

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(2009-2010)**

(FIFTEENTH LOK SABHA)

SECOND REPORT

**REQUESTS FOR DROPPING OF
ASSURANCES**

Presented to Lok Sabha on 16 December, 2009



**LOK SABHA SECRETARIAT
NEW DELHI**

December, 2009/Agrahayana, 1931 (Saka)

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2007-2008)

Shri Harin Pathak - CHAIRMAN

MEMBERS

2. Shri Rashid J.M.Aaron
3. Shri Yogi Aditya Nath
4. Km. Mamata Banerjee
5. Shri Jigajinagi Ramesh Chandappa
6. Dr. K. Dhanaraju
7. Shri Biren Singh Engti
8. Shri Sunil Khan
9. Shri Vijoy Krishna
10. Shri Rasheed Masood
11. Shri A. Venkatesh Naik
12. Shri Nihal Chand
13. Smt. M.S.K. Bhavani Rajenthiran
14. Shri Rajiv Ranjan 'Lalan' Singh
15. Shri Aruna Kumar Vundavalli

• The Committee was constituted on 07 August 2007 *vide* Para No.3783 of Lok Sabha Bulletin Part-II dated 06th August 2007.

COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2008-2009)

Shri Harin Pathak - CHAIRMAN

MEMBERS

2. Shri Rashid J.M.Aaron
3. Shri Yogi Aditya Nath
4. Km. Mamata Banerjee
5. Shri Jigajinagi Ramesh Chandappa
6. Dr. K. Dhanaraju
7. Shri Biren Singh Engti
8. Shri Sunil Khan
9. Shri Vijoy Krishna
10. Shri Rasheed Masood
11. Shri A. Venkatesh Naik
12. Shri Nihal Chand
13. Smt. M.S.K. Bhavani Rajenthiran
14. Shri Rajiv Ranjan 'Lalan' Singh
15. Shri Aruna Kumar Vundavalli

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- The Committee was constituted on 07 August 2008 *vide* Para No.5004 of Lok Sabha Bulletin Part-II dated 06th August 2008.

COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2009 - 2010)

Shrimati Maneka Gandhi - Chairperson

MEMBERS

2. Shri Anandrao Adsul
3. Shri Avtar Singh Bhadana
4. Shri Dara Singh Chauhan
5. Dr. Kakoli Ghosh Dastidar
6. Shri Mohan Jena
7. Shri Raghuvir Singh Meena
8. Shri Bishnu Pada Ray
9. Shri K.J.S.P. Reddy
10. Shri M. Raja Mohan Reddy
11. Rajkumari Ratna Singh
12. Shri Takam Sanjoy
13. Dr. M. Thambidurai
14. Shri Manohar Tirkey
15. Shri Hukumdeo Narayan Yadav

SECRETARIAT

- | | | | |
|----|--------------------|---|---------------------|
| 1. | Shri P. Sreedharan | - | Joint Secretary |
| 2. | Shri R.S. Kambo | - | Director |
| 3. | Shri D.S. Malha | - | Additional Director |
| 4. | Smt. Veena Kumari | - | Deputy Secretary |

* The Committee was constituted on 23 September, 2009 *vide* Para No. 580 of Lok Sabha Bulletin Part-II dated 23 September, 2009.

INTRODUCTION

I, the Chairperson of the Committee on Government Assurances, having been authorized by the Committee to submit the Report on their behalf, present this Second Report of the Committee on Government Assurances.

2. The Committee (2007-2008) and (2008-2009) at their sittings held on 08 January, 11 June, 10 July, 24 September and 12 November 2008 considered Memorandum Nos. 22 to 31, 52 to 56, 57 to 66, 2 to 11 & 12 to 21 containing requests received from the Ministries/Departments for dropping of pending assurances.

3. At their sitting held on 10 December 2009, the Committee (2009-2010) considered and adopted their Second Report.

4. The Minutes of the aforesaid sittings of the Committee form part of this report.

5. The Committee place on record their deep appreciation for the work done by the Committee on Government Assurances (2007-2008) and (2008-2009) on the subject.

NEW DELHI;

10 December, 2009

Agrahayana 19, 1931 (Saka)

MANEKA GANDHI
CHAIRPERSON
COMMITTEE ON GOVERNMENT ASSURANCES

REPORT

While replying to Questions in the House or during discussions on Bills, Resolutions, Motions, etc., Ministers sometimes give assurances, undertakings or promises either to consider a matter, take action or furnish information to the House at some later date. An assurance is required to be implemented by the Ministry concerned within a period of three months. Where a Ministry are unable to implement the assurances within the prescribed period of three months, they are required to seek extension of time. In case, the Ministry find it difficult to implement the assurances on one ground or the other, they are required to approach the Committee on Government Assurances requesting to drop the assurances. Such requests are considered by the Committee on merits and decisions taken to drop an assurance or otherwise.

2. The Committee on Government Assurances (2007-08) and (2008-09) considered the following requests received from Ministries/Departments for dropping of assurances:-

SQ/USQ No. & Date	Subject in Brief	Ministry
Unstarred Question No. 856 dated 27 July, 2000,	Diesel Scam;	Petroleum & Natural Gas
Unstarred Question No. 876 dated 23 November, 2000	Diesel Scam and	
Unstarred Question No. 6566 dated 09 May, 2002	Racket of HSD unearthed by CBI.	
Unstarred Question No. 5704 dated 03 May, 2005	Inclusion of Castes in ST List of Chhattisgarh	Home Affairs

Starred Question No. 222 dated 06 March, 2003 and Starred Question No. 214 dated 07 August, 2006

More Powers to Press Council of India and Obscenity & Vulgarity in Newspapers

Information and Broadcasting

Unstarred Question No. 3669 dated 15 April, 1999 and Unstarred Question No. 856 dated 28 July, 2005

Operation Leech conducted in Andaman & Nicobar Islands and Enquiry into Alleged Pay-Offs

Defence

Unstarred Question No. 397 dated 04 December, 2003

Illegal Occupation of Waiting Rooms

Railways

Unstarred Question No. 2325 dated 15 December, 2004

Hota Committee Recommendations

Personnel, Public Grievances and Pension

Unstarred Question No. 5095 dated 11 May, 2007

Retirement Age of Judges

Law and Justice

Unstarred Question No. 2761 dated 05 December, 2007

Recommendations of NKC on Survey Outcomes

Planning

Unstarred Question No. 4626 dated 26 April, 2005

Vocational Education

Human Resource Development

Unstarred Question No. 5739 dated 3 May, 2000

Abolition of Torture

External Affairs

Unstarred Question No. 2822 dated 05 December, 2007

Setting up of Vehicles Inspection Centre

Shipping, Road Transports and Highways

Unstarred Question No.1265 dated 21 August, 2007

Registration of FIRs

Home Affairs

Supplementary by Shri Raghunath Jha to Starred Question No. 186 dated 24 August, 2007	Prediction of Rainfall	Earth Sciences
Unstarred Questions No. 2786 dated 12 December, 2005	Amendment in E.P.F. and M.P. Act, 1952	Labour & Employment
USQ 4410 dated 8 May 2007	Modernisation of NTC Mills	Textiles
Unstarred Question No. 5544 dated 02 May, 2000; Unstarred Question No. 32 dated 20 February, 2001;	Changing the name of West Bengal; Renaming of West Bengal;	Home Affairs
Unstarred Question No. 1524 dated 27 November, 2001; and Unstarred Question No. 716 dated 05 March, 2002	Renaming of West Bengal as Bangla and Renaming of West Bengal	
Starred Question No. 677 dated 21 April, 1992 & Unstarred Question No. 4717 dated 22 December, 1992	Report of Chandulal Chandrakar Committee.	Human Resource Development
Unstarred Question No. 1358 dated 8 August, 1995	Navodaya Vidyalaya Samiti	Human Resource Development

3. The details of the assurances arising out of the replies and the reason(s) advanced by the Ministries/Departments for dropping of the assurances are given in Appendix-I.

4. The Minutes of the sittings of the Committee, whereunder the requests for dropping of the assurances, were considered are given in Appendix-II.

5. After having considered the requests of the Ministries/Departments, the Committee are not convinced with the reasons furnished for dropping the assurances. They, therefore, desire that the Government should take appropriate action in the matter and implement the assurances expeditiously.

NEW DELHI;

10 December, 2009

Agrahayana 19, 1931 (Saka)

MANEKA GANDHI
CHAIRPERSON
COMMITTEE ON GOVERNMENT ASSURANCES

[i] DIESEL SCAM AND RACKET OF HSD UNEARTHED BY CBI

On 27 July, 2000 S/Shri Dilipkumar Mansukhlal Gandhi, Uttamrao Dhikale and Vilas Muttemwar, MPs addressed the following Unstarred Question No. 856 to the Minister of Petroleum and Natural Gas:-

“(a) whether the Central Bureau of Investigation in Madhya Pradesh and Maharashtra have revealed a wide network of racketeers who took delivery of huge quantities of subsidised diesel from Gujarat and other States;

(b) if so, whether 23 companies were raided in Indore, Bhopal, Ujjain, Dhar and other places in M.P. and also in Maharashtra;

(c) whether the investigation agency has found that the oil companies had failed to detect that their retail outlets were getting supplies from outside sources;

(d) if so, the details of the outcome of these raids; and

(e) the action that has been taken against those found guilty?”

2. In reply, the then Minister of State in the Ministry of Petroleum and Natural Gas (Shri Santosh Kumar Gangwar) stated as follows:-

“(a) to (e):- Information is being collected and will be laid on the Table of House.”

3. On 23 November, 2000 S/Shri R.S. Patil and Dilipkumar Mansukhlal Gandhi, MPs addressed the following Unstarred Question No. 876 giving reference to Unstarred Question No. 856 dated 27 July, 2000 to the Minister of Petroleum and Natural Gas:-

“(a) whether the requisite information has been collected;

(b) if so, the details thereof; and

(c) if not the reasons for the delay?”

4. In reply, the then Minister of State in the Ministry of Petroleum and Natural Gas (Shri Santosh Kumar Gangwar) stated as follows:-

“(a) to (c): Central Bureau of Investigation (CBI) has registered a case on 23 May, 2000 at Gandhinagar, Gujarat. The investigation is in progress.”

5. On 9 May, 2002 S/Shri Shankersingh Vaghela, Raghuvansh Prasad Singh and Smt. Kanti Singh, MPs addressed the following Unstarred Question No. 6566 to the Minister of Petroleum and Natural Gas:-

“(a) whether the attention of the Government has been drawn to a news item captioned `High-speed diesel scam may touch Rs.1,000 crores mark` as reported in the `Times of India` dated November 26, 2001;

(b) if so, whether the matter has been investigated by the Union Government; and

(c) if so, the action taken by the Government in this regard?”

6. In reply, the then Minister of State in the Ministry of Petroleum and Natural Gas and Minister of State in the Ministry of Parliamentary Affairs (Shri Santosh Kumar Gangwar) stated as follows:-

“(a) to (c): Information is being collected and will be laid on the Table of the House.”

7. The above replies to the questions were treated as assurances and were required to be implemented by the Ministry of Petroleum and Natural Gas within three months of the date of their replies.

8. The Ministry of Parliamentary Affairs *vide* their UO No. V/Petro(2)USQ 876-LS/2000 dated 19 April, 2001, forwarded a request of the Ministry of Petroleum and Natural Gas for dropping the assurance given in reply to USQ No. 876 dated 23 November, 2000. This request of the Ministry was considered by the Committee, alongwith the assurance given in reply to USQ No. 856 dated 27 July, 2000 at their sitting held on 15 January, 2002 and the Committee decided not to drop either of the assurances. Accordingly, the Committee in their 11th Report of 13th Lok Sabha presented to the House on 18 December, 2002, *inter-alia* recommended that the oil companies working under the Ministry of Petroleum and Natural Gas should themselves examine the shortcomings and weaknesses in their day-to-day administration and evolve a mechanism to strengthen the monitoring system so as to avoid recurrence of such irregularities resulting in huge loss to the exchequer.

9. The Ministry of Parliamentary Affairs *vide* their UO NO. IX/petrol (12) USQ 6566-LS/02 dated 8 September, 2003 again forwarded a request of the Ministry of Petroleum and Natural Gas to drop the above three assurances. This request was considered by the Committee at their sitting held on 4 December, 2003 and decided not to drop these three assurances. Accordingly, the Committee in their 1st Report of 14th Lok Sabha presented to the House on 10 December, 2004 *inter-alia* desired to be apprised of the action taken by the Government/Oil Companies in pursuance of the recommendations of the Committee contained in its 11th Report of 13th Lok Sabha presented to the House on 18 December, 2002.

10. The Ministry of Petroleum and Natural Gas *vide* their OM No. P-38016/38/2000-Dist dated 10 May, 2007 have again requested the Committee for dropping the above three assurances on the ground that since CBI investigation is going on, the assurances could not be fulfilled. The status as reported by CBI, was as under:-

- “(i) Out of total 110 cases, charge-sheets in 4 conspiracies have been filed in the Court;
- (ii) SP’s report has been recommending RDA for Major penalty in 1 case;
- (iii) In 5 cases charge sheets will be filed by CBI shortly;
- (iv) Sanction for prosecution from the Competent Authority in 4 cases is awaited;
- (v) In 43 cases, SP’s reports are being sent by CBI requesting for sanction for prosecution;

Investigations in remaining conspiracies are still in progress.”

11. The Ministry further stated that the case was registered by CBI in May, 2000 and even after the lapse of more than 7 years, the CBI is yet to conclude the investigation. It is uncertain as to how long the CBI would take to finalise its investigation. Even after the completion of the CBI inquiry the cases are likely to be taken up in the court, which is also a long process. In view of the above, the Ministry feels that no purpose would be served for keeping the above assurances pending.

12. According to the Ministry, it may not be possible to implement the assurances in the immediate future and therefore, with the approval of Minister of State for Petroleum and Natural Gas, requested the Committee to consider for dropping the assurances.

[ii] INCLUSION OF CASTES IN ST LIST OF CHHATTISGARH

On 3 May, 2005, Shri Ajit Jogi, M.P., addressed the following Unstarred Question No. 5704 to the Minister of Tribal Affairs:-

"(a) whether the Government has received requests from the Government of Chhattisgarh to include more/new tribes in the list of Scheduled Tribes; and

(b) if so, the details thereof and the reaction of the Government thereto alongwith the action taken thereon so far?"

2. In reply, the then Minister of Tribal Affairs (Shri P.R. Kyndiah) stated as follows:-

"(a) & (b) The Government of Chhattisgarh has requested inclusion of 13 more communities including synonyms in the list of Scheduled Tribes. The proposal is being processed as per the approved modalities."

3. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Tribal Affairs within three months of the date of the reply.

4. The Ministry of Tribal Affairs vide their O.Ms. No.16012/15/2005-C&LM-I dated 16 June, 2006 and 26 February, 2007 requested for deleting the assurance on the following grounds:-

"that the answer given by the Ministry does not constitute an assurance in Parliament. The Scheduled Tribes are notified by a Presidential Order under Article 342(I) of the Constitution. In June, 1999 the Government approved modalities for deciding claims for inclusion in or exclusion from the lists of Scheduled Tribes. According to these approved guidelines, only those claims that have been agreed to by the concerned State Government, the Registrar General of India and the National Commission for Scheduled Castes & Scheduled Tribes will be taken up for consideration. Whenever representations are received in the Ministry for inclusion of any community in the list of Scheduled Tribes of a State/UT, the Ministry forwards these representations to the concerned State Government/U.T. Administration for recommendations as required under Article 342 of the Constitution. If the concerned State Government recommends the proposal, then the same is sent to the Registrar General of India (RGI). The RGI, if satisfied with the recommendations of the State Government, recommends the proposal to the Central Government. Thereafter, the Government refers the proposal to the National Commission for Scheduled Castes and Scheduled Tribes for their recommendation. If the National Commission for Scheduled Castes and Scheduled Tribes also recommends, the matter is placed before the Cabinet for a decision, after consulting the concerned administrative Ministries. Thereafter, the matter is put up before the Parliament in the form of a Bill to amend the Presidential Order.

That in case, there is any disagreement between the views of the State Government and the RGI, the views of the RGI are sent to the State Government for reviewing or further justifying their recommendation. On receipt of the further clarification from the State Government/Union Territory Administration, the proposal is again referred to the RGI for comments. In such cases, where the RGI does not agree to the point of view of the State Government/UT Administration on a second reference, the Government of India may reject the said proposal. Claims that neither the RGI nor the concerned State Government has supported or rejected. Similarly, those cases where the State Government and the RGI favour inclusion/exclusion, but not supported by the National Commission for Scheduled Tribes are also rejected. Any revision in the lists of Scheduled Tribes requires consultation with the concerned State Government, the Registrar General of India and the National Commission for Scheduled Tribes, which takes time. So, no definite time frame can be indicated for inclusion/exclusion of any community in the list of Scheduled Tribes. The matters raised by the Hon'ble Members of Parliament in their Question have already been processed by the Ministry as per above approved modalities. In view of the facts, the assurance may not be kept pending for such a long period."

[iii] MORE POWERS TO PRESS COUNCIL OF INDIA AND OBSCENITY AND VULGARITY
IN NEWSPAPERS

On 06 March, 2003 Dr. Bolla Bulli Ramaiah and Shri Iqbal Ahmed Saradgi, MPs addressed the following Starred Question No. 222 to the Minister of Information and Broadcasting:-

“(a) whether the Union Government have accused media of negative and vulgar portrayal of women and decided to provide more teeth to Press Council to take action against errant newspapers;

(b) if so, whether the Government are aware that most of the newspapers are brazenly splashing obscene photographs of nude women flouting all norms of decency;

(c) if so, whether the Press Council of India has sent proposal to expand and enhance its powers;

(d) if so, the present status of the proposal; and

(e) the steps taken/likely to be taken by the Government to see that the Press Council functions more effectively?”

2. In reply, the then Minister of State in the Ministry of Information & Broadcasting (Shri Ravi Shankar Prasad) stated as follows:-

“(a) No, Sir.

(b) to (e): The Government is committed to uphold the freedom of the press. The Press Council of India, a statutory autonomous body has been set up with the purpose of preserving the freedom of the Press and of maintaining and improving the standards of newspapers and news agencies in the country. The Government follows a policy of non-interference in the functioning of the Council. The Council, which is in the nature of a self-regulatory body of the Press has built norms of journalistic conduct. A proposal to amend the Press Council Act of 1978 has been received from the Press Council, which is under examination.”

3. On 07 August, 2006 Shri Sitaram Singh and Smt. Sumitra Mahajan, MPs addressed the following Starred Question No. 214 to the Minister of Information and Broadcasting:-

“(a) whether the obscenity and vulgarity in mass media is increasing;

(b) if so, whether the Hon’ble Supreme Court has also issued directions to check the increasing obscenity in the newspapers;

(c) if so, the details thereof;

(d) whether the Government proposes to provide more penal powers to the Press Council to remedy the situation; and

(e) if so, the details thereof?"

4. In reply, the then Minister of Information & Broadcasting and Parliamentary Affairs (Shri P.R. Dasmunsi) stated as follows:-

(a) Instances of obscenity and vulgarity in media have been brought to the notice of this Ministry.

(b) No formal directions have been received from the Supreme Court.

(c) Does not arise.

(d) & (e) The proposal to provide more penal powers to the Press Council of India is under consideration in the Ministry.

5. The above replies to the questions were treated as assurances and were required to be fulfilled by the Ministry of Information and Broadcasting within three months of the date of reply.

6. The Ministry of Information and Broadcasting vide their OM No.15/8/2006-Press dated 19 March, 2007 requested the Committee for dropping both the assurances on the ground that the proposal regarding grant of more powers to Press Council of India (PCI) by way of making certain amendments to the Press Council Act, 1978 was under consideration of the Ministry for several years and not certain how much time it would further take to finalize the issue as no final view had emerged among the various stakeholders. In definite terms, no time frame could therefore, be indicated for future also.

7. In view of the above, the Ministry with the approval of the Minister of Information & Broadcasting and Parliamentary Affairs, requested the Committee to drop both the assurances.

[iv] (A) OPERATION LEECH CONDUCTED IN ANDAMAN & NICOBAR ISLANDS AND (B) ENQUIRY INTO ALLEGED PAY-OFFS

On 15 April, 1999 Dr. Saroja V, MP addressed the following Unstarred Question No. 3669 to the Minister of Defence:-

“(a) whether the probe into the controversial Operation Leech conducted jointly by the three services in the Andaman and Nicobar Islands in February, 1998 has since been completed;

(b) if so, the details thereof; and

(c) the follow up action taken against those held responsible?”

2. In reply, the then Minister of Defence (Shri George Fernandes) stated as follows:-

“A tri-services operation was launched in February, 1998 to apprehend foreigners along with their arms, ammunition and equipments. A case, Crime NO. 50/98, was registered in the Central Crime Station, Andaman on 18.02.98 in this regard.

On the basis of certain information and in view of the possible international ramifications of ‘Operation Leech’, it was considered desirable that investigation into this episode be carried out by a Central Investigating Agency. Accordingly, Government of India directed Central Bureau of Investigation (CBI) to take over investigation in this case. Accordingly RC 1 (S)/98-Calcutta was registered in special Crimes Branch, Calcutta on 27.02.98. Investigation in this case has not yet been completed.”

3. On 28 July, 2005 Kunwar Manvendra Singh, MP addressed the following Unstarred Question No. 856 to the Minister of Defence:-

“(a) whether the South African arms firm which had supplied anti-material rifles to India has admitted payment of pay-offs;

(b) if so, whether the Union Government has conducted any enquiry in this regard;

(c) if so, the findings thereof; and

(d) the action taken or proposed to be taken against all those who violated the guidelines laid down by the Union Government in regard to defence deals?”

4. In reply, the then Minister of Defence (Shri Pranab Mukherjee) stated as follows:-

“(a) to (d): Based on the information furnished by M/s Denel, South Africa, there is prima facie evidence of violation of clauses relating to use of undue influence and agents/agency commission, as contained in the contracts of Anti-Material Rifles (AMR) signed in 2002. A decision has been taken to initiate action to cancel all contracts entered into with M/s Denel. The contract signed on 7.3.2005 for procurement of 400 AMR has been cancelled. The matter was also referred to the CBI for investigation. An FIR was filed by the CBI in the matter on 6-6-2005 against, *inter-alia*, the unknown public servants. Further appropriate action, as warranted by the report of the CBI, would be taken after the receipt of the same.”

5. The above replies to the questions were treated as assurances and were required to be implemented by the Ministry of Defence within three months of the date of their replies.

6. The Ministry of Defence *vide* their DO No.1102/12006/D(Parl) dated 20 April, 2007 with the approval of Raksha Mantri requested the Committee for dropping the above mentioned two assurances on the grounds that in respect of Unstarred Question No. 3669 dated 15.04.1999 CBI had filed a case in court in Andaman & Nicobar Islands. As regard to Unstarred Question No. 856 dated 28.07.2005 it was stated that the matter was still under investigation by CBI. The Ministry further stated that out of these three cases, CBI investigation was pending in 2 cases and one case was sub-judice and there was no scope to get the matter expedited as CBI investigation or disposal of court cases normally take a long time. Further, according to the Ministry, pending CBI investigations or court case, it would not be possible for the Ministry to take any action as per CVC guidelines.

7. The request for dropping the assurance given in reply to Unstarred Question No. 3669 dated 15 April, 1999 was also made earlier by the Ministry on the ground that the subject matter of the assurance had become sub-judice and the fulfillment of the assurance depends on the outcome of case pending before the Court of law.

8. The Committee considered this request of the Ministry at their sitting held on 11 December, 2006 and decided not to drop the assurance. Accordingly the Committee vide their 15th Report of the 14th Lok Sabha presented to the House on 15 December, 2006 desired that a detailed status report with full facts of the case may be furnished for their consideration. However the same has not been furnished by the Ministry so far.

(v) ILLEGAL OCCUPATION OF WAITING ROOMS

On 04 December, 2003 Shri Ravindra Kumar Pandey, MP addressed the following Unstarred Question No.397 to the Minister of Railways:-

“(a) whether the Government are aware that the large number of waiting halls/retiring rooms in Indian Railways has been under occupation by Government Railway Police or other unauthorized persons leading to depriving the public of this facility and the Railway Administration failed to get this premises vacated from the occupation of unauthorized persons;

(b) if so, the details thereof; and

(c) the action taken by the Government in this regard?”

2. In reply, the then Minister of State in the Ministry of Railways (Shri Basanagouda R. Patil) stated as follows:-

“(a) to (c): Information is being collected and will be laid on the table of the Sabha.”

3. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Railways within three months of the date of the reply.

4. The Ministry of Railways vide their O.M.No.2003/Sec(Spl)/120/8 dated 20 August, 2007 requested for dropping of the assurance on the ground as stated below:-

“that the eviction of waiting rooms is an ongoing problem, which does not seem to have quick solution for the reason that GRP personnel are performing train escort duties on various Zonal Railways and Railways have not been provided adequate accommodation. However, the DGPs and GMs of concerned Railways have been requested to take necessary action and ensure that the Waiting Hall/Retiring Room etc. occupied by the GRP personnel are vacated.”

(vi) HOTA COMMITTEE RECOMMENDATIONS

On 15 December, 2004 Shrimati D. Purandeswari, Sarvashri V.K. Thummar, Rajesh Mishra, Madhusudan Mistry and Surendra Prakash Goyal, M.Ps., addressed the following Unstarred Question No. 2325 to the Prime Minister:-

“(a) whether the committee on Civil Services Reforms headed by former UPSC Chairperson P.C. Hota has submitted its report to the Government;

(b) if so, the details of the recommendations made by the Committee;

(c) the details of the recommendations accepted by the Government; and

(d) the time by when these recommendations are likely to be implemented?”

2. In reply, the then Minister of State in the Ministry of Personnel, Public Grievances and Pension and Minister of State in the Ministry of Parliamentary Affairs (Shri Suresh Pachouri) stated as follows:-

“(a): Yes, Sir.

(b): The Committee has made 64 main recommendations on (i) making the Civil Service responsive and citizen-friendly, transparent, accountable and ethical in its actions and interface with the people; (ii) making the Civil Service e-governance friendly; (iii) putting a premium on intellectual growth of civil servants and on upgrading their domain knowledge; (iv) protecting the Civil Service against wrongful pressure exerted by administrative superiors, political executive, business interests and other vested interests; (v) changes, if any necessary, in the various All India Services Rules and Central Civil Service Rules to provide a statutory cover to the proposed civil service reforms; (vi) changes in rules governing the disciplinary proceedings against civil servants to decentralize the process as far as practicable, and to make the disposal of such proceedings time-bound; and (vii) matters relating to health insurance, dispute resolution etc.

(c): No final decision has been taken on the recommendations.

(d): No time-frame for their implementation can be fixed at this stage.”

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Personnel, Public Grievances and Pensions within three months of the date of the reply.

4. The Ministry of Personnel, Public Grievances and Pensions vide their letter No.H-11016/8/2004-RC dated 30 March, 2005 stated that the Government proposes to set up an Administrative Reforms Commission to go into the entire gamut of reforms in Civil Services. The Commission would take into account the recommendations made by various Committees, including the Hota Committee, while finalizing its recommendations. The decision on a number of recommendations of the Hota Committee may, therefore, has to wait till the recommendations of the proposed Commission become available. Even thereafter, Government would be in a position to take a view on such recommendations only after extensive consultations with all stake holders including the State Governments.

(vii) RETIREMENT AGE OF JUDGES

On 11 May, 2007 Adv. Suresh Kurup, MP, addressed the following Unstarred Question No.5095 to the Minister of Law and Justice:-

“(a) whether the Government proposes to raise the retirement age of the Supreme Court and High Court Judges; and

(b) if so, the details thereof?”

2. In reply, the then Minister of State in the Ministry of Law and Justice (Shri K. Venkatapathy) stated as follows:-

“(a) & (b): A proposal to increase the retirement age of the Supreme Court and High Court Judges is, presently, under examination of the Government.”

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Law and Justice within three months of the date of the reply *i.e.* by 10 August, 2007.

4. The Ministry of Law and Justice vide O.M. No. 20013/7/2007-Jus dated 13 August, 2007 and 20 February, 2008 requested not to treat the reply as an assurance on the following grounds:-

“That the matter of raising the retirement age of Judges of High Courts and the Supreme Court continues to be under examination of the Government.

The increase in the age of retirement of Judges would be effected by amending Article 217 of the Constitution of India in accordance with the procedure laid down in its Article 368(2). Since this Article is covered under Chapter V of Part VI of the Constitution, amendment in the aforesaid Article will require ratification by the Legislatures of atleast one half of the States, as per the provision of Article 368(2).

In other words, as per the scheme of things, it will first require a Cabinet decision after consulting all the Departments concerned. Thereafter, as per Constitutional requirements, a Bill to this effect will have to be introduced in the Parliament. As increase in age of superannuation of Supreme Court and High Court Judges is a sensitive issue, it is quite likely that the purported Bill may be initially assigned to the Department related Parliamentary Standing Committee. Thus, it will be seen that the matter involves long procedural formalities and would take along time for implementation. It may not be possible for the Government to fulfill such an assurance within a short period of 3 months.

A similar assurance given in the Rajya Sabha USQ No. 3861 replied on 22 May, 2006 regarding increase in the age of retirement of High Court Judges is pending for fulfillment."

5. The Ministry with the approval of Minister of Law and Justice, requested not to treat the reply as an assurance as its fulfillment would be a long drawn process.

[viii] RECOMMENDATIONS OF NKC ON SURVEY OUTCOMES

On 5 December, 2007 Dr. M. Jagannath and Shri K.S. Manoj, MPs, addressed the following Unstarred Question No. 2761 to the Minister of Planning:-

- “(a) whether the National Knowledge Commission (NKC) has submitted its findings and recommendations of the first ever survey conducted by it;
- (b) if so, the salient features of the findings of the survey;
- (c) whether the Government has accepted the findings of the survey; and
- (d) if so, the action taken by the Government in this regard?”

2. In reply, the then Minister of State in the Ministry of Planning (Shri M.V. Rajasekharan) stated as follows:-

“(a) to (d) : The National Knowledge Commission (NKC) till November, 2007 has submitted recommendations relating to:

* Libraries * Translation * Language * Knowledge Network * Right to Education * Health Information Network * Portals (Water, Energy) * Vocational Education * Higher Education * Legal Education * Medical Education * Management Education * Open and Distance Education * Open Educational Courseware * National Science and Social Science Foundation * Intellectual Property Rights * Innovation * E-governance * The recommendations are under examination.”

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Planning within three months of the date of the reply.

4. The Ministry of Planning vide O.M. No. H.11016/10/2007-Edn dated 27 February, 2008 requested to drop the assurance on the following grounds

“That the recommendations of the National Knowledge Commission (NKC) have been forwarded to the Ministries concerned by the PMO and the Planning Commission. In some cases, the Ministries have framed schemes which are in various stages of appraisal by the Planning Commission and the Department of Expenditure. Some recommendations of NKC are still under examination, while action has been completed in case of others.”

5. The Ministry, with the approval of Minister of State for Planning, requested to drop the assurance.

6. The Committee considered the request of the Ministry at their sitting held on 11 June, 2008 and decided not to drop the assurance as they desired that a status report on the subject may be furnished for their consideration. Accordingly the Planning Commission vide their O.M. No.H-11017/11/2007-Edn. dated 18 August, 2008 furnished a status report.

On 26 April, 2005 Shri Asaduddin Owaisi, MP, addressed the following Unstarred Question No.4626 to the Minister of Human Resource Development:-

“(a) whether any committee has been set up to examine the concept of US in vocational education in the country;

(b) if so, the details thereof and the time by which the committee is likely to submit its report; and

(c) the extent to which this changed policy on vocational education is helpful to Indian students especially in rural areas?”

2. In reply, the then Minister of State in the Ministry of Human Resource Development (Shri M.A.A. Fatmi) stated as follows:-

“(a) to (c) Yes, Sir. The Minister for Human Resource Development has constituted a Committee to go into the various issues concerning role of Community Colleges in Indian Education System and provide opinion about the feasibility, desirability and parameters for introducing the Community Colleges in Indian Education System. The Committee is yet to submit its Report.”

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Human Resource Development within three months of the date of the reply i.e. by 25 July, 2005.

4. The Ministry of Human Resource Development vide O.M. F.No. 4-9/2005.VE.II dated 7 March, 2008 requested to drop the assurance on the following grounds:-

“That on examining the matter it has been seen that the Committee under the chairmanship of Shri Sudeep Banerjee, the then Additional Secretary was to submit its report by 15 March, 2005 giving its opinion about the feasibility, desirability and parameters of introducing the Community Colleges in the Indian Education System. However, the report was not submitted and Shri Banerjee who was the Chairman of the Committee had retired as Secretary of the Higher Education Department. The Committee did not seek extension of time for submission of its report and its term was not extended beyond 15 March, 2005. Since the Committee became non-functional due to the above mentioned reasons, it is not possible for the Department to fulfill the assurance.”

[x] ABOLITION OF TORTURE

On 3 May, 2000 Shri Simranjit Singh Mann, M.P., addressed the following Unstarred Question No.5739 to the Minister of External Affairs:-

“(a) whether the Government propose to sign and ratify the UN Convention Against Torture;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?”

2. In reply, the then Minister of State in the Ministry of External Affairs (Shri Ajit Kumar Panja) stated as follows:-

“(a), (b) & (c) : India signed the UN Convention Against Torture and other cruel, inhuman degrading treatment or punishment on October 14, 1997. India has, however, not yet ratified the Convention because the need to amend our legislation to bring it in conformity with the provisions of the Convention is under examination. As soon as this process is complete and the necessary amendment of legislation, if found necessary, enacted, the Government will be in a position to ratify the Convention.”

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of External Affairs within three months of the date of the reply.

4. The Ministry of External Affairs have also requested the Committee to drop the assurance on the following grounds:-

“That the matter regarding the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment is handled by the Ministry of Home Affairs. The ratification of this convention is under examination. Ratification of a convention involves either the enactment of legislation(s) and/or the amendment of existing legislation(s). This is a complex process that cannot be put in a time-bound framework.”

[xi] SETTING UP OF VEHICLES INSPECTION CENTRE

On 5 December, 2007 Dr. M. Jagannath and Shri G. Karunakara Reddy, MPs addressed the following Unstarred Question No. 2822 to the Minister of Shipping, Road Transport and Highways :-

“(a) Whether Union Government proposes to set up specialized state-of-the-art vehicle inspection and maintenance centers in all the States/Union Territories; and

(b) If so, the details thereof along with vehicle inspection centers proposed to be set up, State-wise?”

2. In reply, the then Minister of State in the Ministry of Shipping, Road Transport and Highways (Shri K.H. Muniyappa) stated as follows:-

“(a) Yes, Sir.

(b) The proposal is at nascent stage and the details have not been finalized.”

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Shipping, Road Transport and Highways within three months of the date of reply *i.e.* by 4 March, 2008. The assurance remained unimplemented. The Ministry sought extension up to 5 June, 2008. The Ministry vide their O.M. dated 21 August, 2008 sought further extension of time upto 5 December, 2008 to implement the assurance. The Ministry while seeking extension of time from the Committee stated that “A scheme is being formulated to set up Inspection & Maintenance System in India. For the purpose, International Centre for Automotive Technology (ICAT), Manesar, a division of National Automotive Testing and Research & Development Infrastructure Projects (NATRIP) was entrusted to develop a blue print for Inspection and Maintenance (I&M) system. The report has just been received.”

4. The Ministry of Shipping, Road Transport and Highways *vide* their O.M. No. F.No. H-11016/21/2007-MVL dated 14 May, 2008, requested to drop the assurance on the following ground:-

“that the proposal for setting up of Vehicles Inspection Centre is at the nascent stage. A study is being conducted by International Centre for Automotive Technology, Manesar to finalise the feasibility of the project. The entire process of study, finalization of feasibility report and setting up a Vehicles Inspection Centre is a long procedure and may take time.”

5. The Ministry of Shipping, Road Transport and Highways with the approval of the Minister of State (S, RT&H) to drop the assurance.

[xii] REGISTRATION OF FIRs

On 21 August, 2007 Shri Asadudin Owaisi , MP addressed the following Unstarred Question No. 1265 to the Minister of Home Affairs:-

“(a) whether non-registration of FIRs is one of the major obstacles in the functioning of the criminal justice system;

(b) if so, whether the Administrative Reforms Commission (ARC) has made suggestions to the Government to explore options to ensure smooth registration of FIRs;

(c) if so, whether the ARC has also recommended lodging FIRs at public kiosks or through call centers;

(d) if so, the details of other recommendations made by the ARC in this regard;

(e) whether the Government has accepted the recommendations of ARC;

(f) if so, the details thereof;

(g) if not, the reasons therefor; and

(h) the time by when the new system of registration of FIRs is likely to be implemented?”

2. In reply, the then Minister of State in the Ministry of Home Affairs (Smt. V. Radhika Selvi) stated as follows:-

“(a) to (c) : The Administrative Reforms Commission in its report has, *inter-alia*, recommended that registration of FIRs should be made totally citizen-friendly and technology should be used to improve the accessibility of police stations to the public. The Commission have also recommended that establishing call centers and public kiosks are possible options in this regard.

(d) to (h) : Other recommendations are on public order, national security, social harmony, police reforms, reforms in criminal justice system, constitutional issues including special laws, role of civil societies/media/political parties etc. The recommendations are under consideration.”

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Home Affairs within three months of the date of reply.

4. The Ministry of Home Affairs vide their O.M. No. F.No. 5/11/2007-Judl.Cell dated 17 June, 2008 requested to drop the assurance on the following grounds:-

"The recommendations made by the Administrative Reforms Commission (ARC) on 'Public Order' cover wide spectrum of issues concerning criminal justice system. Since the Criminal Law and Criminal Procedure are on the Concurrent List of the Seventh Schedule to the Constitution of India, this requires consultation with State Governments and Union Territory administrations. Hence, the amendment to law would need a lot of time. No time frame can, therefore, be fixed in this regard."

5. The Ministry of Home Affairs with the approval of MOS (R) requested to drop the assurance.

On 24 August, 2007, Shri Rayapati Sambasiva Rao, M.P., addressed the following Starred Question No.186 to the Minister of Earth Sciences:-

“(a) whether the Government has made any progress in evolving a system to predict rainfall accurately in advance, and

(b) if so, the details thereof?”

2. In reply, the then Minister of the Science and Technology and Minister of Earth Sciences (Shri Kapil Sibal) stated as follows:-

“(a) Yes Sir.

(b) 1. Rainfall predictions are provided in different temporal and spatial ranges. These are

- i) Short range rainfall predictions, upto 3 days, are generated daily for all 36 Meteorological sub-divisions in the country.
- ii) Medium range rainfall predictions (3-7 days) are generated for the whole country.
- iii) Long range rainfall forecast for the southwest monsoon season (June-September) for the country as a whole and also for 4 homogeneous regions. The forecast is issued in 2 stages, first in April with the data up to March and the second by end of June with the data up to May.

3. The following efforts have been made to improve the accuracy of rainfall forecasts:

- i) 125 automatic weather stations (AWS) have been made operational for monsoon season of 2007
- ii) An improved numerical model with 50Km resolution has been implemented.
- iii) Additional satellite observations are being assimilated in the numerical models for improving the forecast since May 2007.
- iv) A multi-model Man-Machine-Mix approach has been adopted for improving the forecast skill.

These initiatives have resulted in some improvement in the short and medium range rainfall forecasts.

Further a comprehensive modernization programme of IMD and National Centre for Medium Range Weather Forecasting (NCMRWF) is being taken up with following components:

Procurement of high performance computers for forecasting. Enhancement of observation systems including Automated Rain Gauges (ARG), Automatic Weather Stations (AWS), improved Radiosonde systems for upper level data, acquisition of Doppler Weather Radar (DWR) etc."

4. The above reply was treated as an assurance however the Ministry of Earth Sciences requested for its deletion on the following grounds:-

"Since the statement made by the Hon'ble Minister is about the completion of the programme which the Ministry is undertaking and the year 2013 referred to by the Hon'ble Minister is only the target time by which the project can be completed, the statement made by the Hon'ble Minister be construed as a statement of factual position and may not be treated as an assurance."

[xiv] AMENDMENT IN E.P.F. AND M.P. ACT, 1952

On 12 December, 2005, Shri Subodh Mohite, M.P., addressed the following Unstarred Question No. 2786 to the Minister of Labour and Employment:-

- “(a) whether the Government proposes to enact amendments in Employees Provident Fund and Miscellaneous Provision Act, 1952 to cover more workers under it;
- (b) if so, the details thereof along with the time by which it is likely to be amended;
- (c) whether all the offices of Employees Provident Fund Organisation are computerized and online settlement of claims has been started in these offices; and
- (d) if not, the time by which these offices are likely to be computerized?”

2. In reply, the then Minister of Labour and Employment (Shri K. Chandrasekhar Rao) stated as follows:-

- “(a) & (b): A comprehensive set of amendments to the Employees’ Provident Funds & Miscellaneous Provisions Act, 1952 has been proposed by Central Board of Trustees, Employees’ Provident Fund, which is under examination of the Government.
- (c) & (d): All the offices of Employees’ Provident Fund Organization have been provided with Electronic Data Processing (EDP) centers to undertake limited data processing activities. As regards online settlement, the same has not commenced.

Employees’ Provident Fund Organization has embarked upon a modernization project ‘Re-inventing EPF India’ and integration activities are currently underway to put in place appropriate delivery systems.”

3. The above reply was treated as an assurance however the Ministry of Labour and Employment requested for its deletion on the following grounds: -

“The Ministry have been striving all efforts to fulfill the assurance. But despite all efforts the comprehensive amendment proposal of Employees provident Funds and Miscellaneous Provisions Act, 1952 kept on changing. Though certain amendments in the EPF schemes have been carried out from time to time and every notification has been laid on the Table of the House as per prescribed instructions, a comprehensive amendment could not be made till now. Since amendments is an ongoing process and the Government has to see all the aspects or urgency, requirement and implications before taking a decision on any amendment, part (a) and (b) of this assurance may not be fulfilled within the given time frame. Similarly though the ‘Re-inventing EPF India’ is being pursued rigorously but no time-frame can be allotted at present in respect of part (c) and (d) of the assurance.”

[xv] MODERNISATION OF NTC MILLS

On 08 May, 2007, Shri Anjan Kumar M. Yadav and Shri Jivabhai Ambalal Patel, MPs addressed the following Unstarred Question No. 4410 to the Minister of Textiles :-

- “(a) whether the pace of the work being undertaken for modernization of NTC mills is not as required;
- (b) if so, the details thereof; and
- (c) the corrective steps taken by the Government in this regard?”

2. In reply, the then Minister of State in the Ministry of Textiles (Shri E.V.K.S. Elangovan) stated as follows:-

“(a) to (c) : The work being undertaken for modernization of National Textile Corporation (NTC) is as per the Modified Rehabilitation Scheme approved by the Board for Industrial and Financial Reconstruction (BIFR) and Group of Ministers (GOM). In pursuance of the Scheme, NTC has formulated a plan for modernizing 22 mills by itself by generating funds from the sale of surplus assets. NTC has started modernization of 13 mills for which orders for purchase have already been placed. The modernization is scheduled to be completed by December, 2007, as per the action plan drawn by the Company.”

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Textiles within three months of the date of reply.

4. The Ministry of Textiles vide their O.M. No. F.No. 1/5/2007-NTC dated 18 June, 2008, requested to drop the assurance on the following grounds:-

“It was expected by NTC that the modernization of 13 mills will be completed by December, 2007 with the hope that the rates for Speed Frame and Ring Frame would be finalised against 3rd Tender floated in January, 2007. Due to delay in decision to finalise the rate and party of Speed Frame & Ring Frame, it was assessed that this modernization would be completed by March, 2008 as per revised action plan drawn by the Company. The modernization of the said mills was to be completed within the implementation period of rehabilitation scheme duly approved by the Board for Industrial and Financial Reconstruction (BIFR) i.e. 31.03.2008. However, due to various reasons (Annexure-I), the modernization of mill could not be completed on time. In view of this, NTC has filed a Second Modified Rehabilitation Scheme in BIFR which was considered by the BIRF in its hearing held on 27.05.08. The further modernization of the mills would depend on the decision of BIFR on the Second MRS. The status report in the prescribed format is enclosed herewith. The NTC is vigorously pursuing the matter.”

5. This request was considered by the Committee at their sitting held on 24 September 2008 and decided not to drop the assurance. The Ministry of Textiles was informed accordingly. However, the Ministry of Textiles vide their O.M. No. F. No. 1/5/2007-NTC dated 15 January, 2009 again requested to drop the assurance on the following ground:-

“ The entire scheme of NTC is self financing with source of funds from sale of land. Initially, the sale of land could not materialize mainly due to lack of permission from state Governments, and litigation before various courts. It was only after a series of litigations and finally with the favourable judgement from the Hon’ble Supreme Court in March, 2006 that NTC could take steps for implementation of modernization of mills.

NTC has completed most of the parts of the sanctioned scheme, and is expediting modernization of mills. 22 mills are being modernized by NTC itself, and the modernization is expected to be completed by March, 2009. In addition, NTC has also entered into joint venture with reputed textile players in respect of 16 mills.

However, permission for sale of land in case of balance units of NTC in the state of Maharashtra is pending with the Government of Maharashtra. As and when the permission is granted, necessary funds would be realized and the rehabilitation package would be implemented in totality.

In view of the above, it may be submitted that the delay was beyond the control of the Ministry of Textiles. It is therefore requested that the pending Assurance may be dropped.”

[xvi] CHANGING THE NAME OF WEST BENGAL

On 02 May, 2000, Shri Lakshman Seth, MP addressed the following Unstarred Question No. 5544 to the Minister of Home Affairs :-

“(a) whether the Government of West Bengal has sought the permission of the Union Government to change the name of West Bengal; and

(b) if so, the details in this regard?”

2. In reply, the then Minister of State in the Ministry of Home Affairs (Shri I.D. Swami) stated as follows :-

“(a) & (b): The Government of West Bengal has requested the Government of India to take such steps as may be necessary under article 3(e) of the Constitution of India for renaming ‘West Bengal’ as ‘Bangla’. The proposal is under examination.”

3. On 20 February, 2001, Shri Lakshman Seth, MP addressed the following Unstarred Question No. 32 to the Minister of Home Affairs :-

“(a) whether the Government of West Bengal has sought approval on the proposal of renaming the West Bengal as Bangla; and

(b) if so, the steps taken in this regard so far?”

4. In reply, the then Minister of State in the Ministry of Home Affairs (Shri I.D. Swami) stated as follows :-

“(a) & (b): The Government of West Bengal has requested the Government to take such steps as may be necessary under article 3(e) of the Constitution of India for renaming ‘West Bengal’ as ‘Bangla’. The request of the State is under examination.”

5. On 27 November, 2001, Shri Lakshman Seth, MP addressed the following Unstarred Question No. 1524 to the Minister of Home Affairs :-

“(a) whether the Government has received any proposal from the Government of West Bengal regarding renaming the West Bengal as Bangla; and

(b) if so, the steps taken by the Government in this regard so far?”

6. In reply, the then Minister of State in the Ministry of Home Affairs (Shri I.D. Swami) stated as follows :-

“(a) Yes Sir.

(b) The proposal is under examination.”

7. On 05 March, 2002, Shri Lakshman Seth, MP addressed the following Unstarred Question No. 716 to the Minister of Home Affairs :-

“(a) whether the Government of West Bengal has sought approval of the proposal for renaming of West Bengal as Bangla; and

(b) if so, the steps taken in this regard so far?”

8. In reply, the then Minister of State in the Ministry of Home Affairs (Shri I.D. Swami) stated as follows :-

“(a) & (b): The Government of West Bengal has requested the Central Government to take such steps as may be necessary under article 3(e) of the Constitution of India for renaming of ‘West Bengal’ as ‘Bangla’. The request of the State Government is under examination.”

9. The replies to the above questions were treated as assurances and were required to be fulfilled by the Ministry of Home Affairs within three months of the date of replies i.e., by 01 August, 2000, 19 May, 2001, 26 February, 2002 and 04 June, 2002 but these assurances are still pending. The Ministry have sought extension of time upto 31 January, 2009, 16 May, 2008, 13 February, 2009 and 03 December, 2008 in respect of assurances mentioned at Serial No. (i), (ii), (iii) and (iv) respectively.

10. The Ministry of Home Affairs *vide* their O.M. No. 16012/2/2001-SR dated 15 January, 2008, addressed to Ministry of Parliamentary Affairs and O.M. of even number dated 19 May, 2008 have requested to drop these assurances on the following ground:-

“The proposal for changing the name of the state of West Bengal as ‘Bangla’ has been considered by this Ministry in consultation with the Ministry of External Affairs. Considering the fact that ‘Bangla’ is commonly used in slogans like ‘Sonar Bangla’ and ‘Joy Bangla’ and also figures in the national anthem of Bangladesh, change in the name of West Bengal to ‘Bangla’ is bound to raise questions/suspicion. This Ministry is of the view that the proposal would result in sensitive policy implications and avoidable embarrassment and hence it is not advisable to pursue the matter. It is, therefore, requested that matter may be taken up with the Committee of Government Assurances as a special case to drop the four Assurances.”

11. Accordingly, the Ministry of Home Affairs with the approval of the Home Minister have requested to drop the assurances.

[xvii] CHANDULAL CHANDRAKAR COMMITTEE

On 21 April, 1992 Shri Ram Nihore Rai and Dr. Kartikeswar Patra, M.Ps. addressed the following Starred Question No. 677 to the Minister of Human Resource Development:-

- “(a) whether the Chandulal Chandrakar Committee set up to examine the various aspects of admission of students to Kendriya Vidyalayas has submitted its report;
- (b) if so, the details of the recommendations made by the Committee and the reaction of the Government thereto; and
- (c) if not, the reasons for the delay?”

2. In reply, the Minister of Human Resource Development (Shri Arjun Singh) stated as follows :-

“(a) The Kendriya Vidyalaya Sangathan has informed that its Board of Governors at its 51st meeting held on May 31, 1988 decided to constitute a Sub-committee to go into all aspects concerning changes in admission policy for the Sangathan. Consequently, a two-member Committee headed by Shri Chandulal Chandrakar was appointed in June, 1988.

(b) & (c) : Information is being collected and will be laid on the Table of the House.”

3. On 22 December, 1992 , Dr. Laxminarayan Pandey, MP addressed the following Unstarred Question No. 4717 to the Minister of Human Resource Development :-

“(a) whether the Report of the Chandulal Chandrakar Committee set up in 1988 has since been received by the Government;

(b) if so, the details of main recommendations made therein; and

(c) the steps proposed to be taken by the Government in this regard?”

4. In reply, the then Deputy Minister for Education and Culture in the Ministry of Human Resource Development (Kumari Selja) stated as follows :-

“(a), (b) and (c): The matter is under consideration.”

5. Replies to the above questions were treated as assurances and the same were required to be fulfilled by the Ministry of Human Resource Development within three months of the date of replies i.e. by 20 July, 1992 and 21 March, 1992 respectively but the assurances are still pending. The Ministry have sought extension of time upto 21 June, 2008 to implement these assurances.

6. The Ministry of Parliamentary Affairs vide their U.O. Note No. III/HRD(37)/SQ 677/LS-92 dated 26 May 1994 forwarded a request of the Ministry of Human Resource Development to drop the above assurances and the Committee considered their request at their sitting held on 27 June, 1994 and decided not to drop the assurances. Accordingly the Committee vide their 28th Report of Tenth Lok Sabha, presented to the House on 09 May, 1995 *inter-alia* desired that the Ministry should make all efforts to trace out the Report of Chandulal Chandrakar Committee and inform accordingly, so as to enable the Committee to reconsider the matter (Para 1.31).

7. The Ministry of Human Resource Development *vide* their O.M. No. F.2-35/1992-UT.2(Pt.) dated 28 February, 2008, have once again requested to drop the above assurances on the following grounds:-

“The Chief Vigilance Officer of this Ministry inquired into the whereabouts of the Chandulal Chandrakar Committee Report on special dispensation admission in Kendriya Vidyalayas. An officer of KVS met the then Hon’ble MP on 22.9.1993 at his residence for obtaining a copy of the report. The Hon’ble MP could not provide a copy of the report nor could he recollect the recommendations of the said Committee. A special messenger was also deputed by KVS to the office and Bungalow of the then HRM, but the relevant file could not be located nor traced. One more attempt was made by KVS to locate papers with Shri S.L. Khanna, the other Member of Committee on 03.12.1996. Thus, several efforts were made to trace the report but in vain.

While it is true that the KVS and the Department have failed to trace out relevant information on the Chandulal Chandrakar Committee for fulfilling the assurances, the subject matter under the Committee’s consideration viz. admission policy, has already been attended to by setting up of another Committee in 1992 under the Chairmanship of Smt. Malini Bhattacharya, former MP and Member of Consultative Committee attached to this Ministry at that time. Appropriate action has been taken in accordance with the recommendations of the Committee.

The validity of the provisions of Special Dispensation admission in Kendriya Vidyalayas was also considered in a Writ Petition (CWP No. 3085 of 1994) by the Hon’ble High Court, Delhi on 27th March, 1996. The Hon’ble High Court of Delhi disposed off the case vide order dated 11.4.1997 in the light of the categorical stand taken in the affidavit filed by the KVS to the effect that no admission would be granted on the basis of Special Dispensation pending formulation of clear guidelines.”

[xviii] NAVODAYA VIDYALAYA SAMITI

On 08 August, 1995 Shri Ram Prasad Singh, MP addressed the following Unstarred Question No. 1358 to the Minister of Human Resource Development:-

“(a) whether attention of the Union Government have been drawn to the news item appearing in Navbharat times, dated June 22, 1995 under the caption “Anadarsh Kamoe mei lipt hai Navodaya Vidyalaya”;

(b) whether the Government propose to take any action on the Report given by Controller and Auditor General of India regarding the alleged misappropriation of funds by Navodaya Vidyalaya Samiti; and

(c) if so, the details thereof?”

2. In reply, the then Minister of State in the Ministry of Human Resource Development (Department of Education and Department of Culture) (KUMARI SELJA) stated as follows:-

(a) Yes, Sir.

(b) Yes, Sir.

(c) The Navodaya Vidyalaya Samiti has been asked to furnish detailed comments on the points raised in the report of the Comptroller and Auditor General of India for enabling the Government to take further necessary action in the matter.

3. The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Human Resource Development within three months of the date of reply i.e. by 08 November, 2008 but the assurance is still pending. The Ministry have not sought extension of time beyond 7.9.2008 to implement the assurance.

4. The Ministry of Human Resource Development *vide* their D.O. No. 10-11/2006-UT-1 dated 20 February, 2008, have requested to drop the assurance on the following grounds:-

“The Assurance to the Question was regarding action taken by Government on the report given by Comptroller and Auditor General of India (C&AG) about alleged misappropriation of funds of Navodaya Vidyalaya Samiti. A copy of the reply to the Question is enclosed for reference. The file relating to CAG Report is not traceable and exact contents of the Action Taken Note (ATN) are not available with the Ministry. However, as per record available with the Ministry, the ATN on Para 12 of the CAG Report No. 11 of 1995 was finalized and sent to Ministry of Finance for laying the same on the Table of Parliament in the year 2000.

The matter was also taken up with Ministry of Finance, office of the C & AG and Lok Sabha Secretariat (PAC Branch). Ministry of Finance intimated through their reference I.D. No. 780/2007/MC dated 14.09.2007 (copy enclosed) that the relevant file has been destroyed and advised this Ministry to ascertain the present status from Lok Sabha Secretariat (PAC Branch). The Lok Sabha Secretariat has informed through letter No. 4/4/2007/PAC dated 14 November 2007 (copy enclosed) that the Public Accounts Committee of Parliament had not selected this CAG para for detailed examination and therefore it was not possible to trace the action taken notes.

Keeping in view the fact the Action Taken Note on Para 12 of the CAG Report No. 11 of 1995, duly vetted by C & AG, was forwarded to Lok Sabha Secretariat (PAC Branch) through Ministry of Finance for laying the same in the House, it is for consideration if the assurance can be dropped, particularly when it is more than 12 years old."

5. The Ministry *vide* their DO letter No. F.10-11/2006-UT.1 dated 18 August, 2009 informed that they have consulted DGACR whether any further action is required to be taken by the Ministry on the audit para. DGACR has stated that action taken note on Para 12 of the report No. 11 of 1995 has been finalized by audit and no further comments can be given on the issue of dropping the assurance given by the Ministry.

MINUTES

FOURTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2007-2008) held on 08 January, 2008 in Committee Room 'E' Parliament House Annexe, New Delhi.

The Committee sat from 1130 hours to 1230 hours on Tuesday, 08 January, 2008.

PRESENT

CHAIRMAN

Shri Harin Pathak

Members

2. Dr. K. Dhanaraju
3. Shri A. Venkatesh Naik
4. Shri Nihal Chand
5. Shri Rajiv Ranjan 'Lalan' Singh

Secretariat

1. Shri Hardev Singh - Director
2. Shri B.S. Dahiya - Deputy Secretary

At the outset, the Chairman welcomed the Members and wished them a very happy and prosperous new year 2008. Thereafter, they were apprised briefly about the agenda for the sitting. The Committee then took up the following ten Memoranda pertaining to requests received from various Ministries/Departments for dropping of assurances:-

<u>Memorandum No.22</u>	Request for dropping of assurances given in replies to (i) USQ No. 856 dated 27.07.2000 regarding 'Diesel Scam'; (ii) USQ No. 876 dated 23.11.2000 regarding 'Diesel Scam'; and (iii) USQ No. 6566 dated 09.05.2002 regarding 'Racket of HSD Unearthed by CBI'.
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The Committee considered the above memorandum and noted that the Committee had turned down the requests of the Ministry for dropping the assurances twice earlier. As investigations in remaining 57 conspiracies out of 110 cases are still in progress by the CBI, the Committee desired that the investigations be brought to their logical conclusion and accordingly decided not to drop the assurances.

Memorandum No.23 Request for dropping of assurance given on 16 July, 2002 in reply to SQ No. 27 regarding 'Communal riots in the country'.

The Committee considered the above memorandum and having been satisfied with the submissions made by the Ministry decided to drop the assurance.

Memorandum No.24 Request for dropping of assurance given on 03 May, 2005 in reply to USQ No. 5704 regarding 'Inclusion of Castes in ST list of Chhattisgarh'.

The Committee considered the above memorandum and desired to have a status report on the proposals received from State Government of Chhattisgarh for inclusion of 13 communities in SC/ST list. The Committee also showed their displeasure over the contention of the Ministry "that the answer given by the Ministry does not constitute an assurance" and observe that it is not for the Ministry to question the jurisdiction of the Committee. The Committee, therefore, decided not to drop the assurance.

Memorandum No.25 Request for dropping of assurances given in replies to (i) Starred Question No. 222 dated 06.03.2003 regarding 'More Powers to Press Council of India' and (ii) Starred Question No. 214 dated 07.08.2006 regarding 'Obscenity and Vulgarity in Newspapers'.

The Committee considered the above memorandum and noted that the proposal regarding grant of more powers to Press Council of India by way of making certain amendments to the Press Council Act, 1978 has been under consideration of the Ministry for several years and it is still not certain how much more time it would take to finalize the issue as no final view has emerged amongst the various stakeholders. The Committee was not convinced with the given reasons and desired that the issue be finalized early and the Government should come out with the necessary amendment in the Press Council Act, 1978 to provide more penal powers to the Press Council of India.

Memorandum No.26* Request for dropping of the assurances given in replies to (i) Unstarred Question No. 3418 dated 24 March,2005 regarding 'Allocation of Kerosene'; (ii) Unstarred Question No. 7030 dated 12 May,2005 regarding 'Shortage of Kerosene'; (iii) Unstarred Question No. 434 dated 24 November,2005 regarding 'Rationalization of Kerosene'; (iv) Unstarred Question No. 534 dated 23 February,2006 regarding 'Demand of Kerosene in States'; (v) Unstarred Question No. 485 dated 27 July,2006 regarding 'Sale of Kerosene to BPL Families'; (vi) Unstarred Question No. 514 dated 27 July,2006 regarding 'Smart Cards to Cooking Gas/Kerosene Consumers'; (vii) Unstarred Question No. 311 dated 17 August,2006 regarding 'Shortage of Kerosene'; and (viii) Unstarred Question No. 2286 dated 7 December,2006 regarding 'Availability of Kerosene'.

The Committee considered the above memorandum and noted that despite the steps taken by the Ministry it could not finalise the proposal of rationalizing the allocation of kerosene under Public Distribution Scheme (PDS). The Committee did not agree to drop these assurances and desired that the Ministry should finalise the norms for allocation of kerosene under PDS and open market at the earliest.

Memorandum No.27*

Request for dropping the assurances given in replies to: (i) Unstarred Question No. 6249 dated 6 May, 2005 regarding Legislation on Insurance Sector; (ii) Unstarred Question No. 1624 dated 2 December, 2005 regarding Narasimhan Committee on Insurance; (iii) Unstarred Question No. 2286 dated 10 March, 2006 regarding Amendment to Insurance Law; (vi) Unstarred Question No. 553 dated 24 November, 2006 regarding Banking Reforms; (v) Unstarred Question No. 1513 dated 1 December, 2006 regarding Government Guarantee on LIC Policies; (vi) Unstarred Question No. 2576 dated 8 December, 2006 regarding FDI in Insurance Sector; (vii) Unstarred Question No. 669 dated 02 March, 2007 regarding FDI in Insurance Sector; and (viii) Unstarred Question No. 3697 dated 27 April, 2007 regarding FDI in Insurance Sector.

The Committee considered the above memorandum and noted that the requests of the Ministry for dropping the assurances has already been considered by the Committee and turned down twice. The Committee also noted that legislation on Insurance sector is a very important issue and desired to have a status report on the present position of the amendment to 'Insurance Laws'. The Committee therefore decided not to drop the assurances.

Memorandum No.28

Request for dropping the assurances given in replies to (i) Unstarred Question No. 3669 dated 15.04.1999 regarding 'Operation Leech conducted in Andaman & Nicobar Islands', (ii) Unstarred Question No. 856 dated 28.07.2005 regarding 'Enquiry into alleged Pay-Offs', and (iii) Unstarred Question No. 4595* dated 25.08.2005 regarding 'Supply of Surveillance/Counter Surveillance Equipments'.

The Committee considered the above memorandum and noted that the request of the Ministry for dropping the assurance was considered by the Committee earlier and the Committee had desired that a detailed status report with full facts of the case may be furnished for their consideration, but the same has not been furnished so far for their consideration. The Committee, therefore, desired that the said status report be furnished in the first instance and accordingly decided not to drop the assurance.

Memorandum No.29

Request for dropping of assurance given on 4 December, 2003 in reply to USQ No. 397 regarding 'Illegal Occupation of Waiting Rooms'.

The Committee considered the above memorandum and noted that DGPs and GMs of concerned Railways had been requested by the Ministry to take necessary action and ensure that the Waiting Hall/Retiring Room of Indian Railways occupied by the Government Railway Police personnel are vacated. The Committee, therefore, desired the Ministry to furnish a status report regarding the Waiting/Retiring rooms that were occupied by them and got vacated later on. The Committee therefore did not agree to drop the assurance.

Memorandum No.30

Request for dropping of assurance given on 15 December, 2004 in reply to USQ No. 2325 regarding 'Hota Committee Recommendations'.

The Committee considered the above memorandum and noted that the Government proposes to set up an Administrative Reforms Commission to go into the entire gamut of reforms in Civil Services. The Committee, therefore, decided not to drop the assurance.

Memorandum No.31

Request for dropping of assurance given on 23 December, 2004 in reply to USQ No. 3812 regarding 'Opening of New Rail Museum in Maharashtra'.

The Committee considered the above memorandum and noted that a proposal for setting up of a regional rail museum at Pune is under consideration. The Committee, therefore, desired to have a status report on the same before taking a decision on the request of the Ministry of Railways for dropping the assurance. The Committee also decided that in the meantime, the Ministry should seek an extension.

The Committee then adjourned.

*Implemented

MINUTES

NINTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2007-2008) held on 11 June, 2008 in Committee Room 'B' Parliament House Annexe, New Delhi.

The Committee sat from 1100 hours to 1200 hours on Wednesday, 11 June, 2008.

PRESENT

Chairman

Shri Harin Pathak

Members

2. Shri Jigajinagi Ramesh Chandappa
3. Dr. K. Dhanaraju
4. Shri Biren Singh Engti
5. Shri Sunil Khan
6. Shri Vijoy Krishna
7. Shri A. Venkatesh Naik
8. Shri Rajiv Ranjan 'Lalan' Singh
9. Shri Aruna Kumar Vundavalli

Secretariat

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|----|--------------------|---|------------------|
| 1. | Shri P. Sreedharan | - | Joint Secretary |
| 2. | Shri Rajeev Sharma | - | Director |
| 3. | Shri B.S. Dahiya | - | Deputy Secretary |

At the outset, the Chairman welcomed the Members and apprised them briefly about the agenda for the sitting. Thereafter, the Committee considered the Draft Twenty Third Report regarding requests for dropping of assurances and after discussion adopted the same without any amendment. The Committee authorized the Chairman to present the Report to the House during ensuing Session of Parliament. Thereafter, the Committee took up the following five Memoranda placed before them for consideration of the requests received from various Ministries/Departments for dropping of assurances: -

Memorandum No. 52 Request for dropping of assurance given on 16 December, 2005 in reply to Unstarred Question No. 3586 regarding 'Model Concession Pact'.

The Committee considered the above memorandum and noted that the Model Concession Agreements (MCA) are being framed by the different Ministries and the Ministry of Finance is not in a position to fulfill the assurance unless these Ministries ultimately frame the MCA. Accordingly, the Committee decided to drop the assurance.

Memorandum No. 53 Request for dropping of assurance given on 11 May, 2007 in reply to Unstarred Question No. 5095 regarding 'Retirement Age of Judges'.

The Committee considered the above memorandum and noted that the Ministry have requested the Committee, not to treat the reply as an assurance. The Committee expressed the view that it was the prerogative of the Committee to treat a particular reply as an assurance and it was not for the Ministry to question the decision of the Committee. The Committee, therefore, decided not to drop the assurance.

Memorandum No. 54 Request for dropping of assurance given on 30 November, 2007 in reply to Unstarred Question No. 2085 regarding 'Service Request before the Sixth Central Pay Commission'.

The Committee considered the above memorandum and expressed their concern over the contention of the Ministry that its reply cannot be termed as assurance. The Committee emphasized that it was not for the Ministry to question the decision of the Committee to treat a particular reply as an assurance. The Committee was not satisfied with the reasons adduced by the Ministry and decided not to drop the assurance.

Memorandum No. 55 Request for dropping of assurance given on 05 December, 2007 in reply to Unstarred Question No. 2761 regarding 'Recommendations of NKC on Survey Outcomes'.

The Committee considered the above memorandum and noted that 'the recommendations of the National Knowledge Commission (NKC) have been forwarded to the Ministries concerned by the PMO and the Planning Commission and the Ministries have framed schemes which are in various stages of appraisal by the Planning Commission and the Department of Expenditure'. The Committee also noted that some recommendations of NKC are still under examination, while action have been completed in case of others. The Committee, therefore, desired that a status report on the subject might first be furnished for their consideration. The Committee further noted that the Ministry has not sought any extension of time to implement the assurance. The Committee, therefore, decided to re-consider the request after receipt of the status report and the request for extension of time and accordingly, decided not to drop the assurance.

Memorandum No. 56

Request for dropping of assurance given on 26 April, 2005 in reply to Unstarred Question No. 4626 regarding 'Vocational Education'.

The Committee considered the above memorandum and noted that the Committee under the Chairmanship of Shri Sudeep Banerjee, then Additional Secretary, was to submit its report by 15 March, 2005, however, the same was not submitted as the Chairman of the Committee retired. The Banerjee Committee had also not sought extension of time for submission of its report and its term was not extended beyond 15 March, 2005 and as such the Banerjee Committee became non-functional. The Committee was not at all satisfied with the reasons advanced by the Ministry and desired to know the present status of the assurance. They accordingly decided not to drop the assurance.

The Committee then adjourned.

MINUTES

TENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2007-2008) held on 10 July, 2008 in Committee Room 'D', Parliament House Annexe, New Delhi.

The Committee sat from 1130 hours to 1230 hours on Thursday 10 July, 2008.

PRESENT

Chairman

Shri Harin Pathak

Members

2. Shri Sunil Khan
3. Shri Vijoy Krishna
4. Shri Rasheed Masood
5. Shri Nihal Chand
6. Shri Rajiv Ranjan 'Lalan' Singh

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri Dal Singh Malha - Deputy Secretary

2. At the outset, the Chairman welcomed the Members and apprised them briefly about the agenda of the sitting of the Committee. Thereafter, the Committee took up the following ten Memoranda containing requests received from various Ministries/Departments for dropping the pending assurances:-

Memorandum No.57	Request for dropping of assurance given on 22 December, 2004 in reply to SQ No.305 regarding 'Development of Inland Waterways'.
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The Committee considered the above Memorandum and noted that the Department of Shipping had not received any proposal from Shri Sanat Kumar Mandal or Shri Probodh Panda or any other Member of Parliament for development of any specific waterway in the hilly/ areas/North Eastern States so far. The Committee, accordingly, decided to drop the assurance.

Memorandum No.58 Request for dropping of assurance given on 08 March, 1999 in reply to USQ No.1728 regarding 'New Renewable Energy Policy'.

The Committee considered the above Memorandum and noted that under the Electricity Act, 2003, a National Electricity Policy, National Tariff Policy and National Rural Electrification Policy, which covered renewables as well, was prepared and announced. It was also noted that an Expert Committee of the Planning Commission have also made recommendations on an Integrated Energy Policy for the country and these recommendations, which cover the renewable energy sector, were considered presently adequate and as such the Ministry did not intend to have a separate policy for 'Renewable Energy' for the present. Accordingly, the Committee decided to drop the assurance.

Memorandum No.59 Request for dropping of assurance given on 01 December, 2004 in reply to USQ No.193 regarding 'CBI Raids'.

The Committee considered the above Memorandum and noted that out of the 65 cases registered by the CBI during the special drive, they had already completed investigation in 59 cases i.e. nearly 91% cases. As per CBI only 6 cases (9% approx) were still under investigation. As major portion of work had been completed, the Committee decided to drop the assurance.

Memorandum No.60 Request for dropping of assurance given on 02 March 2007 in reply to USQ No.610 regarding 'National Energy Funds'.

The Committee considered the above Memorandum and noted that the Ministry of Power had stated that Planning Commission intimated that the recommendations of Integrated Energy Policy including that of 'Setting up of National Energy Fund to provide financial assistance for Research and Development in Energy Sector', were being processed by Energy Coordination Committee headed by the Prime Minister and implementation of the Integrated Energy Policy recommendation might not have any definite time frame of implementation and should therefore not be treated as an assurance given to the Parliament. However the Committee expressed their displeasure over the request of the Ministry to drop the assurance on the ground that the reply should not be treated as assurance. The Committee were of the view that it was not for the Ministry to question the decision of the Committee to treat a particular reply as an assurance. The Committee also decided that the Ministry of Power should pursue the matter with Planning Commission. Accordingly, the Committee did not agree to drop the assurance.

Memorandum No.61 Request for dropping of assurance given on 03 May, 2000 in reply to USQ No.5739 regarding 'Abolition of Torture'.

The Committee considered the above Memorandum and noted that India signed the UN Convention Against Torture and other cruel, inhuman degrading treatment or punishment on October 14, 1997. However, the ratification of this convention remained under examination. The Committee, therefore, desired that the matter should be brought to its logical conclusion and accordingly decided not to drop the assurance.

Memorandum No.62 Request for dropping of assurance given on 23 November, 2007 in reply to USQ No.997 regarding 'Supply of NAPHTHA'.

The Committee considered the above memorandum and noted that the Ministry of Power had proposed complete waiver of Basic Custom Duty and CVD/Excise Duty on NAPHTHA to make it affordable fuel for power generation. However, the proposal for exemption of NAPHTHA from excise duty for Power Sector had not been announced by Finance Minister in his Budget Speech on 29 February, 2008. Accordingly, the Committee decided to drop the assurance.

Memorandum No.63 Request for dropping of assurance given on 05 March, 2008 in reply to USQ No.1061 regarding 'Raising Higher Education Fees'.

The Committee considered the above Memorandum and noted that the recommendations of the National Knowledge Commission on higher education was forwarded to the concerned Ministries by the Planning Commission. Since the matter requires wider consultations with all the stake holders and no time can be fixed for the same, the Committee decided to drop the assurance.

Memorandum No.64 Request for dropping of assurance given on 15 May, 2007 in reply to USQ No.5432 regarding 'Trade and Exhibition Centre'.

The Committee considered the above Memorandum and noted that Sharjah Chamber of Commerce and Industry (SCCI) decided that Indian Business & Professional Council (IBPC) a professional UAE based business organization representing the Indian interests should take the lead role in setting up of an India Trade & Exhibition Centre (ITEC) at Expo City, Sharjah, UAE. Since the IBPC had to evaluate its business potential before taking a view on its proposal, the Committee decided to drop the assurance.

Memorandum No.65 Request for dropping of assurance given on 05 December, 2007 in reply to USQ No.2822 regarding 'Setting up of Vehicles Inspection Centre'.

The Committee considered the above Memorandum and noted that in reply to USQ No.2822 dated 05 December 2007, it was stated that the proposal was at nascent stage. However, even after lapse of about six months, the Ministry, while requesting for dropping the assurance, have once again intimated that the proposal was at nascent stage. The Committee were not satisfied with the reasoning advanced by the Ministry and decided not to drop the assurance. The Committee also noted that the Ministry had not sought necessary extension of time beyond June 2008.

Memorandum No.66 Request for dropping of assurance given on 21 August, 2007 in reply to USQ No.1265 regarding 'Registration of FIRs'.

The Committee considered the above memorandum and noted that the recommendations made by the Administrative Reforms Commission (ARC) cover wide spectrum of issues and it also required consultation with State Governments and Union Territory Administrations. The Committee, therefore, decided to obtain information as to how many State Governments had been consulted so far, chronological details of the steps taken by the Government so far and also the future course of action chalked out by the Government to implement the recommendations of Administrative Reforms Commission. The Committee also decided to obtain a detailed note on the aforesaid aspects in the first instance before taking a final decision on the request received from the Ministry of Home Affairs.

The Committee then adjourned.

MINUTES
SECOND SITTING

Minutes of the sitting of the Committee on Government Assurances (2008-2009) held on 24 September 2008 in Committee Room 'B', Parliament House Annexe, New Delhi.

The Committee sat from 1130 hours to 1230 hours on Wednesday 24 September 2008.

PRESENT

Chairman

Shri Harin Pathak

Members

2. Shri Biren Singh Engti
3. Shri Sunil Khan
4. Shri Vijoy Krishna
5. Shri Rasheed Masood
6. Shri Nihal Chand
7. Smt. M.S.K. Bhavani Rajenthiran
8. Shri Rajiv Ranjan 'Lalan' Singh
9. Shri Aruna Kumar Vundavalli

Secretariat

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|-------------------------|---|------------------|
| 1. Shri P. Sreedharan | - | Joint Secretary |
| 2. Shri Rajeev Sharma | - | Director |
| 3. Shri Dal Singh Malha | - | Deputy Secretary |

2. At the outset, the Chairman welcomed the Members and apprised them briefly about the agenda of the sitting of the Committee. Thereafter the Committee took up for consideration the draft Twenty Fifth and Twenty Sixth Reports regarding requests for dropping of assurances and after discussion adopted both the Reports without any amendment. The Committee also authorised the Chairman to finalise both the Reports and present the same to the House in the ensuing Part-II Session of the Lok Sabha. Thereafter, the Committee took up the following ten Memoranda containing requests received from various Ministries/Departments for dropping the pending assurances:-

Memorandum No. 2*: Request of the Ministry of Home Affairs for dropping of assurance given on 15 May, 2007 in reply to Unstarred Question No.5393 regarding 'Private Detective Agencies'.

The Committee considered the above Memorandum and noted that the Private Detective Agencies (Regulation) Bill, 2007 was introduced in Rajya Sabha on 13 August, 2007 and the same stands referred to the Parliamentary Standing Committee on Home Affairs for examination and report. In view of it, the Committee decided not to pursue the assurance.

Memorandum No. 3: Request of the Ministry of Earth Science for dropping of assurance given on 24 August, 2007 in reply to supplementary by Shri Raghunath Jha to Starred Question No.186 regarding 'Prediction of Rainfall'.

The Committee considered the above Memorandum and noted that the year 2013 has been referred to in reply as the target year by which the project of installing instrument within boundry of the country would be completed. The Committee however, decided to know the precise action taken by the Ministry in this regard till date and also desired that the latest status of the assurance should be obtained from the Ministry. The Committee, accordingly decided to pursue the matter.

Memorandum No. 4: Request of the Ministry of Labour & Employment for dropping of assurance given on 12 December, 2005 reply to Unstarred Questions No.2786 regarding 'Amendment in E.P.F. and M.P. Act, 1952'.

The Committee considered the above Memorandum and noted that the Ministry stated that they were unable to fix a time frame to fulfill the assurances as the comprehensive amendment proposal of Employees Provident Fund and Miscellaneous Provisions of the Act were an ongoing process. The Committee, not being convinced with the reasons advanced by the Ministry, decided to pursue the assurance. The Committee also observed that the Ministry did not seek necessary extension of time and desired that the Ministry should seek the same. The Committee, however desired that the Ministry should furnish a status report to the Committee for their consideration along with the request for granting them minimum extension of time.

Memorandum No. 5: Request of the Ministry of External Affairs for dropping of assurance given on 8 March, 2006 in reply to Unstarred Question No.1881 regarding 'VISA Free Entry'.

The Committee considered the above Memorandum and noted that no final views/ comments had been given by the Myanmar authorities on the proposed MOU on the subject. The Committee also noted that no definite time frame could be fixed for finalisation of the proposal and the Committee, having been convinced with the reasons advanced by the Ministry, decided to drop the assurance.

Memorandum No. 6: Request of the Ministry of Textiles for dropping of assurance given on 8 May, 2007 in reply to Unstarred Question No.4410 regarding 'Modernisation of NTC Mills'.

The Committee considered the above Memorandum and noted that the modernization of 13 mills was to be completed by 31 March, 2008 but it could not be completed within the stated period. The Committee desired that the Ministry should be asked to furnish the reasons for not completing the project within the proposed time period. The Committee having not been convinced with the reasons forwarded by the Ministry, decided not to drop the assurance.

Memorandum No. 7: Request of the Ministry of Home Affairs for dropping the assurance given on 13 March, 2007 in reply to supplementary by Dr. Laxmi Narayan Pandey to Starred Question No.201 regarding 'Meeting with States on Police Reforms'.

The Committee considered the above memorandum and noted that the Minister had assured that the draft on 'Police Reforms', as far as Union Territories were concerned, would definitely be presented in the 'next Session' but the same had not been finalized till date. The Committee also deprecated the reasons advanced by the Ministry for dropping the assurance and decided to pursue the assurance separately.

Memorandum No. 8: Request of the Ministry of Home Affairs for dropping of assurances given on (i) 02 May, 2000 in reply to Unstarred Question No.5544 regarding 'Changing the name of West Bengal'; (ii) 20 February, 2001 in reply to Unstarred Question No.32 regarding 'Renaming of West Bengal'; (iii) 27 November, 2001 in reply to Unstarred Question No.1524 regarding 'Renaming of West Bengal as Bangla'; and (iv) 05 March, 2002 in reply to Unstarred Question No.716 regarding 'Renaming of West Bengal'.

The Committee considered the above Memorandum and noted that the proposal for changing the name of the State of 'West Bengal' as 'Bangla' has been considered by the Ministry of Home Affairs in consultation with the Ministry of External Affairs and the Government consider it not advisable to pursue the matter being a sensitive issue. The Committee desired that the Ministry of Home Affairs should take up the matter with the State Government of West Bengal and take an appropriate decision in the matter. The Committee, therefore, decided not to drop the assurance.

Memorandum No. 9: Request of the Ministry of Textiles for dropping of assurances given on (i) 22 August, 2006 in reply to Unstarred Question No.2822 regarding 'Technology Mission on Silk and Wool'; and (ii) 13 March, 2007 in reply to Unstarred Question No.1913 regarding 'Technology Mission on Indian Silks.

The Committee considered the above Memorandum and noted that 'Technology Mission for Indian Silks' had already been incorporated in the XI Plan documents for development of sericulture as a part of Catalytic Development Programmes which was being followed by the implementing agencies in the States/Union Territories. Since no action was pending on the part of the Ministry, the Committee decided to drop the assurances.

Memorandum No. 10: Request of the Ministry of Textiles for dropping of assurance given on 21 April, 2008 in reply to Unstarred Question No.3897 regarding 'Opening of Handloom Centre'.

The Committee considered the above Memorandum and after being convinced with the reasons furnished by the Ministry, 'that the State Governments of Jharkhand and Himachal Pradesh had not responded with a proposal till date for opening of Weavers Service Centres in their States', decided to drop the assurance.

Memorandum No. 11: Request of the Ministry of Power for dropping of assurance given on 14 March, 2008 in reply to Unstarred Question No. 2275 regarding 'Pancheshwar Power Project'.

The Committee considered the above memorandum and noted that the Detailed Project Report (DPR) for the Pancheshwar Multipurpose Project had not been finalized due to some outstanding issues between India and Nepal. The Committee also noted that settling of such an issue required bilateral engagement with Nepal. The Committee desired to know the status report on bilateral talks on the subject and outcome thereof before taking a final decision on the request of the Ministry. Accordingly, the Committee decided not to drop the assurance.

The Committee then adjourned.

*Implemented.

MINUTES

THIRD SITTING

Minutes of the third sitting of the Committee on Government Assurances (2008-2009) held on 12 November, 2008 in Committee Room '139', Parliament House Annexe, New Delhi.

The Committee sat from 1130 hours to 1230 hours on Wednesday, 12 November, 2008.

PRESENT

CHAIRMAN

Shri Harin Pathak

Members

2. Shri J.M. Aron Rashid
3. Shri Sunil Khan
4. Shri Vijoy Krishna
2. Shri A. Venkatesh Naik
6. Shri Aruna Kumar Vundavalli

Secretariat

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|----|--------------------|---|------------------|
| 1. | Shri P. Sreedharan | - | Joint Secretary |
| 2. | Shri Rajeev Sharma | - | Director |
| 3. | Shri D.S. Malha | - | Deputy Secretary |

At the outset, the Chairman welcomed the Members and apprised them briefly about the agenda for the sitting. Thereafter, the Committee took up the following ten Memoranda placed before them for consideration of the requests received from various Ministries/Departments for dropping of assurances: -

Memorandum No. 12: Request for dropping of assurances given on 21 April, 1992 in reply to Starred Question No. 677 regarding 'Report of Chandulal Chandrakar Committee' and on 22 December, 1992 in reply to Unstarred Question NO. 4717 regarding 'Report of Chandulal Chandrakar Committee'.

The Committee considered the above memorandum and observed that the failure of the Ministry of Human Resource Development to trace the report of the Chandulal Chandrakar Committee was a serious matter and therefore, decided to call the representatives of the Ministry for seeking clarifications in this regard. They also decided not to drop the assurance.

Memorandum No. 13: Request for dropping of assurance given on 8 August, 1995 in reply to Unstarred Question No. 1358 regarding 'Navodaya Vidyalaya Samiti'.

The Committee considered the above memorandum. Taking note of the fact that neither the file relating to CAG's Report nor exact contents of the Action Taken Note (ATN) were available with the Ministry, the Committee decided not to drop the assurance. They also decided to call the representatives of the Ministry for hearing their views in this regard.

Memorandum No. 14: Request for dropping of assurance given on 3 May, 2000 in reply to Starred Question No. 533 regarding 'Competitive Exams in Indian Languages'.

The Committee considered the above memorandum and noted that the Committee had, at their sitting held on 12 October, 2007, decided to drop 21 similar assurances as not even five percent of the candidates opt for languages included in the Eighth Schedule other than Hindi as the medium for Civil Services (Main) Examination conducted by the UPSC. The Committee accordingly decided to drop the assurance.

Memorandum No. 15: Request for dropping of assurance given on 27 July, 2005 in reply to Unstarred Question No. 631 regarding 'Debit Cards of Post Offices'.

The Committee considered the above memorandum and noted that a definite time frame could not be laid down for issue of Debit Cards to post office customers and accordingly decided to drop the assurance.

Memorandum No. 16: Request for dropping of assurance given on 13 December, 2005 in reply to Unstarred Question No. 3014 regarding 'Trade Fair'.

The Committee considered the above memorandum and noted that various statutory approvals regarding Optimum Development Plan (ODP) including development norms in Pragati Maidan were still under consideration of various authorities and there was no likelihood of ODP taking shape in near future. Accordingly, the Committee decided to drop the assurance.

Memorandum No. 17: Request for dropping of assurance given on 18 May, 2006 in reply to Unstarred Question No. 4289 regarding 'Appointment of Armed Forces Officers in Governmental and Non-Governmental Organisation'.

The Committee considered the above memorandum and noted that the Ministry of Defence have consulted the Department of Personnel & Training (DOP&T), ASSOCHAM/CII and the Department of Defence Production to explore possibilities of additional deputation vacancies in various Organisations. Taking into consideration the reply of the DOP&T that there were no vacancies or quota for Army officers and also that of Department of Defence Production that equal opportunities existed for service officers willing to join the PSEs under the Department, the Committee decided to drop the assurance.

Memorandum No. 18: Request for dropping of assurance given on 14 December, 2006 in reply to Unstarred Question No. 3170 regarding 'Appointments on Fake Documents'.

The Committee considered the above memorandum and noted that three Railway employees who were allegedly involved in entertaining fake documents had been placed under suspension. While the role of two of them was still under investigation one had been issued charge sheet for imposition of major penalty. Accordingly, the Committee decided to drop the assurance.

Memorandum No. 19: Request for dropping of assurance given on 8 May, 2007 in reply to Unstarred Question No. 4434 regarding 'Central University Status to Allahabad University'.

The Committee considered the above memorandum and noted that Statute 30(4) of the Statutes of the University of Allahabad had since been repealed by the President in her capacity as the Visitor of the University. With the repeal of this Statute, the Motilal Nehru Medical College and Swarup Rani Nehru Hospital, Allahabad ceased to be a University College of the University of Allahabad. The Committee, therefore, decided to drop the assurance.

Memorandum No. 20*: Request for dropping of assurance given on 27 February, 2008 in reply to Unstarred Question No. 312 regarding 'Recognition of Foreign Medical Degrees'.

The Committee considered the above memorandum and noted that the matter was again taken up by the Ministry of Health and Family Welfare with the Medical Council of India for furnishing requisite information with reference to parts (c) & (d) of the question and the Council had informed that the details relating to reasons and basis for discontinuance of recognition of some degrees after 1975 were not available with them. Accordingly, the Committee decided to drop the assurance.

Memorandum No. 21: Request for dropping of assurance given on 11 March, 2008 in reply to Unstarred Question No. 1706 regarding 'Measures to Curb Piracy'.

The Committee considered the above memorandum and noted that the steps taken on the recommendations of the core Group to contain piracy, as indicated in the reply, are an ongoing process for containment of piracy. Accordingly, the Committee decided to drop the assurance.

The Committee then adjourned.

*Implemented

MINUTES

SEVENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2009-2010) held on 10 December, 2009 in Committee Room '139', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1600 hours on Thursday 10 December, 2009.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Anandrao Adsul
3. Shri Mohan Jena
4. Shri Manohar Tirkey
5. Shri Hukumdeo Narayan Yadav

Secretariat

- | | | | |
|----|--------------------|---|---------------------|
| 1. | Shri P. Sreedharan | - | Joint Secretary |
| 2. | Shri R.S. Kambo | - | Director |
| 3. | Shri D.S. Malha | - | Additional Director |

Ministry of Health and Family Welfare

1. Ms. Sujatha Rao, Secretary (H&FW)
2. Shri Vineet Choudhary, Joint Secretary
3. Shri Amarjeet Singh, ED
4. Smt. Shakuntala D. Gamlin, Joint Secretary
5. Shri Debasish Panda, Joint Secretary
6. Shri Amit Mohan Prasad, Joint Secretary

At the outset, the Chairperson welcomed the Members to the sitting of the Committee. Thereafter, the Committee considered and adopted Draft First, Second, Third and Fourth Reports regarding requests for dropping of assurances. The Committee authorized the Chairperson to finalise the Reports and present them to the House.

2. Thereafter, the representatives of the Ministry of Health and Family Welfare (Department of Health) were then called in and the Committee resumed the oral evidence in connection with the pending assurances.

3. The Committee sought clarifications on certain assurances which were replied to by the representatives of the Ministry.

4. The verbatim proceedings have been kept on record.

5. The Committee decided to review the remaining pending assurances on a later date.

The Committee then adjourned.