard'
53	Sl.No.62, (i) Col.3, line 4, <u>for</u> 'Westorn' <u>read</u> 'Weston' (ii) Col.4, line 4 from bottom, <u>for</u> 'bing' <u>read</u> 'being'
77	Col.1, (i) line 2, <u>for</u> 'xth' <u>read</u> 'Sixth' (ii) line 3, <u>for</u> 'venth' <u>read</u> 'Seventh'

NEW DELHI;  
March 23, 1976  
Chaitra 3, 1896 (Saka)

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PERSONNEL OF THE COMMITTEE ON GOVERNMENT  
ASSURANCES (1975-76)

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2. Shri Syed Ahmed Aga
3. Shri Jagadish Bhattacharyya
4. Shri Narendra Singh Bisht
5. Shri G. C. Dixit
6. Shri Samar Guha
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12. Shri P. M. Sayeed
13. Shri Ramshekhar Prasad Singh
14. Shri Satyendra Narayan Sinha
15. Shri K. Subravelu

SECRETARIAT

Shri P. K. Patnaik—*Additional Secretary.*

Shri K. D. Chatterjee—*Chief Examiner of Questions.*

Shri S. N. Khanna—*Senior Examiner of Questions.*

## **REPORT**

### **I. Introduction**

I, the Chairman of the Committee on Government Assurances, having been authorized by the Committee to present the Report on their behalf, present this Fifteenth Report of the Committee.

2. The Committee was constituted on the 1st June, 1975.

### **II. Sitzings of the Committee**

3. The Committee held three sittings on the 11th and 12th December, 1975 and 2nd February, 1976. At the sitting held on the 11th December, 1975, the Committee considered the following items:

- (i) Review of certain pending assurances pertaining to Thirteenth Session of Fifth Lok Sabha;
- (ii) Requests from the Department of Parliamentary Affairs seeking extension of time for the implementation of certain assurances;
- (iii) Request from the Department of Parliamentary Affairs for dropping of an assurance; and
- (iv) Dropping of assurances/undertakings/promises given by Ministers in respect of matters now falling within the jurisdiction of the State Legislatures of West Bengal, Andhra Pradesh, Uttar Pradesh and Orissa consequent on the revocation of the President's Proclamations issued under article 358 of the Constitution in respect of those States.

4. At their sitting held on the 12th December, 1975, the Committee took oral evidence of the representatives of the Ministry of Commerce and Ministry of Energy in regard to the delay in implementation of four assurances.

5. At their sitting held on the 2nd February, 1976, the Committee considered and adopted their Fifteenth Report.

6. The conclusions arrived at by the Committee on the above matters are set forth in the Minutes of the aforesaid sittings of the Committee which are appended to and form part of this Report.

Cases where the Committee found it necessary to make certain observations or recommendations are as under:—

### III. Review of certain pending assurances pertaining to Thirteenth Session of Fifth Lok Sabha

7. In pursuance of the decision of the Committee as contained in para 6 of their Seventh Report, Fourth Lok Sabha (presented on the 13th December, 1969), Government are required to implement the assurances within a period of three months from the date an assurance is given by the Minister concerned on the floor of Lok Sabha. If Government foresee any genuine difficulties in implementing any assurance within the stipulated period of three months, they have to approach the Committee for extension of time-limit.

8. A large number of assurances pertaining to the Fifth Lok Sabha are still lying pending which have become more than three months old. These pending assurances are being reviewed by the Committee in convenient batches.

9. At their sitting held on the 11th December, 1975, the Committee reviewed 63 pending assurances pertaining to Thirteenth Session of Fifth Lok Sabha (First batch) (details given in Annexure—I to Minutes of the sitting held on 11th December, 1975).

10. During the course of review, the Committee noted that Government have requested for extension of time in 46 cases as indicated in Annexure—I to Minutes of the sitting held on the 11th December, 1975.

11. The observations or recommendations of the Committee in respect of each case have been indicated in the relevant Minutes. Considering the reasons advanced by the Government, the Committee agree to grant extension of time in cases wherever requested upto the period indicated under the relevant item in those Minutes. The Committee trust that Ministries concerned will ensure implementation of these assurances by the extended dates approved by the Committee.

12. The Committee are constrained to point out that during the course of review, they have come across a number of cases where no follow-up action was taken by the Ministry/Department concerned after the assurances were given on the floor of the House. In these cases, the Government neither implemented the assurances nor have they reported to the Committee about the action taken or progress made in the matter of collection of the required information. The Committee were also not approached for extension of

time within the prescribed period of three months for implementation of such assurances. The Committee once again urge the Ministries/Departments concerned to pursue the assurances given on the floor of the House more vigorously and keep the Committee informed from time to time of the action taken and progress made in the matter.

#### **IV. Requests from the Department of Parliamentary Affairs seeking extension of time for the implementation of certain assurances**

13. The Committee have considered requests from the Department of Parliamentary Affairs for the extension of time-limit for the implementation of certain assurances mentioned in Annexure—II to the Minutes of the sitting held on the 11th December, 1975. After examining the reasons advanced by the Ministries concerned, the Committee agree to grant extension of time in each case upto the period shown in column 3 of Annexure—II of the aforesaid Minutes. The Committee desire that the Ministries concerned should ensure implementation of these assurances by the extended date.

#### **V. Request from the Department of Parliamentary Affairs for dropping of an assurance**

14. The Committee have considered the request made by the Government for the dropping of an assurance given in reply to Supplementaries on Starred Question No. 229 on the 27th November, 1974 regarding functioning of IMPEC.

15. The above assurance was reviewed by the Committee along with other pending assurances of Twelfth Session of Fifth Lok Sabha at their sitting held on the 12th November, 1975 and the Committee *vide* their Fourteenth Report, Fifth Lok Sabha (Page No. 34) had observed as under:—

“No extension of time had been requested in this case. The Committee regretted that no intimation with regard to the action taken to implement the assurance had been communicated to them nor reasons for delay intimated. As the assurance was pending for a long time, the Committee desired that it be implemented expeditiously.”

16. It had been represented by the Ministry of Information and Broadcasting that on a careful examination of the relevant portion of the proceedings of Lok Sabha, it had been observed that the reply given by the Minister of Information and Broadcasting to

the supplementary raised by the hon. Member did not constitute any assurance but was only a statement of fact. In the supplementary, the hon. Member had enquired about the inquiry against an individual regarding alleged charges of abetting smuggling by him. In his reply, the Minister of Information and Broadcasting had stated that the inquiry had been held about the overall functioning of the Indian Motion Picture Export Corporation and not specifically about the alleged charges against the individual about which the Member had sought information in his supplementary. In view of this, the reply given by the Minister of Information and Broadcasting was only a statement of facts and not an assurance given to the House. The Ministry had accordingly suggested that the assurance might be deleted from the list of pending assurances.

17. The Committee had reviewed this assurance at their sitting held on the 12th November, 1975 as they are of the opinion that the reply given by the Minister of Information and Broadcasting is in the nature of an assurance. The Committee are of the view that in the context of the debate relating to the supplementary, the expression used by the Minister in the reply that "I will decide later" meant that he would inform the House later about the result of the inquiry. They feel that the intention of the Minister at the time of answering the supplementary was to furnish the information to the House. The Committee, therefore, do not agree to drop the assurance and desire that whatever information is available as a result of the inquiry should be divulged to the House in due course.

**VI. Dropping of assurances/undertakings/promises given by Ministers in respect of matters now falling within the jurisdiction of the State Legislatures of West Bengal, Andhra Pradesh, Uttar Pradesh and Orissa, consequent on the revocation of the President's Proclamations issued under Article 356 of the Constitution in respect of those States.**

18. The Committee had recommended *vide* para Nos. 10—12 of their Ninth Report, Fifth Lok Sabha presented to the House on the 6th September, 1974 that the assurances in respect of the matters which after the revocation of President's Proclamations in respect of States of West Bengal, Andhra Pradesh, Uttar Pradesh and Orissa, fall within jurisdiction of the State Legislatures be dropped, but necessary information asked for in fulfilment of the assurances being dropped should be supplied to the Legislatures concerned by the respective State Governments, under intimation to the Committee. In this connection, the Department of Parliamentary Affairs had stated in a note dated the 23rd November,



1974 that it did not appear appropriate for the State Governments concerned to pass on the details of the assurances dropped by the Committee to the State Legislatures concerned.

19. The matter was considered by the Committee at their sitting held on the 27th January, 1975. As the matter involved constitutional implications, the Committee desired to have legal opinion of the Ministry of Law, Justice and Company Affairs before taking a decision in the matter.

20. The Committee further considered the matter at their sitting held on the 11th December, 1975 in the light of the legal opinion received from the Ministry of Law, Justice and Company Affairs in this connection. The Ministry of Law had in their opinion stated that:

"The Constitution does not contain any provision requiring the State Government to supply to the State Legislature concerned the necessary information asked for in fulfilment of such assurances. Committees on Government Assurances have been set up in the various States and their functions have also been laid down in the Rules of Procedure for the Conduct of Business of the Legislature of the State concerned. The Committee on Government Assurances in the States is only concerned with the assurances etc. given by Ministers on the Floor of the State Legislatures. It would, therefore, appear that the supply of information by the State Government Departments to the State Legislatures, as recommended by the Committee is not contemplated under the Constitution. The State Governments are not legally bound to comply with the recommendations made by the Committee on Government Assurances set up by the Lok Sabha and to supply the information to the State Legislatures concerned."

The Ministry of Law had further stated that:

"From strict constitutional or legal point of view any suggestion or direction of the Committee on Government Assurances that the necessary information asked for in fulfilment of the assurances be supplied to the State Legislature concerned by the concerned State Government in respect of the assurances given in Lok Sabha under intimation to the Committee, is not binding and is without legal force. However, any information to be

supplied can only be furnished by the State Government even during the President's rule and therefore if the State Governments concerned agree to comply with the suggestion of the Committee, it is possible to give effect to the recommendation of the Committee. However, as stated, question may arise if the suggestion is not given effect to by the State Government concerned. In that case, as stated earlier, there is no constitutional or legal obligation on the State Government to carry out the suggestion made by the Committee."

**21. After considering the matter, the Committee observed that:**

- (a) The Members of Parliament also represent the States and they are equally interested in the welfare of their constituents. For that reason, they ask questions in the House and seek information with regard to various matters falling within the jurisdiction of the States, when there is President's rule over those States. They, therefore, are naturally interested in getting information in pursuance of assurances given on the Floor of the House.**
- (b) Questions are asked in Parliament in order to elicit information only and generally do not relate to controversial matters.**
- (c) Questions asked and answers given, for that matter also assurances given on the Floor of the House, become the property of the House.**
- (d) Assurances given in Lok Sabha should be implemented in Lok Sabha. No discussion on the assurance may, however, be allowed in Lok Sabha as it might amount to interference in the sphere of State Legislatures. Mere supply of information to Lok Sabha would not amount to interference in the State matters. No member might have a right to raise discussion on such matters but he should have a right to have information in fulfilment of the assurances given in Lok Sabha. If necessary, suitable provision to this effect might be made in the Rules of Procedure of Lok Sabha.**

**22. While accepting the opinion of the Ministry of Law, Justice and Company Affairs, the Committee recommend that the Government should re-consider the matter in the light of the above observations made by the Committee.**

## VII. Examination of representatives of the Ministries of Commerce and Energy

23. The Committee examined representatives of the Ministry of Commerce in regard to the delay in implementation of the following two assurances which had been pending for considerable periods of time:

- (1) Assurance arising out of the reply given to Unstarred Question No. 5313 on the 20th December, 1974 (Appendix-I) regarding misuse of power and funds by certain officials of Cotton Corporation of India; and
- (2) Assurance arising out of the reply given to Unstarred Question No. 5422 on the 20th December, 1974 (Appendix-II) regarding advance import entitlements given to M/s. Hindustan Lever Limited.

(i) *Delay in implementation of the assurance given in reply to Unstarred Question No. 5313 on the 20th December, 1974 regarding misuse of power and funds by certain officials of Cotton Corporation of India.*

24. The assurance was reviewed by the Committee along with other pending assurances of Twelfth Session of Fifth Lok Sabha at their sitting held on the 12th November, 1975. The Committee had observed *vide* their Fourteenth Report, Fifth Lok Sabha (Page No. 20) as under:—

"The Committee felt that the Government could atleast give information in reply to part (a) of the question, i.e. whether any representation had been received regarding misuse of power and misappropriation of funds by certain officials of the Cotton Corporation of India. They were surprised to note that the Government have not approached the Committee for extension of time for the implementation of the assurance nor had they been informed of the progress made. The Committee, therefore, decided to hear the representatives of the Ministry of Commerce in order to know the reasons in detail for the delay in the implementation of the assurance."

25. When asked whether he had anything more to say in addition to what had already been stated in the note, furnished to the Committee, the Secretary, Foreign Trade, Ministry of Commerce, stated as follows:

"The CBI has taken charge of the investigation. If the CBI had not come into the picture, it was our expectation to

submit an answer, on the basis of our own Ministry's investigation which was being done through the Textile Commissioner's office. But since we came to know about the CBI now being in charge of the investigations, our Ministry have issued instructions that we should await, and that is the normal procedure, the CBI's findings on the subject. So, I am afraid that the final answer to this Parliament Question may have to await the decision of the CBI. But a sort of an interim reply can be given, i.e. that the matter is being investigated by the CBI and that the result of the investigations will be submitted to Parliament."

26. The Committee pointed out that CBI stepped in only on the 17th September, 1975 when the case was registered, while the representation was received even before the question was put in Lok Sabha. The Committee feel that the information that representation/representations had been received and such and such were the complaints and that the Department was making enquiries or the matter was put under the charge of CBI for proper investigation, could have been given at the time of answering the question.

The Secretary, Foreign Trade, Ministry of Commerce clarified the position thus:—

"As soon as the Question was received, or notice of the Question was received, the Ministry's Section concerned wanted to ascertain the full facts and the correct position from the Cotton Corporation. Since this did not refer to any particular official, they wanted to make sure that information on all representations received against all officials, if there were any, other than the one that was finally placed before the Parliament, should be ascertained and full facts obtained. I find that the Ministry had written to the Cotton Corporation asking for a report on this. It is a fact that the complaint had been received in the Vigilance Section of the Ministry even as early as April 1974 and a report had been called for from the Cotton Corporation. One way of looking at it, or answering it, is that the Government could have replied that they had one complaint against one official and that it was being investigated. The other way was a more cautious approach, trying to find out from the Cotton Corporation whether they have received complaints, and

if so, against whom, and whether they related to misappropriation of funds etc. The Government wanted to be a little more cautious and to collect information. That is why the second type of reply was given to Parliament."

27. When asked to explain why no follow up action was taken, i.e. no extension of time was asked for within the period of 90 days stipulated for fulfilling an assurance, the Secretary, Foreign Trade, Ministry of Commerce explained the position as under:—

"The Ministry wrote to the Cotton Corporation of India. They sent an interim reply. Then, they again asked for a report in detail and the detailed report was received. I fully accept that at that stage the Ministry could have sent a reply stating that we have received this information and we request for more time for giving further information. But the Officer concerned had by that time reverted to the Textile Commissioner's Office. Then, the inquiry question came up as to who should conduct the inquiry. The Textile Commissioner was authorised to conduct the inquiry. Of course, this is no explanation for not asking for time and requesting the Lok Sabha Secretariat to place the facts before the authorities concerned. I am not in any way saying all this as an explanation. I am just recalling what happened in chronological sequence. The Textile Commissioner obtained the information and forwarded it. But by that time the CBI had also come in and we were also asked to explain it before the Committee.

There was an opportunity for us to ask for extension of time. Apparently, this has not been availed of."

28. The Committee feel that nothing could prevent the Ministry from being cautious if they had given the information that was already at their disposal and ask for more time for laying further information on the Table of the House. The Committee desire to emphasize that efforts should always be made to furnish as much information as is readily available at the time of replying the question on the floor of the House and furnish the rest of the information as soon as possible.

29. In reply to a question as to whether there was any machinery in the Ministry of Commerce to look into assurances given by the Minister and to see that they were fulfilled in time, the Secretary,

Foreign Trade, Ministry of Commerce, informed the Committee that—

“There is a special Register kept for watching Parliamentary assurances. It is the responsibility of the dealing officers to fulfil the obligations and undertakings given by the Minister on behalf of the Department concerned. In this particular case, as I have explained the position, we could have reported it to the Parliament earlier, at the point of time when the report was received from the Cotton Corporation. We could have given that information at that stage. I admit, there was an omission.”

30. As cases of long delays in the implementation of assurances pertaining to Ministry of Commerce continue to come to their notice, the Committee urge the Ministry of Commerce to take vigorous steps to see that the machinery or the cell looking into the work of implementation of the assurances is more watchful to ensure that the assurances are implemented in time or in case of difficulties being faced by them in the implementation of assurances within the stipulated period of 90 days, extension of time is asked for and the Committee informed from time to time about the progress made in the collection of the information.

As the matter is now under investigation by the CBI, the Committee would await the outcome of the investigation.

(ii) *Delay in the implementation of the assurance given in reply to Unstarred Question No. 5422 on the 20th December, 1974 regarding advance import entitlement given to M/s. Hindustan Lever Limited.*

31. The Committee have been informed that the Ministry of Commerce requested through the Department of Parliamentary Affairs for the extension of time-limit for the implementation of this assurance upto 30th September, 1975. The following reasons had been advanced by the Ministry:

“The information was called for from the Regional Licensing authorities for fulfilment of the assurance. The information received from the licensing authorities has been scrutinised. The scrutiny has revealed that some information is necessary from the office of the Joint Chief Controller of Imports and Exports, Bombay before the assurance given to the Parliament could be fulfilled. The Joint Chief Controller of Imports and Exports has been requested to send the required information on top priority basis.”

32. The assurance was reviewed by the Committee along with other pending assurances of Twelfth Session of Fifth Lok Sabha at their sitting held on the 12th November, 1975. The Committee had observed *vide* their Fourteenth Report, Fifth Lok Sabha (Page No. 21) as under:—

“An extension of time upto 30th September, 1975 had been requested by the Government in this case. No further extension had been asked for nor any explanations given for non-implementation of the assurance. As the period of extension was already over and the assurance was pending for a long time, the Committee decided to hear the representatives of the Ministry of Commerce regarding the reasons in detail for the non-implementation of the assurance.”

33. The Committee have been further informed that on the 13th November, 1975, another request had been received from the Ministry of Commerce through the Department of Parliamentary Affairs for the extension of time-limit upto the 31st December, 1975 for the implementation of the assurance. The same reasons as mentioned in paragraph 31 *ibid* were put forth by the Ministry.

34. At the beginning of the evidence, the Secretary, Foreign Trade, informed the Committee that a meeting of the Advance Licensing Committee was scheduled for the 16th December, 1975 when final decision on this case would be taken and it was hoped that more extension of time would not be asked for afterwards.

35. The Committee note that the assurance was given on the 20th December, 1974 and the first extension was asked for on 30th June, 1975. The Committee are unhappy at this long delay from December, 1974 to June, 1975 in asking for extension of time in the first instance.

36. With regard to the delay, in implementation of the assurance, the Secretary, Foreign Trade, stated:

“The last date was 16th April, 1973; that was last date of licence. We had to find out dates of actual import, within which period they discharged export obligation. This had to come from JCCIE's Office. There was overpayment on import entitlement licence and cash assistance. These had to be sorted out and final reply given.”

37. The Committee wanted to know if for such cases there was a register or ledger maintained in CCI's office to show whether export

guarantee or commitment was honoured or not. The Secretary, Foreign Trade, clarified the position thus:—

**"There is a separate system and this is for watching the export obligation. We are also kept informed about it. No firm can get away without fulfilling their commitments. If there is error, action is taken."**

38. In this connection, the Export Commissioner of the Office of CCI & E stated as follows:—

**"The licences are issued by our regional offices located at the ports. Hindustan Lever factories are at the various ports of India. So we were obliged to collect that information from almost all our licensing offices. It is the licensing offices which maintain the register for the issue of licences and they would watch the export obligations against those licences."**

The Secretary, Foreign Trade, further elucidating the matter stated:—

**"The Committee sanctions an advance licence entitlement. Based on that the actual licences are issued by the port offices. The question was about the advance licence. We would have said that the Committee has passed an order about this and this was within our information."**

39. The Secretary, Foreign Trade assured the Committee that complete information would be furnished soon after the 16th December, 1975.

40. The Committee feel that substantial information could have been given at the time of answering this Question. They trust that the assurance will be implemented at an early date.

41. The Committee also examined representatives of the Ministry of Energy in regard to the delay in implementation of the following two assurances which had been pending for long periods:—

- (1) Assurance arising out of the reply given to Unstarred Question No. 1206 on the 20th November, 1974 (Appendix-III) regarding accidents in coal mines of Madhya Pradesh; and
- (2) Assurance arising out of the reply given to Unstarred Question No. 2376 on the 27th November, 1974 (Appendix-IV)



regarding increase in the incidence of T.B. and Filaria among coal mine workers.

- (i) *Delay in the implementation of assurance given in reply to Unstarred Question No. 1206 on the 20th November, 1974 regarding accidents in coal mines of Madhya Pradesh.*

42. The assurance was reviewed by the Committee along with other pending assurances of Twelfth Session of Fifth Lok Sabha at their sitting held on the 12th November, 1975. The Committee had observed vide Fourteenth Report, Fifth Lok Sabha (Page No. 25), as under:—

“The assurance had neither been implemented nor any extension requested by the Government. The steps taken by the Government to collect the information had also not been communicated to the Committee. The Committee felt that the delay in furnishing the information to the House forfeited the purpose of the question, as Members were interested in knowing the amount of compensation paid. The Committee regretted the casual manner in which the Government had treated this assurance. The Committee, therefore, decided to hear the representatives of the Ministry of Energy regarding the reasons in detail for the non-implementation of the assurance.”

43. The Committee pointed out to the representative of the Ministry of Energy that after the above assurance was given on the 20th November, 1974, no follow up action was taken by the Ministry. According to the existing practice, the assurances were required to be fulfilled within 90 days. In case of genuine difficulties, the Ministry could approach the Committee. For full one year no intimation regarding action taken to implement this assurance was sent to the Committee by the Ministry nor any extension of time asked for and soon after the note regarding evidence by the Committee was sent, the Ministry furnished the complete information in reply to the question. When the Committee asked the representative of the Ministry to explain the position regarding collection of the information during the intervening period, the Joint Secretary, Department of Coal submitted as follows:—

“We admit that there has been a delay which is un-justified. And so we apologise. The information could have been given in a shorter time than has been taken. \* \* \*

We have sent a reply on the basis of information we could collect. You would see the question is of a detailed nature.

There were some figures which we had to reconcile by sending some people around and finding out what the correct figures were. This relates to certain accidents that took place in all the coal mines in M.P. in '72-73' and '73-74'. It was not difficult to get details of the persons killed/injured; what was difficult to get was the amount of compensation paid in each case. We have now compiled the information with all these details. This was a time-consuming process. We had to collect this from so many mines."

44. The Committee feel that part of the information as to the position after nationalisation could have been given at the time of answering the question. They are of the view that a machinery should be evolved whereby whenever there was an accident in a mine, the persons in charge there should send the information immediately to the Ministry concerned. The information regarding compensation and other matters could follow.

45. The representative of the Ministry was not clear as to whether it was in order to furnish part of the information in part-fulfilment of the assurance. The Committee invited the attention of the representative of the Ministry to the recommendation of the Committee contained in para 8 of their Ninth Report (Fifth Lok Sabha) according to which part of the information could be furnished to the House in the first instance and rest of the information periodically thereafter. Thereupon, the representative of the Ministry admitted that 70 per cent of the information was collected within a month of giving of the assurance and could have been supplied much earlier.

46. The Committee are constrained to observe that recommendations of the Committee are not being studied and given the attention they deserve in the Ministry of Energy. This has resulted in avoidable delay in the implementation of the assurance.

47. The Committee trust all the Ministries would enjoin upon their staff dealing with implementation of assurances given on the floor of the Lok Sabha to keep a careful note of the observations/recommendations of the Committee, so as to enable them to be better equipped for prompt and adequate action for implementation of the assurances.

48. The Committee have now been informed that this assurance has since been implemented and a statement showing implementation was laid on the Table of Lok Sabha on the 9th January, 1976.

- (ii) *Delay in implementation of assurance given in reply to Unstarred Question No. 2376 on the 27th November, 1974 regarding increase in incidence of T.B. and Filaria among coal mine workers.*

49. The assurance was reviewed by the Committee along with other pending assurances of Twelfth Session of Fifth Lok Sabha at their sitting held on the 12th November, 1975. The Committee had observed *vide* their Fourteenth Report, Fifth Lok Sabha (Page No. 26) as under:

"The assurance had neither been implemented nor any extension requested by the Government. The Committee deprecated the casual manner in which the Government had treated this assurance. The Committee, therefore, decided to hear the representatives of the Ministry of Energy in order to know the reasons in detail for the non-implementation of the assurance."

50. In regard to reasons for delay in implementation of the assurance, the Joint Secretary, Department of Coal, stated as follows:—

"We have not been able to compile the information even now. We have got some information. We are getting information from different mines and collieries from different sources and are trying to compile them. We thought we would place the latest compilation before you, but we found there were some discrepancies. I have got the draft here, but we are not satisfied with it. Yesterday we got some managing directors to Delhi and have asked them to give details in a certain proforma so that we could tabulate them in a systematic, meaningful manner and then present it to the Committee."

In the case of TB/Filaria, for which information has been asked, whether they have gone up after nationalisation or not, we have got information about what happened after nationalisation, but as for the period prior to nationalisation, with which the comparison has to be drawn, we could not get the correct information. I have got some information but am not satisfied with it. We are doing our best to get the information."

51. The Committee are of the opinion that on the basis of the statistics for the last two years, a conclusion could have been reached and reply given at the time of answering the question that the incidence of these diseases was on the increase or decline and what steps had been taken in this direction.

In this connection, the representative of the Ministry, explained as under:—

“We can definitely give the information on the second part, i.e. full details about the steps we have taken, and how much of additional facilities for medical help have been provided after nationalisation, or even before it. But in regard to the first part, we could not compile the information correctly. But we are providing adequate medical facilities, since nationalisation.

The first point was whether the number of cases was going up, or down. We had some conflicting reports on it.

Our impression was that they are not. We tried to substantiate, with reference to facts, as to how many cases were being registered. In some of the areas, the number was going up and in others, down. Till yesterday, we were not able to give the information. About the second part, viz. augmentation of facilities, i.e. how many hospitals have been opened and how many beds have been added from year to year, information has been collected.

Our collieries are under 5 different companies, after nationalisation. In addition to the collieries themselves, the Labour Welfare Organisation of the Labour Ministry runs a number of hospitals; and they register cases. We try to compile the number of cases from six places.”

**52. The Committee need hardly emphasize that this question involves the health of the large number of coal mine workers and has, therefore, great importance and urgency. Unless such information is currently available with the Government, it would not be possible for them to take preventive and remedial steps concerning the health of the coal-miners. The Committee feel that some information which was available ought to have been supplied at the time of answering the question in view of the importance of the matter but the Members had not been provided with any kind of answer though one year had passed.**

**53. The representative of the Ministry further stated as under:—**

“Miners themselves are worried about these things. Even though the information on the subject was not given due to certain failures on the part of the Ministry, the fact that additional steps have been taken, cannot be denied. Merely because it has not been reported, we cannot conclude that

steps have not been taken. I will be able to give the information within 10 days. But we were, unfortunately, trying to compile the total information before giving it. Here also, about 80 per cent of the information could have been given within 3 months' time. Not even one year, it could have been covered in 6 months. Within 1 month, we can easily compile information as to the steps taken."

54. The Committee take a serious view of the matter that there was no response from the Ministry for a long time and no extension of time was asked for implementing the assurance. The Committee had recommended in their previous reports that the implementing machinery or the Special Cell should be formed in all the Ministries/Departments. If that has not been done in the Ministry of Energy, proper steps should be taken in this direction, so as to reorganise or revitalise the implementation machinery so that such situations might not arise in future.

55. The Committee note with satisfaction that this assurance has since been implemented vide statement laid on the Table of the House on the 9th January, 1976.

#### VIII. Position of pending assurances pertaining to Fourth and Fifth Lok Sabha

56. A statement showing the position of assurances pertaining to Fourth and Fifth Lok Sabha pending implementation by Government as on 10th January, 1976 is given at Appendix V [Part (i) and Part (ii) respectively]. The Committee are glad to note that there is appreciable improvement recently in clearing pending assurances. However, some cases have come to the notice of the Committee where long delays have taken place in implementation of assurances given on the floor of the House, which is regrettable. They trust that the tempo of implementation of the pending assurances will be maintained by the Ministries.

NEW DELHI;

February 2, 1976

Magha 13, 1897 (Saka)

B. K. DASCHOWDHURY,  
Chairman,  
Committee on Government  
Assurances.

## MINUTES

### Seventh Sitting

*The Committee sat on Thursday, the 11th December, 1975 from 11.00 hours to 12.30 hours.*

#### PRESENT

- Shri B. K. Daschowdhury—*Chairman.*
2. Shri Syed Ahmed Aga
  3. Shri Jagadish Bhattacharyya
  4. Shri Narendra Singh Bisht
  5. Shri B. R. Kavade
  6. Shri Kinder Lal
  7. Shri Sarjoo Pandey
  8. Shri Mulki Raj Saini
  9. Shri Ramshekhar Prasad Singh
  10. Shri Satyendra Narayan Sinha

#### SECRETARIAT

Shri K. D. Chatterjee—*Chief Examiner of Questions.*

Shri S. N. Khanna—*Senior Examiner of Questions.*

\* \* \* \* \*

*Review of pending assurances pertaining to Thirteenth Session,  
Fifth Lok Sabha*

#### MEMORANDUM No. 110

4. The Committee took up for consideration Memorandum No. 110 (item Nos. 1—63) for the purpose of reviewing assurances pertaining to the Thirteenth Session of Fifth Lok Sabha (first batch) (details given in Annexure—I).

The observations or recommendations made by the Committee *seriatim* on the 63 pending assurances are as under:—

Sl. No. 1.—An extension of time upto the 31st October, 1975 had been requested by the Government for implementation of the

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\*Paras 2 and 3 relate to other matters and have accordingly been omitted.

assurance. No further extension had been requested. As the period of extension was already over, the Committee desired that the assurance should be implemented without further delay.

*Sl. No. 2.*—The Committee considered the request of the Government for extension of time upto the 3rd January, 1976 and agreed to grant the extension.

*Sl. No. 3.*—An extension of time upto the 15th December, 1975 had been requested by the Government in this case. As the period of extension was about to be over, the Committee decided to watch the implementation of the assurance.

*Sl. No. 4.*—A request for extension of time upto the 29th February, 1976 had been received. The Committee agreed to grant the extension.

*Sl. No. 5.*—The Committee considered the request of the Government for extension of time upto the 24th February, 1976 for implementation of the assurance. The Committee agreed to grant the extension.

*Sl. No. 6.*—An extension of time upto the 5th November, 1975 had been requested. As the period of extension was over, the Committee wanted to know the reasons for delay in implementation of the assurance and desired that it be implemented expeditiously.

*Sl. No. 7.*—A request for extension of time upto the 3rd December, 1975 had been received from the Government. The period of extension was over. The Committee decided to watch the implementation of the assurance.

*Sl. No. 8.*—The Government had requested for extension of time upto the 3rd September, 1975. No further extension had been asked for. As the period of extension was long over, the Committee wanted to know the reasons in detail for the non-implementation of the assurance and desired that the assurance should be implemented without any further delay.

*Sl. No. 9.*—The assurance had neither been implemented nor any progress intimated in regard to collection of the information. The Committee wanted to know why extension of time was not asked for and desired that the assurance should be implemented expeditiously.

*Sl. No. 10.*—An extension of time for implementation of the assurance upto the 3rd December, 1975 had been requested. The period of extension was just over. The Committee desired to know the progress made so far in collecting the information and the reasons for delay.

Sl. No. 11.—The Government had requested for extension of time upto the 31st December, 1975 for the implementation of the assurance. The Committee agreed to grant the extension.

Sl. No. 12.—The assurance had neither been implemented nor any extension requested by the Government. The Committee regretted that no intimation with regard to the action taken to implement the assurance had been communicated to them nor reasons for delay intimated. The Committee deplored the attitude of the Government with regard to this assurance and desired to know the reasons for delay in collecting the information which was of a simple nature and the reasons why extension of time was not asked for.

Sl. No. 13.—The Government had requested for extension of time upto the 30th November, 1975 for implementing the assurance. As the period of extension was over, the Committee desired that the assurance should be implemented without further delay.

Sl. No. 14.—An extension of time upto the 30th November, 1975 had been requested in this case also. As the period of extension was over, the Committee desired that the assurance should be implemented expeditiously.

Sl. No. 15.—The period of extension of time upto the 9th December, 1975 requested for implementing the assurance was just over. The Committee decided to watch implementation of the assurance.

Sl. No. 16.—An extension of time upto the 17th September, 1975 had been requested. The period of extension was long over. The Committee were surprised to note that no further extension of time had been requested for in this case nor had the assurance been implemented by the Government. The Committee were unhappy and desired to know the reasons therefor. They wanted to know the progress made in collecting the information and desired that suitable steps may be taken to implement the assurance without further delay.

Sl. No. 17.—An extension of time upto the 17th December, 1975 had been requested. The Committee agreed to grant the extension. As the period of extension was about to be over, the Committee decided to watch the implementation of the assurance.

Sl. No. 18.—The Government had requested for extension of time upto the 31st August, 1975. The period of extension was long over. No further extension had been requested in this case. As the assurance related to an important matter concerning non-payment of dues to cane-growers, the Committee desired that the



Government should take vigorous steps to implement the assurance at the earliest.

Sl. No. 19.—The Government had requested for extension of time upto the 24th December, 1975. The Committee agreed to grant the extension.

Sl. No. 20.—The assurance had been given on the 24th March, 1975 that the information is being collected and will be laid on the Table of the House, as soon as it was received. But neither the information had been laid on the Table of the House nor any request made by the Government for extension of time in implementing the assurance. As the information was to be collected locally, the Committee took a serious note of the delay in implementation of the assurance and desired that reasons for delay together with the progress made so far in collecting the information should be communicated to the Committee at an early date. The Committee further desired that suitable steps may be taken by the Government to implement the assurance expeditiously.

Sl. No. 21.—In this case also, neither the assurance had been implemented nor any extension of time requested. The Committee desired that action taken so far in the matter should be communicated to them explaining reasons for delay and the assurance should be implemented without any further delay.

Sl. No. 22.—An extension of time upto the 24th October, 1975 had been requested. The period of extension was over, and no further request was made for extension of time. The Committee desired that the assurance should be implemented expeditiously.

Sl. No. 23.—An extension of time upto the 31st January, 1976 for implementation of the assurance had been received. The Committee agreed to grant the extension.

Sl. No. 24.—The Committee noted with surprise that the assurance which was given on the 7th April, 1975 had neither been implemented by the Government nor any extension of time asked for. As the assurance was pending for a long time, the Committee decided to hear the representatives of the Ministry of Agriculture and Irrigation in regard to the delay in the implementation of the assurance.

Sl. No. 25.—An extension of time upto the 7th January, 1976 had been requested by the Government. The Committee agreed to grant the extension. However, they wanted to know the reasons for delay in implementing the assurance.

Sl. No. 26.—An extension of time upto the 7th October, 1975 was requested. The Committee noted with regret that neither the assurance had been implemented so far nor any further extension of time requested by the Government. As the assurance related to an important matter affecting public health, the Committee decided to call the representatives of the Ministry of Agriculture and Irrigation in order to hear from them the reasons in detail for delay in the implementation of the assurance.

Sl. No. 27.—The Committee considered the request of the Government for extension of time upto the 15th January, 1976 for implementing the assurance and agreed to grant it.

Sl. No. 28.—A request for extension of time upto the 15th September, 1975 had been received which was long over. The Committee noted with regret that the assurance had neither been implemented nor further extension of time requested by the Government. The Committee expressed their displeasure at the manner in which the Government had treated this assurance, as the Government had not even reported to the Committee about the progress made in collecting the information. The Committee desired that active steps should be taken by the Government to implement the assurance without any further delay.

Sl. No. 29.—An extension of time upto the 30th September, 1975 had been requested by the Government. The period of extension was long over. The Government had neither implemented the assurance nor asked for further extension of time. The Committee regretted that the Government had not intimated the progress made in collecting the information and desired that the assurance should be implemented without further delay.

Sl. No. 30.—An extension of time upto the 31st August, 1975 had been requested by the Government in this case. The period of extension was long over. The Government had neither implemented the assurance nor asked for further extension of time. The Committee felt that the delay in furnishing the information defeated the very purpose of asking the question. As the assurance related to the need for setting up a full-fledged fire fighting service in a newsprint plant, the Committee desired that urgent steps may be taken by the Government to furnish the necessary information to the House.

Sl. No. 31.—An extension of time upto the 31st January, 1976 had been received from the Government. The Committee agreed to grant the extension.

Sl. No. 32.—An extension of time upto the 31st January, 1976 had been received from the Government. The Committee agreed to grant the extension.

Sl. No. 33.—An extension of time upto the 31st December, 1975 had been received from the Government. The Committee agreed to grant the extension.

Sl. No. 34.—The assurance had neither been implemented so far nor any extension of time requested by the Government. The Committee were distressed to note that the Government had not even cared to inform the Committee about the steps taken and the progress made in collecting the information. The Committee deplored this tendency. As the assurance related to an important matter affecting public health and in order to know the reasons in detail for the delay in implementing the assurance, the Committee decided to hear the representatives of the Ministry of Agriculture and Irrigation with regard to this assurance.

Sl. No. 35.—A request for extension of time upto the 27th October, 1975 had been received from the Government. No further extension of time had been requested. The Committee desired that the assurance should be implemented expeditiously.

Sl. No. 36.—A request for extension of time upto the 28th September, 1975 had been received in this case. The period of extension was long over. The Committee regretted that neither the assurance had been implemented nor reasons for delay intimated to the Committee. The Committee desired that Government should take active steps to implement the assurance without any further delay.

Sl. No. 37.—A request for extension of time upto the 27th October, 1975 had been received in this case. The period of extension was long over. The Committee regretted that neither the assurance had been implemented nor the reasons for delay intimated to the Committee. The Committee desired that Government should take active steps to implement the assurance without any further delay.

Sl. No. 38.—A request for extension of time upto the 28th October, 1975 had been received. The period of extension was long over and the assurance had not been implemented so far. As the information to be collected was of a simple nature, the Committee desired that the assurance should be implemented expeditiously.

Sl. No. 39.—A request for extension of time upto the 30th September, 1975 had been received in this case. The period of extension was long over. The Committee regretted that neither the

assurance had been implemented nor reasons for delay intimated to the Committee. The Committee desired that Government should take urgent steps to implement the assurance without any further delay.

Sl. No. 40.—The assurance had been given on the 28th April, 1975. It had neither been implemented nor any extension of time asked for by the Government. The Committee desired that progress made in collecting the information may be intimated to them along with the reasons for delay.

Sl. No. 41.—An extension of time upto the 28th August, 1975 had been requested by the Government. No further extension had been asked for nor the assurance had been implemented. The Committee wanted to know the progress made in the matter of collection of the information and desired that the assurance be implemented without any further delay.

Sl. No. 42.—An extension of time upto the 15th November, 1975 had been requested. As the period of extension was over, the Committee decided to watch the implementation of the assurance.

Sl. No. 43.—An extension of time upto the 27th October, 1975 had been requested. As the period of extension was over, the Committee decided to watch the implementation of the assurance.

Sl. No. 44.—The Committee regretted to note that the assurance had neither been implemented nor any extension of time requested by the Government. They deplored the manner in which the Government had treated this assurance as they had not even communicated the progress made in collecting the information to the Committee. As the Committee wanted to know the reasons in detail for the delay in implementing the assurance, they decided to examine the representatives of the Ministry of Agriculture and Irrigation in this connection.

Sl. No. 45.—In this case also, the assurance had neither been implemented nor any request for extension of time made by the Government. The Committee decided to hear the representatives of the Ministry of Agriculture and Irrigation along with the assurance mentioned at Sl. No. 44.

Sl. No. 46.—The assurance had neither been implemented nor any extension of time asked for. The Committee took serious note of the matter and desired to know the reasons why the information which was of a simple nature had not been collected so far and no intimation sent to the Committee. They desired that the assurance should be implemented without any further delay.

**Sl. No. 47.**—The assurance had neither been implemented nor any extension of time asked for. The Committee took serious note of the matter and desired to know the reasons why the information which was of a simple nature had not been collected so far and no intimation sent to the Committee. They desired that the assurance should be implemented without any further delay.

**Sl. No. 48.**—An extension of time upto the 5th February, 1976 had been requested by the Government for implementing this assurance. The Committee agreed to grant the extension.

**Sl. No. 49.**—A request for extension of time upto the 5th September, 1975 had been received in this case. The period of extension was long over. The Committee regretted that neither the assurance had been implemented nor reasons for delay intimated to the Committee. The Committee desired that the Government should take vigorous steps to implement the assurance without any further delay.

**Sl. No. 50.**—An extension of time upto the 5th February, 1976 had been requested by Government for implementing the assurance. The Committee agreed to grant the extension.

**Sl. No. 51.**—The assurance had neither been implemented nor any extension of time requested by the Government in this case. The Committee expressed their unhappiness that no intimation with regard to the action taken to implement the assurance had been communicated to them nor reasons for delay intimated. The Committee desired that the assurance should be implemented expeditiously and in the meantime reasons for delay and failure to ask for extension of time explained.

**Sl. No. 52.**—No extension of time for implementation of the assurance had been asked for by the Government. The Committee regretted that no intimation with regard to the action taken to implement the assurance had been given to them nor reasons for delay had been communicated. The Committee felt that information asked for in part (a) of the question, namely, the names of public sector enterprises at present being looked after by the Ministry and the amount of investment in each case, should have been available in the Ministry itself and should have been furnished to the House at the time of answering the question. The Committee took a serious view of the matter and desired that the assurance be implemented without any further delay.

**Sl. No. 53.**—An extension of time upto the 4th November, 1975 had been requested by the Government for implementation of this assurance. As the period of extension was over, the Committee decided to watch the implementation of the assurance.

*Sl. No. 54.*—A request for extension of time upto the 5th January, 1976 had been received. The Committee agreed to grant the extension.

*Sl. No. 55.*—A request for extension of time upto the 2nd January, 1976 had been received. The Committee agreed to grant the extension.

*Sl. No. 56.*—A request for extension of time upto the 21st September, 1975 had been received in this case. The period of extension was long over. The Committee regretted that neither the assurance had been implemented nor reasons for delay intimated to the Committee. The Committee desired that the Government should take active steps to implement the assurance without any further delay.

*Sl. No. 57.*—A request for extension of time upto the 30th September, 1975 had been received in this case. The period of extension was long over. The Committee regretted that neither the assurance had been implemented nor reasons for delay intimated to the Committee. The Committee desired that the Government should take active steps to implement the assurance without any further delay.

*Sl. No. 58.*—No extension of time had been requested by the Government in this case. The Committee felt that atleast some information should have been furnished. The Committee desired to know the reasons for delay in the implementation of this assurance.

*Sl. No. 59.*—A request for extension of time upto the 25th August, 1975 had been received in this case. The period of extension was long over. The Committee regretted that neither the assurance had been implemented nor reasons for delay intimated to the Committee. The Committee were surprised to know that no further extension of time had been asked for in this case. They desired that the Government should take active steps to implement the assurance without any further delay.

*Sl. No. 60.*—The information had neither been furnished to the House nor any reasons intimated to the Committee for the delay. As the assurance was given on the 25th April, 1975, the Committee felt that the Government had taken unduly long time in fulfilling the assurance. The Committee desired that the requisite information which would be readily available in our Trade Missions abroad should be furnished to the House at an early date.

*Sl. No. 61.*—An extension of time upto the 31st December, 1975 had been requested. The Committee agreed to grant the extension.

*Sl. No. 62.*—The Committee were surprised to note that no intimation with regard to this assurance had been received from the Government. The Committee desired to know the progress made in the matter of collection of the required information.

*Sl. No. 63.*—The assurance had neither been implemented nor any reasons for delay intimated. The Committee were distressed to note that the Government had taken unduly long time in collecting the information and deplored the attitude of the Government in not asking for extension of time. They felt that the Government did not attach due importance to the assurance and desired that the assurance should be implemented without further delay.

*Requests from the Department of Parliamentary Affairs for extension of time-limit for the implementation of certain assurances given during the various sessions of Fifth Lok Sabha.*

#### MEMORANDUM No. 111

5. The Committee considered requests from the Department of Parliamentary Affairs for the extension of time-limit for the implementation of nine assurances given during the various sessions of Fifth Lok Sabha, as shown in Annexure-II.

After examining the reasons advanced by the Ministries concerned, the Committee agreed to grant extension of time for the implementation of the assurances upto the period shown against each in the Annexure.

*Request from the Department of Parliamentary Affairs for dropping of an assurance given in reply to Supplementaries on Starred Question No. 229 on the 27th November, 1974 regarding functioning of IMPEC.*

#### MEMORANDUM No. 112

6. The Committee took up for consideration Memorandum No. 112.

The above assurance was reviewed by the Committee along with other pending assurances of Twelfth Session of Fifth Lok Sabha at their sitting held on the 12th November, 1975 and the Committee had observed as under:—

“No extension of time had been requested in this case. The Committee regretted that no intimation with regard to the action taken to implement the assurance had been

communicated to them nor reasons for delay intimated. As the assurance was pending for a long time, the Committee desired that it be implemented expeditiously."

The Ministry of Information and Broadcasting had represented through the Department of Parliamentary Affairs that on a careful examination of the relevant portion of the proceedings of Lok Sabha, it had been observed that the reply given by the Minister of Information and Broadcasting to the supplementary raised by the hon. Member did not constitute any assurance but was only a statement of fact. In the supplementary, the hon. Member had enquired about the inquiry against an individual regarding alleged charges of abetting smuggling by him. In his reply, the Minister of Information and Broadcasting had stated that the inquiry had been held about the overall functioning of the Indian Motion Picture Export Corporation and not specifically against the alleged charges against the individual which the Member had sought information in his supplementary. In view of this, the reply given by the Minister of Information and Broadcasting was only a statement of facts and not an assurance given to the House. The Ministry had accordingly suggested that the assurance might be deleted from the list of Pending Assurances.

After considering the various aspects of the matter, the Committee expressed the view that they had reviewed this assurance at their sitting held on the 12th November, 1975 as they were of the opinion that the reply given by the Minister of Information and Broadcasting was in the nature of an assurance. It appeared to the Committee that in the context of the debate relating to the supplementary, the expression used by the Minister in the reply that "I will decide later" meant that he would inform the House later about the result of the inquiry. The intention of the Minister at the time of answering the supplementary was to furnish the information to the House. The Committee, therefore, did not agree to drop the assurance and desired that whatever information was available as a result of the inquiry should be divulged to the House in due course.

*Dropping of assurances/undertakings/promises given by Ministers in respect of matters now falling within the jurisdiction of the State Legislatures of West Bengal, Andhra Pradesh, Uttar Pradesh and Orissa, consequent on the revocation of the President's Proclamations issued under article 356 of the Constitution in respect of those States.*

#### MEMORANDUM No. 113

7. The Committee had recommended *vide* para Nos. 10—12 of their Ninth Report, Fifth Lok Sabha presented to the House on the



6th September, 1974 that the assurances in respect of the matters which consequent on the revocation of President's Proclamations in respect of States of West Bengal, Andhra Pradesh, Uttar Pradesh and Orissa, now fall within jurisdiction of the State Legislatures be dropped, but necessary information asked for in fulfilment of the assurances (now dropped) should be supplied to the Legislatures concerned by the respective State Governments, under intimation to the Committee. In this connection, the Department of Parliamentary Affairs had stated in a note dated the 23rd November, 1974 that it did not appear appropriate for the State Governments concerned to pass on the details of the assurances dropped by the Committee to the State Legislatures concerned.

The matter was considered by the Committee at their sitting held on the 27th January, 1975. As the matter involved constitutional implications, the Committee had desired a legal opinion from the Ministry of Law and had directed that a note might be sent by the Lok Sabha Secretariat to the Ministry of Law in this connection. The Committee had postponed further consideration of the matter till receipt of the opinion of the Ministry of Law,

The Committee considered the legal opinion received from the Ministry of Law, Justice and Company Affairs in this connection.

The Ministry of Law had in their opinion stated that:

"The Constitution does not contain any provision requiring the State Government to supply to the State Legislature concerned the necessary information asked for in fulfilment of such assurances. Committees on Government Assurances have been set up in the various States and their functions have also been laid down in the Rules of Procedure for the Conduct of Business of the Legislature of the State concerned. The Committee on Government Assurances in the States is only concerned with the assurances etc. given by Ministers on the Floor of the State Legislatures. It would, therefore, appear that the supply of information by the State Government Departments to the State Legislatures, as recommended by the Committee, is not contemplated under the Constitution. The State Governments are not legally bound to comply with the recommendations made by the Committee on Government Assurances set up by the Lok Sabha and to supply the information to the State Legislatures concerned."

The Ministry of Law had further stated that:

"From strict constitutional or legal point of view any suggestion or direction of the Committee on Government Assurances that the necessary information asked for in fulfilment of the assurances be supplied to the State Legislature concerned by the concerned State Government in respect of the assurances given in Lok Sabha under intimation to the Committee, is not binding and is without legal force. However, any information to be supplied can only be furnished by the State Government even during the President's rule and therefore if the State Governments concerned agree to comply with the suggestion of the Committee, it is possible to give effect to the recommendation of the Committee. However, as stated, question may arise if the suggestion is not given effect to by the State Government concerned. In that case, as stated earlier there is no constitutional or legal obligation on the State Government to carry out the suggestion made by the Committee."

In this connection, the Committee considered the following aspects of the matter:—

- (a) The Members of Parliament also represent the States and they are equally interested in the welfare of their constituents. For that reason, they ask questions in the House and seek information with regard to various matters falling within the jurisdiction of the States, when there is President's rule over those States. They, therefore, are naturally interested in getting information in pursuance of assurances given on the Floor of the House.
- (b) Questions asked in Parliament seek information only and generally do not relate to controversial matters.
- (c) Questions asked and answers given, for that matter also assurances given on the Floor of the House, become property of the House.
- (d) Assurances given in Lok Sabha should be implemented in Lok Sabha. No discussion on the assurances may, however, be allowed in Lok Sabha as it might amount to interference in the sphere of State Legislatures. Mere supply of information to Lok Sabha would not amount to interference in the State matters. No Member might have a right to raise discussion on such matters but he should have a right to have information in fulfilment of

the assurances given in Lok Sabha. If necessary, suitable provision to this effect might be made in the Rules of Procedure of Lok Sabha.

While accepting the opinion of the Ministry of Law, Justice and Company Affairs, the Committee suggested that the Government might reconsider the matter in the light of the above points.

The Committee then adjourned to sit again on Friday, the 12th December, 1975.

# ANNEXURE-I

As on 8th August, 1975

(Vide para 4 of Minutes of the Seventh Sitting)

Pending assurances pertaining to Thirteenth Session, 1975 of Fifth Lok Sabha.

1	2	3	4	5
Sl. No.	Date and Reference	Text of the Question/Debate	Assurance given	Remarks
(MINISTRY OF AGRICULTURE AND IRRIGATION)				
1.	SQ. No. 36 dated 24-2-75 by Maulana Ishfaq Sambhali.	(a) whether Government are aware that 50,000 tractors are either lying idle or are not fully utilized for want of spare parts; and  (b) if so, State-wise break-up there of and the period since when lying idle and the steps being taken to rectify the situation.	(a) & (b). Indicating in general terms that there was no shortage of spare parts, it was stated, "The information is being collected and would be laid on the Table of the Sabha.	Request received from DPA for extension of time  (1) on 4-9-75 upto 31-10-75.
2.	USQ No. 808 dated 24-2-75 by Shri Shibbanlal Saksona.	(a) the total number of units producing Khandasari Sugar by hydraulic sulphitation process, by ordinary sulphitation process and by indigenous method, respectively and their total production in the country State-wise in the seasons, 1972-73, 1973-74 and 1974-75 upto end of January, 1975;  (b) the amount of excise duty realised by the Central Government from Khandasari Sugar in each of these years; and  (c) the break up of the cost production of Khandasari Sugar in each of these years by each of the three processes.	(a) to (c). The information is being collected from the State Governments and other authorities concerned and it will be laid on the Table of the Sabha as early as possible.	Requests received from DPA for extension of time  (1) on 29-5-75 upto 23-8-75. (2) on 1-9-75 upto 23-10-75. (3) on 1-12-75 upto 3-1-76.

1	2	3	4	5
3.	USQ. No. 850 dated 24-2-75 by Shri B. R. Shukla.	Referring to the reply given to Unstarred Question No. 1849 on the 25-11-74 and 917 on the 29-7-74 and asking		
		(a) whether inspite of the availability of deep boring rigs belonging to Central Ground Water Board, in U.P., the work of constructing exploratory tubewells in the areas comprised in Sirsia Jamanaha blocks, district Bahraich (U.P.) is not taken up; and	(b) Information is being collected and will be laid on the Table of the Sabha.	Request received from DPA for extension of time (1) on 21-7-75 upto 24-8-75. (2) on 4-9-75 upto 15-10-75. (3) on 20-10-75 upto 15-12-75.
		(b) whether Sirsais, Jamanaha in Bahraich District are periodically affected by drought.		
4.	USQ. No. 883 dated 24-2-75 by Sardar Mohinder Singh Gill.	(a) the area of the surplus Government land which is intended to be distributed alongwith the Bhoodan lands during the silver jubilee year of the Bhoodan movement;	(a) to (c). The information is being collected from the State Governments and a reply will be placed on the Table of the Sabha when received.	Requests received from DPA for extension of time (1) on 29-5-75 upto 23-8-75. (2) on 1-9-75 upto 23-11-75. (3) on 1-12-75 upto 29-2-76.
		(b) whether any list of the persons to whom this land is to be distributed has been prepared; and		
		(c) what precautions have been taken to see that no exploitation or bungling takes place in this regard.		
5.	USQ. No. 988 dated 24-2-75 by Shri Prashantbhai Mehta.	(a) whether loans given by the Community Development and the Panchayat Department in certain States for development of tubewells have been obtained against bogus claims;	(a) to (d). The information is being collected from the States etc. and will be laid on the Table of the House.	Requests received from DPA for extension of time (1) on 28-6-75 upto 24-8-75. (2) on 13-11-75 upto 24-11-75.
		(b) if so, whether the report of the Auditor General of India on the working of the Punjab Government		

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		revealed that out of the total of 12,127 loan cases involving Rs. 2.48 crores, 3,090 persons who had secured loans worth Rs. 61.94 lakhs did not have tube-wells;		
		(c) if so, whether the Union Government have taken notice of the lapses or irregularities of the Central loans to the Punjab Government; and		
		(d) if so, what action Union Government have taken.		
6.	SQ. No. 187 dated 3-3-75 by Sarvashri M. S. Purty and Tuna Oraon.	whether a large number of agricultural labourers in West Bengal are coming to the towns in search of alternative employment.]	Information in this regard is being collected from the State Government of West Bengal and will be laid on the Table of the Sabha.	Request received from DPA for extension of time (1) on 14-8-75 upto 5-11-75.
7.	USQ No. 1793 dated 3-3-75 by Shri B. S. Chowhan.	(a) the total quantity of foodgrains, indigenous or imported, damaged/destroyed during the year 1974; (b) the causes thereof; and (c) the measures taken by Government to check recurrence thereof.	(a) to (c). The required information is being collected and will be laid on the Table of the Sabha on receipt of the same.	Request received from DPA for extension of time (1) on 19-6-75 upto 3-9-75. (2) on 16-9-75 upto 3-12-75.

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| 8. | USQ No. 1799 dated 3-3-75 by Shri Noorul Huda.              | (a) whether the Government's attention has been drawn to the situation arising out of high prices of rice and paddy in the State of Assam during January-February, 1975;   | (a) to (c). The State Government have been requested to furnish the requisite information which will be laid on the Table of the Sabha on receipt. | Request received from DPA for extension of time<br>(1) On 9-6-75 upto 3-9-75. |
|    |   | (b) whether the reports appearing in the press about semi-starvation conditions in the district of Cachar, Sib-sagar, Goalpara and Kamrup in the State of Assam due to low purchasing power are correct; and     |  |   |
|    |   | (c) whether in view of last year's experience in Goalpara district, the Union Government would direct the State Government to make available rice and wheat at subsidized prices, to actually distressed people. |  |   |
| 9. | USQ. No. 1823 dated 3-3-75 by Shri Nitiraj Singh Chaudhary. | (a) the number of milch cattle annually exported from Punjab, Haryana and West U.P. to other places in India;  | (a) to (d). Information is being collected from the State Government and will be placed on the Table of the Sabha as soon as it is received.       |   |
|    |   | (b) the average number of years for which these cattle give milk at places where they are taken and specially at Bombay and Calcutta;  |  |   |
|    |   | (c) the percentage of their calves that survived and reached the age of four years and more; and   |  |   |
|    |   | (d) whether the Government have not kept trace of the above cattle and allowed millions of best quality of milch cattle and their calves to perish, if so, the reasons for this.                                 |  |   |

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10.	USQ. No. 1851 dated 3-3-75 by Shri Sakti Kumar Sarkar.	Referring to the reply given to USQ. No. 903 on the 18th November, 1974 regarding plantation of quick growing species and asking (a) amount sanctioned under the scheme of plantation of quick growing species during the plan periods, year-wise upto date; and (b) allocation and expenditure under this scheme, Statewise, during the said period.	(a) & (b). It was <i>inter-alia</i> stated that, "Information for the entire plan periods now asked for is being collected from the States and U.Ts. and will be placed on the Table of the Sabha as soon as it becomes available.	Requests received from DPA for extension of time (1) On 19-6-75 upto 3-8-75. (2) On 1-8-75 upto 3-10-75. (3) On 9-10-75 upto 3-12-75.
11.	USQ. No. 1984 dated 3-3-75 by Shri Ramavtar Shastri.	(a) whether sugar mills in Uttar Pradesh and Bihar have their own farms for growing sugarcane; (b) if so, the acreage of each of these farms; and (c) the reasons for not enforcing land ceiling Act to these cases.	(a) to (c). The information has been called for from the Government of U.P. and Bihar and will be laid on the Table of the Sabha as early as possible.	Requests received from DPA for extension of time (1) on 2-6-75 upto 3-8-75. (2) on 5-8-75 upto 3-10-75. (3) on 20-10-75 upto 30-11-75. (4) on 25-11-75 upto 31-12-75.
12.	USQ. No. 2760 dated 10-3-75 by Shri Mahadeepak Singh Shakya.	(a) whether cow and pig tallow is used in many industries; and (b) if so, the names of such industries and the steps taken by Government to check its use.	(a) & (b). The required information is being collected and will be laid on the Table of the Sabha in due course.	
13.	USQ. No. 2768 dated 10-3-75 by Shri Mar-tand Singh.	the names of the States which have less levy on the farmers having their own tubewells in comparison to those farmers who depend on public irrigation system and detailed information in regard to Madhya Pradesh.	The required information is being collected and will be laid on the Table of the Sabha.	Requests received from DPA for extension of time (1) on 13-6-75 upto 31-8-75. (2) on 1-9-75 upto 30-11-75.



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14.	USQ. No. 2800 dated 10-3-75 by Shri Madhu Limaye.	<p>(a) what is the total number of tractors, imported and indigenous in India today; and</p> <p>(b) what percentage is in operational use and what percentage is in a state of disrepair.</p>	<p>(b) Necessary information is being collected and would be laid on the Table of the Sabha.</p>	<p>Requests received from DPA for extension of time</p> <p>(1) on 8-7-75 upto 31-8-75.</p> <p>(2) on 4-9-75 upto 30-9-75.</p> <p>(3) on 27-10-75 upto 30-11-75.</p>
15.	USQ. No. 2806 dated 16-3-75 by Shri Nawal Kishore Sharma.	<p>(a) whether cases of land grabbing in the country are on increase; and</p> <p>(b) if so, cases of land grabbing in various States with particular reference to Rajasthan during the last two years and the action taken against the persons responsible for such land grabbing.</p>	<p>(a) &amp; (b). The information is being collected from the States and will be placed on the Table of the Sabha, when received.</p>	<p>Requests received from DPA for extension of time</p> <p>(1) On 17-6-75 upto 9-9-75.</p> <p>(2) On 18-9-75 upto 9-12-75.</p>
16.	USQ. No. 3531 dated 17-3-75 by Shri Janeshwar Misra.	<p>(a) whether Government have received a report as to how many poor Harijans starved to death during the current year;</p> <p>(b) the facts thereof, State-wise; and</p> <p>(c) whether Government propose to take measures to ensure that such deaths do not occur.</p>	<p>(a) to (c). The information is being collected and will be laid on the Table of the Sabha as soon as it is received.</p>	<p>Request received from DPA for extension of time</p> <p>(1) on 27-6-75 upto 17-9-75.</p>
17.	USQ. No. 3699 dated 17-3-75 by Sh. Ramavtar Shastri.	<p>(a) whether the supply of foodgrains and other essential commodities to the ration shop-keepers of the various States from the Government godowns is made on commission basis;</p> <p>(b) if so, the amount of commission being given in each of these States; and</p>	<p>(a) to (c). The required information is being collected from the State Governments and will be laid on the Table of the Sabha, as soon as it is received.</p>	<p>Requests received from DPA for extension of time</p> <p>(1) on 19-6-75 upto 17-9-75.</p> <p>(2) on 25-9-75 upto 17-12-75.</p>

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(c) the reasons for the difference in the rate of commission being given to the various States and whether Government propose to fix a uniform rate of commission throughout the country.

18. SQ No. 467 dt. 24-3-75—  
Supplementary  
by Sh. R. R.  
Sharma.
- Non-payment of Sugar prices by Sugar Mills in U.P. and Bihar.
- Referring to the non-payment of dues of Rupees one Crore of the cane growers / Farmers, by the Sugar Mills, hon'ble Member wanted to know what action/legal action had been taken for the recovery of the dues against the defaulting Mills and whether the owner of the defaulting Mills had been arrested. The Hon'ble Minister stated that it was the duty of the State Governments to take legal action and I shall collect and furnish this information.
- Request received from DPA for extension of time.  
(1) on 21-6-75 upto 31-8-75.
19. USQ No. 4484 dt. 24-3-75  
by Sh. Kushok  
Bakula.
- The main features of schemes in high altitude agriculture and vegetable cultivation schemes being undertaken at present in Ladakh.
- There is no scheme in the Central Sector in operation in Ladakh. Information in respect of the State Sector Schemes is being collected from the State Government and will be placed on the Table of the Sabha as soon as it is received.
- Requests received from DPA for extension of time.  
(1) on 8-7-75 upto 29-9-75.  
(2) on 29-9-75 upto 24-12-75.
20. USQ No. 4498 dt. 24-3-75  
by Sh. Chandulal Chandra-  
kar.
- (a) the number of Veterinary Hospitals in Delhi and New Delhi at present and the number of S.P.C.A. Inspectors working in Delhi and number of cases registered by them during the last one year;
- (a) to (d). The information is being collected and will be placed on the Table of the Sabha, as soon as it is received.

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(b) whether most of the bullock cart owners beat the animals mercilessly and make them carry heavy iron girders etc. and no weighing machines are available at any place to find out the actual weight of heavy materials;

(c) whether water tanks for animals have not been constructed at central places by N.D. M.C., Delhi Cantonment Area Committee and Municipal Corporation during the last several years; and

(d) if so, what action has been taken by the Government to open new veterinary hospitals to construct large number of water tanks and to appoint S.P.C.A. Inspectors in different Zones in Delhi.

21 USQ No. 4515  
dt. 24-3-75  
by Shri Rajdeo  
Singh.

(a) whether erosion, the most damaging threat to world's mountain forests is now spreading faster than it can be combated according to geological experts;

(b) whether twenty-five per cent of the Himalayan forests have been damaged in the last fifteen years; and

(c) if so, the main reasons for erosion and preventive steps taken if any.

(a) to (c). The information is being collected from the concerned States and a reply will be placed on the Table of Lok Sabha as soon as the relevant information is received.

22 USQ No. 4613  
dt. 24-3-75  
by Shri Kushok  
Bakula.

(a) whether the economy of the Himalayan region has been adversely affected due to extinction of wild life;

(b) the steps being taken by Government to check the imbalanced cultivation and clearance of forests in the hilly areas;

(a) to (d). The information is being collected and will be laid on the Table of the Sabha as soon as it is received.

Requests received from DPA for extension of time.

(1) on 23-6-75  
upto 24-8-75.

(2) on 21-8-75  
upto 24-9-75.

(3) on 25-9-75  
upto 24

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		(c) whether Government are considering any proposal to formulate a national plan for the protection of wild animals and fauna of the Himalayan area; and		
		(d) if so, the facts thereof.		
23 USQ No. 4632 dt. 24-3-75 by Sarvashri C.K. Chandrappan & Sarjoo Pandey.	(a) how many states have so far invoked provisions of DIR, MISA and the Essential Commodities Act, 1955 to deal with hoarders and Black marketeers;	(a) to (e). It was <i>inter alia</i> stated that the arrest information regarding the Action taken under the B. C. Act, the DIR and MISA is being collected and will be laid on the Table of the Sabha.	Requests received from DPA for extension of time. (1) on 21-7-75 upto 31-8-75. (2) on 4-9-75 upto 30-11-75.	
	(b) the names of the States, the number of arrests or other actions taken so far in this connection; and			
	(c) how far the States used these powers to successfully fight these economic offences.			
24 USQ No. 5080 dt. 7-4-75 by Sarvashri Chhatrapati Ambab and Anadi Charan Das.	(a) how many promotions have been made in the Food Corporation of India during the last three years within and from Classes IV, III, II and I, category-wise, postwise and year-wise;	(a) to (d). The required information is being collected from the Food Corporation of India and will be laid on the Table of the Sabha.		
	(b) the posts given to the Scheduled Castes and Scheduled Tribes employees in the promotions class-wise, category-wise and year-wise;			
	(c) whether the quota for Scheduled Castes and Scheduled Tribes according to the prescribed percentage has been filled in by the Departmental Promotion Committees/Zonal Promotion Committees/Regional Promotion Committees by promoting Scheduled Caste and Scheduled Tribe employees in the posts where reservations through promotions were/are prescribed class-wise, category-wise and year-wise; and			

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(d) if not, special steps being taken to fill up the quota by promoting the reserved candidates and reasons for not filling up the reserved quota.

25 USQ No. 5135  
dt. 7-4-75 by  
Sh. Mulki Raj  
Saini.

(a) the amount of assistance given to Bharat Sewak Samaj in 1974-75;  
(b) the names of the States in which Bharat Sewak Samaj has its branches District-wise;

(a) to (d). The information has to be collected from various outside sources, which is being done and will be laid on the Table of the House, when received.

Requests received from DPA for extension of time.

(1) on 4-7-75 upto 7-10-75.  
(2) on 20-10-75 upto 7-1-76.

(c) State-wise number of persons employed by it; and

(d) the amount of expenditure incurred by it in 1974-75.

26 USQ No. 5168  
dt. 7-4-75 by  
Sh.N.K. Sanghi.

(a) whether it has come to Government's notice that the food grains that are supplied through fair price shops contain Chaff, stone-chips and other non-cereals which comprise nearly 7 per cent to 10 per cent of the ration issued to a consumer; and

(a) & (b). The required information is being collected and will be laid on the Table of the Sabha on receipt of the same.

Request received from DPA for extension of time.

(1) on 21-7-75 upto 7-10-75.

(b) if so, whether the Food Corporation of India has at any stage tried to check this adulteration and if so, how the adulteration continues unabated and whether Government propose to sue the Food Corporation of India for this adulteration or the fair price shop owners; and if not, the reasons therefor.

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27	USQ No. 5210 dt. 7-4-75 by Sh. Samar Guha.	(a) the number of cultivators arrested under MISA, State-wise, during the current procurement drives in the rice producing States;  (b) whether in addition to levy notices served on the cultivators, seizures of paddy by police are being conducted in these States particularly in West Bengal;  (c) whether no weighing machines are used for weighing the quantities of seized paddy by the Government;  (d) whether such measures led to inflated weights in regard to actual weights of the seized paddy;  (e) whether Calcutta High Court's injunction stalled seizure of paddy by the Government;  (f) whether mainly the small and middle cultivators have become victims of such drives for seizure of paddy; and  (g) whether the Central Government will ask for the reasons for such forcible seizure of paddy in different States; and if so, the facts thereabout.	(a) to (g). The information is being collected and will be laid on the Table of the Sabha.	Requests received from DPA for extension of time. (1) on 21-7-75 upto 31-8-75. (2) on 4-9-75 upto 30-11-75.
28	USQ No. 6911 dt. 21-4-75 by Sh. G. Y. Krishnan.	(a) the number of cases of inter-State smuggling of foodgrains registered with Government during the last year, State-wise; and  (b) what steps Government have taken to check this smuggling.	(a) & (b). The information is being collected and will be laid on the Table of the Sabha.	Request received from DPA for extension of time. (1) on 28-7-75 upto 15-9-75.

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29	USQ No. 6943 dated 21-4-75 by Sarvashri Phool Chand Verma and Robin Kakoti.	(a) Whether the Central Government have given loans or any assistance to the State Governments to meet the requirements of rabi operations in the current year; and  (b) if so, its allocation State-wise.	(a) & (b). The requisite information is being collected and will be laid on the Table of the Sabha, as soon as it is received.	Request received from DPA for extension of time.  (1) on 14-8-75 upto 30-9-75.
30	USQ 6979 dt. 21-4-75 by Shri G. C. Dixit.	(a) whether there is a great need for setting up a full-fledged fire fighting service for growing Salai plants used for manufacturing news print so that the capital invested in the plantation may not get lost; and  (b) whether there is also a need to set up an ideal fire fighting service with latest equipments in Nepanagar of Madhya Pradesh where there is already a news-print manufacturing mill and also to construct roads there.	(a) & (b). The information is being collected and will be laid on the Table of the Sabha in due course.	Request received from DPA for extension of time. (1) on 24-7-75 upto 31-8-75.
31	USQ 6983 dt. 21-4-75 by Sh. Thuna Oraon.	(a) the number of wholesale dealers in rice and paddy in each state;  (b) the number of rice mills in each State with capacity of production; and  (c) The number of licensed and unlicensed husking mills in each State.	(a) to (c). The latest information in this regard is being collected and will be laid on the Table of the Sabha.	Requests received from DPA for extension of time.  (1) on 28-7-75 upto 30-9-75. (2) on 9-10-75 upto 30-11-75.
32	USQ No. 6985 dt. 21-4-75 by Sh. Thuna Oraon.	(a) whether Government of Maharashtra have complained to the Centre that the food-grains imported from abroad contain waste and non-consumable material to the extent of 25 per cent;	(a) to (d). The required information is being collected and will be laid on the table of the Sabha.	Requests received from DPA for extension of time.  (1) on 11-8-75 upto 31-10-75. (2) on 17-11-75 upto 31-1-76.

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(b) whether the complaint has been verified and if so, the results thereof;

(c) whether the Government of Maharashtra have been reimbursed for this loss on account of waste material; and

(d) if so, in what manner and to what extent during 1972-73 and 1973-74 till the end of February.

33 USQ No. 6998 dt. 21-4-75 by Sh. Sakti Kumar Sarkar.

(a) the work done upto date in Purulia District and Units comprising parts of Bankura and Midnapore Districts of West Bengal under Drought Prone Areas Programme and total amount spent, year-wise under this programme in this State;

Request received from DPA for extension of time. (1) on 4-7-75 upto 21-9-75.

(2) on 25-9-75 upto 31-10-75.

(3) on 31-10-75 upto 31-12-75.

(b) the quantum of the work Bankaid received in this regard in the country and the results achieved upto date; and

(c) the names of the villages of Bankura and Midnapore Districts which have benefited from the programme.

(c): The information is being collected and will be laid on the table of the House.

34 U. S. Q. 7048 dt. 21-4-75 by Sh. Robin Kakoti.

(a) total quantities of various foodstuffs stocked by Food Corporation of India in North Eastern Region, State and Union territory-wise which were declared to be unfit for human consumption and were destroyed in 1972, 1973, 1973-74 and 1974-75 and also the causes therefor; and

(a) & (b) :— The required information is being collected and will be laid on the Table of the Sabha on receipt.

(b) total quantities lost due to shrinkage, loss in transit etc. during the above period.

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35	U. S. Q. No. 7707 dt. 28-4-75 by Sh. Mahadeepak Singh Shakya.	(a) whether Government have not been able to achieve the target in regard to allotment of land to landless Harijans in Uttar Pradesh; and  (b) the targets fixed in this regard for 1973-74 and the acreage of land allotted to them.	(a) & (b) : The information is being collected and will be placed on the Table of the Sabha when received.	Request received from DPA for extension of time. (1) on 24-7-75 upto 27-10-75.
36	U. S. Q. No. 7711 dt. 28-4-75 by Sarvashri Birender Singh Rao and Mukhtiar Singh Malik.	(a) whether a number of persons appointed by the Food Corporation of India during the year 1972 have not been confirmed so far in Northern Region and Headquarters;  (b) if so, the reasons thereof;  (c) whether vide circular No. 3-6/73-EP dated 31st August, 1973 issued by the Food Corporation of India, it has been stated that every person regularly appointed to any post in the Food Corporation is required to be on probation for a period of one year from the date of appointment which can further be extended for a period not exceeding one year;  (d) whether any representation has since been received from the employees who have not been confirmed so far and due to this reason they have not been given increments; and  (e) whether Government propose to hold inquiry into the matter and if not, the reason thereof.	(a) to (e) : The required information is being collected and will be laid on the Table of the Sabha.	Request received from DPA for extension of time. (1) on 28-7-75 upto 28-9-75.
37	U. S. Q. No. 7726 dt. 28-4-75 by Sarvashri Jagannathrao Joshi, Atal Bihari Vajpayee, R. V. Bade and Hemendra Singh Banera.	(a) Statewise area of land eroded by rivers during the last three year's year-wise;  (b) the alternative provision of land made for those who lost their land in this way;	(a) to (d). The information is being collected from the State Governments and will be laid on the Table of the House.	Request received from DPA for extension of time (1) on 21-7-75. upto 27-10-75.

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		(c) whether any permanent legislation has been decided upon for rehabilitation of such persons and if so, the details thereof and if not, the reasons therefor ; and		
		(d) State-wise steps taken to check soil erosion during the last three years.		
38 U. S. Q. No. 7776 dt. 28-4-75 by Sh. G. C. Dixit.	(a) whether any irrigation projects have been included in the Fifth Plan to help the Small farmers in Madhya Pradesh ; and	(a) & (b) : Information is being collected from the State Government and would be placed on the Table of the Sabha.	Request received from DPA for extension of time (1) on 28-7-75 upto 28-10-75.	
	(b) if so, the details in this regard.			
39 U. S. Q. No. 7777 dated 28-4-75 by Shri Sakti Kumar Sarbar.	(a) the area developed as pastures in West Bengal and North Eastern States, State-wise ;	(a) to (c) : The required information is being collected and will be placed on the Table of the Sabha as soon as it is received.	Request received from DPA for extension of time (1) on 21-7-75 upto 30-9-75.	
	(b) special programme undertaken in this regard in these States, State-wise ; and			
	(c) total allocation made during Fifth Plan period for the purpose.			
40 U. S. Q. No. 7800 dated 28-4-75 by Shri Jyotirmoy Bosu.	(a) whether attention of the Ministry has been drawn to an article published in the 'Times of India' New Delhi, dated the 24th March, 1975 under the caption "Rice procurement mess, distress in West Bengal" ; and			
	(b) if so, Government's detailed observations thereof.	(b) The State Government have been asked to examine the matter and indicate the correct position which will be laid on the Table of the Sabha.		

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41	U.S.Q. No. 7807 dated 28-4-75 by Shri P.M. Sayeed.	(a) total number of Scheduled Caste and Scheduled Tribe temporary employees in Class I, II, III and Class IV posts in the Ministry and its attached and subordinate offices, as on 30th June, 1974;  (b) number from amongst them who completed three years service on that date; and  (c) reasons for not declaring them as permanent.	(a) to (c): The information is being collected and will be laid on the Table of the Sabha as soon as possible.	Request received DPA extension (1) on 1-8-75 upto 28-8-75.
42	U.S.Q. No. 7855 dated 28-4-75 by Shri C.K. Chandrappan.	(a) whether some arrests have been made in the States for smuggling of food-grains; and  (b) if so, the names of the States.	(a) & (b): The information is being collected and will be laid on the Table of the Sabha.	Requests received DPA extension (1) on 31-7-75 upto 30-9-75.  (2) on 8-10-75 upto 15-11-75.
43	U.S.Q. No. 7862 dated 28-4-75 by Shrimati Roza Vidya-dhar Deshpande.	(a) whether many States have decided to hand over the surplus land, to co-operative farming societies;  (b) if so, the names of these States; and  (c) the total surplus land which has already come under the co-operatives farming societies and its break-up, Statewise.	(a) to (c): The information is being collected and will be placed on the Table of the Sabha when received.	Request received DPA for extension (1) on 21-7-75 upto 27-10-75.
44	S.Q. No. 881 dated 5-5-75 by Shri Sakri Kumar Sarkar.	(a) number of Engineering Graduates, Agricultural Graduates at present connected with the 216 Agro-Service centres in West Bengal and 81 Agro-Service centres in Punjab.  (b) number of Engineers and Agro-Graduates likely to be employed in these centres during the current year;	(a) to (a): The detailed information on points (a) to (a) is being collected and shall be laid on the Table of the Sabha.	

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|    |  | (c) whether these centres are not fully developed;   |   |  |
|    |  | (d) if so, the stage of development of each centre at present ; and  |   |  |
|    |  | (e) when the centres will be fully developed.  |   |  |
| 45 | S.Q. No. 879 dated 5-5-75 by Shri Shankar Narayan Singh Deo. | (a) whether the scheme of Agro-Service centres is being implemented throughout the country but there has been no encouraging response from the North Eastern States; | (a) to (d) The information is being collected and will be laid on the Table of the Sabha                          |  |
|    |  | (b) if so, the reasons for this non-encouraging response from these States, State-wise;  |   |  |
|    |  | (c) the advice given to the States; and  |   |  |
|    |  | (d) action taken by the States.  |   |  |
| 46 | U.S.Q.No. 8483 dated 5-5-75 by Shri B.S. Chowhan.            | (a) whether the Madhya Pradesh Government had sent any scheme to the Central Government for imposing ban on taking bovine wealth out of that State;                  | (a) to (c) : The information is being collected and will be laid on the Table of the Sabha in due course.         |  |
|    |  | (b) if so, the outlines thereof; and   |   |  |
|    |  | (c) the reaction of the Central Government thereon.  |   |  |
| 47 | U.S.Q. No.8489 dated 5-5-75 by Shri K. Suryanarayana.        | (a) the number of new sugar factories commissioned during the last three years upto 31st December, 1975 in various States, with their names; and                     |   |  |
|    |  | (b) Total cost of the each unit for completion.  | (b) : The information is being collected and will be placed on the Table of the Sabha as soon as it is available. |  |

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48	U.S.Q. No. 8503 dated 5-5-75 by Shri Jyotirmoy Bosu	Referring to reply given to U.S.Q. No. 5152 on the 7th April, 1975 regarding distribution of sugar and foodgrains collected under levy schemes to factories, bakeries and manufacturers of soft drink and asking for— total quantity of wheat supplied from Central pool to the (i) factories run by Britannia Biscuit Company, (ii) each other large company and (iii) small-scale bakeries, year-wise during 1972-73 to 1974-75.	The information is being collected and will be laid on the Table of the Sabha.	Requests received from DPA for extension of time (1) on 24-7-75 upto 5-11-75. (2) on 27-10-75 upto 5-2-76.
49	U.S.Q. No. 8526 dated 5-5-75 by Dr. Laxminarayan Pandeya.	(a) whether Government's attention has been drawn to the news-item appearing in the 25th March, 1975 issue of 'Swadesh' published from Indore to the effect that a starving person because of non-availability of food-grains sold his children in Chhattisgarh region of Madhya Pradesh;  (b) whether there is such a terrible famine in this area that people are leaving their villages and going somewhere else; and  (c) whether any financial assistance or additional food-grains assistance has been given by Central Government to overcome this scarcity.	(a) to (c). The information is being collected and will be laid on the Table of the Sabha as soon as it is received.	Request received from DPA for extension of time (1) on 11-8-75 upto 5-9-75.
50	U.S.Q. No. 8560 dated 5-5-75 by Shri Mulki Raj Saini.	(a) the main schemes run by Bharat Sewak Samaj in the country; and  (b) State-wise scheme run by it.	(a) & (b). The information has to be collected from various outside sources, which is being done and will be laid on the Table of the House when received.	Requests received from DPA for extension of time (1) on 14-8-75 upto 5-11-75 (2) on 20-11-75 upto 5-2-76.

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51	U.S.Q. No. 8628 dated 5-5-75 by Shri Jyotirmoy Bosu.	Referring to the reply given to S.Q. No. 526 on 7th April, 1975 regarding import of wheat and rice during 1975-76 and asking for—	(b): The information is being collected and will be laid on the Table of the Sabha.	
		(a) total quantity and value of wheat, rice and coarse grains separately, imported year-wise, during the period 1972-73 to 1974-75 ; and		
		(b) names and particulars of the American Parties who have supplied foodgrains to India and quantity supplied by each during each of the above-mentioned years.		
52	U.S.Q. No. 8647 dated 5-5-75 by Shri K. Lakkappa.	(a) the public sector enterprises at present being looked after by the Ministry and the amount of investment in each enterprises;	(a) to (d): The required information is being collected and will be laid on the Table of the Sabha as soon as possible.	
		(b) what percentage does this investment represent out of the total stock of capital invested in the organised sector of the Indian economy;		
		(c) whether any additional investment has been provided for during the Fifth Five Year Plan period; and		
		(d) if so, the extent thereof.		
53	U.S.Q. No. 8669 dated 5-5-75 by Shri Robin Kakoti.	(a) whether Government are aware that prices of essential foodstuffs are gradually rising in Assam; and	(a) & (b): The relevant information has been called for from the Government of Assam and will be laid on the Table of the Sabha.	Request received from DPA for extension of time (i) on 5-8-75 upto 4-11-75.
		(b) if so, reasons therefor and steps taken to control the price rise.		

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54	U.S.Q. No. 8672 dated 5-5-75 by Shri Robin Kakoti.	<p>(a) whether there are schemes for irrigation projects for droughts prone areas of Assam such as Philanbari and Laksapani-Jagan area of Golaghat and Kaki area of Nowgong District, Assam;</p> <p>(b) if so, the names of the projects and area to be covered by each project; and</p> <p>(c) if not, whether Government would include these areas in the Fifth Year Plan for irrigation schemes.</p>	<p>(a) to (c): Under Drought Prone Areas Programme, no district in Assam is identified as Drought Prone. Information on the irrigation schemes in Philanbari and Laksapani-Jagan area of Golaghat and Kaki area of Nowgong district in Assam is being collected from the State Government and will be laid on the Table of the House.</p>	<p>Requests received from DPA for extension of time (1) on 25-7-75 upto 5-9-75 (2) on 10-9-75 upto 5-11-75 (3) on 25-11-75 upto 5-1-76.</p>
(MINISTRY OF COMMERCE)				
55	S.Q. No. 866 lt. 2-5-75 Supplementary by Shri Narsingh Narain Pandey.	Accumulation of stocks of Controlled cloth.	<p>On being asked by Sh. Narsingh Narain Pandey, whether the Government have investigated into the complaint which had made in the House some days ago about the cloth manufactured by the Kanpur Mills and which was sold through the Consumer Cooperative Society, and if so, what is the result of investigation, the Minister stated, "The investigation Reports are not readily available with me, so I require some time to let the Member know about it.</p>	<p>Requests received from DPA for extension of time (1) on 5-8-75 upto 2-10-75 (2) on 20-11-75 upto 2-1-76.</p>
56	U.S.Q. No. 4419 dt 21-3-75 by Sh. Priya Ranjan Das Munai.	<p>(a) whether any import licences have been issued to East Anglia Plastic Company of Calcutta in the year 1973-74 and 1974-75.</p> <p>(b) if so, the particulars thereof.</p>	<p>(a) &amp; (b): A statement indicating the import licences/release orders issued to the firm in 1973-74 and 1974-75 on the basis</p>	<p>Request received from DPA for extension of time (1) on 18-6-75 upto 21-9-75.</p>

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of the information received so far from the licensing authorities was furnished. Information from remaining licensing authorities is being collected and will be laid on the Table of the House.

- 57 U.S.Q.No. 7331 dt.23-4-75 by Sh. Hukam Chand Kachwai.
- (a) the quantum of cotton procured during 1972, 1973, 1974, and 1975 (up to March), year-wise, for the five textile mills run by the Madhya Pradesh Textile Corporation, Bhopal, together with the sources from which and the names of brokers through whom this procurement was made; and
- (b) the amount paid in the purchase deal by way of commission to the brokers and agents during the same period, year-wise, indicating the names of those brokers and agents.
- (a) & (b): Request received from DPA for extension of time (1) on 1-9-1975 upto 30-9-75.
- 58 U.S.Q.No. 7490 dt. 25-4-75 by Sh. Shankar Narayan Singh Deo.
- (a) the names of the tea estates in Assam and Tripura benefited by the replantation subsidy scheme upto date; and
- (b) the total amount sanctioned to each of the tea estates and the percentage of the tea area covered under the scheme in these Estates.
- (a) & (b): The information is being collected and will be laid on the Table of the House.]
- 59 U.S.Q. No. 7520 dt. 25-4-75 by Sh. Lalji Bhai.
- (a) the quantity of Controlled cloth produced by Krishna Mills Limited, Beawar (Rajasthan) during 1974 and
- (a) & (b) : Request received from DPA for extension of time. (1) on 29-7-75 upto 25-8-75.



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		(b) the quantity of cloth sold by its authorised retail shop, Udaipur during the above period.	Table of the House.	
60	U.S.Q. No. 7590 dt. 25-4-75 by Sh. Ram Hedao.	the number of trade enquiries attended to by our Trade Commissioners stationed in important countries of the world from local and Indian businessmen during 1973-74 and 1974-75.	The information is being collected from our missions abroad and will be laid on the Table of the House in due course.	
61	U.S.Q. No. 7662 dt. 25-4-75 by Sh. Hamendra Singh Banera.	(a) the names and addresses of the parties with details of advance import licences issued in their favour against export orders which have failed to comply with the export obligation in stipulated time during the period 1972 to 1974; and	(a) & (b): The information is being collected and will be laid on the Table of the House.	Requests received from DPA for extension of time (1) on 11-8-75 upto 30-9-75. (2) on 13-11-75 upto 31-12-75.
		(b) action taken in the matter.		
62	U.S.Q. No. 9327 dt. 9-5-75 by Sh. A.B. Vajpayee.	details of import licences/ letters of authority and release orders granted in favour of Western Electronic Private Ltd., 244, Okhla, Industrial Estate, Delhi since 1970.	Particulars of Import licences/ [Release orders are published in the weekly bulletins of Industrial licences, Import Licences and Export Licences published by the Chief Controller of Imports and Exports, New Delhi. The information about letters of Authority issued to this firm is being collected and will be laid on the Table of the House.	

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63 U.S.Q. No. 9472 Referring to the reply (a) to (c): The  
 dt. 9-5-75 by given to Unstarred information  
 Shri Jyotirmoy Question No. 3469 dt. is being collec-  
 Bosu. 6-12-74 regarding loan ted and will  
 by Tea Board to Tea be laid on the  
 Companies and asking— Table of the  
 House.

(a) which of the com-  
 panies referred to in  
 the reply are under the  
 control of (1) Duncan  
 Brothers (2) Shaw  
 Wallace (3) Jardine  
 Henderson and each of  
 the other tea houses  
 owning tea gardens;

(b) the total amount re-  
 ceived by tea companies  
 under the control of  
 each house; and

(c) the total amount out-  
 standing with each tea  
 house.

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## ANNEXURE-II

(Vide para 5 of Minutes of the Seventh Sitting)

*Details of pending assurances for which the Department of Parliamentary Affairs have requested for extension of time and recommendations of the Committee thereon*

Sl. No.	Particulars of Assurance	Extension granted by the Committee upto	Observation of the Committee
1	2	3	4
1	U.S.Q. No. 1453 dated 21-11-73 by Shri N. K. Sanghi regarding dispensing with foreign collaboration in Technology. (Science & Technology)	31-12-75	
2	U.S.Q. No. 5977 dated 8-4-75 by Shri Shankar Rao Savant about complaint from Maharashtra regarding waste and non-consumable material in imported Foodgrains. (Agriculture & Irrigation)	22-1-76	
3	U.S.Q. No. 792 dated 26-7-74 by Shri S. R. Damani about increase in audit observations regarding financial transactions of various Ministries (Finances)	31-1-76	
4	U. S. Q. No. 9472 dated 8-5-73 by Shri Bhaljibhai Ravjibhai Parmar regarding names of firms/persons convicted for contravention of Drug (Price Control) Order (Petroleum & Chemicals)	31-12-75	
5	U.S.Q. No. 434 dated 25-7-73 by Shri Bakai Nayak regarding Report of the Magisterial Enquiry into the causes of Shadara disturbances. (Home Affairs)	31-1-76	
6	U.S.Q. No. 6788 dated 16-4-74 by Shri Khemchandbhai Chavda regarding Report of Bureau of Industrial costs and price on cost price study of certain drugs. (Petroleum & Chemicals)	31-12-75	
7	U.S.Q. No. 2923 dated 13-3-74 by Shri Dhan Shah Pradhan regarding merit scholarships and merit stipend to Adivasi Children. (Home Affairs)	7-2-76	
8	U.S.Q. No. 899 dated 27-7-73 by Shri Madhu Limaye regarding grant of Import entitlements to share holders of Maruti Limited (Commerce)	30-12-75	
9	U.S.Q. No. 1752 dated 4-3-74 by Sarvaswari Indrajit Gupta and C. K. Chandrappan regarding Central directive on disorders due to Land Reforms in States (Agriculture and Irrigation).	31-12-75	

## MINUTES

### **Eighth Sitting**

*The Committee sat on Friday, the 12th December, 1975 from  
11.00 hours to 13.00 hours*

### **PRESENT**

**Shri B. K. Daschowdhury—Chairman.**

### **MEMBERS**

2. **Shri Syed Ahmed Aga**
3. **Shri Jagadish Bhattacharyya**
4. **Shri Narendra Singh Bisht**
5. **Shri B. R. Kavade**
6. **Shri Kinder Lal**
7. **Shri Sarjoo Pandey**
8. **Shri Mulki Raj Saini**
9. **Shri P. M. Sayeed**
10. **Shri Ramshekhar Prasad Singh.**

### **SECRETARIAT**

**Shri K. D. Chatterjee—Chief Examiner of Questions.**

**Shri S. N. Khanna—Senior Examiner of Questions.**

### **WITNESSES EXAMINED**

1. **Dr. P. C. Alexander—Secretary, Foreign Trade, Ministry of Commerce.**
2. **Shri K. L. Rehani—Export Commissioner, Office of the C.C.I & E.**
3. **Shri J. L. Bajaj—Deputy Secretary, Ministry of Commerce.**
4. **Shri S. B. Lal—Joint Secretary, Department of Coal, Ministry of Energy.**
5. **Shri K. Sitaraman—Director, Department of Coal, Ministry of Energy.**

### **Ministry of Commerce**

2. The Committee took evidence of the representatives of the Ministry of Commerce in regard to the delay in the implementation of the following two assurances:—

- (i) Assurance given in reply to Unstarred Question No. 5313 on the 20th December, 1974 regarding misuse of powers and funds by certain officials of the Cotton Corporation of India.
- (ii) Assurance given in reply to Unstarred Question No. 5422 on the 20th December, 1974 regarding advance import entitlements given to M/s Hindustan Lever Limited.

3. At the outset, the Chairman observed that while considering the above-mentioned assurances, the Members of the Committee had raised certain doubts and wanted certain clarifications from the Ministry. The Committee had gone through the note submitted to them by the Ministry explaining the reasons for delay in implementation of the assurances.

4. When asked whether he had anything more to say in addition to what had already been stated in the note, the Secretary, Foreign Trade, Ministry of Commerce, stated in connection with the assurance arising out of the reply given to Unstarred Question No. 5313 on the 20th December, 1974 as follows:—

“The only additional point that we can place before the Committee is that the CBI has taken charge of the investigation. If the CBI had not come into the picture, it was our expectation to submit an answer, on the basis of our own Ministry's investigation which was being done through the Textile Commissioner's office. But since we came to know about the CBI now being in charge of the investigations, our Ministry have issued instructions that we should await, and that is the normal procedure, the CBI's findings on the subject. So, I am afraid that the final answer to this Parliament Question may have to await the decision of the CBI. But a sort of an interim reply can be given, i.e. that the matter is being investigated by the CBI and that the result of the investigations will be submitted to Parliament.”

5. It was pointed out to the representative of the Ministry that while going through the note submitted to the Committee it transpired that CBI stepped in only on the 17th September, 1975 when the case was registered. The Committee observed that the representation was received even before the question was put in Lok Sabha. The Committee felt that the information that representation/representations had been received and such were the complaints and that the Department was making enquiries or the matter was put under the charge of CBI for proper investigation, could have been given at the time of answering the question.

6. When asked to clarify, the Secretary, Foreign Trade, Ministry of Commerce, stated as follows:—

“As soon as the Question was received, or notice of the Question was received, the Ministry's Section concerned wanted to ascertain the full facts and the correct position from the Cotton Corporation. Since this did not refer to any particular official, they wanted to make sure that information on all representations received against all officials, if there were any, other than the one that was finally placed before the Parliament, should be ascertained and full facts obtained. I find that the Ministry had written to the Cotton Corporation asking for a report on this. It is a fact that the complaint had been received in the Vigilance Section of the Ministry even as early as April, 1974 and a report had been called for from the Cotton Corporation. One way of looking at it, or answering it, is that the Government could have replied that they had one complaint against one official and that it was being investigated. The other way was a more cautious approach, trying to find out from the Cotton Corporation whether they have received complaints; and if so, against whom, and whether they related to misappropriation of funds etc. The Government wanted to be a little more cautious and to collect information. That is why the second type of reply was given to Parliament.”

7. When asked to explain why no follow-up action was taken, i.e. no extension of time was asked for within the period of 90 days stipulated for fulfilling an assurance, the Secretary, Foreign Trade, Ministry of Commerce explained the position as under:—

“The Ministry wrote to the Cotton Corporation of India. They sent an interim reply. Then, they again asked for a report in detail and the detailed report was received. I fully accept that at that stage the Ministry could have sent a reply stating that we have received this information and we request for more time for giving further information. But the Officer concerned had by that time reverted to the Textile Commissioner's Office. Then, the inquiry question came up as to who should conduct the inquiry. The Textile Commissioner was authorised to conduct the inquiry. Of course, this is no explanation for not asking for time and requesting the Lok Sabha Secretariat to place the facts before the authorities concerned. I am not in

any way saying all this as an explanation. I am just recalling what happened in chronological sequence. The Textile Commissioner obtained the information and forwarded it. But by that time the CBI had also come in and we were also asked to explain it before the Committee.

There was an opportunity for us to ask for extension of time. Apparently, this has not been availed of."

8. The Committee felt that nothing could prevent the Ministry from being cautious if they had given the information that was already at their disposal and ask for more time for laying further information on the Table of the House. This should be made a regular practice. The Committee further observed that the Member who asked the question might have in his mind the case of the particular representation that had already been submitted to the Ministry. Since, this was not made public and made known to the Member under the garb of collecting the information in detail, the Member had been deprived of this right to know the position at that time.

9. Asked whether there was any machinery in the Ministry of Commerce to look into such assurances given by the Minister and to see that they were fulfilled in time, the Secretary, Foreign Trade, Ministry of Commerce, stated:—

"There is a special Register kept for watching Parliamentary assurances. It is the responsibility of the dealing officers to fulfil the obligations and undertakings given by the Minister on behalf of the Department concerned. In this particular case, as I have explained the position we could have reported it to the Parliament earlier, at the point of time when the report was received from the Cotton Corporation. We could have given that information at that stage. I admit, there was an omission."

10. As a number of cases of long delays in the implementation of assurances pertaining to Ministry of Commerce had come to their notice, the Committee urged the representative of the Ministry that vigorous steps should now be taken to see that the machinery or the cell looking into the work of implementation of assurances is more watchful to ensure that the assurances were implemented in time or in case of difficulties being faced by them in the implementation of assurances within the stipulated period of 90 days, ask for extension of time and inform the Committee from time to time about the

progress made in collection of the information. Thereupon, the Secretary, Foreign Trade, Ministry of Commerce, assured the Committee that he fully undertook that responsibility.

11. The Committee pointed out that in the note furnished to the Committee by the Ministry it had been stated that a case had already been registered against the official concerned by the CBI on the 17th September, 1975. On an enquiry whether that officer was on deputation to the Cotton Corporation of India or to the Textile Commissioner's Office and whether it was not proper at least to suspend him, the Secretary of Foreign Trade, Ministry of Commerce explained the position as follows:—

“He has not yet been placed under suspension. We have just been informed about the fact of CBI investigation. The CBI will make a recommendation as to what they consider is appropriate for further investigation, and on that basis action can be considered whether he should be placed under suspension or not. This is the stage when they have registered a case and are looking into it. The stage whether he should be placed under suspension or not has not yet arrived. It depends on what the CBI investigation is. Suspension is generally done for a very important reason that the officer concerned, holding a particular position, will seriously interfere with the due process of investigation or misuse the position against the investigation. We are waiting for a report and appropriate action will be taken at that stage.”

12. When asked how would the CBI make an enquiry without establishing a *prima facie* case against the official, and if a *prima facie* case had been established, why was not the official suspended, the Secretary, Foreign Trade, Ministry of Commerce replied as under:—

“We have not yet reached that stage. The case has been registered. The Textile Commissioner had initiated what we call a departmental inquiry against the officer. The first stage of that was asking for the officer's explanation. The officer concerned has given a very lengthy explanation with all sorts of documents. This is the stage when the Textile Commissioner himself applies his mind whether there is *prima facie* case, even in a departmental inquiry, to suspend him before he proceeds further. But the Textile Commissioner himself has not applied his mind because by that time the Textile Commissioner was



informed that the CBI had taken charge of the case. So, the Textile Commissioner has reported this to the Ministry. The CBI will go into the question whether there is a *prima facie* case or not and whether his continuance in his present position will lead to misuse of his official position to interfere with the investigation, and then a decision will be taken whether he should be placed under suspension."

13. It had been stated in the note furnished to the Committee that a case had been registered by the CBI. When asked whether the Committee were to presume that the CBI had also put a case before the Magistrate or whether the registration of the case meant something within themselves, the Secretary, Foreign Trade, Ministry of Commerce, stated:—

"Within themselves. Between registering a case—this is just for investigation—and placing the case for prosecution, there will definitely be a time lag."

14. To an enquiry as to when the matter was referred to the CBI, the representative of the Ministry of Commerce replied as follows:—

"They have taken this up *suo motu*, on their own. They have registered this case and are investigating."

15. The Committee pointed out that the assurance was given on 20th December, 1974 and the CBI registered the case on the 17th September, 1975. So many months had passed in between. When asked what were the findings of the Textile Commissioner who started inquiry for finding out whether there was a *prima facie* case, the Secretary of Foreign Trade, Ministry of Commerce stated:

"The Textile Commissioner has not reached any findings. In the departmental proceedings, when he receives a complaint, the person against whom the complaint is made is given an opportunity to give his explanation in respect of all the allegations. The Textile Commissioner had just reached that stage. He had asked for Mr. Dharam Dev's explanation and he had given his lengthy explanation with all sorts of supporting documents. At that stage the Textile Commissioner became aware of the fact that the CBI, on their own, that is on sources independent of the Government, had taken charge of the case. They have registered a case which means that they would now do their own investigation. I am very sure that, in

the normal course, they will collect from the Textile Commissioner all the information and evidence which they would want and then they will come to a conclusion whether there is a *prima facie* case to go to the court and also they will come to their own judgement whether they should ask for suspension of the official on the ground that the official's continuance in his present post may interfere with the due process of investigation."

16. When asked as to when the Textile Commissioner started the process of investigation and when his reply was received in the Ministry, the representative of the Ministry of Commerce informed the Committee that they referred the matter to the Textile Commissioner in August, 1975, and his reply was received on the 25th September, 1975.

17. The Committee pointed out to the representative of the Ministry that the representation was received by the higher authorities sometime in 1974 and the process of investigation started in August 1975. Asked what was the date of representation and what was being done during this period, the Secretary, Foreign Trade, Ministry of Commerce explained as under:—

"The date of representation is 10th March, 1974. Perhaps, there were other letters also. I will give the chronological sequence. A letter was issued from the Vigilance Section of the Ministry on 20th April, 1974 to the Managing Director of the CCI saying that he should look into the complaint and send his comments at an early date. Then there was some correspondence between the Cotton Corporation and the Vigilance Section about this and they were asking for a copy of the original complaint. There seems to have been some exchange of letters going on till August-September, 1974. The Ministry has written to them in September, 1974 asking them to expedite comments of the Ministry."

18. The Committee felt that the moment it came to the notice of the highest authority, they should have started their investigations without going to the C.B.I. Thereupon, the Secretary, Foreign Trade, Ministry of Commerce further stated:—

"Almost within few days of getting the complaint, action was initiated. I find a number of letters having been exchanged between the Ministry and Cotton Corporation asking for information etc. and in the meanwhile, further complaints were also received. Continuous pressure was

being put on the Cotton Corporation to expedite their comments. Finally, the comments were received and then the Textile Commissioner was asked to look into it."

19. The Committee pointed out to the representatives of the Ministry that when a complaint was not taken notice of seriously and prompt action was not initiated, corruption grew. The complaint was there and the Ministry could have initiated action thereon seriously. Asked why could not the Ministry take prompt action in the matter, the Secretary, Foreign Trade, Ministry of Commerce stated:—

"There were a number of complaints received in the Ministry on various occasions. Actually, the first complaint was focussed on the Chairman of the Cotton Corporation at that time and also there were some allegations about other officers. That complaint had been received in the Ministry through the C.B.I. with a covering letter that here was a complaint which they were not investigating. This was the beginning of the Ministry's action. This complaint was received for the first time in April. The Ministry asked for the comments of the Cotton Corporation. The Cotton Corporation replied that they wanted the original complaint. The original was forwarded to them, and then a reminder was sent to them. In the meantime in July, 1974 another complaint directly addressed to the Ministry was received. On that again comments were asked for. This process of asking for comments from the Cotton Corporation had started in April and went on. Finally, the Complaints against this particular officer got crystalised."

The Secretary, Foreign Trade, Ministry of Commerce added:

"The first complaint dated 10th March, 1974 was forwarded to the Vigilance Officer by the CBI. CBI had not taken any action. I find that the complaint is of a general nature. It is focussed on the Chairman at that time. It refers to certain misuse of power in the Corporation by officials etc. This complaint was not specifically against Shri Dharam Dev. It was against Cotton Corporation officials. It starts from that and finally ends up in specific complaints against Dharam Dev."

20. The Committee enquired whether the Ministry started correspondence with Shri Dharam Dev on receipt of the report from the Textile Commissioner's office. The Secretary, Foreign Trade, made the position clear thus—

"The Ministry never entered into correspondence with Mr. Dharam Dev. He is an employee of the Textile Commissioner. His immediate superior is the Textile Commissioner. We, in the Ministry, do not deal directly with an officer of the Textile Commissioner organization. A letter was issued by the Textile Commissioner to Mr. Dharam Dev asking for his explanation and Mr. Dharam Dev offered his explanation in September which the Textile Commissioner forwarded to the Ministry."

21. Asked whether the Textile Commissioner in his report to the Ministry had drawn any conclusion that there was a *prima facie* case against Shri Dharam Dev, or he merely forwarded the explanation of Shri Dharam Dev to the Ministry without his comments, the Secretary, Foreign Trade, Ministry of Commerce elaborated as follows:—

"At this stage the Textile Commissioner is not expected to make any comment. He would have made his comment and a positive recommendation but for the change that has been brought about by the CBI registering the case. The Textile Commissioner has forwarded to us the explanation and asked for our instructions.

With regard to the question whether any *prima facie* finding has been reached, I find that the Textile Commissioner has not reached any finding. There is a letter from the Chief of Cotton Corporation who has come to a *prima facie* finding that there is really a need for further investigation into this and he is doing it."

22. Asked to clarify whether the departmental inquiry could not have been held inspite of the C.B.I. inquiry, the Secretary, Foreign Trade, added that they could have departmental inquiry and the inquiry might touch upon two entirely different matters. He then read out the following extract from the Textile Commissioner's letter:

"Simultaneous action to hold a departmental inquiry and a CBI inquiry on almost the same charges may not be desirable. Parallel inquiries may prove embarrassing. So I ask for instructions."

He said that on this a decision had been taken at the Secretary's level that "let the CBI complete its inquiry."

23. The Committee then proceeded to examine the representatives of the Ministry of Commerce with regard to the assurance given in reply to USQ. No. 5422 on the 20th December, 1974 regarding advance import entitlements given to M/s. Hindustan Lever Limited.

24. At the outset, the Secretary, Foreign Trade informed the Committee that the Chief Controller's Office had requested for extension of time in June, September and lastly in November. The meeting of the Advance Licencing Committee was scheduled for 16th December when final decision on this case would be taken and it was hoped that more extension of time would not be asked for afterwards.

25. The Committee noted that the assurance was given on the 20th December, 1974 and the first extension of time was asked for on 30th June, 1975. The Committee expressed regret at this long delay from December, 1974 to June, 1975 in asking for extension in the first instance.

26. The Committee pointed out that since 1973 with the increase in oil prices, almost the prices of all commodities had increased and it was more so in regard to Petroleum products. STEP is one of the Petroleum products and in the world market the prices of Synthetic Detergents have also gone up. Asked why then the Company was giving this plea that the export value is much lower in the foreign market than the home market, the Secretary, Foreign Trade explained as under:—

“Originally the Hindustan Lever had asked for an advance licence for Rs. 1½ crores. At that time they had indicated only a figure in approximate terms and not a definite one. In this particular case, of course, the Advance Licencing Committee will take a final decision. I find export has been made to the Soviet Union (Government buyer) and a copy of the contract will be available with us. There is no reason to suspect any underhand dealings. Soviet Union is the buyer and Government has to deal with this Company and, therefore, there cannot be any hanky panky about the whole thing. It is possible that they could not get more than this. The presumption has to be in their favour. There was of course, shortfall of 4 lakhs and odd. Knowing the buyer we can expect that this was the maximum price that we could expect from this transaction.”

27. With regard to the delay, the Secretary, Foreign Trade stated as under:—

"The last date was 16-4-73; that was the last date of licence.

We had to find out dates of actual import, within which period they discharged export obligation. This had to come from JCCIE's office. There was overpayment on import entitlement licence and cash assistance. These had to be sorted out and final reply given."

28. The Committee wanted to know if for such cases, whether export guarantee or commitment was honoured or not, there was a register or ledger in C.C.I.'s office. The Secretary, Foreign Trade clarified the position thus:—

"There is a separate system and this is for watching the export obligation. We are also kept informed about it. No firm can get away without fulfilling their commitments. If there is error, action is taken."

29. The Committee felt that substantial information could have been given at the time of answering this Question.

30. In this connection, the Export Commissioner of the office of C.C.I.&E. stated as under:—

"The licences are issued by our regional offices located at the ports. Hindustan Lever factories are at the various ports of India. So we were obliged to collect that information from almost all our licensing offices. It is the licencing offices which maintain the register for the issue of licences and they would watch the export obligations against those licences."

The Secretary, Foreign Trade elucidated the matter further as under:—

"The Committee sanctions an advance licence entitlement. Based on that the actual licences are issued by the port offices. The question was about the advance licence. We could have said that the Committee has passed an order about this and this was within our information."

The Export Commissioner also added:—

"For example, the licences of a higher value are sanctioned only by the advance licensing Committee. Licences upto Rs. 25,00,000 (Rs. 25 lakhs) can be sanctioned directly by the port licensing offices: merely on the basis of our record at the headquarters office we could have given only an incomplete reply. We do get copies of their forwarding letter and, in addition, the copies of the licences issued are sent

to our Statistical Section for computerisation of statistics. We only get a copy of the forwarding endorsement with which the licence is sent to the party. Even that endorsement will come to us only where the licence has been sanctioned by the Committee at the headquarters to complete our files."

31. In the end, the Secretary, Foreign Trade assured the Committee that complete information would be furnished soon after the 16th December, 1975.

*(The witnesses then withdrew)*

*Ministry of Energy*

32. The Committee then took up evidence of the representatives of the Ministry of Energy in regard to the delay in implementation of the following two assurances:—

- (i) Assurance given in reply to USQ. No. 1206 on the 20th November, 1974 regarding accidents in coal mines of Madhya Pradesh.
- (ii) Assurance given in reply to USQ. No. 2376 on the 27th November, 1974 regarding increase in the incidence of T.B. and Filaria among coal mine workers.

33. At the outset, the Committee pointed out that after the above assurances were given on the 20th November, 1974 and 27th November, 1974 respectively, no follow up action was taken by the Ministry. According to the existing practice, the assurances were required to be fulfilled within 90 days. In case of genuine difficulties, the Committee could be approached. For full one year no intimation regarding action taken to implement the assurances was sent to the Committee by the Ministry nor any extension of time asked for and soon after the note regarding evidence by the Committee was sent, the Ministry furnished the complete information in reply to the first question. When the Committee asked the representative of the Ministry to explain the position regarding collection of the information during the intervening period, the Joint Secretary, Department of Coal submitted as follows:—

"We admit that there has been a delay which is unjustified. And so we apologise. The information could have been given in a shorter time than has been taken. There are two questions.

To the first, we have sent a reply on the basis of information we could collect. You would see the question is of a detailed nature. There were some figures which we had to reconcile by sending some people around and finding out what the correct figures were. This relates to certain accidents that took place in all the coal mines in M.P. in '72-73 and '73-74. It was not difficult to get details of the persons killed/injured; what was difficult to get was the amount of compensation paid in each case. We have now compiled the information with all these details. This was a time-consuming process. We had to collect this from so many mines.

In regard to the second, we have not been able to compile the information even now. We have got some information. We are getting information from different mines and collieries from different sources and are trying to compile them. We thought we would place the latest compilation before you, but we found there were some discrepancies. I have got the draft here, but we are not satisfied with it. Yesterday we got some managing directors to Delhi and have asked them to give details in a certain proforma so that we could tabulate them in a systematic, meaningful manner and then present it to the Committee.

Before nationalisation, we hardly had any figures about these things, the accidents that took place in individual mines. No statistics were maintained except in the Labour Ministry. Similarly in the case of TB/Filaria, for which information has been asked, whether they have gone up after nationalisation or not, we have got information about what happened after nationalisation, but as for the period prior to nationalisation, with which the comparison has to be drawn, we could not get the correct information. I have got some information but am not satisfied with it. We are doing our best to get the information."

34. The Committee remarked that part of the information as to the position after nationalisation could have been given at the time of answering the question. Whenever there was an accident in a mine, the persons in charge ought to have sent the information immediately. The information regarding compensation could have come later. Thereupon, the representative of the Ministry enquired whether it was in order to furnish part of the information. The Committee invited the attention of the representative of the Ministry to the re-



commendation of the Committee contained in para 8 of the Ninth Report (Fifth Lok Sabha) according to which part of the information could be furnished to the House in the first instance and rest of the information periodically thereafter.

35. The representative of the Ministry informed the Committee that 70 per cent of the information was collected within a month of giving of the assurance and could have been supplied much earlier.

36. The Committee observed that ignorance of this recommendation of the Committee regarding part implementation of assurances showed that the persons responsible for implementing the assurances, in the Ministry, do not go through reports of the Committee and lacked interest in taking proper steps for implementation of the assurances.

37. With regard to the assurance regarding increase in incidence of TB and Filariasis among coal mine workers, the Committee pointed out that on the basis of the statistics for the last two years, a conclusion could have been reached and reply given at the time of answering the question that the incidence of these diseases was on the increase or decline and what steps had been taken in this direction. The representative of the Ministry explained the position as under:—

“We can definitely give the information on the second part, i.e. full details about the steps we have taken, and how much of additional facilities for medical help have been provided after nationalisation, or even before it. But in regard to the first part, we could not compile the information correctly. But we are providing adequate medical facilities, since nationalisation.

The first point was whether the number of cases was going up, or down. We had some conflicting reports on it.

Our impression was that they are not. We tried to substantiate, with reference to facts, as to how many cases were being registered. In some of the areas, the number was going up and in others, down. Till yesterday, we were not able to give the information. About the second part, viz. augmentation of facilities, i.e. how many hospitals have been opened and how many beds have been added from year to year, information has been collected.

Our collieries are under 5 different companies, after nationalisation. In addition to the collieries themselves, the Labour Welfare Organisation of the Labour Ministry runs a

number of hospitals; and they register cases. We try to compile the number of cases from six places."

38. The Committee felt that this question involved the health of the workers and had great importance. It was believed that in certain years in West Bengal and Bihar, cases of Filaria & TB were very much on the increase. Some information ought to have been supplied in view of the importance of the matter but the Members had not been provided with any kind of answer though an year had passed.

The representative of the Ministry pleaded as under:—

"Miners themselves are worried about these things. Even though the information on the subject was not given due to certain failures on the part of the Ministry, the fact that additional steps have been taken, cannot be denied. Merely because it has not been reported, we cannot conclude that steps have not been taken. I will be able to give the information within 10 days. But we were, unfortunately, trying to compile the total information before giving it. Here also, about 80 per cent of the information could have been given within 3 months' time. Not even one year, it could have been covered in 6 months. Within 1 month, we can easily compile information as to the steps taken."

39. In conclusion, the Committee observed that they took a serious view of the matter that there was no response from the Ministry for a long time and no extension of time was asked for implementing the assurances. The Committee had recommended in their previous reports that the implementing machinery or the Special Cell should be formed in all the Ministries/Departments. If that has not been done in the Ministry of Energy, proper steps should be taken in this direction and to reorganise or revitalise the implementation machinery so that such situations might not arise in future.

*(The witnesses then withdrew)*

*The Committee then adjourned.*

## **MINUTES**

### **Ninth Sitting**

The Committee sat on Monday, the 2nd February, 1976 from 15.00 hours to 15.30 hours.

### **PRESENT**

Shri B. K. Daschowdhury—*Chairman*

2. Shri Syed Ahmed Aga
3. Shri Narendra Singh Bisht
4. Smt. T. Lakshmikanthamma
5. Shri Sarjoo Pandey
6. Shri Mulki Raj Saini

### **SECRETARIAT**

Shri K. D. Chatterjee—*Chief Examiner of Questions.*

Shri S. N. Khanna—*Senior Examiner of Questions.*

2. The Committee considered their draft Fifteenth Report and adopted the same with slight modifications here and there.

3. The Committee authorised the Chairman, and in his absence Shri Mulki Raj Saini, M.P. to present the Report on Wednesday, the 4th February, 1976.

*The Committee then adjourned.*

## **APPENDIX I**

(Vide para 23 of the Report)

### **LOK SABHA**

*Unstarred Question No. 5313*

*To be answered on the 20th December, 1974.*

#### **Misuse of Power and Funds by certain Officials of C.C.I.**

**5313. Shri Vayalar Ravi:** Will the Minister of Commerce be pleased to state:

(a) whether Government received any representation regarding the misuse of power and misappropriation of funds by certain officials of the Cotton Corporation of India; and

(b) if so, the broad features thereof and the actions taken thereon?

#### **ANSWER**

**The Deputy Minister in the Ministry of Commerce (Shri Vishwanath Pratap Singh):** (a) and (b). The information is being collected and will be laid on the Table of the House. ,

## **APPENDIX II**

(Vide para 23 of the Report)

### **LOK SABHA**

*Unstarred Question No. 5422.*

*To be answered on the 20th December, 1974.*

**Advance import entitlements given to M/s. Hindustan Lever Limited**

**5422. Shri C. K. Chandrappan:**

**Shri K. M. Madhukar:**

Will the Minister of Commerce be pleased to state:

(a) whether any advance import entitlements were given to M/s. Hindustan Lever Limited against export commitments; and

(b) whether Hindustan Lever Limited have honoured these export commitments and if not, the reasons therefor?

### **ANSWER**

**The Deputy Minister in the Ministry of Commerce (Shri Vishwanath Pratap Singh):** (a) and (b). The information is being collected and will be laid on the Table of the House.

## **APPENDIX III**

(Vide para 41 of the Report)

### **LOK SABHA**

*Unstarred Question No. 1206.*

*To be answered on the 20th November, 1974.*

#### **Accidents in Coal Mines of Madhya Pradesh**

**1206. Shri G. C. Dixit:** Will the Minister of Energy be pleased to state:

(a) the number of serious accidents that took place in each of the coal mines in Madhya Pradesh in 1972-73 and 1973-74; separately;

(b) the number of lives lost as a result thereof and the amount of compensation paid therefor; and

(c) the action taken by Government to minimise the incidents of such accidents?

#### **ANSWER**

**The Deputy Minister in the Ministry of Energy (Professor Siddheshwar Prasad):** (a), (b) and (c). The information is being collected and will be laid on the Table of the House.

## **APPENDIX IV**

(Vide para 41 of the Report)

### **LOK SABHA**

*Unstarred Question No. 2376.*

*To be answered on the 27th November, 1974.*

#### **Increase in the incidence of T.B. and Filaria among coal mine workers**

**2376. Shri M. Kathamuthu:** Will the Minister of Energy be pleased to state:

(a) whether Government are aware of the fact that the diseases like Tuberculosis and Filaria are increasing among the coal mine workers due to insufficient medical facilities; and

(b) if so, measures taken to improve the situation?

### **ANSWER**

**The Deputy Minister in the Ministry of Energy (Professor Siddheshwar Prasad):** (a) and (b). The information is being collected and will be laid on the Table of the House.

## APPENDIX V

(Vide para 56 of the Report)

*Statement showing the position of assurances as on 10th January, 1976*

(i) *Assurances pertaining to the Fourth Lok Sabha*

Session	No. of pending assurances pertaining to Fourth Lok Sabha* selected by the Committee (5th Lok Sabha) for being pursued further as on 8-1-76	No. of assurances implemented/dropped upto 9-1-76 (last date of laying of implementation statements)	No. of assurance outstanding
Seventh Session, 1969	2	—	2**
Eighth Session, 1969	2	1	1%
Ninth Session, 1969	2	1	1@
Tenth Session, 1970	2	—	2&
Eleventh Session, 1970	5	3	2&
<hr/>			
TOTAL : 13		5	8

\* 573 pending assurances were originally selected by the First Committee (1971-72) of Fifth Lok Sabha for being pursued further.

\*\*Ministries of Information and Broadcasting and Law.  
% Ministry of Law.

@Ministry of Information and Broadcasting.

& Ministries of Commerce and Finance

& Ministries of Commerce & Home Affairs.

(ii) *Assurances pertaining to the Fifth Lok Sabha*

Session	No. of assurances culled out.	No. of assurances implemented/dropped	No. of assurances outstanding
First Session, 1971	42	42	Nil
Second Session, 1971	1007	1003	4
Third Session, 1971	347	342	5
Fourth Session, 1972	831	827	4



Session	No. of as- surances culled out	No. of as- surances implemen- ted/dropped	No. of assu- rances outstanding
Fifth Session, 1972	351	349	2
xth Session, 1972	398	396	2
venth Session, 1973	847	837	10
Eighth Session, 1973	426	422	4
Ninth Session, 1973	490	476	14
Tenth Session, 1974	865	845	20
Eleventh Session, 1974	362	348	14
Twelfth Session, 1974	561	505	56
Thirteenth Session, 1975	898	710	188
Fourteenth Session, 1975	Nil	—	—
<b>TOTAL</b>	<b>7425</b>	<b>7102</b>	<b>*323</b>

\*For Ministry-wise details, please see next page.

(iii) Ministry-wise details of outstanding assurances

Ministry/Department	Session of Fifth Lok Sabha												
	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	TOTAL
Agriculture & Irrigation							1	1	5	2	9	19	37
Commerce	1	1	1				2	2	1	1	5	3	16
Communications												1	1
Defence						1						1	2
Edu., S. W. & Culture			2					1		1	3	9	16
External Affairs													
Finance								1	3	4	11	36	55
Health & Family Planning										1	5	6	12
Heavy Industry													
Home Affairs	1					2	1	2	2	1	5	11	25
Industry & Civil Supplies										1		2	3
Inf. & Broadcasting											1	1	1
Energy									3	1		3	7
Labour		1		1							1	5	9
Law, Justice, & C. Affairs	2	1		1		1		1	2		1	10	19

