

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(1989-90)**

(EIGHTH LOK SABHA)

NINETEENTH REPORT



(Presented on 1 AUG 1990)

**LOK SABHA SECRETARIAT
NEW DELHI**

May, 1989/Jyaishta, 1911 (Saka)

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CORRIGENDA TO NINETEENTH REPORT OF
THE COMMITTEE ON GOVERNMENT ASSURANCE
(1989-90)

(Eighth Lok Sabha)

<u>Page No.</u>	<u>Para No.</u>	<u>Line</u>	<u>Correction</u>
Title page	Bottom		<u>for</u> 'May, 1989/Jyaistha <u>read</u> 'July, 1989/Asadha'
(iii)	Footnote	1	<u>for</u> '1988' <u>read</u> '1989'
(v)		19	<u>for</u> '29 May' <u>read</u> '6 July'
(v)		20	<u>for</u> '8 Jyaistha' <u>read</u> '15 Asadha'
3	9	2	insert 'and' after 'partly'
12	45	9	<u>for</u> 'then <u>read</u> 'them <u>for</u> 'airlines' <u>read</u> 'airliner'
38	84	1	<u>for</u> 'forgoing' <u>read</u> 'foregoing'
38	84	7	insert ', ' after 'dropping'

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**COMPOSITION OF THE COMMITTEE ON GOVERNMENT
ASSURANCES***

(1989-90)

Prof. Narain Chand Parashar—Chairman

- 2. Shri L. Balaraman**
- 3. Shri Bhadreswar Tanti**
- 4. Shri Kadambur M. R. Janarthanan**
- 5. Shri Bapulal Malaviya**
- 6. Shri Sanat Kumar Mandal**
- 7. Shri Murlidhar Mane**
- 8. Shri V. Krishna Rao**
- 9. Shri Bhola Raut**
- 10. Shri Prabhu Lal Rawat**
- 11. Shri Bajju Ban Riyan**
- 12. Shrimati Shanti Devi**
- 13. Shri Kamla Prasad Singh**
- 14. Shrimati Usha Thakkar**
- 15. Shri Mahabir Prasad Yadav**

SECRETARIAT

- 1. Shri C. K. Jain—Joint Secretary**
- 2. Shri S. C. Gupta—Deputy Secretary**
- 3. Shri Jyoti Prasad Jain—Officer on Special Duty**

*The Committee was nominated by the Speaker w.e.f. June 20, 1988 vide Para No. 2982 of Lok Sabha Bulletin Part-II dated 20 June, 1989.

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3. Dr. S. Jagathrakshnan
4. Shri Bapulal Malviya
5. Shri Murlidhar Mane
6. Dr. A. K. Patel
7. Shri V. Krishna Rao
8. Shri Bhola Raut
9. Shri Prabhu Lal Rawat
10. Shri Manik Reddy
11. Shrimati Shanti Devi
12. Shri Kanula Prasad Singh
13. Shri Ramashray Prasad Singh
14. Shrimati Usha Thakkar
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*The Committee was nominated by the Speaker w.e.f. June 20, 1988 vide Para No. 2318 of Lok Sabha Bulletin Part-II, dated 22 June, 1988.

INTRODUCTION

1. I, the Chairman of the Committee on Government Assurances, as authorised by the Committee, do present on their behalf, this Nineteenth Report of the Committee on Government Assurances.

2. The Committee (1989-90) were constituted on June 20, 1989.

3. The Committee (1987-88) at their sittings held on 8 December, 1987, 7 January, 27 January, 12 February and 5 May, 1988 considered requests from the Ministries for dropping of assurances. At their Sixteenth sitting held on 29 May, 1989, the Committee (1988-89) considered and adopted the draft Nineteenth Report.

4. The Report, however, could not be presented to Lok Sabha due to the expiry of the term of the Committee on 31 May, 1989.

5. The Report was again considered and adopted by the Committee (1989-90) at their sitting held on 6 July, 1989.

6. The minutes of the aforesaid sittings of the Committee form part of the Report.

7. The conclusions/observations of the Committee are contained in the succeeding chapters.

NEW DELHI;

29 May, 1989.

8 Jyaishta, 1911 (Saka)

PROF. NARAIN CHAND PARASHAR

Chairman,

Committee on Government Assurances.

CHAPTER 1

REQUESTS FOR DROPPING OF ASSURANCES—NOT ACCEPTED

(i)

Items pending with National Council of Joint Consultative Machinery

On 22 April, 1967, the following Unstarred Question (No. 7461) given notice of by Shri Somjibhai Damor, M.P. was addressed to the Prime Minister:—

“(a) the details of items relating to Central Government employees pending with the National Council of Joint Consultative Machinery and since when they are pending; and

(b) when decision on each of the items is likely to be taken?”

2. The Minister of State in the Ministry of Personnel, Public Grievances and Pensions (Shri P. Chidambaram) gave the following reply:—

“(a) A list of items pending with the National Council of Joint Consultative Machinery and Compulsory Arbitration for Central Government Employees, indicating the dates since when these items are pending is attached. (Annexure-I).

(b) These items are at various stages of negotiation and consideration, and though efforts are being made to get them finalized early, no firm date for final decision is possible to be indicated.”

3. Reply to part (b) of the above question was treated as an assurance and was required to be implemented by Ministry of Personnel, Public Grievances and Pensions by 21 July, 1967.

4. On 6 November, 1967 the Ministry of Personnel, Public Grievances and Pensions approached the Committee on Government

Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

“National Council of the Joint Consultative Machinery and Compulsory Arbitration for Central Government employees is a forum where the staff representatives of the Central Government employees submit their items relating to the conditions of service for consideration and decision of the Government. Most of the items involve far reaching administrative and financial implications. As such, they require policy decision of the Government at the highest level. It is, therefore, generally not possible to decide such issues in the same sitting of the National Council. While certain items remain under Government's consideration, National Council also appoints its Committees on certain items for detailed consideration. These Committees in turn take quite some time before finalizing their reports/recommendations, as finalization of their reports/recommendations involve collection of detailed data and other particulars. After the reports/recommendations are submitted by the Committee, Government takes some more time to finalize the Government stand on such issues. All this process therefor involves more than a year and in certain cases more than a couple of years. For instance, it will be seen from the enclosure to the reply to Lok Sabha Unstarred Question No. 7461 dated 22.4.87 that one of the items is pending since January, 1977, the other since April, 1979 and the third from May, 1982 etc.”

5. The Committee considered the request of the Ministry of Personnel, Public Grievances and Pensions for dropping of the assurance at their sitting held on 8 December, 1987 and did not agree to drop the assurance.

6. The Committee felt that the request of the Ministry for extension of time for more than a year i.e. upto 3 December, 1988 was not justified and observed that the assurance be implemented on or before 3 February, 1988 upto which the extension of time was granted.

7. The decision was conveyed to the Ministry. The assurance however, remained unfulfilled and the Ministry sought further ex-

tensions. The last extension sought by the Ministry was upto 3 November, 1988 on the following grounds:—

“In spite of best efforts, it has not been possible to finalise some of the items for which assurance is required to be fulfilled. The nodal Ministries/Departments who are concerned with the subject matter have been requested to give top priority in finalizing, the items with which they are concerned.”

8. The Ministry however, partly implemented the assurance by laying the some piecemeal information on the Table of the House on 21 April, 1988, 5 September, 1988 and 7 December, 1988 and the full implementation of the assurance is yet to be reported to the House.

9. The Committee regret to note that even after more than two years, the assurance has been implemented only partly a final decision is yet to be taken by Government on a number of items pending before the National Council. They also take a serious view of the failure on the part of the Ministry to seek further extension of time beyond 3 November, 1988 for implementation of the assurance. The Committee desire that sincere efforts should be made by Government to implement the assurance in full at the earliest.

(ii)

Contributions to Indian Organisations

10. On 28 August, 1987, the following Unstarred Question (No. 5295) given notice of by Shri Braja Mohan Mohanty, M.P., was addressed to the Minister of Home Affairs.

- “(a) whether several Indian organisations had received contributions of more than Rs. 500 crores from abroad last year;
- (b) if so, whether some of the organisations are linked with political parties and communal organisations of the country;
- (c) whether the Foreign Contribution (Regulation) Act is not adequate to follow up the utilisation of funds from foreign countries; and
- (d) if so, the reaction of Government thereto?”

11. The Minister of State in the Ministry of Home Affairs (Shri P. Chidambaram) gave the following reply:

"(a) Total amount of foreign contribution reported to have been received by different organisations during 1984 is Rs. 253 crores. The figures for the year 1985 is under computerisation. The estimated figure for 1986 is approximately Rs. 400 crores.

(b) Organisations known to have links with political parties have been notified as organisations of a political nature not being a political party under section 5(1) of the FC(R) Act. Those organisations which are known to have links with communal organisations, are not granted registration under the Act, and hence they cannot accept foreign contribution without obtaining prior permission from the Central Government.

(c) & (d) The present Act does not provide punishment for mis-utilisation. The amendment of the Act is under consideration."

12. Reply to parts (c) & (d) of the question was treated as an assurance and was required to be implemented by the Ministry of Home Affairs by 27 November, 1987.

13. On 2 December, 1987, the Ministry of Home Affairs approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

"When this Ministry had replied the parts (c) & (d) of the question by stating that "the present Act does not provide punishment for misutilisation. The amendment of Act is under consideration", the intention of the Government was not to give an assurance as such. While saying so this Ministry had only meant to indicate that the loopholes in the present Act needed plugging by bringing amendments to the Act. The sentence of the answer indicated the approach and expectation of the Government. The Ministry do not consider that this amounts to an assurance. It would be appreciated that the process of bringing about amendments in such enactments does take time, it is therefore not possible to fulfill the assurance within a particular time frame."

14. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 7 January, 1988 and decided not to accede to the request of the Ministry. The Committee expressed their un-happiness on the statement of the Ministry that the reply of the Minister was not intended to give an assurance. The Committee directed that the assurance should be implemented by 27 January, 1988 upto which the Ministry sought extension of time.

15. The decision was conveyed to the Ministry. The Ministry sought further extension for fulfilling the assurance. The last extension sought by the Ministry was upto 28 May, 1989 on the ground that the amendments of the Act were still under consideration. The assurance is yet to be implemented.

16. The Committee feel deeply concerned to note that even after a lapse of about two years, Government have not finalised the amendments required to be made in the Foreign Contribution (Regulations) Act to effectively curb the misutilisation of the funds received from abroad through various organisations and plug other loopholes in the Act. The matter ought to receive the highest priority in the present scenario where the unity and integrity of the country is threatened.

17. The Committee are unable to appreciate the reasoning advanced by the Ministry that their reply did not amount to an assurance. The Committee have repeatedly stressed that the decision as to whether a reply of the Minister constituted an assurance or not rested with them and the Ministry could not question their decision. In the instant case the reply to the question constitutes a clear assurance and the Ministry must implement it at the earliest by introducing the necessary amending Bill in Parliament.

(iii)

Legal measures to safeguards against AIDS

18. On 30 July, 1987, the following Unstarred Question (No. 792) given notice of by Sarvashri G. Bhoopathy and Jagannath Patnaik, M.Ps. was addressed to the Minister of Health and Family Welfare:—

“(a) whether it is a fact that the developed countries like America, Britain, Japan etc. are taking measures by introducing legal means to control and stop suffering of the public from AIDS;

(b) whether, there is any proposal to introduce such legal measures in India; and

(c) if so, the details thereof?"

19. The Minister of State in the Ministry of Health and Family Welfare (Kumari Saroj Khaparde) gave the following reply:—

“(a) Yes.

(b) and (c). Yes, details are under discussion with concerned authorities.”

20. Reply to parts (b) & (c) of the above question was treated as an assurance and was required to be implemented by the Ministry of Health and Family Welfare by 29 October, 1987.

21. On 16 December, 1987, the Ministry of Health and Family Welfare approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

“There is, at present no vaccine for the prevention of the disease nor it is possible to cure the disease which invariably proves fatal. Though global research efforts are on to develop effective vaccine to prevent development of AIDS disease in a symptomatic HIV infected persons, yet no effective vaccine is available till date. Government is constantly reviewing the available global information for the prevention of the disease. So many preventive steps are being taken by the Government to prevent the spread of the disease.

“The question of enacting legislation to prevent further infection of nationals with AIDS either from foreigners with infection or nationals with infection is under consideration. Need for legislation on AIDS is a complex policy matter involving a number of other Departments/Agencies. The final decision can be taken only after careful examination of legal, social, ethical and related issues.”

22. The Committee considered the request of the Ministry of Health and Family Welfare for dropping of the assurance at their sitting held on 7 January, 1988 and did not accede to it.

23. The decision was conveyed to the Ministry. The Ministry sought further extensions for fulfilling the assurances. The last extension sought by the Ministry was upto 30 April, 1989 on the following grounds:—

“The proposal is already under process but this being a complex policy matter involving a number of other Departments/Agencies, final decision can be taken only after careful examination of legal, social, ethical and related issues.”

The assurance is yet to be implemented.

24. The grounds advanced by the Ministry for dropping the assurance are not at all convincing. It is regrettable that the assurance has not been implemented as yet even though a period of about two years has elapsed. The Committee desires the Government to take expeditiously a final decision in regard to legislation on AIDS and implement the assurance.

(iv)

Places under the Protection of A.S.I. (Kerala)

25. On 3 July, 1987, the following Unstarred Question (No. 882) given notice of by Prof. K. V. Thomas, M.P., was addressed to the Minister of Human Resource Development:

- “(a) the details of buildings and places in Kerala which are under the protection of Archaeological Survey of India;
- (b) the progress, if any, in the opening of a regional office of Archaeological Survey of India in Kerala; and
- (c) whether the Archaeological Survey of India proposes to take into protection any new places and buildings in Kerala like Vadakumnda Temple in Trichur?”

26. The then Minister of State in the Department of Education and Culture (Shrimati Krishna Sahi) gave the following reply:—

- “(a) A list giving names and locations of protected monuments/sites in Kerala is attached.
- (b) The matter is still under process.
- (c) the proposals for protection of ancient and historical monuments are examined from time to time and such

of them as, on detailed examination, are found to be of national importance are considered for protection under the Ancient Monuments and Archaeological Sites and Remains Act, 1958."

27. Reply to part (b) of the above question was treated as an assurance and was required to be implemented by the Ministry of Human Resource Development by 29 October, 1987.

28. On 1 January, 1988, the Ministry of Human Resource Development approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

"The Archaeological Survey of India has all India Jurisdiction and at present has 16 Circles and 2 mini-circles to look after the work in the various regions. The ASI is also constantly engaged in reviewing the organisational structure and new Circles are opened whenever, for efficient organisation of work, creation of new circle is considered necessary. As a part of this exercise, it has been proposed that some new offices should be opened including a new circle in Kerala. However, before the Circle comes into existence, the financial and staff requirements have to be gone into thoroughly. This always takes time. It is, therefore, considered that the reply given to part (b), of USQ No. 692 should not be treated as an assurance requiring implementation within a specific time limit.

Further, in the present circumstances when the Government has impressed upon the necessity for postponing expenditure on schemes other than those which are directly related to drought relief, it is not possible to indicate the precise time frame within which the Kerala Circle will start functioning.

If the reply is treated as assurance it will take a considerably long time before the assurance can be fulfilled for the reasons mentioned above."

29. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 27 January, 1988 and did not agree to drop the assurance. The Committee, however, granted the extension of time upto 30 January, 1988 as requested by the Ministry.

30. The decision was conveyed to the Ministry. The Ministry sought further extensions for fulfilling the assurance. The last extension sought by the Ministry was upto 31 March, 1988 on the following grounds:—

“The proposal to create circle in Kerala is still under consideration with P.F.D. therefore, this office is not in a position to fulfill the above assurance even partly.”

The assurance, however, is yet to be implemented.

(v)

Archaeological Survey of India's office in Kerala

31. On 30 April 1987 the following Unstarred Question (No. 8715) given notice of by Shri T. Basheer, M.P. was addressed to the Minister of Human Resource Development:

“(a) whether there was any proposal for opening an office of Archaeological Survey of India in Kerala; and

(b) if so, the reasons for not starting the office in the State so far?”

32. The then Minister of State in the Department of Education and Culture (Shrimati Krishna Sahi) in reply to the above question, stated as follows:

“(a) & (b): The financial requirements/staff needed for setting up a Circle Office in Kerala are under examination.”

33. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Human Resource Development by 29 July, 1987.

34. On 5 January, 1988 the Ministry of Human Resource Development approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

“The ASI has all India jurisdiction and at present has 18 Circles and 2 mini-circles to look after the work in the various regions. The ASI is also constantly engaged in reviewing the organisational structure and new Circles are opened whenever, for efficient organisation of work,

creation of new Circle is considered necessary. As a part of this exercise, it has been proposed that some new office should be opened including a new Circle in Kerala. However, before the Circle comes into existence, the financial and staff requirements have to be gone into thoroughly. This always takes time. It is, therefore, considered that the reply given to USQ. No. 8715 should not be treated as an assurance requiring implementation within a specific time limit.

Further, in the present circumstances when the Government has impressed upon the necessity for postponing expenditure on schemes other than those which are directly related to drought relief, it is not possible to indicate to precise time frame within which other Kerala Circle will start functioning."

35. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 12 February, 1988 and did not accede to the request of the Ministry. The Committee were of the view that the matter should not be dragged indefinitely and the assurance should be implemented without further loss of time. Extension of time as requested by the Ministry was granted upto 31 March, 1988.

36. The decision was conveyed to the Ministry. The Ministry sought further extensions for fulfilling the assurance. The last extension sought by the Ministry was upto 31 March, 1989 on the following grounds:—

"The proposal to create a circle in Kerala is still under consideration with IFD Department of Culture. Therefore, this office is not in a position to fulfill above assurance even partly".

The assurance, however, is yet to be implemented.

37. Both the aforesaid assurances are on same matter i.e. regarding opening of an office of the Archaeological Survey of India in Kerala and pertain to the Ministry of Human Resource Development. The note submitted to the Committee indicates that the Ministry have been considering the matter in a lax manner even after the Minister gave an assurance in Lok Sabha in reply to two questions. They see no justification for the delay of about two years in completing the review of organisational structure of Archaeological

Survey of India. The Ministry have not even cared to seek extension beyond 31 March, 1989. The Committee do not find any justification for so much delay in implementation of an assurance over a matter of this kind which ought to have been decided long before in the interest of the efficient working of the Archaeological Survey of India, an institution of national importance. They hope that the Ministry would lay on the Table of the House their decision in the matter without further loss of time.

(vi)

Demolition of Buddha Vihar in Munirka

38. On 21 August, 1987, Prof. Narain Chand Parashar, M.P. referring to reply given on 18 December, 1985 to Unstarred Question No. 4606 regarding demolition of a Buddha Vihar in Munirka addressed the following Unstarred Question (No. 4126) to the Minister of Home Affairs:

- “(a) the outcome of the investigation in the case; and
- (b) the action taken in this regard?”

39. The then Minister of State in the Ministry of Home Affairs (Shri Chintamani Panigrahi) gave the following reply:—

- “(a) and (b): The investigation in the two cases, registered under various Sections of the Indian Penal Code, was completed and challans filed in the Court. Both cases are pending trial.”

40. The reply to parts (a) and (b) of the above questions was treated as an assurance and was required to be implemented by the Ministry of Home Affairs by 20 November, 1987.

41. On 5 January, 1988 the Ministry of Home Affairs approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

- “The investigation in the two cases registered under various sections of the Indian Penal Code was completed and challans filed in the Court. Both the cases are pending trial. As the cases are pending trial in the court, there is nothing which the executive authority can do to expedite the trial. The cases are now in the jurisdiction of the judiciary and even a request for expediting the matters is treated as a contempt of court.”

42. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 12 February, 1988 and did not agree to it.

43. The Committee were of the view that instead of requesting for dropping of the assurance, the Ministry should have made efforts to implement the assurance and if required should have requested for extension of time.

44. The decision was conveyed to the Ministry. The Ministry sought further extensions for fulfilling the assurance. The last extension sought by the Ministry was upto 22 May, 1989 on the following grounds:—

“The cases are pending trial in the Court.”

The assurance is yet to be implemented.

45. The Committee are not impressed with the argument advanced by the Ministry for the dropping of the assurance, rather they feel surprised on their statement that even a request to the court for expediting the matters is treated as a contempt of court. Government being a party to the case can surely make a prayer to the court to expedite the judicial process. The Committee consider it unfortunate that the Ministry instead of making efforts in the right directions to ensure speedy implementation of the assurance should have approached them for its dropping. They hope that Ministry would move in the right direction and report to the House at the earliest possible opportunity.

(vii)

Propellant factory in Sagar, Madhya Pradesh

46. On 28 August, 1987, the following Unstarred Question (No. 5222) given notice of by Shri Nandlal Chaudhary, M.P. was addressed to the Minister of Defence:

“(a) the action still remains to be taken in regard to finalising the setting up of the proposed propellant factory in Sagar district of Madhya Pradesh;

(b) the time by which this factory is likely to be set up in Sagar district; and

(c) the likely cost of this factory and the names of the machines or equipments to be manufactured in it?”

47. The then Minister of State in the Ministry of Defence (Shri Shivraj V. Patil) gave the following reply:—

“(a) and (b): No decision has yet been taken on the site for the location of the proposed propellant factory. The recommendations of the Site Selection Committee are being examined. It is not possible to indicate the time frame within which final decision on the location would be taken.

(c) The details of the Project cost etc. will be known only after preparation and approval of the detailed Project Report.”

48. Reply to part (c) of the above Question was treated as an assurance and was required to be implemented by the Ministry of Defence by 27 November, 1987.

49. On 16 March, 1988, the Ministry of Defence approached the Committee on Government Assurance through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

“In part (c) of the subject question, the Honourable Member has desired to know the cost of the factory and the names of the machines or equipments to be manufactured in it. In this connection, it may be mentioned that Government approval is still to be given to the proposal of setting up of the factory. Besides, it is felt that furnishing details of the cost of the factory and the names of the machines and equipments to be manufactured in it would not be in public interest.”

50. The Committee considered the request of the Ministry of Defence for dropping of the assurance at their sittings held on 5 May, 1988 and did not agree to the request of the Ministry being not convinced with the reasons advanced by the Ministry of Defence, the Committee desired that the Ministry should seek extension of time as considered minimum to implement the assurance.

51. The decision was conveyed to the Ministry. The Ministry sought further extensions for fulfilling the assurance. The last extension sought by the Ministry was upto 30 June, 1989 on the following grounds:—

“The proposal requires, detailed scrutiny in terms of economic feasibility and utilisation of existing capa-

cities in the Government, Public and Private Sectors and the decision making process in this regard is a time consuming one, it is likely to take some more time to arrive at a final decision for its implementation."

The assurance is yet to be implemented.

52. The Committee regret to note that even after the lapse of about two years since the assurance was given in the House, the process of preparation and approval of the D.P.R. for the proposed propellant factory has not been completed. They recommend that the Ministry should expedite the approval of the D.P.R. and implement the assurance.

CHAPTER II

REQUEST FOR DROPPING OF ASSURANCES—NOT ACCEPTED AND SUBSEQUENTLY IMPLEMENTED

(i)

Establishment of Marine Park at Malwan

1. On 1 April, 1987 the following Starred Question (No. 505) given notice of by Dr. Datta Samant, M.P. was addressed to the Minister of Environment and Forests:—

“(a) the progress made so far in regard to establishment of Marine Park at Malwan in Sindhudurg district of Maharashtra and the money spent;

(b) the salient features of this park; and

(c) the estimated expenditure on this Park?”

2. The then Minister of Environment and Forests (Shri Bhajan Lal) gave the following reply:—

“(a) According to the report received from the Government of Maharashtra, the draft notification declaring an area of 2912 hectares at Malwan as a marine sanctuary, is under the consideration of the State Government No expenditure has been reported.

(b) & (c) A core area of 318 hectares and a buffer area of 2594 hectares has been proposed. At the present moment it is not possible to assess the cost involved.”

3. Reply to part (a) of the question was treated as an assurance and was required to be fulfilled by 30 June, 1987.

4. On 12 November 1987 the Ministry of Environment and Forests approached the Committee on Government Assurances through the

Ministry of Parliamentary Affairs to drop the assurances on the following grounds:—

“The reply furnished to the above question was self-contained and that the progress in the establishment of the Marine Park at Malwan and the amount spent on this Park was conveyed and this precisely was the purport of the question. The responsibility of creating a marine park rests fully with the State Government and not within the jurisdiction of the Central Government.”

5. The Committee considered the request of the Ministry of Environment and Forests for dropping of the assurance at their sitting held on 8 December, 1987 and decided not to drop the assurance. The decision was conveyed to the Ministry.

6. The Ministry implemented the assurance only on 4 November, 1988 by laying on the Table of the House Statement No. XII (item No. 9).

(ii)

Recognition of agents by Regional Passport Offices

7. On 8 May, 1987, the following Unstarred Question (No. 9557) given notice of by Dr. G. S. Rajhans and Shri Banwari Lal Purohit, M.Ps. was addressed to the Minister of External Affairs:—

(a) whether the approved agents of the International Air Transportation Association have recently lodged a protest against the Regional Passport Office for observing two sets of rules for granting recognition to agents;

(b) if so, the criteria for granting recognition to agents; and

(c) the reasons for delay in providing recognition?”

8. The Minister of State in the Ministry of External Affairs (Shri K. Natwar Singh) gave the following reply:—

“(a) No, Sir.

(b) A copy of the criteria for granting recognition to agents is being laid on the Table of House.

(c) 1032 applications were received for recognition under these criteria till 31st December, 1986 from both IATA approved

and other agencies. Out of these, 800 applications were from agencies already recognised in the past for dealing with various Passport Offices in India and 232 from agencies seeking recognition for the first time.

So far, 650 cases of agencies already dealing with Passport Offices, have been processed and decisions communicated to the agencies.

Applications of agencies seeking recognition for the first time are being processed and reports on them are being sought from Central and State Government authorities."

9. Reply to the above question was treated as an assurance and was required to be implemented by the Ministry of External Affairs by 7 August, 1987.

10. On 12 November, 1987 the Ministry of External Affairs approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

"The process of consideration of fresh applications from travel agencies seeking recognition under approved criteria on the basis of procedural reports thereon from Central and State Government authorities constitute a continuing process. Therefore statement of this fact in reply to the above Question should not be treated as an assurance."

11. The Committee considered the request of the Ministry of External Affairs for dropping of the assurance at their sitting held on 8 December, 1987 and did not accede to the request of the Ministry. The Committee observed that it was not for the Ministry to decide as to which reply should or should not be treated as an assurance as it was the sole prerogative of the Committee to decide the issue. While granting the extension of time upto 7 November, 1987, the Committee observed that the Ministry should seek further extension of time as might be minimum necessary to implement the assurance. The decision was conveyed to the Ministry.

12. The Ministry implemented the assurance only on 12 May, 1988 by laying on the Table of the House Statement No. IX (Item No. 4).

(iii)

Seizure of heroin near Jodhpur

13. On 29 July, 1987, the following Starred Question (No. 53) given notice of by Sarvashri M. Raghuma Reddy and Dharam Pal Singh Malik, M.Ps was addressed to the Minister of Finance.

- “(a) whether one quintal of heroin worth Rs. 25 crores was seized near Jodhpur in the third week of June, 1987;
- (b) if so, the details thereof;
- (c) whether any arrests have been made in this connection; and
- (d) the action being taken by the Government in this regard?”

14. The then Minister of State in the Ministry of Finance (Shri Janardhan Poojary) laid the following statement on the Table of the House in reply to the above question:

- “(a) to (d): On 10/11-6-1987, the Rajasthan State Police intercepted a truck at Jodhpur and seized 198.875 kgs. of heroin of Pakistani origin. In a follow up action, on 14.6.1987, a further quantity of 91.270 kgs. of heroin was also seized from the village Bangasar of Bikaner district. The truck driver and an associate had been arrested for appropriate action under the law.

Investigations in the case are under progress.

No precise value of the drugs seized can be determined as the same is dependent on various factors like the purity of the drug, source of origin, etc. and varies from place to place.”

15. The above statement of the Minister was treated as an assurance and was required to be implemented by the Ministry of Finance by 28 October, 1987.

16. On 19 November, 1987 the Ministry of Finance approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

- “In this connection it is submitted that the reply was framed only after carefully scrutinising the standard list of expressions which formally constitute an assurance in the Lok Sabha. The main purpose of stating that the investigations in the case are under progress was only to disseminate information with respect to part (d) of

the above question and not to hold out any kind of assurance which involves an undertakings for further necessary follow up action."

17. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 8 December, 1987 and did not accede to it. The decision was conveyed to the Ministry.

18. The Ministry implemented the assurance only on 2 March, 1988 by laying on the Table of the House Statement No. III (Item No. 30).

(iv)

Utilisation of funds allocated to Maharashtra

19. On 2 March, 1987, the following Starred Question (No. 67) given notice by Shri Sharad Dighe, M.P. was addressed to the Minister of Urban Development:—

- (a) whether Maharashtra Government have submitted details of schemes for utilisation of Rs. 100 crores given as a special grant to Bombay;
- (b) if so, the details thereof;
- (c) whether the team of Government officials that visited Bombay on 13 December, 1986 for discussion on allocation of funds for various such schemes for Bombay has submitted its report;
- (d) in how many phases Government propose to give the grant; and
- (e) whether any amount has actually been paid so far?"

20. The Minister of Urban Development (Shrimati Mohsina Kidwai) gave the following reply:

"(a) Yes, Sir.

(b) The State Government have proposed to take up three broad categories of schemes viz.

- | | |
|--------------------------------------------------|-----------------|
| (i) Slum upgradation schemes | — Rs. 22 crores |
| (ii) Dharavi Development | — Rs. 37 crores |
| (iii) Urban Renewal and Reconstruction in Bombay | — Rs. 41 crores |

Total

Rs. 100 crores

(c) Yes, Sir.

(d) The grant would be released in phases in the remaining years of the 7th Plan, depending on the pace of implementation of the schemes.

(e) Rs. 5 crores have already been released to the Government of Maharashtra so far."

21. Reply to part (d) of the above question was treated as an assurance and was required to be implemented by the Ministry of Urban Development by 1 June, 1987.

22. On 3 December, 1987 the Ministry of Urban Development approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

"Part (d) of Starred Question No. 67 dated 2-3-87 sought to know about the phasing of the grant proposed to be given to the Government of Maharashtra by Central Government for Bombay and in reply it has been mentioned that the grant would be released in phases during the remaining period of the 7th Plan and such phasing would depend on the progress of implementation of projects achieved by the Government of Maharashtra. Since more than two years of the 7th Plan are still left and funds are likely to be released only on the basis of pace of implementation, this Ministry would be not in a position to add any thing further to the reply already given."

23. The Committee considered the request of the Ministry for dropping of assurance at their sitting held on 7 January, 1988 and did not accede to it. The decision was conveyed to the Ministry.

24. The Ministry implemented the assurance only on 9 May, 1988 by laying on the Table of the House Statement No. XVI (item No. 7).

(v)

Workers participation in management of NAFED

25. On 27 April, 1987, the following Unstarred Question (No. 8152) given notice of by Shri Gadadhar Saha, M.P., was addressed to the Minister of Agriculture:—

“(a) whether under the Multi-State Cooperative Societies Act, 1984, the employees are allowed to participate in the management of the Cooperative Societies; and

(b) if so, the steps taken by Union Government to ensure workers participation in the management of NAFED?”

26. The then Minister of Agriculture (Shri G. S. Dhillon) gave the following reply:—

“(a) & (b): According to the provisions of Multi-State Cooperative Societies Act, 1984, every multi-State cooperative society is required to devise such procedure, as may be specified in the bye-laws or in the administrative instructions for association of the representatives of employees of such multi-state cooperative societies at such level or bodies as may be specified in the bye-laws or instructions issued in this regard, in the management decision making process.

In the absence of any specific provision in the bye-laws in this regard, the issue involved are under the consideration of NAFED.”

27. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Agriculture by 26 July, 1987.

28. On 15 December, 1987, the Ministry of Agriculture approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

“that the provisions contained in section 33 of the Multi-State Cooperative Societies Act, 1984 are only of enabling nature making it possible for a multi-state cooperative society to devise its own procedures in accordance with its bye-laws or administrative instructions to facilitate association of representatives of employees at such levels

or bodies as will be specified in their bye-laws, in the management decision making process. In other words, every multi-state cooperative society can devise procedures in the light of its own requirements in the fulfilment of the objectives outlined in the provisions contained in section 33 of the Act.

Para two of the reply given to the Unstarred Question states that the issue involved was under consideration of NAFED since there was no specific provisions in this regard in their bye-laws. NAFED is an autonomous co-operative organisation and it to take decision for association of employees in the management decision making process in the light of its own requirements. Such a proposal under consideration of cooperative autonomous organisation ought not, therefore, to constitute an Assurance on behalf of the Government of India."

29. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 7 January, 1988 and did not accede to it. The decision was conveyed to the Ministry.

30. The Ministry implemented the assurance only on 16 December, 1988 by laying on the Table of the House Statement No. XIV (item No. 1).

(vi)

Modernisation of IISCO

31. On 13 August, 1987, the following Starred Question (No. 245) given notice of by Sarvashri Basudeb Acharia and Subhash Yadav M.Ps was addressed to the Minister of Steel and Mines:—

"(a) whether any action plan with a specified time frame has been formulated to implement the modernisation scheme for the Indian Iron and Steel Company Limited and other steel plants; and

(b) if so, the details thereof?"

32. The Minister of Steel and Mines (Shri M. L. Fotedar) laid a statement on the Table of the House in reply to the above Question which *inter alia* stated as follows:—

"(a) & (b): Yes, Sir. With a view to modernising the IISCO Plant, at the request of the Government of India, the

Japanese International Co-operation Agency has prepared a feasibility report on the modernisation of Burnpur Works and Gua Iron Ore Mines of IISCO.

The proposed scheme envisages extensive changes in the Plant and contemplates an expansion in two stages over a period of six years to the ultimate capacity of production of 2.1 million tonnes of crude steel per annum.

Apart from IISCO, Durgapur and Rourkela Steel Plants are also proposed to be modernised. The modernisation of Durgapur Steel Plant is expected to commence in 1987 and be completed by 1992-93. This will enable it to operate at its rated capacity of 1.6 million tonnes per annum of ingot steel. The modernisation of Rourkela Steel Plant is expected to commence in 1988 and be completed by 1993. This will improve the capacity to 1.9 million tonnes per annum."

33. During the course of supplementaries on the question, Shri Basudeb Acharia, while referring to the feasibility report prepared by Japanese International Co-operation Agency on the modernisation of Burnpur Works and Gua Iron Ore Mines of IISCO, enquired from the Minister as to whether (i) the Government had examined the feasibility report prepared by the Japanese International Co-operation Agency; (ii) it was a fact that thousands of workers had to be retrenched with the modernisation of IISCO; and (iii) any fund had been earmarked for the modernisation of IISCO during the Seventh Five-Year Plan.

34. The Minister of Steel and Mines (Shri M. L. Fotedar) gave the following reply:—

"I may tell the Hon. Member that this is under examination. There are no funds in the Seventh Five Year Plan for this purpose. We are examining as to how to get the funds. Whether we will do it on turnkey basis or any other basis, that is still under examination. So, at this stage, I will not be able to tell the Hon. Member when it will be modernised and with whose help and with whose collaboration and with what technology because everything is under examination."

35. The above reply to supplementary raised on the question was treated as an assurance and was required to be implemented by 12 November, 1987.

36. On 3 December, 1987, the Ministry of Steel and Mines approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

“The statement made by Minister for Steel and Mines during the Debate in the Lok Sabha is a factual position. The Department of Steel, therefore, feel that the statement made by the Hon. Minister may not be treated as an assurance especially when a project like modernisation of steel plant involves elaborate exercise over a number of years. Also the whole question of funding the project is still in its formation.”

37. The Committee considered the request of the Ministry for dropping of assurance at their sitting held on 7 January, 1988 and did not accede to it.

38. The Committee while granting extension of time upto 12 February, 1988, desired that the Ministry should report the implementation of assurance within this extended period. The decision was conveyed to the Ministry.

39. The Ministry however, implemented the assurance only on 2 March, 1988 by laying on the Table of the House Statement No. III (item No. 91).

(vii)

Demand of Indian Commercial Vehicles

40. On 28 August, 1987, the following Starred Question (No. 483) given notice of by Shri Chintamani Jena, M.P. was addressed to the Minister of Commerce:—

- “(a) whether Indian commercial vehicles are in great demand abroad;
- (b) if so, the number of commercial vehicles exported annually and the name of the countries to whom exported;
- (c) whether Afghan Government has shown their interest to buy commercial vehicles from India and if so, the details thereof;
- (d) whether any negotiations are going on in this respect; and

(e) the steps being taken to locate more market for export of commercial vehicles during the years ahead?"

41. The then Minister of Commerce (Shri Narayan Datt Tiwari) laid a statement on the Table of the House in reply to the above question which *inter alia* statement as follows:—

"(a) & (b): A few countries have shown interest in importing commercial vehicles from India Exports of commercial vehicles have mainly been to Sri Lanka, Bangladesh, Malaysia, North Africa, Ghana, Afghanistan. The exports of commercial vehicles for the past three years in terms of numbers are given below:—

Year	Export in numbers
1984-85	2667
1985-86	2234
1986-87	2951

(c) & (d): Government of Afghanistan has shown interest in the purchase of buses from India and discussions were held in this regard.

(e): Efforts are being made by the companies and also through bilateral discussions to increase exports of Indian commercial vehicles."

42. Reply to part (e) of the above question was treated as an assurance and was required to be implemented by the Ministry of Commerce by 27 November, 1987.

43. On 11 January, 1988 the Ministry of Commerce approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

"The answer merely stated that efforts are being made by the companies and through bilateral discussions to increase exports of Indian commercial vehicles.

Discussions between the exporters and importers and at the Governmental level are a continuing process as part of the effort to increase exports of commercial vehicles. The results of such efforts cannot be quantified nor a time limit be fixed as to when results would emerge from these efforts. Further the inter-action by exporters with

clients|organisations abroad is commercial in nature and therefore kept confidential by them.”

44. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 27 January, 1988 and did not accede to it. The decision was conveyed to the Ministry.

45. The Ministry implemented the assurance only on 28 February, 1989 by laying on the Table of the House Statement No. XI (item No. 1).

(viii)

Opening of a department of clinical immunology and systemic Rheumatic Diseases in AIIMS.

46. On 24 July, 1986, the following Unstarred Question (No. 1055) given notice of by Shri Ram Dhan, M.P. was addressed to the Minister of Health and Family Welfare:

“(a) whether several Members of Parliament submitted a Memorandum to Health Minister to open a full-fledged Department of Clinical Immunology and Systemic Rheumatic Diseases in the All India Institute of Medical Sciences, New Delhi; and

(b) if so, the action taken thereon?

47. The Minister of State in the Ministry of Health and Family Welfare (Kumari Saroj Khaparde) gave the following reply:—

“(a) Yes Sir.

(b) the memorandum was considered by the All India Institute of Medical Sciences which has created a post of Professor of Medicine for coping with the additional load on the Immunology Clinics. A proposal for creation of a full-fledged Department of Immunology is being examined by the Institute.

48. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Health and Family Welfare by 23 October, 1986.

40. On 23 September, 1987, the Ministry of Health and Family Welfare requested for the dropping of the assurance on the following grounds:—

"In order to fulfill the assurances this Ministry has been making correspondence with the Director, A.I.I.M.S., New Delhi who has informed that a post of Professor of Medicine for immunology has already been created and filled up to meet the requirement of various patients requiring advice on Immunology disorders. A proposal to create a post of Lecturer in this Speciality is under consideration of the Academic Committee of the Institute and will be processed as soon as it is cleared. The Director, A.I.I.M.S. has further informed that for the establishment of a separate department, it would be necessary for the A.I.I.M.S. to provide minimum number of beds for specialised patient care services and all the infrastructure that goes with patient beds. At the present moment it is not possible for A.I.I.M.S. to provide separate beds for this new department but when the Cardiothoracic and Neurosciences patients are shifted to the new centres the Institute shall take steps to provide necessary infrastructure for separate department. It is envisaged that this process may take approximately two years to complete. It may further be informed that a Lab. Haematology Unit already exists at the A.I.I.M.S. but the establishment of separate Clinical Haematology unit has the same problem of limitation of beds and it is envisaged that both clinical Immunology and Clinical Haematology will be provided beds at the same time as referred to above.

.. In view of the position explained above, it will not be possible to fulfil the above mentioned assurance in the near future. In the circumstances, it is requested that the above mentioned assurance may kindly be deleted."

50. The Committee considered the request of the Ministry of Health and Family Welfare for dropping of the assurance at their sitting held on 27 January, 1988 and did not accede to it.

51. While granting extension of time upto 23 December, 1987 as requested by the Ministry, the Committee desired that the Ministry should seek further extension of time as might be considered minimum necessary to implement the assurance. The decision was conveyed to the Ministry.

52. The Ministry implemented the assurance only on 28 February, 1989 by laying on the Table of the House Statement No. XVIII (item No. 2).

(ix)

Supply of non-levy cement by ACC

53. On 21 April, 1987, the following Unstarred Question (No. 7299) given notice by Prof. Madhu Dandavate, M.P., was addressed to the Minister of Industry:

- “(a) whether non levy cement of ACC was supplied to its Bihar and Purulia district stockists from their Sindri Factory till March, 1985;
- “(b) whether supply of non-levy cement from elsewhere since April, 1985 has led to increase in prices;
- “(c) if so, whether the increased prices are higher by Rs. 10—15 per bag for non-levy cement in comparison with Bihar, Madhya Pradesh or Maharashtra;
- “(d) if so, whether complaints in this regard are pending before the MRTPC; and
- “(e) if so, remedial steps taken to protect the consumers?”

54. The then Minister of State for Industrial Development in the Ministry of Industry (Shri M. Arunachalam) gave the following reply:—

“(a) to (c): After the introduction of the scheme of partial decontrol of cement w.e.f. 28.2.82, cement is sold under two categories viz., levy and non-levy cement. While Levy Cement is subject to price and distribution control, non-levy cement is free from such control. Hence, companies are free to supply non levy cement to any area from any of their factories. In view of this, comparative figures of price of cement supplied by a company to any particular area are not required to be maintained by the Government.

“(d) & (e): Certain complaints against A.C.C. which are not directly related to parts (a) and (b) above have been received by the MRTPC and these are being investigated by the Commission.”

55. The reply to parts (d) & (e) of the above question was treated as an assurance and was required to be implemented by the Ministry of Industry by 20 July, 1987.

56. On 7 December, 1987, the Ministry of Industry approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

"The Question relates to the supply of non-levy cement by ACC to its stockists in Bihar and Purulia Distt. The Question sought information on whether ACC supplied non-levy cement to the stockists in this District from their Sindri factory till March, 1985 and whether the supply from other sources from April 1985 resulted in any increase in prices of non-levy cement (parts a & b of the Question). The parts (c) & (d) of the Question seek information on whether the prices of non-levy cement were higher by Rs. 10-15 per bag in comparison with Bihar, Madhya Pradesh or Maharashtra, and if so, whether complaints in this regard were pending before the MRTP Commission? Part (e) of the Question refers to the remedial steps for protecting the consumers.

It is clear from the above that the thrust of the Question is on the rise in the price of non-levy cement in Purulia Distt. a district in West Bengal on account of supply from alternative and far off sources instead of the nearest source from Sindri and other factories of ACC in Bihar. This has not been specifically stated in parts of (a) & (b) of the Question but it is clear from the working of both parts (a) & (b) of the Question that this is what the Member has in mind.

As part (d) of the Question related to MRTPC, this Deptt. had requested them to furnish necessary material for answering the Question. It was clear from the information furnished by the MRTP Commission that they had received complaints of Purulia Distt. ACC Cement Dealers Association against ACC. The main allegation against ACC are as follows:

- (i) While the ACC fixed the price of Rs. 65 per bag of cement for Bihar and West Bengal, it sold cement

at lower rates to the stockists in Bihar and at higher rates to the West Bengal stockists;

- (ii) That the stockists of Purulia took up the matter with the ACC, the company stopped its supplies to them w.e.f. July, 1985;
- (iii) Several clauses of the standard form of agreement of the Company are restrictive in nature.
- (iv) The company took different security deposits from its different stockists.

The Commission has also received other complaints against ACC like short supply in weight, forcible collection of additional security deposits etc.

It would be seen from the above that through the MRTP Commission have received complaints against the ACC, these complaints are not directly relatable to parts (a) and (b) of the Question, which relates to the increase in the prices of non-levy cement on account of the stoppage of supplies by ACC's cement factory at Sindri. This has been made clear in the reply given by this Deptt. On 21-4-87. The complaint relates to the violation of the provisions of the MRTP Act which are being investigated by the MRTP Commission. This Deptt. has also clarified in the answer that non-levy cement being outside price and distribution controls, the cement factories are free to supply non-levy cement to any area from any of their factories.

As the subject matter of the investigation by the MRTP is not directly related to the text of the Question, Ministry of Parliamentary Affairs are requested to move the Committee on Government Assurance for the deletion of the assurance under intimation to this Deptt. and extension of time upto 15th November, 1987."

57. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 12 February, 1988 and not convinced with the reasons put forth by Ministry of Industry as such did not agree to drop the assurance. While granting extension of time upto 31 January, 1988 as requested by the Ministry, the Committee desired that the Ministry should take care to submit their request for extension of time well before the expiry of the stipulated time. The decision was conveyed to the Ministry.

58. The Ministry implemented the assurance only on 9 May, 1989 by laying on the Table of the House Statement No. XVI (item No. 5).

(x)

Grade system for X and XII Class examination results

59. On 20 August, 1987, the following Unstarred Question (No. 3999) given notice of by Dr. B. L. Shailesh and Shri Balasaheb Vikhe Patil, M.Ps. was addressed to the Minister of Human Resource Development:—

- “(a) whether as part of the examination reforms advocated in new education policy, it is proposed to do away with the present system of declaring results in the form of marks and divisions in Class X and XII board examinations and replaced by a system of grades in the next few years;
- (b) if so, the broad outlines of the proposed reforms and the introduction of the grade system in the schools; and
- (c) the stage at which it stands at present?”

60. The then Minister of State in the Departments of Education and Culture (Shrimati Krishna Sahi) gave the following reply:—

“(a) Yes. Sir.

(b) & (c): The details of Grading System have yet to be worked out. As a preliminary step, a seminar was recently organised by NCERT in July, 1987 in which a 9-Point Grading System has been recommended for adoption by different Boards of Secondary Education. The seminar has recommended introduction of Grading System for Class X with effect from 1990 and for Class XII with effect from 1992. However, this schedule of implementation has yet to be accepted by the different Boards.”

61. Reply to parts (b) and (c) of the above question was treated as an assurance and was required to be implemented by the Ministry of Human Resource Development by 19 November, 1987.

62. On 11 January, 1988, the Ministry of Human Resource Development approached the Committee on Government Assurances

through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

"The Examination Reform is a long drawn out process and these reforms can only be brought in a phased manner after examining each pros and cons minutely. NCERT organised a high level seminar on scaling and grading in July, '87. In brief, the Seminar has recommended the abolition of the system of declaring students as pass or fail in Class X and XII of boards Examination and declaration of subject-wise results in the form of grades without giving a composite score and/or overall divisions. The Seminar has also recommended that the new system should be introduced for the examination at the end of Class X in 1990 and for the examination at the end of Class XII in 1992. The recommendations and their implications are proposed to be discussed with the Boards to obtain their concurrence and to work out modalities of implementation. Necessary preparatory work is also proposed to be done during the next two years for facilitating implementation of the reforms by the Boards. The recommendation and programme for follow up action is under active consideration.

It may be noted that each board of secondary education is an autonomous body and NCERT recommendations do not get routinely implemented. In this case NCERT recommendation only relates to the policy which will have to be accepted by the Government and the State Governments. As the reply indicates, the switchover to the 'grade' system can take place by 1992 even presuming that everyone concerned agrees to accept it. A programme spanning such a time period and at present only under contemplation will constitute difficulties as an assurance for fulfilment. It therefore appears unsuitable to treat this as an assurance.

From above it is quite obvious that it may not be appropriate to fix any time schedule for implementation of the examination reforms. In these circumstances, it is requested that the Committee on Government Assurances, Lok Sabha may be moved for the deletion of the assurance."

63. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 12 February, 1988 and did not agree to drop the assurance. The decision was conveyed to the Ministry.

64. The Ministry implemented the assurance only on 28 February, 1989 by laying on the Table of the House Statement No. XI (item No. 6).

(xi)

Bungling in appointment in a Bank

65. On 19 August, 1987, the following Unstarred Question (No. 3614) given notices of by Sarvashri Vilas Muttemwar and Sarfaraz Ahmed, M.Ps was addressed to the Minister of Finance:—

- “(a) whether attention of Government has been drawn to the news item captioned “Safal Ummidwaron Ko Bank ne aath saal tak niyukti nahin di” (successful candidates not given promotion in bank for eight years) appearing on page 7 in the daily ‘Jansatta’ on 1 June, 1987.
- (b) the reaction of Government thereto and the name of the bank involved;
- (c) whether there have been complaints or irregularities in the said bank;
- (d) whether the successful candidates have since been appointed; and
- (e) if not, the reasons therefor and the time by which they are likely to be appointed?”

66. The then Minister of State in the Ministry of Finance (Shri Janardhana Poojary) gave the following reply:—

“(a) Yes, Sir.

- (b) to (e) The case pertains to Union Bank of India and Government is seized to the matter. The Bank held examinations/interviews in 1978 i.e. prior to setting up of Banking Service Recruitment Boards which are presently entrusted with the job of recruitment of officers and Clerical Cadre in public sector banks. The vacancies of zonal basis for which the aforesaid examinations/interviews were conducted were identified as per the

promotion agreement entered into with the union by the bank. The alleged irregularities in recruitment have since been examined by the bank. Zonal vacancies were correctly filled up by the bank on the basis of zonal merit lists. In utilising one zone's merit lists for meeting shortfalls in another zone's (where the number of successful candidates were less than the number of vacancies) the bank omitted 4 women and 4 internal candidates because these candidates were expected to be offered appointments in 1979 within the zone itself. This could not be done due to the setting up of the Banking Service Recruitment Boards. A decision was taken to redress the grievances of the eight candidates who were left out at that time by offering them appointment as Officers. The Bank has now reported that of these eight candidates, two internal candidates have already been promoted in the Officers' Cadre in the normal course; one has left Bank's service and one has not accepted the offer and moved the High Court of Delhi for getting the salary with retrospective effect. His case has been reported to have been dismissed by the Delhi High Court. The Bank was having difficulty in finding the latest address of the candidates who had resigned and the remaining 4 women candidates. However, the bank is making efforts to contact these candidates and offer them appointment.

67. Reply to parts (b) to (e) of the above Question was treated as an assurance and was required to be implemented by the Ministry of Finance by 18 November, 1987.

68. On 8 February, 1988, the Ministry of Finance approached the Committee on Government Assurance through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

"The Department feels that this does not constitute an assurance as full available facts were reported in the answer and an incorrect Hindi translation is responsible for treating it as an Assurance. In the English version of the reply it has been stated that 'Government is seized of the matter' and this has been translated as

"सरकार इस मामले पर गौर कर रही है"।

Since there is no further material to submit nor any such valid assurance was made in the reply."

69. The Committee considered the request of the Ministry of Finance for dropping of the assurance at their sitting held on 5 May,

1988 and decided not to drop the assurance. The Committee also observed that the Hindi translation of the matter appears to be in order. They desired that the Ministry should give the latest position of the case and seek further extension of time. However, the extension of time sought by the Ministry upto 18 November, 1987 was granted. The decision was conveyed to the Ministry.

70. The Ministry implemented the assurance only on 9 May, 1989 by laying on the Table of the House Statement No. XII (item No. 5).

(xii)

Hijacking of PAN AM Airlines

71. On 6 November, 1986, the following Starred Question (No. 44) given notice of by Sarvashri C. Janga Reddy and Bharat Kumar Odedra M. Ps. was addressed to the Minister of Civil Aviation:

- “(a) the details of facts in possession of Government of India in regard to the PAN AM Jet Airliner Hijacked on 6 September, 1986 from Bombay to Karachi Airport. Including the number of passengers killed/injured, their nationality, the version of the passengers about the happenings and the circumstances leading to the incident and action taken/proposed in the matter;
- (b) the assessment of Government of India about this incident, especially role of Pakistan authorities in handling the situation and whether it has been conveyed to Pakistan Government and if so, their response thereto;
- (c) the views of the PAN AM authorities and the US Government in the matter; and
- (d) what steps have been taken to ensure adequate compensation to the next of kins of the deceased passengers and to injured passengers.”

72. The then Minister of State in the Ministry of Civil Aviation (Shri Jagdish Tytler) gave the following reply:—

“the authentic and official account of the recent hijacking of PAN AM Airliner at Karachi is still awaited”.

73. Reply to the above question was treated as an assurance and was required to be implemented by the Ministry of Civil Aviation by 5 February, 1987.

74. On 28 March, 1988, the Ministry of Civil Aviation approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:

"This hijacking took place in Pakistan. The aircraft was not Indian, nor was it hijacked from Indian Territory. Therefore this Ministry has to obtain the information from the Ministry of External Affairs. Ministry of External Affairs has been reminded several times but their response is that authentic account of the PAN AM hijacking is still awaited from the Government of Pakistan. After a period of about 15 months, no information has been received from the Pakistan Authorities through Ministry of External Affairs. In view of the position explained above, it is not possible to fulfil the assurance."

75. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 5 May, 1988 and did not accede to it.

76. The Committee desired that the Ministry of Tourism and Civil Aviation should make attempt to get the requisite information from Government of Pakistan. However, the extension of time upto 5 May, 1988 was granted. The decision was conveyed to the Ministry.

77. The Ministry implemented the assurance only on 28 February, 1989 by laying on the Table of the House Statement No. XV (item No. 1).

(xiii)

Non Payment of Pensioners' Dues

78. On 25 March, 1987, the following Unstarred Question (No. 4132) given notice of by Shri P. M. Sayeed, M.P. was addressed to the Prime Minister:

- "(a) the number of persons who retired from the Central Government service during the last three years;
- (b) the number of such pensioners whose pension of General Provident Fund cases have not so far been settled; and
- (c) the reasons therefor?"

79. The then Deputy Minister in the Ministry of Personnel, (Public Grievances and Pensions (Shri B. S. Engti) in reply to the above question stated as follows:

"(a), (b) (c). The information is not readily available."

80. The above reply to the question was treated as an assurance by the Committee and was required to be implemented by the Ministry of Personnel, Public Grievances and Pensions by 24 June, 1987.

81. On 14 March, 1988, the Ministry of Personnel, Public Grievances and Pensions approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs to drop the assurance on the following grounds:—

"It will be appreciated that the collection of the information regarding the number of persons who retired from the Central Government during the last 3 years is not only a time consuming process as the information is required to be collected from all over the country, but also not cost effective in terms of the results to be achieved. Further, the pension payment orders are issued by the various agencies like Pay & Accounts Officers and Accountants General. In some cases the GPF is settled by the Pay & Accounts Officers, in others by the Accountants General and in some cases by the State Governments (e.g. the All India Service Officers). Having regard to the above and in the absence of a Centralised system, we are managing or controlling the timely authorisation of Pension and Payment of other retirement dues by exception. Vide our O.M. dated January 22, 1987, we have asked the Central Government pensioners who do not receive provisional or final pension and other dues on the date of retirement, to lodge a complaint with this Department to enable us to take up their cases with the concerned authorities. In response to this O.M. 19 cases were received upto 21-12-1987, out of which 14 have been disposed of. The remaining 5 cases are also being pursued at the highest level to seek expeditious settlement. In view of the above position, I would request you to kindly have this assurance dropped from the list of Assurances pending against this Ministry."

82. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 5 May, 1988 and did not agree to drop the assurance. Not convinced with the reasons given by the Ministry of Personnel Public Grievances and Pensions, the Committee desired that the Ministry should ex-

pedite the implementation of the assurance and in the meantime extension of time as considered minimum to implement the assurance be sought.

83. The Ministry implemented the assurance only on 5 August, 1988 by laying on the Table of the House Statement No. X (item No. 21).

84. The Committee note that in most of the forgoing instances, the Ministries have taken about two years to implement the assurances. They regret to observe that the Ministries concerned tried to wriggle out of the assurances by approaching them for dropping the assurances and only when this was not agreed to, the assurances have been implemented. The Committee reiterate that instead of making flimsy requests for dropping the Ministries should make sincere efforts to implement the assurances expeditiously.

ANNEXURE I

(Vide Para-2 of Chapter-I of Report)

List of items pending arising out of the last National Council Meeting Held on 7-2-1987.

S.No.	Item in brief, pending in National Councils	Since when pending
1.	Payment of HRA & CCA based on 1981 Census.	National Council of February, 1987.
2.	Dearness Allowance and Additional Dearness Allowance are not to be treated as pay for the purpose of calculation of Income Tax Judgment delivered by Appellate Assistant Commissioner of Income Tax, Madras.	
3.	Rule 7 of Central Civil Services (Revised Pay) Rules 1986—Unfair deal to those in respect of personal pay in the old scales of pay Notification No. 15 (i)—IC/86, dated 13-9-86.	
4.	Promotion of staff facing DAR cases. Disciplinary cases coming in the way of promotion of the staff.	
5.	Counting of service rendered as Casual Labour paid from Muster roll/Contingencies for retirement benefits.	
6.	Machinery to review periodically the pay and allowances of Central Govt. employees.	
7.	D.A. Formula.	
8.	Risk Allowance to various categories of employees exposed to hazards.	
9.	Selection Grade.	
10.	Date of effect of implementation of Award of the Board of Arbitration.	
11.	Maternity Leave.	
12.	Liberalisation in the Scheme of stepping up.	

S. No.	Item in brief, pending in National Councils	Since when pending
13	House Building Advance	
14	Leave entitlement for Industrial Staff liberalisation therein.	National Council of July, 1986.
15	Dispensing with security from Cashiers and insuring them against losses in transit.	
16	Grants-in-aid for recreation clubs.	
17	Age relaxation for nursing staff for direct recruitment against higher posts.	
18	Administrative Tribunal Amendment.	
19	Improper implementation of Award of Board of Arbitration in C.A. Reference No. 2 of 1983. Parity in the matter of half-pay-leave between industrial and non-industrial employees in Central Govt. other than Railways.	
20	Non-implementation of five Awards in the Ministry of Defence.	National Council of July, 1986.
21	Promotional prospects of Senior Investigators.	
22	Methodology of placing the matter before parliament in respect of two-Awards where modification/rejection was sought by Govt.	
23	Allotment of land for Trade Unions of Govt. employees.	
24	Working hours for sanction of staff.	
25	Compensatory/Tribal Area Allowance to Central Govt. employees posted in Tribal Areas (M.P.)	
26	Long leave after child-birth	
27	(i) Medical Allowance to staff in the interior.	National Council of January, 1986.
	(ii) Establishment of Central Govt. hospitals under Central Govt. Health Scheme.	
28	Payment of HRA to Central Govt. employees working in Sultanpur (U.P.)	

S.No. Item in brief, pending in National Councils	Since when pending
29 Bonus formula in respect of Departments in which formulae have not been finalised.	
ITEMS PENDING IN THE COMMITTEES OF NATIONAL COUNCIL.	
30 Supply of liveries to various categories of employees.	July, 1986
31 Grant of family pension to the families of C.G. E. absorbed permanently in the autonomous bodies and Public Sector Undertakings.	July, 1986
32 (i) 40 hours—5 days week.	
(ii) 40 hours a week for industrial and operative Staff of Central Government	
33 Working hours, OTA, Weekly off, holidays for excluded/common categories.	
34 O.T.A. Rates	
35 Welfare measure.	National Council of January, 1986.
36 Housing for Central Government Employees.	
37 Construction of houses for the retired and retiring Central Government servants who do not own any house in Delhi/New Delhi.	
38 Labour Laws	
39 A C E R C S C C or North Eastern Regions.	May, 1982
40 Recognition Rules.	April, 1979
41 Self-Financing Scheme to increase pension to the level of the last pay drawn for Central Government employees.	January, 1977

MINUTES

Minutes of the Eighth Sitting of the Committee on Government Assurances held on 8 December, 1987 in Committee Room No. 53 Parliament House, New Delhi.

The Committee met on Tuesday, 8 December, 1987, from 15.30 hours to 16.20 hours.

PRESENT

Prof. Narain Chand Parashar—*Chairman*

MEMBERS

2. Shri L. Balaraman
3. Shri Bapulal Malviya
4. Shri Sanat Kumar Mandal
5. Shri P. Namgyal
6. Shri V. Krishna Rao
7. Shri Bhola Raut
8. Shri Kamla Prasad Singh
9. Shrimati Usha Thakkar

SECRETARIAT

1. Shri C. K. Jain—*Chief (Questions)*
2. Shri Raghbir Singh—*Senior Examiner of Questions*

2. The Committee took up for consideration Memoranda Nos. 108, 109, 110 and 112.

Memorandum No. 108: Request for dropping of assurance given on 1 April, 1987 in reply to Starred Question No. 505 regarding establishment of Marine Park at Malwan.

3. The Committee considered the following request of the Ministry of Environment and Forests received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII/EF (20) SQ-

505-LS/87 dated 12-11-1987 for dropping of the assurance on the following grounds:—

"The reply furnished to the above question was self-contained and that the progress in the establishment of the Marine Park at Malwan and the amount spent on this Park was conveyed and this precisely was the purport of the question. The responsibility of creating a marine Park rests fully with the State Government and not within the jurisdiction of the Central Government."

3. The Committee did not agree to the request of the Ministry of Environment and Forests for the dropping of the assurance and would like them to implement the assurance at the earliest. The Committee felt unhappy about the vaguely worded request of the Ministry for extension of time. They desired that the Ministry should take note of it and submit their request for extension of time specifying a particular date by which the Ministry would be able to implement the assurance.

Memorandum No. 109: Request for dropping of assurance given on 8 May, 1987, in reply to Unstarred Question No. 9557 regarding recognition of agents by regional passport office.

4. The Committee considered the following request of the Ministry of External Affairs received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII/EA (10) USQ-9557-LS/87 dated 12-11-87 for dropping of the assurance on the following grounds:

"The process of consideration of fresh applications from travel agencies seeking recognition under approved criteria on the basis of procedural reports thereon from Central and State Government authorities constitute a continuing process. Therefore statement of this fact in reply to the above question should not be treated as an assurance."

4.1. The Committee did not accede to the request of the Ministry of External Affairs and desired that the Ministry should implement the assurance at the earliest. The Committee observed that it was not for the Ministry to decide as to which reply should or should not be treated as an assurance as it was the sole prerogative of the Committee to decide this issue while granting extension of time upto 7 November, 1987. The Committee observed that the Ministry should seek further extension of time as might be considered minimum to implement the assurance

Memorandum No. 119: Request for dropping of assurance given on 22 April, 1987 in reply to Unstarred Question No. 7461 regarding items pending with National Council of Joint Consultative Machinery.

5. The Committee considered the following request of the Ministry of Personnel, Public Grievances and Pensions received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VIII/PAPP (16) USQ. 7461-LS/87 dated 6-11-87 for dropping of the assurance on the following grounds:—

“National Council of the Joint Consultative Machinery and Compulsory Arbitration for Central Government employees is a forum where the staff representatives of the Central Government employees submit their items relating to the conditions of service for consideration and decision, of the Government. Most of the items involve for reaching administrative and financial implications. As such they require policy decision of the Government at the highest level. It is, therefore, generally not possible to decide such issues in the same sitting of the National Council. While certain items remain under Government's consideration, National Council also appoints its Committees on certain items for detailed consideration. These Committees in turn take quite some time before finalising their Reports/recommendations as finalisation of their reports/recommendations involve collection of detailed data and other particulars. After the reports/recommendations are submitted by the Committees, Government takes some more time to finalise the Government stand on such issues. All this process therefore involves more than a year and in certain cases more than a couple of years. For instance, it will be seen from the enclosure to the reply to Lok Sabha Unstarred Question No. 7461 dated 22-4-87 that one of the items is pending since January, 1977, the other since April, 1979 and the third from May, 1982 etc.”

5.1. The Committee did not agree to the dropping of the assurance. The Committee felt that the request of Ministry for extension of time for more than a year i.e. upto 3-12-1988 was not justified. They observed that the Ministry should make efforts to implement the assurance on or before 3-2-1988.

Memorandum No. 112: Request for dropping of assurance given on 29 July, 1987, in reply to Starred Question No. 53 regarding seizure of heroin near Jodhpur.

6. The Committee considered the following request of the Ministry of Finance received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII-2Fin. (1) SQ. 53/LS-87 dated 19-1-87 for dropping of the assurance on the following grounds:—

“In this connection it is submitted that the reply was framed only after carefully scrutinising the standard list of expressions which normally constitute an assurance in the Lok Sabha. The main purpose of stating that “the investigations in the case are under progress” was only to disseminate information with respect to part (d) of the above question and not to hold out any kind of assurance which involves an undertaking for further necessary follow up action.”

6.1. The Committee did not agree to the dropping of the assurance and granted extension of time upto 28 January, 1988 as requested by the Ministry. The Committee further observed that it was for them and not for the Ministry of Finance to decide as to whether the reply of the Minister constituted or not an assurance.

7. The Committee took up for consideration their draft Ninth Report and adopted the same. The Committee authorised the Chairman to present the Report before the end of the current Session.

8. The Committee then adjourned.

MINUTES

Minutes of the Ninth sitting of the Committee on Government Assurance held on 7 January, 1988 in Committee Room No. 50, Parliament House, New Delhi

The Committee met on Thursday, 7 January, 1988 from 11.00 hrs. to 12.10 hrs.

PRESENT

Prof. Narain Chand Parashar—*Chairman*

MEMBERS

2. Shri L. Balaraman
3. Shri Abdul Rashid Kabuli
4. Shri Bapulal Malviya
5. Shri Sanat Kumar Mandal
6. Shri P. Namgyal
7. Shri Bhola Raut
8. Shri Kamla Prasad Singh
9. Shrimati Usha Thakker

SECRETARIAT

Shri Raghubir Singh—*Senior Examiner of Questions*

2. The Committee took up for consideration the draft Tenth Report and adopted the same. The Committee authorised the Chairman to present the report in the next session of Lok Sabha.

3. The Committee took up for consideration Memoranda Nos. 113, 114, 116, 117 and 118.

Memorandum No. 113: Request for dropping of assurance given on 28 August, 1987, in reply to Unstarred Question No. 5295 regarding contribution to Indian Organisations.

4. The Committee considered the request of the Ministry of Home Affairs received through the Ministry of Parliamentary Affairs *vide*

their U.O. Note No. VIII-2/HA(34) USQ-5885-LS/87 dated 2 December, 1987 for dropping of the assurance on the following grounds:—

“When this Ministry had replied the parts (c) & (d) of the question by stating that “the present Act does not provide punishment for misutilisation. The amendment of Act is under consideration”, the intention of the Government was not to give an assurance as such. While saying so this Ministry had only meant to indicate that the loop-holes in the present Act needed plugging by bringing amendments to the Act, The sentence of the answer indicated the approach and expectation of the Government. The Ministry do not consider that this amounts to an assurance. It would be appreciated that the process of bringing about amendments in such enactments does take time, it is, therefore, not possible to fulfil the assurance within a particular time frame.”

4.1 The Committee did not agree with the reasons adduced by the Ministry for the dropping of the assurance. They also expressed their unhappiness on the statement of the Ministry that the reply of the Minister was not intended to give an assurance. The Committee directed that the assurance should be implemented by 27 February, 1988 upto which Ministry had requested for extension of time.

Memorandum No. 114: Request for dropping of assurance given on 2 March, 1987, in reply to Starred Question No. 67 regarding utilisation of funds allocated to Maharashtra.

5. The Committee considered the request of the Ministry of Urban Development received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII-UD(63) SQ. 67-LS/87, dated 3.12.1987 for dropping of the assurance on the following grounds:

“Part (d) of Starred Question No. 67 dated 2-3-1987 sought to know about the phasing of the grant proposed to be given to the Government of Maharashtra by Central Government for Bombay and in reply it has been mentioned that the grant would be released in phases during the remaining period of the 7th Plan and such phasing would depend on the progress of implementation of projects achieved by the Government of Maharashtra. Since more than two years of the 7th Plan are still left and funds are likely to be released only on the basis of pace of implementation, this Ministry would be not in a position to add anything further to the reply already given.”

5. The Committee were not convinced with the grounds on which the Ministry of Urban Development had sought to drop the assurance. They decided to call the representatives of the Ministry of Urban Development for oral evidence.

Memorandum No. 116: Request for dropping of Assurance given on 30 July, 1987 in reply to Unstarred Question No. 792 regarding legal measures to safeguard against AIDS.

6. The Committee considered the request of the Ministry of Health and Family Welfare received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VIII-2/HFW(8) USQ. 792-LS/87 dated 16.12.1987 for dropping of the assurance on the following grounds:—

* * *

4. There is, at present no vaccine for the prevention of the disease nor it is possible to cure the disease which invariably proves fatal. Though global research efforts are on to develop effective vaccine to prevent development of AIDS disease in a symptomatic HTV infected persons, yet no effective vaccine is available till date. Government is constantly reviewing the available global information for the prevention of the disease. So many preventive steps are being taken by the Government to prevent the spread of the disease. The question of enacting legislation to prevent further infection of nationals with AIDS either from foreigners with infection or nationals with infection is under consideration. Need for legislation on AIDS is a complex policy matter involving a number of other Departments/Agencies. The final decision can be taken only after careful examination of legal, social, ethical and related issues.

* * *

7.1 The Committee were not convinced with the grounds on which the Ministry had sought for dropping of the assurance. It was decided that the representative of the Ministry be asked to appear before the Committee for oral evidence.

Memorandum No. 117: Request for dropping of assurance given on 27 April, 1987 in reply to Unstarred Question No. 8152 regarding workers participation in management of NAFED.

8. The Committee considered the request of the Ministry of Agriculture received through the Ministry of Parliamentary Affairs *vide*

their U.O. Note No. VIII/Agri. (44)USQ. 8152-LS/87 dated 15.12.1987 for dropping of the assurance on the following grounds:

"that the provisions contained in section 33 of the Multi-State Cooperative Societies Act, 1984 are only of enabling nature making it possible for a multi-state cooperative society to devise its own procedures in accordance with its bye-laws or administrative instructions to facilitate association of representatives of employees at such levels or bodies as will be specified in their bye-laws, in the management decision making process. In other words, every multi-state cooperative society can devise procedures in the light of its own requirements in the fulfilment of the objectives outlined in the provisions contained in section 33 of the Act.

Para two of the reply given to the Unstarred Question states that the issue involved was under consideration of NAFED since there was no specific provision in this regard in their bye-laws. NAFED is an autonomous cooperative organisation and is to take decision for association of employees in the management decision making process in the light of its own requirements. Such a proposal under consideration of cooperative autonomous organisation ought not, therefore, to constitute an assurance on behalf of the Government of India."

8.1 Finding the grounds given by the Ministry for the dropping of the assurance, the Committee decided to ask the representatives of the Ministry to appear before them for oral evidence.

Memorandum No. 118: Request for dropping of assurance given on 13 August, 1987 in reply to Starred Question No. 245 regarding modernisation of IISCO.

9. The Committee considered the request of the Ministry of Steel and Mines received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII-2/SM(1) SQ. 245-LS/87 dated 3.12.87 for dropping of the assurance on the following grounds:

"The statement made by Minister for Steel and Mines during the debate in the Lok Sabha is a factual position. The Department of Steel therefore, feel that the statement made by the Hon. Minister may not be treated as an assurance especially when a project like modernisation of steel plant involves elaborate exercise over a number of years.

Also the whole question of funding the project is still in its formation."

9.1 The Committee did not agree to the request of the Ministry of Steel and Mines for dropping the assurance. They desired that the Ministry should report the implementation of assurance by 12 February, 1968 upto which the Ministry had sought extension.

10. The Committee then adjourned to meet again on 27 January, 1968.

MINUTES

Minutes of the Tenth Sitting of the Committee on Government Assurances held on 27 January, 1988 in Committee Room No. 'C', Parliament House Annexe, New Delhi.

The Committee met on Wednesday, 27 January, 1988 from 14.00 hrs. to 15.00 hrs.

PRESENT

Prof. Narain Chand Parashar—Chairman

MEMBERS

2. Shri L. Balaraman
3. Shri Abdul Rashid Kabuli
4. Shri Bapulal Malviya
5. Shri Sanat Kumar Mandal
6. Shri P. Namgyal
7. Shri V. Krishna Rao
8. Shri Bhola Raut
9. Shri Prabhu Lal Rawat
10. Shrimati Shanti Devi
11. Shri Kamla Prasad Singh
12. Shrimati Usha Thakkar

SECRETARIAT

1. Shri C. K. Jain—*Chief (Questions)*
2. Shri S. C. Gupta—*Chief (Questions)*
3. Shri J. D. Bhalla—*Senior Examiner of Questions*

2. The Committee at the outset took up for consideration Memoranda Nos. 119, 120 and 121.

Memorandum No. 119: Request for dropping of assurance given on 28 August, 1987 in reply to Starred Question No. 483 regarding demand of Indian Commercial Vehicles.

3. The Committee considered the request of the Ministry of Commerce received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII-2|Com-5-SQ. 483-LS|87 dated 11.1.1988 for dropping of the assurance on the following grounds:—

“The answer merely stated that efforts are being made by the companies and through bilateral discussions to increase exports of Indian commercial vehicles. Discussions between the exporters and importers and at the Governmental level are a continuing process as part of the efforts to increase exports of commercial vehicles. The results of such efforts cannot be quantified nor a time limit be fixed as to when results would emerge from these efforts. Further the interaction by exporters with clients/organisations abroad is commercial in nature and therefore kept confidential by them.”

3.1 The Committee after going through the pros and cons of the issue did not accede to the request of the Ministry of Commerce to drop the assurance. They decided that the Ministry of Commerce should intimate the latest position, alongwith the progress made so far in the implementation of the assurance. The Ministry should also seek extension of time as might be considered minimum to implement the assurance.

Memorandum No. 120: Request for dropping of assurance given on 24 July, 1986, in reply to Unstarred Question No. 1055 regarding opening of a department of clinical immunology and systemic rheumatic diseases in AIIMS.

4. The Committee considered the request of the Ministry of Health and Family Welfare vide their O.M. No. H. 11016|21|86-ME (PG) dated 23 September, 1987 for dropping of the assurance on the following grounds:—

“In order to fulfil the assurance this Ministry has been making correspondence with the Director, AIIMS, New Delhi who has informed that a post of Professor of Medicine for immunology has already been created and filled upto meet the requirement of various patients requiring advice on Immunology disorders. A proposal to create a post of Lecturer in this Speciality is under consideration of the Academic Committee of the Institute and will be processed as soon as it is cleared. The Director, AIIMS has further informed that for the establishment of a separate departments, it would be necessary for the AIIMS to

provide minimum number of beds for specialised patient care services and all the infrastructure that goes with patient beds. At the present moment it is not possible for AIIMS to provide separate beds for this new department but when the Cardiothoracic and Neurosciences patients are shifted to the new centres the Institute shall take steps to provide necessary infrastructure for separate department. It is envisaged that this process may take approximately two years to complete. It may further be informed that a Lab. Haematology Unit already exists at the AIIMS but the establishment of separate Clinical Haematology Unit has the same problem of limitation of beds and it is envisaged that both Clinical Immunology and Clinical Haematology will be provided beds at the same time as referred to above.

In view of the position explained above, it will not be possible to fulfil the above mentioned assurance in the near future. In the circumstances it is requested that the above mentioned assurance may kindly be deleted."

4.1. The Committee were not convinced with the reasons put forward by the Ministry of Health and Family Welfare and decided not to drop the assurance. The extension of time upto 23 December, 1987 as requested by the Ministry was granted. The Committee desired that the Ministry of Health and Family Welfare should seek further extension of time as might be considered minimum to implement the assurance.

Memorandum No. 121: Request for dropping of assurance given on 30 July, 1987 in reply to Unstarred Question No. 692 regarding places under the protection of A.S.I. (Kerala).

5. The Committee considered the request of the Ministry of Human Resource Development received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII-2/HRD(2) USQ. 692-LS/87 dated 1.1.1988 for dropping of the assurance on the following grounds:—

"The Archaeological Survey of India has all India jurisdiction and at present has 16 Circles and 2 Mini Circles to look after the work in the various regions. The ASI is also constantly engaged in reviewing the organisational structure and new Circles are opened whenever, for efficient organisation of work, creation of new circle

is considered necessary. As a part of this exercise, it has been proposed that some new offices should be opened including a new circle in Kerala. However, before the Circle comes into existence the financial and staff requirements have to be gone into thoroughly. This always takes time. It is, therefore, considered that the reply given to part (b) of USQ No. 692 should not be treated as an assurance requiring implementation within a specific time limit.

Further, in the present circumstances when the Government has impressed upon the necessity for postponing expenditure on schemes other than those which are directly related to drought relief, it is not possible to indicate the precise time frame within which the Kerala Circle will start functioning.

If the reply is treated as assurance it will take a considerably long time before the assurance can be fulfilled for the reasons mentioned above."

5.1. The Committee, after considering the reasons adduced by the Ministry of Human Resource Development, did not accede to the request of the Ministry to drop the assurance. However, extension of time upto 30 January, 1988 as requested by the Ministry was granted.

6. The Committee thereafter discussed their tour programme commencing on 28 January, 1988. The Chairman informed that as there was no other business on 4 February, 1988 the dispersal of the tour would be on 3 February, instead of 4 February, 1988.

7. The Committee then adjourned to meet again on 12 February, 1988.

MINUTES

Minutes of the Eleventh Sitting of the Committee on Government Assurances held on 12 February, 1988 in Committee Room No. 'D', Parliament House Annexe, New Delhi.

The Committee met on Friday, 12 February, 1988 from 15.00 hours to 15.35 hours.

PRESENT

Prof. Narain Chand Parashar—*Chairman*

MEMBERS

2. Shri L. Balaraman
3. Shri Sitaram J. Gavali
4. Shri Abdul Rashid Kabuli
5. Shri Bapulal Malviya
6. Shri Sanat Kumar Mandal
7. Shri Bhola Raut
8. Shri Prabhu Lal Rawat
9. Shrimati Shanti Devi
10. Shri Kamla Prasad Singh
11. Shrimati Usha Thakkar

SECRETARIAT

1. Shri C. K. Jain—*Chief (Questions)*
2. Shri Raghubir Singh—*Senior Examiner of Questions*

2. The Committee took up for consideration Memoranda Nos. 122, 123, 125 and 126.

Memorandum No. 122: Request for dropping of Assurance given on 21 April, 1987, in reply to Unstarred Question No. 7299 regarding supply of non-levy cement by A.C.C.

3. The Committee considered the request of the Ministry of Industry received through the Ministry of Parliamentary Affairs

vide their U. O. Note No . VIII/Ind. (34) USQ: 7299-LS/87 dated 7 December, 1987 for dropping of the assurance on the following grounds:—

“The Question relates to the supply of non-levy cement by ACC to its stockists in Bihar and Purulia Dist. The Question sought information on whether ACC supplied non-levy cement to the stockists in this District from their Sindri factory till March, 1985 and whether the supply from other sources from April, 1985 resulted in any increase in prices of non-levy cement (parts a & b of the Question). The parts (c) & (d) of the Question seek information on whether the prices of non-levy cement were higher by Rs. 10—15 per bag in comparison with Bihar, Madhya Pradesh or Maharashtra, and if so, whether complaints in this regard were pending before the MRTP Commission? Part (e) of the Question refers to the remedial steps for protecting the consumers.

It is clear from the above that the thrust of the Question is on the rise in the price of non-levy cement in Purulia Dist., a district in West Bengal on account of supply from alternative and far off sources instead of the nearest source from Sindri and other factories of ACC in Bihar. This has not been specifically stated in parts of (a) & (b) of the Question but it is clear from the working of both parts (a) & (b) of the Question that this is what the Member has in mind.

As part (d) of the Question related to MRTPC, this Deptt. had requested them to furnish necessary material for answering the Question. It was clear from the information furnished by the MRTP Commission that they had received complaints of Purulia Dist. ACC Cement Dealer's Association against ACC. The main allegation against ACC are as follows:—

- (i) While the ACC fixed the price of Rs. 65 per bag of cement for Bihar and West Bengal, it sold cement at lower rates to the stockists in Bihar and at higher rates to the West Bengal stockists;
- (ii) That the stockists of Purulia took up the matter with the ACC, the company stopped its supplies to them w.e.f. July, 1985;
- (iii) Several clauses of the standard form of agreement of the company are restrictive in nature;

- (iv) The company took different security deposits from its different stockists.

The Commission has also received other complaints against ACC like short supply in weight, forcible collection of additional security deposits etc.

It would be seen from the above that though the MRTP Commission have received complaints against the ACC, these complaints are not directly relatable to parts (a) (b) of the Question, which relate to the increase in the prices of non-levy cement on account of the stoppage of supplies by ACC's cement factory at Sindri. This has been made clear in the reply given by this Deptt. on 21.4.87. The complaint relates to the violation of the provisions of the MRTP Act which are being investigated by the MRTP Commission. This Deptt. has also clarified in the answer that non-levy cement being outside price and distribution controls, the cement factories are free to supply non-levy cement to any area from any of their factories.

As the subject matter of the investigation by the MRTP is not directly related to the text of the Question Ministry of Parliamentary Affairs are requested to move the Committee on Government Assurances for the deletion of the assurance under intimation to this Deptt. and extension of time upto 15 November, 1987, subsequently the Ministry requested for extension of time upto 31 January, 1988 for fulfilling the assurance.

3.1. The Committee were not convinced with the reasons put forth by the Ministry of Industry and as such did not agree to drop the assurance. However, the request of the Ministry for extension of time upto 31 January, 1988 was granted. The Committee desired that the Ministry should take care to submit their request for extension of time well before the expiring of the stipulated time.

Memorandum No. 123: Request for dropping of assurances given on 20 August, 1987, in reply to Unstarred Question No. 3999 regarding grade system for X and XII class examination results.

4. The Committee considered the request of the Ministry of Human Resource Development received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII/2/HRD (37)

USQ. 3099-LS/87 dated 11 January, 1988 for dropping of the Assurance on the following grounds:—

"The Examination Reform is a long drawn out process and these reforms can only be brought in a phased manner after examining each pros and cons minutely. NCERT organised a high level seminar on scaling and grading in July, 1987. In brief, the Seminar has recommended the abolition of the system of declaring students as pass or fail in Class X and XII of Boards. Examination and declaration of subject-wise results in the form of grades without giving a composite score and/or overall divisions. The Seminar has also recommended that the new system should be introduced for the examination at the end of Class X in 1990 and for the examination at the end of Class XII in 1992. The recommendations and their implications are proposed to be discussed with the Boards to obtain their concurrence and to work out modalities of implementation. Necessary preparatory work is also proposed to be done during the next two years for facilitating implementation of the reforms by the Boards. The recommendation and programme for follow up action is under active consideration.

It may be noted that each board of secondary education is an autonomous body and NCERT recommendations do not get routinely implemented. In this case NCERT recommendation only relates to the policy which will have to be accepted by the Government and the State Governments. As the reply indicates, the switchover to the 'grade' system can take place by 1992 even presuming that everyone concerned agrees to accept it. A programme spanning such a time period and at present only under contemplation will constitute difficulties as an assurance for fulfilment. It therefore appears unsuitable to treat as an assurance.

From above it is quite obvious that it may not be appropriate to fix any time schedule for implementation of the examination reforms. In these circumstances, it is requested that the Committee on Government Assurances, Lok Sabha may be moved for the deletion of the assurance."

4.1 The Committee did not accede to the request of the Ministry of Human Resource Development for the dropping of the assurance. Expressing their unhappiness over the fact that the Ministry of

Human Resource Development had not submitted any request for extension of time to implement the assurance, they decided to call the representatives of the Ministry for oral evidence before the Committee. The Ministry should submit a note stating the latest factual position about the efforts made by them so far in implementing the assurance.

Memorandum No. 125: Request for dropping of assurance given on 30 April, 1987, in reply to Unstarred Question No. 8715 regarding Archaeological Survey of India's office in Kerala.

5. The Committee considered the request of the Ministry of Human Resource Development received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII/HRD (37) USQ-8715-LS/87 dated 5 January, 1988 for dropping of the assurance on the following grounds:—

"The ASI has all India jurisdiction and at present has 16 Circles and 2 mini-circles to look after the work in the various regions. The ASI is also constantly engaged in reviewing the organisational structure and new Circles are opened whenever, for efficient organisation of work, creation of new Circle is considered necessary. As a part of this exercise, it has been proposed that some new office should be opened including a new Circle in Kerala. However, before the Circle comes into existence, the financial and staff requirements have to be gone into thoroughly. This always takes time. It is, therefore, considered that the reply given to USQ. No. 8715 should not be treated as an assurance requiring implementation within a specific time limit.

Further, in the present circumstances when the Government has impressed upon the necessity for postponing expenditure on schemes other than those which are directly related to drought relief, it is not possible to indicate the precise time frame within which the Kerala Circle will start functioning."

5.1 Subsequently, the Ministry of Human Resource Development had requested for extension of time upto 31-3-1988.

5.2 The Committee did not agree to drop the assurance. They were of the view that the matter should not be dragged indefinitely and the assurance should be implemented without further loss of time. The request of the Ministry for extension of time upto 31 March, 1988 was granted.

Memorandum No. 126: Request for dropping of assurance given on 21 August, 1987, in reply to Unstarred Question No. 4126 regarding demolition of a Buddha Vihar in Munirka.

6. The Committee considered the request of the Ministry of Home Affairs received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII-2-/HA (38)|USQ|4126-LS|87 dated 5.1.88 for dropping of the assurance on the following grounds:—

"The investigation in the 2 cases registered under various sections of the Indian Penal Code was completed and challans filed in the Court. Both the cases are pending trial. As the cases are pending trial in the court there is nothing which the executive authority can do to expedite the trial. The cases are now in the jurisdiction of the judiciary and even a request for expediting the matters is treated as a contempt of court."

6.1 The Committee did not accede to the request of the Ministry of Home Affairs for dropping of the assurance. They were of the view that instead of requesting for dropping of the assurance, the Ministry should have made efforts to implement the assurance and if required, should have requested for extension of time. The Committee did not appreciate the statement of the Ministry"..... even a request for expediting the matters is treated as a contempt of court." The Committee would like to be apprised of the latest position in the matter.

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7. The Committee then adjourned.

MINUTES

Minutes of the Twelfth Sitting of the Committee on Government Assurances held on 5 May, 1988 in Committee Room No. 50, Parliament House, New Delhi.

The Committee met on Thursday, 5 May, 1988 from 16.00 hrs. to 16.50 hrs.

PRESENT

Prof. Narain Chand Parashar—*Chairman*.

MEMBERS

2. Shri Bapulal Malviya
3. Shri V. Krishna Rao
4. Shri Bhola Raut
5. Shrimati Shanti Devi
6. Shri Kamla Prasad Singh
7. Shrimati Uska Thakkar

SECRETARIAT

1. Shri C. K. Jain—*Chief (Questions)*
2. Shri S. C. Gupta—*Chief Examiner of Questions*
3. Shri Raghbir Singh—*Senior Examiner of Questions*

2. The Committee took up for consideration the draft **Eleventh Report** and adopted the same. The Committee authorised the **Chairman** to present the report in the current Session.

3. The Committee took up for consideration Memoranda Nos. 128, 129, 130 and 131.

Memorandum No. 128: Request for dropping of assurance given on 19 August, 1987, in reply to Unstarred Question No. 3614 regarding bungling in appointments in a Bank.

4. The Committee considered the request of the Ministry of Finance received through the Ministry of Parliamentary Affairs vide

their U.O. No. VIII-2/Fin. (64) USQ-3614-LS/87 dated 8 February, 1988, for dropping of the assurance on the following grounds:—

“The Department feels that this does not constituted an assurance as full available facts were reported in the answer and an incorrect Hindi translation is responsible for treating it as an assurance. In the English version of the reply it has been stated that “Government is seized of the matter” and this has been translated as ‘सरकार इस मामले पर गौर कर रही है,’ Since there is no further material to submit nor any such valid assurance was made in the reply.”

4.1. The Committee after going through the reasons advanced by the Ministry decided not to drop the assurance. The Committee have also observed that the Hindi translation of the matter appears to be in order. They desired that the Ministry of Finance should give the latest position of the case and seek further extension of time. The extension of time upto 18 November, 1987, sought by the Ministry was, however, granted.

Memorandum No. 129: Request for dropping of assurance given on 28 August, 1987, in reply to Unstarred Question No. 5222 regarding propellant factory in Sagar, Madhya Pradesh.

5. The Committee considered the request of the Ministry of Defence received through the Ministry of Parliamentary Affairs vide their U.O. No. VIII-2/D (17) USQ-5222-LS/87, dated 16 March, 1988, for dropping of the assurance on the following grounds:—

“In part (c) of the subject question, the Honourable Member has desired to know the cost of the factory and the names of the machines or equipments to be manufactured in it. In this connection, it may be mentioned that Government approval is still to be given to the proposal of setting up of the factory. Besides, it is felt that furnishing details of the cost of the factory and the names of the machines and equipments to be manufactured in it would not be in public interest.”

5.1. The Committee were not convinced with the reasons forwarded by the Ministry of Defence and decided not to drop the assurance. They desired that the Ministry should seek extension of time as considered minimum to implement the assurance.

Memorandum No. 130: Request for dropping of assurance given on 6 November, 1986, in reply to Starred Question No. 44 regarding hijacking of PANAM Airliner.

6. The Committee considered the request of the Ministry of Civil Aviation received through the Ministry of Parliamentary Affairs vide their U.O. No. VII-CA (1) SQ-44-LS/87, dated 28 March, 1988, for dropping of the assurance on the following grounds:—

“This hijacking took place in Pakistan. The aircraft was not Indian, nor was it hijacked from Indian Territory. Therefore, this Ministry has to obtain the information from the Ministry of External Affairs. Ministry of External Affairs has been reminded several times but their response is that authentic account of the PANAM hijacking is still awaited from the Government of Pakistan. After a period of about 15 months, no information has been received from the Pakistan Authorities through Ministry of External Affairs. In view of the position explained above, it is not possible to fulfil the assurance.”

6.1. The Committee decided not to drop the assurance. They desired that the Ministry of Civil Aviation should make attempts to get the requisite information from Government of Pakistan. The extension of time upto 5 May, 1988 was however, granted.

Memorandum No. 131: Request for dropping of assurance given on 25 March, 1987, in reply to Unstarred Question No. 4132 regarding non-payment of pensioners dues.

7. The Committee considered the request of the Ministry of Personnel, Public Grievances and Pensions received through the Ministry of Parliamentary Affairs vide their D.O. No. VIII|PAPP (17) USQ-4132-LS/87 dated 14 March, 1988 for dropping of the assurance on the following grounds:—

“It will be appreciated that the collection of the information regarding the number of persons who retired from the Central Government during the last 3 years is not only a time consuming process as the information is required to be collected from all over the country, but also not cost effective in terms of the results to be achieved. Further, the pension payment orders are issued by the various agencies like Pay & Accounts officers and

Accountants General. In some cases the GPF is settled by the Pay & Accounts Officers, in others by the Accountants General and in some cases by the State Governments (e.g. the All India Service Officers). Having regard to the above and in the absence of a Centralised system, we are managing or controlling the timely authorisation of Pension and payment of other retirement dues by exception. Vide our O.M. dated January 22, 1987, we have asked the Central Government pensioners who do not receive provisional or final pension and other dues on the date of retirement, to lodge a complaint with this Department to enable us to take up their cases with the concerned authorities. In response to this O.M. 19 cases were received upto 21.12.1987, out of which 14 have been disposed of. The remaining 5 cases are also being pursued at the highest level to seek expeditious settlement. In view of the above position, I would request you to kindly have this Assurance dropped from the list of Assurances pending against this Ministry."

7.1. The Committee were not convinced with the reasons given by the Ministry of Personnel, Public Grievances & Pensions to drop the assurance. They desired that the Ministry should expedite the implementation of the assurance and in the meantime seek extension of time as considered minimum to implement the assurance.

The Committee then adjourned.

MINUTES

Minutes of the Sixteenth Sitting of the Committee on Government Assurance held on 29 May, 1989 in Committee Room 'D' Parliament House Annexe, New Delhi.

The Committee met on Monday, 29 May, 1989 from 15.30 hours to 16.20 hours.

PRESENT

Prof. Narain Chand Parashar—Chairman

MEMBERS

2. Shri L. Balaram
3. Shri Bapulal Malviya
4. Dr. A. K. Patel
5. Shri V. Krishna Rao
6. Shri Bhola Raut
7. Shri Prabhu Lal Rawat
8. Shri Manik Reddy
9. Shrimati Shanti Devi
10. Shri Ramashray Prasad Singh
11. Shrimati Usha Thakkar
12. Shri Mahabir Prasad Yadav

SECRETARIAT

1. Shri C. K. Jain—*Joint Secretary.*
2. Shri S. C. Gupta—*Deputy Secretary.*
2. The Committee considered and adopted draft Nineteenth Report.

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3. The Committee then adjourned to meet again on 30 May, 1989.

MINUTES

Minutes of the Second Sitting of the Committee on Government Assurances held on 6 July, 1989 in Committee Room No. 'C', Parliament House Annexe, New Delhi.

The Committee met on Thursday, 6 July, 1989 from 11.00 hrs. to 11.55 hrs.

PRESENT

Prof. Narain Chand Parashar—*Chairman*

MEMBERS

2. Shri L. Balaraman
3. Shri Kadambur M. R. Janarthanan
4. Shri Bapulal Malviya
5. Shri Sanat Kumar Mandal
6. Shri Murlidhar Mane
7. Shri V. Krishna Rao
8. Shri Bhola Raut
9. Shri Prabhu Lal Rawat
10. Shri Bajju Ban Riyan
11. Shri Kamla Prasad Singh
12. Shrimati Usha Thakkar
13. Shri Mahabir Prasad Yadav

SECRETARIAT

1. Shri C. K. Jain—*Joint Secretary.*
 2. Shri S. C. Gupta—*Deputy Secretary.*
 3. Shri Jyoti Prasad—*Officer on Special Duty.*
2. The Committee adopted the draft 19th and 20th Report which were considered and adopted by their predecessor Committee.
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3. The Committee then adjourned.