

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

**(FIFTEENTH LOK SABHA)**

**FOURTH 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\***  
**(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 Fourth Report of the Committee on Government Assurances.

2. The Committee (2009-2010) at their sitting held on 29 October, 2009 considered Memorandum Nos. 2 to 51 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 Fourth Report.
4. The Minutes of the aforesaid sittings of the Committee form part of this report.

NEW DELHI;

10 December, 2009

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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:-**

<b>SQ/USQ No. &amp; Date</b>	<b>Subject in Brief</b>	<b>Ministry</b>
<b>USQ No. 4006 dt. 14 July, 1998</b>	<b>Tribal Development Schemes</b>	<b>Tribal Affairs</b>
<b>(i) USQ No. 198 dt. 22 February, 2001</b>	<b>Circuit Bench of Calcutta High Court at Jalpaiguri</b>	<b>Law and Justice</b>
<b>(ii) Supplementary to SQ No. 161 dt. 8 March, 2001 raised by Sh. P.R. Das Munsi</b>	<b>Reforms in Judicial System</b>	
<b>USQ No. 3959 dt. 22 March, 2001</b>	<b>CBI cases against Oil Companies</b>	<b>Petroleum and Natural Gas</b>

<p>(i) USQ No. 2320 dt.07 August, 2001</p> <p>(ii) USQ No. 939 dt.29 November, 2005</p> <p>(iii) USQ No.1992 dt. 05 December, 2006</p> <p>(iv) SQ No. 575 dt. 15 May, 2007</p> <p>(v) USQ No. 5330 dt. 15 May, 2007</p> <p>(vi) USQ No. 1185 dated 21 August 2007</p> <p>(vii) USQ No. 1142 dt. 23 November, 2007</p> <p>(viii) USQ No. 3306 dt. 07 December, 2007</p> <p>(ix) USQ No. 3309 dt. 07 December, 2007</p>	<p><b>Amendments to various Laws/Bills on sexual harassment at workplace, amendments to dowry prohibition Act or introduction of new scheme for relief and rehabilitation of rape victims.</b></p>	<p><b>Women and Child Development</b></p>
<p><b>USQ No. 5600 dt. 2 May, 2005</b></p>	<p><b>EPF Facilities to Workers of Small Companies</b></p>	<p><b>Labour and Employment</b></p>
<p><b>USQ No. 3245 dt. 16 August, 2005</b></p>	<p><b>Council of Indian School Certificate Examination</b></p>	<p><b>Human Resource Development</b></p>
<p><b>USQ No. 1622 dt. 7 August, 2006</b></p>	<p><b>Bifurcation of Services</b></p>	<p><b>Environment and Forests</b></p>
<p><b>USQ No. 2047 dt. 13 March, 2007</b></p>	<p><b>Export to China</b></p>	<p><b>Commerce and Industry</b></p>
<p><b>USQ No. 3007 dt. 5 September, 2007</b></p>	<p><b>Hepatitis B Vaccine</b></p>	<p><b>Health and Family Welfare</b></p>
<p><b>USQ No. 1753 dt. 28 November, 2007</b></p>	<p><b>Rail-Road Linking of Ports</b></p>	<p><b>Shipping, Road Transport and Highways</b></p>
<p><b>USQ No. 2728 dt. 18 March, 2008</b></p>	<p><b>Visit of NHRC to Jails</b></p>	<p><b>Home Affairs</b></p>
<p><b>USQ No. 4960 dt. 29 April, 2008</b></p>	<p><b>Blacklisted Non-Governmental Organization</b></p>	<p><b>Home Affairs</b></p>
<p><b>USQ No. 68 dt. 26 February, 2008</b></p>	<p><b>Setting up of World Class Universities</b></p>	<p><b>Human Resource Development</b></p>

<b>USQ No. 1769 dt. 12 March, 2008</b>	<b>Monitoring for Quality Education</b>	<b>Planning</b>
<b>USQ No.608 dt. 8 July, 2009</b>	<b>Delay in setting up AIIMS like institutions</b>	<b>Health &amp; Family Welfare</b>
<b>USQ No.3411 dt. 23 December, 2008</b>	<b>Wheat Import Scam</b>	<b>Commerce &amp; Industry</b>
<b>SQ No. 463 dt. 25 April, 2008 supplementary by Sh. Bhartruhari Mahtab</b>	<b>Rajiv Gandhi Grameen Vidyutikaran Yojana</b>	<b>Power</b>
<b>SQ No. 141 dt.10 March, 2008 supplementary by Shri Iqbal Ahmed Saradgi</b>	<b>Pricing of Spectrum</b>	<b>Communications and Information Technology</b>
<b>SQ No. 359 dt. 23 December, 2008</b>	<b>Revision of Norms for Calamity Relief Fund/ National Calamity Contingent Fund</b>	<b>Home Affairs</b>
<b>(i) USQ No. 2348 dt.04 December, 2000</b> <b>(ii) SQ No. 182 dt.19 July, 2004</b> <b>(iii) SQ No.6 dt. 25 July, 2005</b> <b>(iv) SQ No. 69 dt. 28 November, 2005</b> <b>(v) SQ No. 109 dt. 31 July, 2006</b> <b>(vi) USQ No. 774 dt. 27 November, 2006</b> <b>(vii) USQ No. 96 dt. 26 February, 2007</b> <b>(viii) USQ No. 3780 dt. 30 April, 2007</b> <b>(ix) SQ No. 212 dt. 27 August, 2007</b> <b>(x) SQ No. 375 dt. 10 September, 2007</b>	<b>National Agricultural Insurance Scheme</b>	<b>Agriculture</b>

<b>(i) USQ No. 2081 dt.16 December, 2003</b>	<b>Inclusion of various regional languages in 8<sup>th</sup> Schedule</b>	<b>Home Affairs</b>
<b>(ii) USQ No. 1121 dt.07 December, 2004</b>		
<b>(iii) USQ No.3892 dt. 20 December, 2005</b>		
<b>(iv) USQ No. 3715 dt. 16 May, 2006</b>		
<b>(v) USQ No. 942 dt. 28 November, 2006</b>		
<b>(vi) Calling Attention dt.18 December, 2006</b>		
<b>(vii) USQ No. 4107 dt. 22 April, 2008</b>		

**SQ No. 348 dt. 23 December, Integrated Check Posts      Home Affairs**  
**2008 supplementary by Sh.**  
**Adhalrao Shivajirao Patil**

<b>(i) USQ No. 2553 dt.10 August, 2005</b>	<b>Amendments to Emigration Act</b>	<b>Overseas Indian Affairs</b>
<b>(ii) USQ No. 1147 dt.02 August, 2006</b>		
<b>(iii) USQ No.1157 dt. 02 August, 2006</b>		
<b>(iv) SQ No. 387 dt. 23 August, 2006</b>		
<b>(v) USQ No. 1080 dt. 07 March, 2007</b>		
<b>(vi) USQ No. 1365 dt.22 August, 2007</b>		
<b>(vii) USQ No. 740 dt. 21 November, 2007</b>		

**USQ No. 1280 dt. 15 July,  
2004**      **Status of Rail Projects in  
Orissa**      **Railways**

**USQ No. 2824 dt. 17  
December, 2008**      **Specialized Agency for  
International Cooperation**      **External Affairs**

(i) USQ No. 1928 dt.3  
August, 2000  
(ii) USQ No. 3635 dt. 16  
December, 2005  
(iii) USQ No. 2598 dt. 16  
March, 2007  
(iv) USQ No. 3722 dt. 27  
April, 2007

**National Law University      Law and Justice**

**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

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Agrahayana 19, 1931 (Saka)

**MANEKA GANDHI**  
CHAIRPERSON  
COMMITTEE ON GOVERNMENT ASSURANCES

[i] TRIBRAL DEVELOPMENT SCHEMES

On 14 July, 1998 Sarvashri P.C. Thomas and Bheru Lal Meena, M.Ps., addressed the following Unstarred Question No.4006 to the Minister of Social Justice and Empowerment:-

- "(a) the details of sub-plan under the tribal development schemes;
- (b) the details of tribal development scheme functioning in the States, State-wise;
- (c) the amount allocated under Tribal Development Scheme by the Union Government since 1991 to March, 1998, State-wise;
- (d) the number of persons benefited in each district of Rajasthan under this scheme; and
- (e) the details of poor tribals benefited directly of the works done in districts Udaipur, Dongapur, Banswada, Sirohi and Kota Hadoti by Tribal Sub-Plan Development departments?"

2. In reply, the then Minister of State of the Ministry of Social Justice and Empowerment (Shrimati Maneka Gandhi) stated as follows:-

"(a) to (e) The information is being collected and will be laid on the Table of the House."

3. Reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Tribal Affairs within three months of the date of reply *i.e.* by 13 October, 1998, but the assurance is yet to be implemented.

4. The Ministry of Tribal Affairs *vide* their O.M. No.16012/14/2007-SG-II dated 25 November, 2008 have requested for dropping the above assurance on the following grounds:-

"That the information for parts (d) and (e) of the question have since been provided by the State Government of the Rajasthan and same is enclosed at Annexure – A&B. For the parts (a) to (c), the information sought broadly relates to the various sub-plan under the different schemes for tribal development during 1998. Information on the tribal development schemes of the Central Government during the period 1991-98 have also to be compiled.

Even if a reference is to be made to all the concerned State Governments for documents/information on parts (a) and (b), the State Governments may not be in a position to compile the information for the past period and any information received from the State Governments, may be such as not to serve

the purpose with which the question was raised by the Hon'ble M.P. on 14.7.2008.

This Ministry therefore, submits that the information sought for in Parts (a) to (c) of the question pertaining to the period 1991-98 seems to have lost its relevance as of now and the time and efforts required to collect and compile the relevant information may not be commensurate with the results likely to be achieved."

5. In view of this, the Ministry with the approval of the Minister of State for Tribal Affairs have requested the Committee on Government Assurances to consider the dropping of the assurance.

[ii] CIRCUIT BENCH OF CALCUTTA HIGH COURT AT JALPAIGURI

On 22 February, 2001 Shri Priya Ranjan Dasmunsi, MP addressed the following Unstarred Question No. 198 to the Minister of Law, Justice and Company Affairs:-

- "(a) whether views of the Calcutta High Court have been received in the context of the setting up of the Circuit Bench;  
(b) if so, the details thereof; and  
(c) the decision taken by the Government in this regard?"

2. In reply, the then Minister of Law, Justice and Company Affairs and Minister of Shipping (Shri Arun Jaitley) stated as follows :-

"(a), (b) & (c): The Government of West Bengal and the Calcutta High Court have recommended for establishing a Bench of the Calcutta High Court at Jalpaiguri. The matter is engaging the attention of the Government of India."

3. On 8 March, 2001 Shri Ram Tahal Choudhary, M.P. addressed the following Starred Question No. 161 to the Minister of Law, Justice and Company Affairs:-

- "(a) whether cases for 20 years or more are pending in various courts due to the present judicial system;  
(b) if so, the details thereof, State-wise;  
(c) whether the Government are facing impediments to bring about reforms in the present system; and  
(d) if so, the details thereof?"

4. In reply, the then Minister of Law, Justice and Company Affairs and Minister of Shipping (Shri Arun Jaitley) stated as follows :-

"(a) to (d) A Statement is laid on the Table of the House.

STATEMENT IN REPLY TO LOK SABHA STARRED QUESTION NO. 161 DATED 8.3.2001

(a)to(d) 80 cases were pending for more than 20 years in the Supreme Court of India as on 5.7.2000.

The information regarding number of cases pending for more than 20 years in respect of High Courts and Subordinate Courts is not available in Department of Justice. Information is being collected from the High Courts.

However, cases pending for more than 10 years in various High Courts as on 31.12.1999 are 5,00,855. The cases pending for more than 10 years in the Subordinate Courts of the Country, State-wise, are at Annex.

Pendency of cases in different courts arises from various complex factors. These, inter-alia, include non-filling up of vacancies of judges, inadequate judge strength, increased institution of cases on account of awareness of the rights on the part of the citizens, enactment of numerous laws, radical change in the pattern of litigation, frequent adjournment of cases, lawyers' strike etc. The Government and the judiciary are concerned about the pendency of cases.

Judicial reform is a continuous process. Government has taken steps for amending various procedural laws from time to time to simplify procedures to speed up disposal of cases on the basis of the advice and recommendations of expert bodies, like the Law Commission, Malimath Committee etc.

Other measures, inter alia, include increase in the number of posts of Judges/Judicial Officers, establishment of Special Courts/Tribunals, appointment of Special Judicial/Metropolitan Magistrates, computerisation of court and adoption of alternative modes of dispute resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes.

Government has sanctioned an amount of Rs.502.90 crore for creation of 1734 Fast Track Courts for expeditious disposal of long pending cases and cases involving undertrials on priority. These courts will start functioning with effect from April, 2001.

A pilot project for the computerisation and networking of all courts in the four metropolitan cities of Delhi, Mumbai, Kolkata & Chennai is being taken up in the year 2001-02 to serve as a model for other courts in the country. Computerisation and networking of courts will augment the capacities of courts in the country and speed up disposal of cases.

Besides, the Supreme Court has taken a number of initiatives for expeditious disposal of cases such as more practical categorisation and grouping of cases, to take up for hearing all the cases listed for the particular day as far as possible, non-accumulation of defective matters, reservation of more and sufficient time slot for old pending cases in chronological order and streamlining of administration and manpower of the registry through computer network. The High Courts have also taken similar steps to reduce backlog of cases."

Number of cases pending for more than 10 years in subordinate courts (State-wise)

Sl. No.	Name of the States/UTs	Over ten years old	As on
1.	Andhra Pradesh	7177	6/2000
2.	Arunachal Pradesh	0	6/1999
3.	Assam	32	12/1999
4.	Bihar	59449	6/2000
5.	Goa	2857	12/2000
6.	Gujarat	97822	6/2000
7.	Haryana	1880	12/1998
8.	Himachal Pradesh	351	6/2000
9.	Jammu & Kashmir	3827	12/1998
10.	Karnataka	28132	6/2000
11.	Kerala	2825	6/2000
12.	Madhya Pradesh	66219	6/2000
13.	Maharashtra	217257	6/2000
14.	Manipur	431	12/1999
15.	Meghalaya	1658	12/1999
16.	Mizoram	2	6/2000
17.	Nagaland	Not Available	-
18.	Orissa	10187	6/2000
19.	Punjab	4142	12/1998
20.	Rajasthan	49468	6/2000
21.	Sikkim	0	12/1999
22.	Tamil Nadu	5182	12/1999
23.	Tripura	335	6/2000
24.	Uttar Pradesh	158532	12/1999
25.	West Bengal	95555	12/1998
26.	Andaman & Nicobar	3	6/1999
27.	Chandigarh	79	12/1998
28.	Dadra & Nagar Haveli	7	6/2000
29.	Daman & Diu	16	6/2000
30.	Delhi	15571	12/2000
31.	Lakshadweep	4	6/2000
32.	Pondicherry	345	6/2000

5. The assurance that the information is being collected from the High Courts given in reply to Starred Question No. 161 dated 8 March, 2001 tabled by Shri Ram Tahal Chaudhary was implemented on 3 December, 2001 vide Statement No. SS-XXI/7/3.12.2001. However, during the course of discussion Shri P. R. Dasmunsi, M.P. raised the following supplementary question:-

"Here, I am talking of my State. The hon. Minister is aware that there is a decision of the Full Bench of the Kolkata High Court and the Government of West Bengal to open a

High Court's Circuit Bench in Jalpaiguri in the North Bengal Region. The Minister replied a few days ago and the Government of West Bengal cleared it and the High Court also cleared it. Yet the Jalpaiguri Circuit Bench is not taking off. It is adding fuel to the recent movement of the North Bengal Region. Therefore, on these two counts, I want a categorical answer from the hon. Minister as to the reaction of his Ministry."

6. In reply, the then Minister of Law, Justice and Company Affairs and Shipping (Shri Arun Jaitley) stated as follows :-

"As far as the question of an additional Bench of the Kolkata High Court in North Bengal is concerned, there is already a recommendation of the State Government in the High Court which has been received. The matter is receiving a very urgent attention of the Government."

7. Replies to the above questions were treated as assurances and were required to be fulfilled by the Ministry of Law, Justice and Company Affairs within three months of the date of replies i.e. by 7 June, 2001 and 21 May, 2001 respectively but the assurances are still pending. The Ministry have not sought extension of time beyond 22 November, 2007 to implement these assurances.

8. The Ministry of Law and Justice vide their O.M. Nos. K.15018/3/2008-US.I dated 29 October, 2007 and 24 September, 2008, have requested to drop the above assurances on the following ground:-

"That the proposal for setting up a Bench of the Calcutta High Court at Jalpaiguri would involve the establishment of infrastructural facilities by the State of West Bengal, to house the Bench, subject to the prior complete satisfaction of the Chief Justice of that High Court. Therefore, actual establishment of the Jalpaiguri Bench would depend upon the full and complete prior satisfaction of the Chief Justice of the Calcutta High Court about provision of infrastructural facilities for the Circuit Bench. As the judiciary is independent of the executive, no time frame can be prescribed for them.

It may also be mentioned that a similar Assurance was given in reply to Unstarred Question No. 409 dated 6.12.2004 had been dropped vide Rajya Sabha Secretariat's O.M. No. RS-1/203/34/2004-Com.III dated 24.10.2005."

9. Accordingly, the Ministry of Law and Justice, with the approval of Minister of Law and Justice, have requested to drop the assurances.

### [iii] CBI CASES AGAINST OIL COMPANIES

On 22 March, 2001 Sarvashri Ram Mohan Gadde and P.S. Gadhavi, M.Ps., addressed the following Unstarred Question No.3959 to the Minister of Petroleum and Natural Gas:-

- "(a) whether the Central Bureau of Investigation has registered a case against some officials of the IOC, IBP, HPCL, BPCC and Gujarat State Sales Tax Department and 13 private firms for causing a huge revenue loss between 1997 and 2000.
- (b) if so, the details in this regard and the details of persons involved therein;
- (c) the modus operandi adopted in this regard;
- (d) whether the inquiry has since been completed;
- (e) if so, the details thereof; and
- (f) the departmental action taken against the persons involved?"

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 (c): Yes, Sir. The Central Bureau of Investigation, Gandhinagar, Gujarat has registered a case against unknown officials of the IOC, IBP, HPCL, BPCL and Gujarat Sales Tax Department and 13 other private parties.
- (d) to (f): The Central Bureau of Investigation has not yet completed the investigation."

3. Reply to part (d) to (f) of the question was treated as an assurance and the same was required to be fulfilled by the Ministry of Petroleum and Natural Gas within three months of the date of reply *i.e.* by 21 June, 2001, but the assurance is yet to be implemented.

4. The Ministry of Petroleum and Natural Gas *vide* their O.M. No.C-36011/10/2001-Vig. dated 18 December, 2007 have requested for dropping the assurance on the following grounds:-

"That 110 conspiracies are pending with CBI for investigation and filing of charge sheets etc. and process of completion of enquiry etc. has already taken 5-6 years. Since CBI may take considerable time to complete, the assurance would remain pending till then.

In view of the above constraints and uncertainty of time frame, it is requested that the decision regarding dropping the assurance may kindly be intimated to this Ministry for further necessary action."

5. The Ministry have also stated that this request for the deletion of the assurance has the approval of the Minister of State in the Ministry of Petroleum and Natural Gas.

#### [iv] AMENDMENTS TO VARIOUS LAWS/BILLS ON SEXUAL HARASSMENT AT WORKPLACE

On 07 August, 2001 Dr. V. Saroja, MP addressed the following Unstarred Question No. 2320 to the Minister of Human Resource Development:-

- "(a) whether Supreme Court of India has directed the Government to set up a Criminal Injuries Compensation Board for payment of relief to rape victims; and  
(b) if so, the reaction of the Government thereto?"

2. In reply, the then Minister of Human Resource Development, Minister of Science & Technology and Minister of Ocean Development (Dr. Murli Manohar Joshi) stated as follows :-

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

3. On 29 November, 2005, Shri Naveen Jindal, MP addressed the following Unstarred Question No. 939 to the Minister of Home Affairs :-

- "(a) the total number of dowry deaths reported in Delhi during the last three years, year-wise till date;  
(b) the effective steps taken by the Government against guilty persons;  
(c) whether the Government proposes to make the laws more stringent; and  
(d) if so, the details thereof?"

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

"(a) The total number of dowry deaths reported in Delhi during the years 2002, 2003, 2004 and 2005 (upto 15<sup>th</sup> November) is as under:

Year	Number of dowry deaths
2002	136
2003	132
2004	126
2005(upto 15 <sup>th</sup> November)	103

(b) Sub-Divisional Magistrate conducts inquest proceeding into every dowry death and a case of dowry death is registered on the basis of his recommendation. All the cases of dowry death and other related crimes against women are investigated either by Women Police Officers or they are associated with investigation process. These cases are closely monitored by DCPs.

(c) & (d) The National Commission for Women is reviewing the existing provisions of the Dowry Prohibition Act, 1961/related laws in order to suggest suitable amendments to make the Act/laws more effective."

5. On 5 December, 2006 Shri M. Raja Mohan Reddy, Shrimati C.S. Sujatha, Shri Asaduddin Owaisi, Shri Rupchand Murmu, Dr. R. Senthil, Shri Vijoy Krishna, Shri Mitrasen Yadav, Dr. K. Dhanaraju, Shri Raghveer Singh Koshal and Shri Mohan Rawale, MPs addressed the following Unstarred Question No. 1992 to the Minister of Women and Child Development:-

"(a) whether the Government has assessed the nature of crime being committed against women and children in the country;  
(b) if so, the details thereof alongwith the effective measures taken by the Government to restrict such crimes;  
(c) whether the UNICEF or any Non-Governmental Organisation (NGO) have conducted any study with regard to the crimes committed against women and children;  
(d) if so, the details thereof;  
(e) whether the Government proposes to bring comprehensive law to redress and prevent sexual harassment at workplace; and  
(f) if so, the details thereof alongwith the action taken in this regard?"

6. In reply, the then Minister of State (Independent Charge) for Women and Child Development (Shrimati Renuka Chowdhary) stated as follows :-

"(a)&(b) The State-wise and crime head-wise details of crimes committed against women and children during 2005, as furnished by the National Crime Records Bureau (NCRB) under Ministry of Home Affairs, are at Annexure-'A'.

The action being taken by Government to combat crimes against women and to support women who are victims of such crimes is mentioned in Annexure-'B.'

The Government has enacted "The Commissions for Protection of Child Right Act, 2005" for Protection of Child Rights and Children's Courts for providing speedy trial of offences against children or of violence of Child Rights and for matters connected therewith or incidental thereto.

(c)&(d) This Ministry in collaboration with UNICEF is conducting a nation wide study on child abuse in different settings.

(e)&(f) Yes, Sir. A Bill on the prevention and redress of sexual harassment of women at workplace is under consideration."

7. On 15 May, 2007, Sarvashri Bapu Hari Chaure and Sanjay Dhotre, MPs addressed the following Starred Question No. 575 to the Minister of Women and Child Development:-

"(a) whether the Government proposes to make the laws pertaining to dowry prohibition more stringent with deterrent punishment; and  
(b) if so, the details thereof?"

8. In reply, the then Minister of State of the Ministry of Women and Child Development (Shrimati Renuka Chowdhury) stated as follows :-

“(a) & (b): The National Commission for Women has recently recommended certain amendments in the laws to make the provisions more effective and stringent. The recommendations are being examined.”

9. On 15 May, 2007, Shri Jasubhai Dhanabhai Barad, MP addressed the following Unstarred Question No. 5330 to the Minister of Women and Child Development:-

- “(a) whether the Government proposes to bring Sexual Harassment Bill;
- (b) if so, whether any representations has been received by the Government to significant changes in the draft Bill as reported in the Hindustan Times dated May 03, 2007; and
- (c) the time by which the said Bill is likely to be introduced?”

10. In reply, the then Minister of State of the Ministry of Women and Child Development (Shrimati Renuka Chowdhury) stated as follows :-

- “(a) Yes, Sir.
- (b) The Protection of Women Against Sexual Harassment at Workplace Bill, 2007 was posted on the website of the Ministry of Women and Child Development inviting comments thereon by 31st March, 2007. This was also advertised in newspapers. A number of comments have been received in response, which are being examined in the Ministry.
- (c) It is not possible at this stage to lay down any time schedule for the introduction of the Bill in Parliament. However, Government is making all efforts to introduce it in the Monsoon Session.”

11. On 21 August, 2007, Shri Bhanu Pratap Singh Verma, MP addressed the following Unstarred Question No. 1185 to the Minister of Women and Child Development:-

- “(a) whether the Government has formulated any scheme for relief and rehabilitation of rape victims;
- (b) if so, the details thereof;
- (c) the name of the States where such schemes have been implemented;
- (d) the number of women benefited including Scheduled Castes, Scheduled Tribes and Other Backward Classes women under the said scheme during each of the last three years including the current year, till date, State-wise;
- (e) whether the Government has set up a Criminal Injuries Relief and Rehabilitation Board for these victims;

(f) if so, whether the Board has ensured that the procedure adopted for rehabilitation of these victims implemented properly; and

(g) if so, the details of criteria/procedure adopted by the said Board for providing relief and rehabilitation during the above period?"

12. In reply, the then Minister of State of the Ministry of Women and Child Development (Shrimati Renuka Chowdhury) stated as follows :-

"(a) A scheme in this regard is under consideration.

(b),(c),(d),(e),(f)&(g) Do not arise."

13. On 23 November, 2007, Sarvashri Adhalrao Patil Shivajirao and Milind Deora, MPs addressed the following Unstarred Question No. 1142 to the Minister of Women and Child Development:-

"(a) whether the Government proposes to introduce a scheme to provide monetary relief to victims of rape as reported in the Times of India dated November 6, 2007;

(b) if so, the details thereof;

(c) the time by which the said scheme is likely to be introduced;

(d) whether Government proposes to introduce National Level Criminal Injuries Compensation Board;

(e) if so, the details thereof;

(f) whether Government further proposes some more stringent measures to deter rapists from indulging in such heinous crime; and

(g) if so, the details thereof?"

14. In reply, the then Minister of State of the Ministry of Women and Child Development (Shrimati Renuka Chowdhury) stated as follows :-

"(a),(b),(c),(d)&(e) A draft scheme having various provisions for the relief and rehabilitation of victims of rape is under the consideration of Ministry of Women and Child Development. It will not be possible at this stage to indicate any definite time-frame for the scheme to be introduced.

(f)&(g) A proposal to amend the legal provisions relating to rape is being processed by the Ministry of Home Affairs. The proposal is yet to be finalized."

15. On 07 December, 2007, Dr. Arun Kumar Sarma and Shri Rajagopal Lagadapati, MPs addressed the following Unstarred Question No. 3306 to the Minister of Women and Child Development:-

- "(a) whether the Government has identified deficiency in the existing Anti- Dowry Laws;
- (b) if so, whether the Government proposes any additional legislative provisions in this regard;
- (c) if so, the details thereof; and
- (d) whether the Government is aware that the number of dowry death are increasing in the country?"

16. In reply, the then Minister of State of the Ministry of Women and Child Development (Shrimati Renuka Chowdhury) stated as follows :-

- "(a),(b)&(c) the National Commission for Women has recommended to the Government certain amendments in the anti-dowry laws. These include amendment of the definition of dowry in the Dowry Prohibition Act, 1961 and increasing the penalty under Section 304B of the Indian Penal Code, relating to dowry death. The amendments recommended are under examination.
  - (d) As per the data compiled by the National Crime Records Bureau, Ministry of Home Affairs, the number of dowry deaths registered in the country during the years 2004, 2005 and 2006 were 7026, 6787 and 7618# respectively.
- # Provisional figures."

17. On 07 December, 2007, Shri Balasaheb Vikhe Patil , MP addressed the following Unstarred Question No. 3309 to the Minister of Law and Justice :-

- "(a) whether the Supreme Court in its recent verdict has done away with proof for dowry demand as reported in the Asian Age, October 23, 2007;
- (b) if so, the details thereof;
- (c) whether the law defines about the demand for dowry;
- (d) if so, the details thereof;
- (e) whether the ruling in the above case was within the law definition or it was based on evidence or there is scope for interpretation of law; and
- (f) if so, the steps taken/being taken by the Government to strengthen the law in this regard?"

18. In reply, the then Minister of Law and Justice (Shri H.R. Bhardwaj) stated as follows :-

"(a)&(b) The Apex Court has dealt with the issue relating to dowry deaths under section 304 B of the Indian Penal Code, 1861 (IPC) in Devi Lal Vs State of Rajasthan (2007 12 SCALE 265). In this case, the Apex Court has given credence to the fact that prosecution was able to prove the case beyond reasonable doubt as to the demand of dowry and also that ingredients of section 304 B of the IPC had been met. As such the proof for demand of dowry has not been done away with by the Apex Court in the aforesaid case.

(c)&(d) Section 4 of the Dowry Prohibition Act, 1961 lays down penalty for demanding dowry directly or indirectly. The Act does not define what constitutes demanding dowry.

(e) The Apex Court also said in Devi Lal Vs State of Rajasthan that the testimonies of the prosecution witnesses have been relied on for arriving of guilt of the appellant. We do not see any reason to take different view.

(f) There is no proposal to amend the said Act in order to include therein a definition of demand for dowry (National Commission for Women has made some recommendation for amendment of the Act including amendment of the definition of dowry. Amendments to section 304B of IPC have also been recommended. The recommendations are under examination in Ministry of Women and Child Development)."

19. The replies to the above questions were treated as assurances and were required to be fulfilled by the Ministry of Women and Child Development within three months of the date of replies respectively but these assurances are still pending.

20. The Ministry of Women and Child Development *vide* their O.M. No. 6-52/2008-WW dated 23 June, 2008, have requested to drop these assurances on the following grounds:-

"The above assurances relate to amendment to or enacting of various laws such as Bill on Sexual Harassment at Workplace, Amendments to Dowry Prohibition Act or Introduction of a New Scheme for Relief and Rehabilitation of Rape Victims. The enactment of new laws or amendments to existing laws is a time consuming procedure. Nonetheless, it is the constant endeavour of the Ministry to ensure that the process is expedited. However, it may not be feasible to fulfill the assurances in the immediate future or within a specified time frame.

In view of the above, it is requested that the Committee on Government Assurances, Lok Sabha may be moved for considering the deletion of these assurances. The Committee will, however, be informed as soon as the action pertaining to the legislation/policy in question reaches fructification."

21. Accordingly, the Ministry of Women and Child Development with the approval of the then Minister of State (Independent Charge) of the Ministry of Women and Child Development have requested to drop the aforesaid assurances.

Statement referred to in reply to part (a) & (b) of Lok Sabha Unstarred Question No. 1992 dated 5.12.2006 regarding Crime Against Women and Children

### Strategy for dealing with violence against women

On the one hand, the Government is strengthening the existing legislations through review and amendments, wherever required, and developing new institutional mechanisms (National and State Commissions for women, all-woman police stations, etc.) , on the other, it is running projects that provide support to vulnerable women (like short-stay homes, Hostels for Working Women etc.) and rehabilitation of victims of violence (through schemes like Swadhar). The National Commission for Women and several NGOs are also conducting sensitisation and orientation programmes for judicial and police officers on gender issues that also focus on violence against women.

### Legislative measures – Legal rights of women

To uphold the Constitutional mandate, the State has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support service especially to working women.

### Enforcement:

The direct responsibility for dealing with enforcement of the concerned Acts is that of the State Governments and the mechanisms under them. The registration, investigation, detection and prevention of the crimes against women is primarily the responsibility of the State Governments/ UT Administrations. However, the Government of India has initiated a number of measures to check such crimes, such as:-

§ setting up of helplines for women in distress under the Swadhar Scheme

§ support services to victims of violence through schemes such as Short Stay Homes and Swadhar under which shelter, maintenance, counseling, capacity building, occupational training, medical aid and other services are provided

§ grant-in-aid schemes providing assistance for rescue and rehabilitation of trafficked victims as well as prevention through special schemes in source areas of trafficking

§ redressal of grievances through interventions of National and State Commissions for Women

§ organizing Legal Literacy and Legal Awareness Camps

§ implementation of schemes for

(i) awareness generation and advocacy and

(ii) economic empowerment of women through the programmes of Rashtriya Mahila Kosh, Swashakti project, Swayamsidha Project, Swawlamban programme and Support to Training & Employment Programme (STEP)

§ review of laws with a view to remove provisions which may be discriminatory to women and to enhance punishments for crimes against women

§ sensitisation of judiciary and police and civil administration on gender issues

§ Follow up of reports of cases of atrocities against women received from various sources, including NCW, with concerned authorities in the Central and the State Governments.

Apart from legislative changes in the relevant Acts, instructions/guidelines have been issued to the State Governments/Union Territory Administrations to effectively enforce legislation relating to crimes against women and monitor the enforcement and to give more focused attention to improving the administration of criminal justice system and to take such measures as are necessary for the prevention of crimes against women and other vulnerable sections of society. The measures suggested include:

§ sensitizing of police officials charged with the responsibility of protecting the women;

§ vigorously enforce the existing legislation relating to dowry violence

§ set up women police cells in police stations and exclusive women police stations and ensure wider recruitment of women Police Officers.

§ provide institutional support to the victims of violence

§ provide counseling to victims of rape

§ take measures to eliminate trafficking in women. States have also been advised to constitute State Advisory Committees to advise on trafficking matters

§ train police personnel in special laws dealing with atrocities against women.

§ setting up of Fast Track Courts

§ setting up of Family Courts

§ appointment of Dowry Prohibition Officers and notification of Rules under the Dowry Prohibition Act, 1961

## National Commission for Women

The Government has set up a statutory body called National Commission for Women (NCW) with a specific mandate to study and monitor all matters relating to the Constitutional and legal safeguards provided to women; review the existing legislations to suggest amendments wherever necessary; and to look into complaints involving deprivation of the rights of women. NCW is receiving complaints relating to Dowry/atrocity cases, Dowry related suicides/death/murder. These cases are duly processed in the Commission under Section 10(1) (f) and 10(1) (g) of the NCW Act, 1990 and referred to the appropriate authorities such as police, District Magistrates etc. with the Commission's recommendations for expediting action under the criminal laws and bringing the guilty persons to trial in the Court. These cases are tried in Courts having criminal jurisdiction under Sections 304-B, 498A, 302 etc. of the Indian Penal Code read with the Dowry Prohibition Act , 1961. Almost all the State Governments have also set up State Commissions for Women in their respective States with similar functions.

## Protection of Women from Domestic Violence Act, 2005

The Government has notified the Protection of Women from Domestic Violence Act, 2005 on 14-9-2005 as a civil remedy to secure women victims from domestic violence and to provide other relief. The Act has been brought into force on 26.10.2006 and the Rules to carry out the provisions of the Act have also been notified.

[v] E.P.F. FACILITIES TO WORKERS OF SMALL COMPANIES

On 2 May, 2005 Shri Kinjarapu Yerrannaiau, MP addressed the following Unstarred Question No. 5600 to the Minister of Labour and Employment:-

"(a) whether there is any proposal to reduce the requirement of minimum number of workers for coverage under Employees Provident Fund (EPF) Act, 1952 from 20 workers to 10 workers so as to provide EPF facility to workers of small companies/establishments;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?"

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

"(a) to (c): A proposal for carrying out amendments to the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 including reduction of minimum employees from 20 to 10 was considered by the Central Board of Trustees (Employees' Provident Fund) in its 157<sup>th</sup> meeting held on 09.07.2002. The decision of the Government in this regard would be taken at an appropriate time, after taking into consideration the relevant parameters."

3. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Labour & Employment within three months of the date of the reply. However, the assurance is yet to be implemented.

4. The Ministry of Labour and Employment vide their O.M. No. H-11016/38/2007-SS.II dated 28 April, 2008 have requested for dropping the assurance on the following grounds:-

"That while replying to aforesaid question, Ministry replied as under 'it was *inter-alia* stated, the decision of the Government in this regard would be taken at an appropriate time, after taking into consideration the relevant parameters'.

The Ministry has been striving all efforts to fulfill the assurance. But despite all efforts, the comprehensive amendment proposal of EPF & MP Act, 1952 kept on changing. Though certain amendments in the EPF Schemes have since been carried out from time to time and every notification has been laid on the Table of the House, as per prescribed instructions, comprehensive amendments could not be made till now. Since amendment is an ongoing process and Government has to see all the aspects of urgency, requirement and implications before taking a decision on any amendment this assurance may not be fulfilled within the given time-frame."

5. In view of the fact stated above, the Ministry, with the approval of Minister of State (IC) in the Ministry of Labour and Employment, have requested to drop the assurance.

[vi] COUNCIL OF INDIAN SCHOOL CERTIFICATE EXAMINATION

On 16 August, 2005 Shri Kunwar Manvendra Singh, MP addressed the following Unstarred Question No. 3245 to the Minister of Human Resource Development:-

- "(a) whether any irregularity in the functioning of the Council of Indian School Certificate Examination have recently come to the notice of the Union Government;
- (b) if so, the details thereof;
- (c) whether the Union Government have inquired into the same
- (d) if so, the findings thereof; and
- (e) the action taken or proposed to be taken against the guilty?"

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

"(a)& (b): Some issues relating to the functioning and powers of the Chief Executive and Secretary, Council of Indian School Certificate Examination (CISCE) were referred by Government to the Council for further necessary action. These issues and the report thereon of the Executive Committee of the Council were discussed at the 88<sup>th</sup> meeting of the General Body of the Council held on 6.5.2005. The Council decided to refer the case for further Inquiry to Justice M.F. Saldhana (retd.).

(c) : No Sir.

(d)&(e): Does not arise.

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 15 November, 2005. However the assurance is yet to be fulfilled. The Ministry sought extension of time upto 15.10.2008 to implement the assurance.

4. The Ministry of Human Resource Development *vide* their O.M. No. 14-22/2005-Sch.3 dated 13 October, 2008, have requested to drop the assurance on the following ground:-

"In so far as CISCE is concerned it is stated that it is not an autonomous organisation under the Ministry of Human Resource Development. The Council does not come under the ambit of RTI Act, 2005 also. In December 1967, the Council was registered as a Society under the Societies Registration Act, 1860. In 1973, the Council was listed in the Delhi School Education Act 1973, as a body conducting "public" examinations.

The above assurance is pending as the matter relates to an enquiry against Shri Francis Fanthome, former Chief Executive and Secretary of the Council for the Indian School Certificate Examinations (CISCE). Shri Fanthome had thereafter filed a Writ Petition No. 13029/2005 in the Hon'ble High Court of Delhi. The matter is sub-judice since 2005 and the decision of the Hon'ble Court will be available to the public in due course of time."

5. Accordingly, the Ministry with the approval of Hon'ble Minister of State for Human Resource Development have requested to consider the matter and drop the assurance on the above mentioned ground.

[vii] BIFURCATION OF SERVICES

On 7 August, 2006 Shri Faggan Singh Kulaste, MP addressed the following Unstarred Question No. 1622 to the Minister of Environment and Forests:-

"(a) whether the Government proposes to bifurcate the Ministry of Environment and Forests;  
(b) if so, the details thereof along with the reasons therefor;  
(a) the stage at which the above proposal stands at present; and  
(b) the mechanism proposed/evolved to accommodate the employees under the new scheme?"

2. In reply, the Minister of State in the Ministry of Environment and Forests (Shri Namo Narain Meena) stated as follows:-

"(a) & (b): Yes, Sir. There is a proposal to have two separate Departments, viz. Department of Environment, and Department of Forests & Wildlife as a follow-up of the recommendations of the Tiger Task Force.

(c) & (d): The proposal is under formulation."

3. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Environment and Forests within three months of the date of the reply *i.e.* by 6 November, 2006. However, the assurance is yet to be implemented. The Ministry have sought extension of time up to 11.04.2009 to implement the assurance.

4. The Ministry of Environment and Forests vide their O.M. No. 23011/26/2006-GC dated 10 February, 2009 have requested for dropping the assurance on the following grounds:-

"That an assurance was given that the proposal was under formulation. Earlier as a follow up the information/intimation on the matter was awaited from Prime Minister's Office and the Cabinet Secretariat. The matter was then taken up by the Cabinet Secretary for discussion in the Committee of Secretaries (COS) for bifurcation of Ministry of Environment and Forests into two Departments. After consideration of all aspects the Government has decided that the proposal of bifurcation of Ministry of Environment and Forests be kept in abeyance for the present."

5. In view of the fact stated above, the Ministry, with the approval of Minister of State in the Ministry of Environment and Forests, have requested to drop the assurance.

On 13 March, 2007 Shri Dushyant Singh, MP addressed the following Unstarred Question No. 2047 to the Minister of Commerce and Industry:-

- "(a) the name of the items which are presently exported to China;
- (b) whether the Sikkim trade body has urged the Union Government to revise the list of exportable items; and
- (c) if so, the steps taken by the Government in this regard?"

2. In reply, the Minister of State in the Ministry of Commerce and Industry (SHRI JAIRAM RAMESH) stated as follows:-

"(a): The major items of export to China are Iron Ore, Other Ores & Minerals, Plastic & Linoleum Products, Non-Ferrous Metals, Processed Minerals, Cotton Raw including Waste, Primary & Semin-Finished Iron & Steel, Dyes/Intimidates & Coal Tar Chemical, Machinery & Instruments, Inorganic/Organic/Agro Chemicals, Drugs, Pharmaceuticals & Fine Chemicals, Marine Products, Cotton Yarn, Fabrics, Made-ups, etc.

(b) & (c): The Indo-China Traders' Association of Sikkim has urged for revising the list of items exportable through Nathula Pass. The Government has not taken any decision on this request."

3. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Commerce and Industry within three months of the date of the reply *i.e.* by 12 June, 2007. However, the assurance is yet to be implemented. The Ministry have sought extension of time up to 30.06.2009 to implement the assurance.

4. The Ministry of Commerce and Industry vide their O.M. No. F.10/7/2007-FT(NEA) dated 15 September, 2008 and 15 January, 2009 have requested for dropping the assurance on the following grounds:-

"That the list of items exportable through Nathula Pass can be revised only through an agreement between India and China. The Chinese side has also proposed addition of 36 products tradable through Nathula. Since the list of items tradable through Nathula is to be finalised in consultation with the Chinese Government and as such no specific time limit can be prescribed to finalise the new list of items."

5. In view of the fact stated above, the Ministry, with the approval of Minister of State for Commerce and Industry, have requested to drop the assurance.

On 5 September, 2007, Sarvashri Anandrao V. Adsul, Vijoy Krishna and Adhalrao Patil Shivajirao, MPs addressed the following Unstarred Question No. 3007 to the Minister of Health and Family Welfare:-

"(a) whether Hepatitis B Vaccine Immunization Programme will be implemented in all the States;  
(b) if not, the reasons therefor; and  
(c) the time by which the Hepatitis B Vaccine Immunization Programme will be implemented in all the States?"

2. In reply, the Minister of State in the Ministry of Health & Family Welfare (Smt. Panabaka Lakshmi) stated as follows:-

"(a) to (c) : Implementation of Hepatitis B Vaccine Immunization Programme is under consideration."

3. The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Health and Family Welfare within three months of the date of the reply. However, the assurance is yet to be implemented.

4. The Ministry of Health and Family Welfare vide their O.M. No. T-13020/31/2007-Imm dated 22 December, 2008, have requested for dropping the assurance on the following grounds:-

"That the proposal for implementation of Hepatitis B vaccine in the country has been withdrawn by this Ministry."

5. In view of the fact stated above, the Ministry, with the approval of Minister of State for Health & Family Welfare, have requested to drop the assurance.

[x] RAIL-ROAD LINKING OF PORTS

On 28 November, 2007 Shri Raghuvir Singh Koshal, MP addressed the following Unstarred Question No. 1753 to the Minister of Shipping, Road Transport and Highways :-

- "(a) whether the Committee of Secretaries for reviewing rail and road connectivity of major Ports has suggested to develop high capacity rail and road routes within a stipulated time in view of future demand of major/minor ports;
- (b) if so, the details thereof;
- (c) the project-wise details of work undertaken/proposed to be undertaken and amount sanctioned, expenditure incurred in the region;
- (d) the present status of work undertaken so far; and
- (e) the time frame fixed for completion of the projects?

2. In reply, the Minister of Shipping, Road Transport and Highways (Shri T. R. Baalu) stated as follows:-

"(a) & (b) : Yes, sir. The Committee has noted that each Major Port should preferably have atleast four lane road connectivity as well as double line rail connectivity. It has identified actionable plans for port connectivity projects, their completion schedules and financing arrangements.

(c) to (e): Details are at Annexure."

**ANNEXURE**

**ONGOING/SANCTIONED RAILWAY PROJECTS**

Sl.No.	Name of Port	Scope of Work	Length (km)	Estimated Project Cost (Rs.in Crore)	Present status
1.	Haldia	Doubling of Panskura-Haldia section (Phase-I)	14	26	Completed and commissioned.
2.	New Mangalore	Aresikere-Hassab-Mangalore rail link	236	357	Complete section has been commissioned for goods traffic.
3.	Kandla	Gandhidham-Palampur Gauge conversion	313	50	Completed and commissioned.

4.	Jawaharlal Nehru Port commissioned.	Doubling of Panvel-Jasai section	28.5	69	Project completed and
5.	Paradip Special Works Bridge Bridge. completion December, 2008.	Haridaspur-Paradip link with mines and steel plants	82	456	Fixed line survey completed.
6.	Tuticorin work. Tenders minor bridges Tenders for one (Vagai earthwork Kodaikanal- awarded. completion December, 2008.	Doubling of Madurai-Dindigul section	62.06	126	Ambaturai-Kodaikanal. road doubling has been merged with this Detailed estimate sanctioned. for earthwork, 85 bridges, 7 major awarded. mega bridge bridge) and between Dindigul also Scheduled date is
7.	Kandla Scheduled is	Bhildi-Samdhari gauge conversion	223	290	Earthwork and bridge works on Samdhari-Bhimal (122 km section) is being executed. completion date June, 2008.

8. Paradip Second bridge over Mahanadi 3 1430 Work in progress. completion Scheduled date is June, 2008.

Total 961.56 2014

#### RAILWAY PROJECTS PROPOSED TO BE UNDERTAKEN

Sl.No.	Name of Port	Scope of Work	Length (km)	Estimated Project Cost (Rs. in Crore)	Present status
1.	Kolkata	Rail connectivity to proposed jetties at Diamond Harbour.	2	22	Survey completed in Jan 2007.
2.	Mormugao	Doubling of Londa- Dharwar section	70	175	Report received from RVNL is under appraisal.
3.	Haldia been RVNL Board for Government.	Doubling of Panskura- Haldia section (Phase-II)	44	230	The proposal has been approved by the Board of Directors and is now being processed for consideration and approval of the Government.
4.	Mumbai	Dedicated freight line between Wadala and Kurla	5.06	104 (incl. Rs. 55 crores for hument removal)	The project is under consideration for approval of the Government.
5.	Ennore	The new chord line (Puttur – Attipattu)	144	435	Project Report for the new Chord Line is under appraisal.
	Total		263.66	944	

#### STATUS OF ONGOING/SANCTIONED PORT CONNECTIVITY ROAD PROJECTS

Sl.No.	Name of Port	Scope of Work	Length (km)	Project Cost(Rs. in Crore)	Present status

1.	Haldia	4-laning of Kolaghat-Haldia section upto crore.	52.2	273	42% work completed upto termination of contract. Cumulative expenditure upto August 2007 is Rs.130.28 crore.
2.	Paradip	4-laning of NH-5A upto crore.	77	427	Cumulative expenditure upto August 2007 is Rs.301.06 crore.
3.	Visakhapatnam	Port Connectivity	12.47	94	Project Completed on 30.11.2006.
4.	Chennai & Ennore	Chennai-Ennore Port Connectivity	30	309	Progress upto Nov., 07
Phase-II, of work Central Engineering Ltd.).	Phase-III	Phase-III:6 km	Phase-II : 76.76	-Resettlement and Rehabilitation of Project Affected Families for works has been	- 9.7% in case of Phase I. -In case of with the approval NHAI Board, the was awarded to a PSU (M/s Projects (India)
5.	Tuticorin	4-laning of NH-7A upto crore.	47.2	231	Cumulative % of work is: 22.4%. Cumulative expenditure upto August 2007 is Rs. 71.02 crore.
6.	Cochin	4-laning of NH-47 terminated.	10.40	106	Cumulative % progress of work is 43%. Contract
7.	New Mangalore	4-laning of NH-17, NH-48 & bypass 2007	37.5	196	Cumulative % progress upto Nov., 07 is 11.34%. Expenditure upto August

is Rs. 28.24 crore

8.	Mormugao	4-laning of NH-17B	18.3	80	13.1km completed in May,04. State Govt. could not give land free from encumbrances	to take up balance 5.2km of work.
9.	Jawaharlal Nehru Port	4-laning of SH-54 with 6 – lane bridge on Panvel Creek. (Package II)	14.35	143	Cumulative % progress upto Nov., 07 is 87.26%.	
10.	Jawaharlal Nehru Port	Package. I		30	177	Completed.
11.	Tuticorin (BOT)	Four laning of Tuticorin-Madurai Road (NH-45B)	144	629	Work awarded in Feb., 06, Agreement signed in July, 06. Cumulative %	upto Nov., 07 is 23.5%.
12.	Cochin August	Connectivity to ICTT, Vallarpadam		17.2	330	The work commenced in 2007 with scheduled completion in February 2010. (revised to Rs. 557 crore)

#### STATUS OF PORT CONNECTIVITY PROJECTS TO BE SANCTIONED

Sl.No.	Name of Port	Scope of Work	Length (km)	Estimated Project Cost (Rs. in Crore)	Present status
1.	Kolkata	Kona Junction on NH-6 to Netaji Subash Dock	14	-	Detailed Project Report not finalized.
2.	Paradip (BOT)	Four laning of Panikoili-Barbil NH-215	189	1050	The project is at bid stage.

On 18 March, 2008 Shri Nand Kumar Sai, M.P., addressed the following Unstarred Question No.2728 to the Minister of Home Affairs:-

- "(a) whether the National Human Rights Commission (NHRC) regularly undertakes visits to various jails to monitor the protection of human rights of prisoners in the country?
- (b) if so, the details of jails visited by NHRC during 2006-07 and 2007-08 so far, jail-wise and State-wise;
- (c) the details of the recommendations made by the NHRC to the State Governments on the basis of such visits jail-wise and State-wise;
- (d) whether the NHRC has received any compliance report from the State Governments; and
- (e) if so, the action taken by the NHRC in this regard, State-wise?"

2. In reply, the Minister of State in the Ministry of Home Affairs (Shri Manikrao H. Gavit) stated as follows:-

"(a): Yes, Sir.

(b): The National Human Rights Commission has undertaken the following visits during 2006-07 and 2007-08:

Year	Place visited
2006-07	1. District Jail, Jowai and District Jail Shillong, Meghalaya 2. Yervada Central Prision, Pune Maharashtra 3. Naharalagun District, Arunacal Pradesh 4. Jodhpur Jail, Rajasthan
2007-08	1. Central Prison, Dimapur, Nagaland 2. Central Jail, Jorhat, District Jail Golaghat and Open Air Jail Mohendra Nagar, 3. Special Jail, Bhubneswar, Central Jail Cuttack, Choudwar, Sub Jail Nayagar and 4. Gopalganj Jail, Bihar 5. District Jail, Agra, UP 6. Central Jail, Tihar, Delhi

(c): The details of the recommendations made by NHRC state-wise is at Annexure.

(d): The NHRC has received the action taken reports from the Government of Meghalaya only. The action taken reports from other States are awaited to them. The NHRC has requested the State authorities to expedite the compliance report.

(e): The report received from Government of Meghalaya was considered in the Commission who was of the view that the only area which warrants timely action is on the trial cases of undertrial prisoners pending in Courts. For this purpose a special drive is required to be launched by the State Government. This aspect also needs to be closely and regularly reviewed in the meetings of Police-Magistracy Coordination Committees under the chairmanship of district Judge/District Magistrate. The National Human Rights Commission vide letter dated 29.08.2007 requested the Government of Meghalaya to constitute the aforesaid review Committee if not in existence for speedy disposal of pending trial cases of undertrial prisoners.

STATEMENT REFERRED TO IN REPLY TO PART (c) OF LOK SABHA UNSTARRED QUESTION NO.2728 FOR 18.3.2008

DETAILS OF RECOMMENDATIONS/OBSERVATIONS OF NHRC FOR IMPROVING THE CONDITIONS OF JAILS, STATE-WISE

MEGHALAYA

- i. The prison infrastructure of the State is very weak and urgently need strengthening.
- ii. Only four out of 7 districts have District Jails. There is no Central Jail in the State.
- iii. Sanitation facilities are poor.
- iv. Health care though satisfactory needs improvement. Treatment of T.B. patients needs more attention.
- v. Undertrial prisoners are working in jail industry but not receiving any remuneration.
- vi. Undertrial Prisoners (UTP) constitute over 90% of prison population.
- vii. The system of parole provided under the Assam Jail Manual which is being followed in Meghalaya is not operating for the past several years.
- viii. System of Board of visitors has been defunct.

## MAHARASHTRA

- - i. Parole powers are with the Divisional Commissioner. The same may be delegated to DIG (Prisons).
  - ii. Life imprisonment is for 14 years minimum, after which the case is sent to the State Government for a decision whether the prisoners is to be released or not. The prisoners felt that this is subjective and arbitrary and some norms to be laid down.
  - iii. The Commission forwarded the guidelines of the NHRC to deal the case for pre-mature release of prisoners; and
  - iv. The prisoners felt that the average daily wages for semi-skilled workers is too low and needs to be revised.

## ARUNACHAL PRASDESH

- i. Lack of cleanliness in the police lock-ups which are being used as jail also;
- ii. Non-existence of facilities for juveniles;
- iii. Shortage of facilities like accommodation, vehicles, furniture, scientific gadgets for the police officers investigating various cases;
- iv. Need for compensation to the victims of terrorist crimes; and
- v. Need for a State Human Rights Commission.

## NAGALAND

- i. Sanitary facilities are poor.
- ii. Recreational facilities are limited.
- iii. Education facilities do not exist.
- iv. Jails are virtually without any medical cover of their own.
- v. Incidence of death in jail is fairly common.
- vi. NHRC directions regarding intimation of death followed by magisterial enquiry report are not being followed.

- vii. Absence of Works Programme which speaks total lack of concern for reform and rehabilitation of prisoners after they are released.
- viii. Performance of jail staff is suffering because of inadequate training at officer level and no training at functional level.
- ix. Staff officers have little knowledge of prisoner's right.
- x. Convicts are denied the right to basic needs of clothing and bedding.
- xi. The system of parole provided in the Jail Manual has never been put into practice.
- xii. System on Board of Visitors has gone defunct.
- xiii. Involvement of NGOs in the jail activities is missing.

#### ASSAM

A number of positive comments have been made by the visiting officer. However following are some of the issues which need attention :

- i. Absence of a Women Jail.
- ii. Underutilization of Open Air Jail.
- iii. Unsatisfactory sanitation facilities.
- iv. Improvement in water supply arrangements.
- v. Work programme existing in 15 out of 27 jails needs to be expanded.
- vi. Payment of wages need rationalization.
- vii. Recreational facilities are inadequate.
- viii. Food and health care facilities of children particularly need attention.

#### ORISSA

- i. Inordinate delay in disposal of cases in the respective courts.
- ii. Speedy release on bail is suffering for the following reasons as emerged from the conversation with the Undertrial prisoners (UTPs):
  - a) Bail petitions are pending in the trying courts for disposal.
  - b) Prayer for bail has been rejected but the advocate concerned has not yet communicated the reasons for rejection of the bail petition.
  - c) There is alleged discriminatory treatment to different UTPs in disposal of their bail petitions.

- d) Inordinate delay in the disposal of appeals made by Convicts.
- iii. Premature release cases often get delayed and remain pending before the Board for a long time; even after the final decision has been taken, the same is not communicated in time.
- iv. Space available for interviews with the family members of prisoners is less and which is leading to overcrowding.
- v. Living conditions are poor.
- vi. Kitchen is dark and dingy, unclean and unhygienic and food is not served with a human touch.
- vii. There is deficiency in serving the food to prisoners. It is carried open and is not hot at the time of serving.
- viii. There is no arrangement for filtration or purification of drinking water; samples are not being regularly sent for testing.
- ix. Sanitary conditions are poor. Number of commodes are much less than required according to Prison Manual. Elderly person, physically & orthopedically handicapped persons and persons suffering from arthritis cannot squat on Indian Commodes without further harming themselves.
- x. Scale of clothing and bedding for both convicts and UTPs should be fixed by the State after taking into account the climatic conditions as also security and disciplines of the prison.
- xi. Number of beds are much less than what is prescribed in the model prison manual. Lack of medical facilities for prisoners.
- xii. Literacy and education: Neither the Prison Administration nor the teacher implementing the programme has any clue as to what is functional literacy Vs. alphabetical literacy.
- xiii. 187 posts of guarding staff are vacant. 25 out of 160 posts of officers and non-gazetted staff are vacant.
- xiv. A computerized data base needs to be built up in the office of IG Prisons."

3. Reply to part (d) of the question was treated as an assurance and the same was required to be fulfilled by the Ministry of Home Affairs within three months of the date of reply *i.e.* by 17 June, 2008, but the assurance is yet to be implemented. The Ministry have sought extension of time upto 18 September, 2008.

4. The Ministry of Parliamentary Affairs *vide* their O.M. No.XIV-XII/Home(3)/USQ No.2728-L.S./08 dated 18 August, 2008 have forwarded the request of the Ministry of Home Affairs dated 20 June, 2008 for dropping the assurance on the following grounds:-

"That 'Prisons' is a State subject under List-II of the Seventh Schedule to the Constitution and Prison Administration is governed by the State Governments under the provisions of Indian Prisons Act, 1894 and the Jail Manuals framed by respective State Governments. The State Governments undertake legislation, and make rules and regulations etc. on the subject.

As regards the aforesaid question, it is stated that as per the mandate of the National Human Rights Commission, the Commission can visit any jail or any other institution under the control of the State Government where prisoners are detained or lodged for purpose of treatment, reformation or protection, for the study of living conditions of the inmates thereof and make suitable recommendations thereon to the State Governments directly. The compliance reports on the observations of NHRC are directly sent by the State Governments to NHRC and the centre has no role to play in the matter. The NHRC is not required to send report of their visits to the Government of India.

In view of the above, it is requested that the aforesaid Question may be deleted from the list of assurances."

5. The Ministry have also stated that this request for the deletion of the assurance has the approval of the Minister of State in the Ministry of Home Affairs.

[xii] BLACK LISTED NON-GOVERNMENTAL ORGANISATIONS

On 29 April, 2008 Shri Madhusudan Devram Mistry, M.P., addressed the following Unstarred Question No.4960 to the Minister of Home Affairs:-

- "(a) the names of the NGOs registered under the Foreign Contribution Regulation Act, 1976 (FCRA) blacklisted alongwith the reasons during each of the last three years, till date, State-wise;
- (b) the names of the NGOs applied for permission alongwith the letter of sanction received from the Foreign Funding Agency for collecting Foreign Funds under FCRA;
- (c) the details of NGOs denied prior permission by the Government during the said period, State-wise;
- (d) whether the activities of the Foreign Funding Agencies have been found to be against the national interest;
- (e) if so, the details thereof; and
- (f) the action taken by the Government against foreign funding agencies working against the national interest and the steps taken by the Government to check these activities in future?"

2. In reply, the Minister of State of in the Ministry of Home Affairs (Shri Sri Prakash Jaiswal) stated as follows:-

- "(a) to (f): A Statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (f) THE LOK SABHA UNSTARRED QUESTION NO. 4960 FOR ANSWER ON 29<sup>TH</sup> APRIL, 2008 REGARDING 'BLACKLISTED NON-GOVERNMENTAL ORGANISATIONS'.

- (a) There is no black list of associations registered under Foreign Contribution Regulation Act (FCRA), 1976. However, as and when, complaints relating to the violation of provisions of FCRA against associations come to the notice of the Government, appropriate action is taken against such associations under the Act. Such actions may include (i) prohibiting the association from receiving foreign contribution, (ii) placing the association in the Prior Permission category, (iii) prosecuting the association in a court of law and (iv) freezing the bank accounts of the association. In case, associations are found to be indulging in serious violations such as misappropriation or diversion of foreign contribution for purposes other than the stated objectives of the association, the case is referred to Central Bureau of Investigation (CBI) for a detailed investigation and prosecution, if necessary. Violations which are unintentional

and not of a serious nature are condoned under the provisions of Section 31 of the Act.

On the basis of complaints received and inquiries made, 45 associations have been prohibited from receiving foreign contribution, 26 associations have been placed in the Prior Permission category and bank accounts of 11 Associations have been frozen. A list of associations against whom action has been taken for violation of various provisions of the Act is available on the Ministry's website <http://www.mha.nic.in/fcra.htm>. Cases of 17 associations have been referred to CBI for detailed investigation.

(b) to (f) Associations seeking prior Permission for receiving foreign contribution from a foreign source are required to submit a commitment letter from the donor agency specifying the amount of the foreign contribution to be received and the purpose for which it is proposed to be utilized. Such permission is granted after carrying out a verification of the antecedents of the recipient organization. In case, the amount of foreign contribution proposed to be received is above a certain threshold limit, a detailed verification of the antecedents of the donor agency is also carried out. If after due verification, substantive inputs are received against a particular donor agency suggesting its involvement in activities prejudicial to the national interest or its funding NGOs indulging in anti-India propaganda/activities abroad, prior permission for receipt of foreign contribution from such donor agencies is denied. The State-wise list of NGOs granted prior permission under the FCRA is available on Ministry's website <http://www.mha.nic.in/fcra.htm>. However, the list of associations, which have been denied prior permission under the said Act, is not maintained.

3. Reply to the above 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 *i.e.* by 28 July, 2008, but the assurance is yet to be implemented. The Ministry have sought extension of time, till the Committee considers dropping request.

4. The Ministry of Home Affairs *vide* their O.M. No.II/21022/96(1)/2008-FCRA.III dated 08 July, 2008 have requested for dropping the above assurance on the following grounds:-

"That the part of the reply which has been treated as an assurance does not constitute an assurance. In the reply, it was inter-alia stated that 'Cases of 17 associations have been referred to CBI for detailed investigation', which has been treated as assurance. It may be stated that the above sentence does not constitute an assurance since action on the part of the Ministry is complete. Once the case is handed over to CBI for investigation by the Ministry, the CBI after their investigation submits a report and if the charges are established during the investigation, CBI seeks prosecution sanction from the Government. The investigation by the CBI takes a long time to complete.

In the past also, replies to the Lok Sabha Questions included such statement but the same was not treated as an assurance. For example, the reply given to

the Lok Sabha Unstarred Question No.898 dated 04 March, 2008 inter-alia included the same statement and the reply was not treated as an assurance."

5. In view of the above, the Ministry with the approval of the then Minister of State in the Ministry of Home Affairs have requested the Committee on Government Assurances to consider agreeing to the deletion of the assurance.

On 26 February, 2008 Shri S.K. Kharventhan, M.P., addressed the following Unstarred Question No.68 to the Minister of Human Resource Development:-

- "(a) whether the Union Government has any proposal to set up 14 world class universities in the country as reported in the 'Economic Times' dated November 21, 2007;
- (b) if so, the details thereof along with the locations identified for setting up of the same, particularly in Tamil Nadu;
- (c) the time by when the above universities are likely to be set up;
- (d) whether there is also proposal to set up Centers of Excellence across the country to improve the quality of higher education; and
- (e) if so, the details thereof?"

2. In reply, the Minister of State in the Ministry of Human Resource Development (Smt. D. Purandeswari) stated as follows:-

"(a),(b) and (c): Yes, Sir, it is proposed to set up 14 world class universities in the country during the 11th Plan period. The locations and other details of these universities have, however, not yet been finalized.

(d) and (e): Nine Universities and twelve Centres have already been identified by the University Grants Commission under its Scheme of Universities with Potential for Excellence and five more Universities are proposed to be identified under the Scheme during the 11th Plan period."

3. Reply to the above 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 25 May, 2008, but the assurance is yet to be implemented.

4. The Ministry of Human Resource Development *vide* their O.M. No.F.16-2/2008-Desk(U) dated 19 June, 2008 have requested for dropping the above assurance on the following grounds:-

"That reply to parts (d) and (e) of Lok Sabha Unstarred Question No.68 for 26.2.2008 contained only the factual information on the progress made and the targets set by the UGC for expansion of its Scheme of Universities with Potential for Excellence during the 11<sup>th</sup> Plan period. It should not be treated as an assurance given to the House."

5. In view of the above, the Ministry with the approval of the then Minister of State in the Ministry of Human Resource Development have requested the Committee on Government Assurances for deletion of the assurance.

On 12 March, 2008 Shri Uday Singh, Adv. (Shrimati) P. Satheedevi, Shri Hemlal Murmu and Shrimati Jayaprada, M.Ps., addressed the following Unstarred Question No.1769 to the Prime Minister:-

"(a) whether the National Knowledge Commission has recommended for creation of a national body to monitor the quality of education in both Government and private schools;

(b) if so, the details thereof;

(c) the reaction of the Government on the recommendations of the NKC; and

(d) the time by which such national body would be created to monitor the quality of education?"

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

"(a) to (d): The Extract from National Knowledge Commission recommendations regarding creation of a national body to monitor the quality of both government and private schools is Annexed. These recommendations are under examination.

## ANNEXURE

### Extract of NKC recommendation

2.5 There is need for a national body to monitor the quality of both government and private schools, to ensure that minimum standards are met in terms of learning outcomes.

Currently there is no systematic and continuous feedback on the actual impact and outcome of various educational schemes and initiatives, or the actual quality of education imparted in schools. There is a strong case for a testing body at the national level for quality assessment of schools. A results-based monitoring framework with due process indicators and outcome indicators needs to be evolved. This should be based on a short list of monitorable criteria. These should include fixed infrastructural requirements, enrolment and attendance, as well as outcome indicators such as learning levels achieved in certain basic areas such as language skills and numeracy, etc. Such a process of assessment needs to be applied to all schools – both public and private. However, the testing of students must not involve topics or questions that provide any incentives for rote-learning. The tracking mechanism should ideally be concerned with the profile of skill attainment of each student.

Since school education is largely a state subject, but it is also important to achieve minimum schooling norms at the national level, the institutional framework for this could be at the national level with state subsidiaries. The role of this testing body will simply be to provide information on the results of its assessments, with the state governments free to act upon this information. The results of such regular tests must be made publicly available in a format accessible to all, including websites.

The monitoring of private schools, in terms of ensuring a transparent admissions process, regulation of fee structures, as well as meeting minimum set standards for quality of teaching and infrastructure, also requires attention. There is currently no exact data on the numbers and enrolment of unrecognized private schools in the country, their fee structure or admission policy, or their standards of infrastructure and quality. Private schools should become the subject of regulation and inspection within a set framework which is universally applicable."

3. Reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Planning within three months of the date of reply *i.e.* by 11 June, 2008, but the assurance is yet to be implemented.
4. The Planning Commission (Education Division) *vide* their O.M. No.H-11016/13/2007-EDN. dated 18 September, 2008 have requested for dropping the above assurance on the following grounds:-

"That the National Knowledge Commission (NKC) recommendations were forwarded to the Nodal Department in the Central Government, *i.e.* Department of School Education & Literacy (MHRD) and to the State Governments. No comments have been received till date. The creation of a body to monitor quality school education would take time and the process involves obtaining the consensus of State Governments as State Boards function with full autonomy within the States. Schools affiliated to State Boards come under their purview. Therefore, no time limit can be set for fulfilling this assurance.

Further the Department of School Education & Literacy is in the process of drafting the 'Adoption of the Right of Children to Free and Compulsory Education Bill, 2008' pursuant to the 86<sup>th</sup> Constitutional Amendment (2002), by which Article 21-A Right to Education was inserted in Part-III - Fundamental Rights of the Constitution of India. Specific provisions are incorporated to ensure and monitor admission, attendance and completion of elementary education by every child and to ensure good quality elementary education conforming to norms and standards specified in the Schedule of the Bill. The academic authority constituted will lay down conditions and evaluate procedures.

The Planning Commission is involved in the deliberations/drafting of the above Bill and the concerns regarding Monitoring of Quality Education, including the creation of a body for the purpose, would be addressed in the proposed Bill."

5. In view of the above, the Planning Commission with the approval of the Minister of Planning have requested the Committee on Government Assurances to consider deletion of the assurance.

## [xv] DELAY IN SETTING UP AIIMS LIKE INSTITUTIONS

On 8 July, 2009, Shri Arjun Charan Sethi, M.P., addressed the following Unstarred Question No. 608 to the Minister of Health and Family Welfare:-

- "(a) the reasons for delay in setting up of the proposed six new medical institutes on the pattern of All India Institute of Medical Sciences (AIIMS);
- (b) the details of the commissioning schedule, institute-wise;
- (c) the funds allocated for each Institution and spent therefrom during the last three years and the current year, year-wise;
- (d) the steps taken by the Government to expedite establishment of these Institutions; and
- (e) the time by which these Institutions are likely to be established and operationalised?

2. In reply, the Minister of Health and Family Welfare (Shri Ghulam Nabi Azad) stated as follows:-

"(a): There has been some delay in setting up of the six new AIIMS-like institutions under the PMSSY scheme. The initial delays were due to failure of bids for selection of single Project Consultant and selection of Prototype Architectural Design for all the six AIIMS-like institutions. The whole process had to be initiated *de novo* in Dec. 2006 and each site has now been taken up separately. The process of finalizing/approving the Detailed Project Reports (DPRs) has also taken some time as it required due vetting by medical and other technical experts.

(b): As the recruitment of manpower is key to the efficient running of these institutions, the residential complexes to house the faculty and staff is being constructed on priority construction and will be ready by 2009-10 at all six sites. The Hospital/Medical College complexes are expected to be ready by 2011.

(c) There is no separate institute-wise allocation. The funds allocated for the PMSSY scheme and year-wise expenditure position is as follows:-

(Rs. in crores)	Year	BE	RE	Expenditure
	2006-07	75.00	10.00	6.37
	2007-08	150.00	90.00	88.70
	2008-09	490.00	568.00	498.13
	2009-10	647.92	-	29.11#

#as on 30<sup>th</sup> June 2009

(d)&(e): All necessary steps are being taken to expedite execution of the project. There is regular monitoring of the project by the Project Management

Committee (PMC) headed by Secretary (Health), Govt. of India. Dedicated Project Cell(s) comprising of Medical experts, Engineers and administrative staff have been set up at each site. Institutions are proposed to be established and operationalized by 2011-12.

3. The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Health and Family Welfare within three months of the date of the reply *i.e.* by 7 October, 2009. However the assurance has not been implemented so far.

4. The Ministry of Health and Family Welfare vide their O.M. No. H 11018/4/05-SSH dated 18 September, 2009 have requested for dropping the assurance on the following grounds: -

"that boundary wall constructed and pre-construction survey and EIA study conducted at all the six sites of AIIMS-like institutions under Pradhan Mantri Swasthya Suraksha Yojana (PMSSY). Environmental clearances obtained for Bhubaneswar, Patna, Jodhpur and Rishikesh sites. Construction of residential complexes has already been taken up and the work at all the six sites is in progress.

Detailed Project Report (DPRs) for construction of medical college and hospital complex have been finalized and revised cost estimates are being taken up for EFC/CCEA approval. Notice for inviting Tenders will be issued in September, 2009. The civil work for Hospital and medical college complex is likely to commence by December, 2009 and entire project will be completed in 2011-12.

Pradhan Mantri Swasthya Suraksha Yojana (PMSSY) is an ongoing project and necessary action has already been initiated for setting up of 6 AIIMS like institutions. It is therefore requested that the promise made need not to be treated as an assurance and may be deleted.

5. In view of the above, the Ministry with the approval of the Minister of State in the Ministry of Health and Family Welfare have requested that this assurance may be dropped from the list of assurances.

On 23 December, 2008 Shri Santosh Gangwar, MP addressed the following Unstarred Question No. 3411 to the Minister of Commerce & Industry:-

- "(a) Whether wheat import scam involving the officers of State Trading Corporation has come to light;
- (b) if so, the details thereof;
- (c) whether the matter is being investigated; and
- (d) if so, the details thereof along with the action being taken against such persons?

2. In reply, the then Minister of State in the Ministry of Commerce & Industry (Shri Jairam Ramesh) stated as follows:-

"(a), (b), (c) & (d) CBI on the basis of preliminary enquiry, registered a regular case on the allegations that certain officers of the Cabinet Secretariat Department of Food, STC, FCI connived together and in pursuance of the same did various acts of commission/omission in procurement of 2 million MT of wheat from Australian Wheat Board during the year 1998. This Department had furnished the bio-data of Dr. S.M. Dewan, the CMD, STC, as sought by CBI in this regard. Later, in a note submitted to the Cabinet Secretary on the result of the investigations, CBI has stated that for want of conclusive evidence against the accused persons, a closure report was filed in the court of Special judge, Delhi, on 3.1.2004 and the Court after due consideration accepted the same on 17.01.2004. In July 2008 CBI have requisitioned certain documents/files from STC, returned by them, relating to the above case stating that further investigations in the matter has now commenced. Further status of the ongoing investigation has not been intimated to STC by CBI so far."

3. The Ministry of Commerce & Industry *vide* their O.M.No. 20/37/08-FT(ST) dated 8 July, 2009 have requested to drop the assurances on the following grounds: -

"The CBI investigation in the case is still on and is also beyond the purview of Department of Commerce, no time limit can be predicted/anticipated for fulfillment of the assurance. Hence the Committee on Government Assurances is requested to kindly consider deletion of this assurance against the name of this Department and to convey the necessary approval for the same. The Ministry has not sought extension of time to implement the Assurance."

4. The Ministry with the approval of Minister of Commerce & Industry have requested to drop the assurance.

On 25 April, 2008, Sarvashri M. Raja Mohan Reddy and Thawarchand Gehlot, M.Ps., addressed the following Starred Question No. 463 to the Minister of Power:-

"(a) the number of proposals under the Rajiv Gandhi Grameen Vidyutikaran Yojana received by the Government from various States, State-wise during the last three years;

(b) the number out of them sanctioned, till date;

(c) whether the Government proposes to modify the Yojana with a view to accelerate the electrification of villages; and

(d) if so, the details thereof and the reaction of the State Governments thereto?"

2. In reply, the Minister of Power (Shri Sushil Kumar Shinde) stated as follows:-

"(a) to (d): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO 9d) OF STARRED QUESTION NO. 463 TO BE ANSWERED IN THE LOK SABHA ON 25.04.2008 REGARDING RGGVY

(a): Rural Electrification Corporation so far has received 614 proposals under Rajiv Gandhi Grameen Vidyutikaran Yojana from various States, State-wise details are at Annex-I.

(b): 551 proposals have been approved by the Monitoring Committee on Rajiv Gandhi Grameen Vidyutikaran Yojana as on 10.04.2008. State-wise details are given at Annex-II.

(c): No, Sir.

(d): Question does not arise."

3. During the course of supplementaries, Shri Bhartruhari Mahtab, M.P. asked the following supplementary question:-

"Sir, the Hon'ble Minister has been very categorically stating that not a single household or habitation will be bereft of any electrification. While going through his answer I notice that the total DPR which has been received from respective States comes to around Rs. 32,528 crore and the amount that has been sanctioned till date is around Rs. 25,043 crore. There is a shortfall of around Rs. 7,000 crore. I would like to know from the Hon'ble Minister as to how are we going to meet this target.

Secondly, I want to know – because such large sums of money which is flowing into the States, and different stakeholders are involved in electrification work – whether you will engage or utilize the services of Members of Parliament for monitoring this project.”

4. In reply, the Minister *inter-alia* stated as follows:-

“Sir, the Hon’ble Member is very much interested in monitoring this. I have appealed in this House that if every electrified village is monitored by our Hon’ble Members, it will be useful. We have said to put up a board of ‘Rajiv Gandhi Grameen Vidhyutikaran Scheme’ on the transformer and also in the village. If such a board has been put up, that means that a complete village has been electrified. So, it will be helpful to us. If such suggestions come or if complaints come, I will take cognizance of it.”

5. The above reply to the supplementary question was treated as an assurance and was required to be implemented by the Ministry of Power within three months of the date of the reply *i.e.* by 24 July, 2008. However, the assurance is yet to be implemented. The Ministry have not sought any extension of time to implement the assurance.

6. The Ministry of Power vide their O.M. No. 40/27/2008-RE dated 26 June, 2008 have requested for dropping the assurance on the following ground:-

“That the reply given by the Hon’ble Minister of Power in response to the supplementary raised by Shri Bhartruhari Mahatab, M.P. is general in nature and as such it may not be treated as an assurance.”

7. In view of the fact stated above, the Ministry, with the approval of the then Minister of State for Power, have requested to drop the assurance.

On 10 March, 2008 Shri Iqbal Ahmed Saradgi, MP addressed the following Starred Question No. 141 to the Minister of Communications and Information Technology:-

- "(a) whether the policy regarding pricing of spectrum licences has been finalised;
- (b) if so, the details thereof and if not the reasons therefor;
- (c) whether the Government has received some suggestions/representations for a fair and equitable spectrum policy from different quarters; and
- (d) if so, the details thereof and the reaction of the Government thereto?"

2. In reply, the Minister of Communications and Information Technology (Shri A. Raja) stated as follows:-

"(a) to (d) A Statement is laid on the Table of the House.

(a) to (d) At present the service providers are paying spectrum charges based on percentage/share of Adjusted Gross Revenue (AGR). The pricing of spectrum is reviewed from time to time, taking into account various relevant aspects, and suggestions thereof.

In order to ensure optimum use and equitable allotment of scarce spectrum resource, the criteria for allotment of spectrum are based on the number of subscribers in an operator's network and their usage of network. These criteria are reviewed from time to time taking into account relevant factors and technological developments."

3. During discussion Shri Iqbal Ahmed Saradgi, M.P. raised the following supplementary question:-

"Sir, part 'c' of Q. 141 has not been properly replied to by the Hon. Minister. Due to lack of proper decision, there is deadlock between the Government and various sections of the telecom industry over the pricing and the allocation of spectrum. So, I would like to know whether any steps have been taken by the Government to find out any solution in regard to pricing and the allocation of spectrum to various agencies."

4. In reply to the Minister of Communications & Information Technology *inter alia* stated as follows:-

"Future recommendations are being awaited. Once the new Report of the Committee comes, the Government will act accordingly."

5. The above reply to the supplementary question was treated as an assurance and was required to be fulfilled by the Ministry of Communications and Information Technology within three months of the date of the reply *i.e.* by 9 June, 2008. However, the assurance is yet to be fulfilled. The Ministry of Home Affairs have sought extension of time upto 9 September, 2009 to fulfill the assurance.

6. The Ministry of Communications and Information Technology vide their O.M. No. H-11017/07/2008-PP dated 9.6.2009 have requested to drop the above assurance on the following grounds:-

"That considering the assurance being a policy related one, and was raised in the last Lok Sabha, the Committee on Government Assurances, Lok Sabha Secretariat is requested to reconsider this assurance with a view to drop the same."

7. Accordingly, the Ministry, with the approval of Minister of State for Communications & IT, have requested to drop the assurance.

[xix] REVISION OF NORMS FOR CALAMITY RELIEF FUND/NATIONAL CALAMITY  
CONTINGENT FUND

On 23 December, 2008 Shrimati BotchaJhansi Lakshmi, MP, addressed the following Starred Question No. 359 to the Minister of Home Affairs:

- "(a) whether the Government is considering to revise the norms for eligibility under Calamity Relief Fund (CRF);
- (b) if so, the details thereof;
- (c) whether any request has been received from the flood-affected States to relax the existing norms fixed for eligibility under CRF; and
- (d) if so, the reaction of the Government thereto?"

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

"(a) to (d): It has generally been a practice to review and revise the items & norms of assistance from Calamity Relief Fund (CRF)/National Calamity Contingency Fund (NCCF) after the Award of a Finance Commission is accepted by the Government. The last such revision was made in June 2007, after the Award of the Twelfth Finance Commission. These norms, framed after consultations with State Governments and line Central Ministries, are applied uniformly to all the States, while providing assistance from CRF/NCCF. As such there is no proposal for revision of norms under CRF/NCCF and this will be considered after receipt of Award of 13<sup>th</sup> Finance Commission.

The Government of Rajasthan had sought relaxation in the conditions of assistance for replacement of animals, relaxation in time prescribed for cattle camps and repair/restoration of immediate nature of the damaged infrastructure, as well as provision of material component under employment generation. The State Government of Kerala had requested for inclusion of more animals in the list eligible for assistance and assistance for cattle sheds.

Similarly, the State of Bihar had requested for relaxation in the norms in respect of period for operation of relief camps from 30 days to 6 months and time limit for providing Gratuitous Relief from existing 30 days to 90 days and the State of Punjab had requested for revision of norms in respect of items like input subsidy for damaged crops, assistance for loss of utensils/household goods, supplementary nutrition and fodder for cattle.

These requests have been considered and keeping in view the fact that extant items & norms have been notified on 27.6.2007 only after detailed deliberations with the States and that the recommendations of the Thirteenth Finance Commission, which is looking into the entire gamut of the CRF/NCCF Schemes, would be available within a year, it has been decided, not to accept these requests of States for revision of norms."

3. In 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 the reply i.e., by 22 March, 2009. However, the assurance is yet to be fulfilled. The Ministry of Home Affairs have not sought any extension of time to fulfill the assurance.

4. The Ministry of Home Affairs *vide* their O.M. No. F No. 42-26/2008-NDM-I dated 13 April, 2009 in their note observed as under and requested to drop the assurance:-

"That the following part of the reply of the above mentioned Question has been treated as an Assurance:-

'as such there is no proposal for revision of norms under CRF/NCCF and this will be considered after receipt of report of the 13<sup>th</sup> Finance Commission.'

The Ministry further requested that the assurance be dropped and stated as under:-

The intention of adding above sentence in the reply was to explain the methodology and procedure to review and revise the items & norms of assistance from CRF/NCCF and no specific Assurance was given in the reply of the Question.

As has been indicated in the reply that it has generally been a practice to review and revise the items & norms of assistance from CRF/NCCF, after the Award of a Finance Commission is accepted by the Government. The exercise (of revision of norms) include constitution of an Expert Group comprising the representative of concerned Ministries and State Government, after the submission of the Report by the Commission & its acceptance by the Government, seeking views of the State Governments & concerned Central Ministries/Departments by the Group, consultation process by the Expert Group, submission of the report by the Group and its acceptance by the Government. This is a time consuming exercise which normally takes about two years and last such revision was made in June 2007, after Award of Twelfth Finance Commission. As such there is no proposal to revise the norms under CRF/NCCF during the currency of the Award of the Twelfth Finance Commission, which will end on 31<sup>st</sup> March 2010.

In view of the fact that in the reply methodology and procedure for revision of items & norms of assistance from CRF/NCCF as well as the exercise of revision of items & norms were mentioned, the Committee on Government Assurances Lok Sabha, is kindly requested to consider the deletion of the above assurance."

5. Accordingly, the Ministry, with the approval of Minister of State in the Ministry of Home Affairs, have requested to drop the assurance.

## [xx] NATIONAL AGRICULTURAL INSURANCE SCHEME

On 4 December, 2000, Sarvashri Shivaji Mane, S.D.N.R. Wadiyar, M.V.V.S. Murthi and Ram Mohan Gadde, MPs addressed the following Unstarred Question No. 2348 to the Minister of Agriculture:-

- "(a) whether the Government propose to review the National Agricultural Insurance Scheme for implementing the New Agriculture Policy;
- (b) if so, the details in this regard;
- (c) the State Governments have sent some suggestions in this regard;
- (d) if so, the details thereof; and
- (e) the time by which these suggestions are likely to be considered by the Union Government?

2. In reply, the then Minister of State in the Ministry of Agriculture (Shri Shripad Y. Naik) stated as follows :-

"(a) & (b): Yes, Sir. As per the provisions of the scheme, National Agricultural Insurance Scheme (NAIS) is required to be reviewed after one year of its implementation. In this connection a Conference of State Ministers for Agriculture was convened at New Delhi on 14.9.2000 to discuss certain issues such as coverage of perennial crops, sharing of financial liabilities, Corpus Fund, unit area of insurance, sum insured and seasonality discipline etc.

(c) & (d) : Yes, Sir. Some States have made the following important suggestions for review:

- Sharing of risk between Government of India (GOI) and State Government should be in the ratio of 2:1.
- Coverage of perennial crops.
- Constitution of Corpus Fund may be re-examined.
- Administrative expenditure and the bank charges should be borne by the GOI.
- Sunset arrangement of taking away the benefit of subsidized premium to small and marginal farmers needs reconsideration etc.

(e): The suggestions made by the States for modifications in the scheme have been discussed in the Conference held on 14.9.2000 and a proposal for review of the scheme is under examination.

3. On 19 July, 2004, Shri Hari Kewal Prasad, M.P. addressed the following Starred Question No. 182 to the Minister of Agriculture:-

"(a) whether the Government has taken steps to make National Agricultural Insurance Scheme (NAIS) more effective and to facilitate participation of farmers in the scheme;

(b) if so, the details thereof and the extent of success achieved as a result thereof;

(c) the names of the States from which proposals for changes in NAIS have been received during the last three years; and

(d) the reaction of the Government thereto?"

4. In reply, the Minister of Agriculture (Shri Sharad Pawar) stated as follows :-

"(a) to (d): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 182 DUE FOR REPLY ON 19TH JULY, 2004.

(a)&(b): National Agricultural Insurance Scheme (NAIS) introduced in Rabi 1999-2000 has been made more effective by enlarging its coverage of farmers, crops and risk commitment compared to erstwhile Comprehensive Crop Insurance Scheme (CCIS).

Agriculture Insurance Company of India (AIC) was incorporated in December, 2002 for exclusive implementation of NAIS.

As a result of these measures, at present, NAIS is being implemented by 23 States and 2 Union Territories. During the last eight crop season i.e. rabi 1999-2000 to Kharif 2003, total of 4.18 crore farmers are covered over an area of 6.50 crore hectare. Claims amounting to Rs.4472.85 crore have become payable as against the premium generated of Rs.1178.82 crore.

(c)&(d): States like Andhra Pradesh, Gujarat, Maharashtra, Karnataka, Orissa, Madhya Pradesh, Himachal Pradesh, Uttar Pradesh and Kerala have given various suggestions to improve further the scope and content of the scheme. Some of the suggestions given are as under:-

- ? Reduction of the unit area for yield assessment.
- ? Coverage of perennial horticultural crops.
- ? Speedy settlement of claims.
- ? Making the scheme optional for loanee farmers particularly in respect of commercial crops.
- ? Restoration and continuation of 50% premium subsidy to small and marginal farmers.
- ? Indemnity level should be 80% - 90%.

? Threshold yield should be calculated on the basis of yield data of best/normal 3-5 years.

The review process of NAIS has already been initiated. The suggestions given by the States are being looked into for appropriate decision."

5. On 25 July, 2005, Sarvashri Pralhad Joshi and Raosaheeb Danve Patil, MPs addressed the following Starred Question No. 6 to the Minister of Agriculture:-

- "(a) the number of farmers benefited under National Agricultural Insurance Scheme (NAIS) since its inception, State-wise;
- (b) the total funds released to farmers till date with the break-up of State and Central share therein, State-wise;
- (c) whether the Government has received any complaints regarding the inordinate delay in sanctioning of insurance amount to respective farmers;
- (d) if so, the details thereof alongwith the number of complaints received during the said period, State-wise;
- (e) the action taken thereon;
- (f) whether the Government has received any proposals from the States for remodeling of the entire scheme;
- (g) if so, the details thereof and the reaction of the Government thereto;
- (h) whether the Government proposes to establish district/zonal level Agriculture Insurance offices in all the States; and
- (i) if so, the details thereof and the details of the offices set up in the country till date, State-wise? "

6. In reply, the Minister of Agriculture (Shri Sharad Pawar) stated as follows :-

"(a) to (i): A statement is laid on the Table of the House.  
STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (i) OF LOK SABHA STARRED QUESTION NO. 6 DUE FOR REPLY ON 25TH JULY, 2005.

(a)&(b): A statement comprising number of farmers benefited and total claims released from Rabi 1999-2000 to Kharif 2004 under National Agricultural Insurance Scheme (NAIS) is at Annexure-I.

(c)&(d): As per the National Agricultural Insurance Scheme (NAIS) admissible claims are sanctioned and settled by Agriculture Insurance Company of India Ltd. (AIC) which is the Implementing Agency of NAIS.

Delay in settlement of claims was reported by various implementing States including States of Karnataka, Rajasthan, Maharashtra, Gujarat, Madhya Pradesh, Bihar, Uttar Pradesh in different crop seasons. Payment of claims were delayed due to one or more reasons of late submission of yield data by the States/UTs, anomalies in the insurable area and crop loans advanced, non remittance of funds by the Central and State Governments.

(e) to (i): The proposals with regard to reducing the unit area of insurance, improving the guaranteed yield, raising the level of indemnity, providing insurance cover to prevented sowing risk, post-harvest losses, perennial horticultural crops, timely payment of claims and expanding the network of Implementing Agency to district/taluka level etc. were received from different States.

A Joint Group constituted by the Government of India to study the improvements required in the existing Crop Insurance Schemes have addressed inter-alia, all proposals of the States for improving the Crop Insurance Scheme in its report submitted to the Government. The report is being processed in consultation with the State Governments and other stakeholders.

A list of offices of AIC, at present, functioning in different States is given at Annexure-II.

#### Annexure-I

Statement comprising number of farmers benefited and total claims released from Rabi 1999-2000 to Kharif 2004 season under National Agricultural Insurance Scheme (NAIS) (Amount Rs. In Lakhs)

SL. No.	STATE / UT BENEFITED	CLAIMS				FARMERS
		PAID	GOI share	State share		
1	ANDHRA PRADESH	63122.32	20351.72	20351.72	1708057	
2	ASSAM	51.67	34.00	34.00		7128
3	BIHAR	4992.40	2001.05	2001.05		395981
4	CHHATTISGARH	16462.50	7416.54	7416.54		952298
5	GOA	2.23	0.97	0.97		696
6	GUJARAT	165822.06	70927.68	70927.68	3429719	
7	HARYANA	118.20	4.88	4.88		16600
8	HIMACHAL PRADESH	491.63	211.88	211.88		65341
9	JAMMU & KASHMIR	0.00	0.00	0.00		0
10	JHARKHAND	295.43	118.15	118.15		60934
11	KARNATAKA	94203.11	41421.07	41421.07	2700791	
12	KERALA	1253.00	510.86	510.86		36834
13	MADHYA PRADESH	37549.51	13602.97	13602.97	2268974	
14	MAHARASHTRA	73336.10	26696.90	26696.89	4304834	

15	MEGHALAYA	10.80	4.76	4.76	1161
16	ORISSA	38845.35	15722.71	15722.71	1346164
17	RAJASTHAN	8171.38	1906.17	1906.17	302977
18	SIKKIM	1.28	0.54	0.54	86
19	TAMILNADU	6099.25	2583.11	2583.11	154395
20	TRIPURA	8.24	2.49	2.49	847
21	UTTAR PRADESH	9469.07	1923.90	1923.91	1003015
22	UTTRANCHAL	37.42	8.81	8.81	6411
23	WEST BENGAL	5472.40	1765.14	1765.14	336611
24	A & N ISLANDS	0.61	0.01	0.01	56
25	PONDICHERRY	110.71	42.97	42.97	2486
	TOTAL	525926.67	207259.28	207259.28	19102396

Note : Some of the claims of Kharif, 2004 are in process of settlement.

## Annexure-II

### List of Offices of AIC

1. Ahmedabad Regional Office, Ahmedabad (Gujarat)
2. Bhubaneshwar Regional Office, Bhubaneshwar (Orissa)
3. Dehradun Regional Office, Dehradun (Uttranchal).
4. Jaipur Regional Office, Jaipur (Rajasthan).
5. Mumbai Regional Office, Mumbai (Maharashtra).
6. Ranchi Regional Office, Ranchi (Jharkhand).
7. Bangalore Regional Office, Bangalore (Karnataka).
8. Chandigarh Regional Office, Chandigarh.
9. Guwahati Regional Office, Guwahati (Assam).
10. Kolkata Regional Office, Kolkata (West Bengal).
11. Patna Regional Office, Patna (Bihar).
12. Thiruvananthapuram Regional Office, Thiruvananthapuram (Kerala).
13. Bhopal Regional Office, Bhopal (Madhya Pradesh).
14. Chennai Regional Office, Chennai (Tamil Nadu).
15. Hyderabad Regional Office, Hyderabad (Andhra Pradesh).
16. Lucknow Regional Office, Lucknow (Uttar Pradesh).
17. Raipur Regional Office, Raipur (Chattisgarh).

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7. On 28 November, 2005, Sarvashri P.C. Thomas and A. Sai Prathap, MPs addressed the following Starred Question No. 69 to the Minister of Agriculture:-

**"(a) the features of the National Agricultural Insurance Scheme (NAIS) and other similar existing schemes;**

**(b) the States where NAIS has been introduced;**

**(c) whether the Government has assessed the performance of NAIS;**

**(d) if so, the outcome thereof;**

**(e) whether the Union Government has received the report of joint group constituted to study the improvement required in the existing Crop Insurance Scheme and to include more crops in NAIS for which proposals were received from various States;**

**(f) if so, the recommendations made by the group; and**

**(g) the reaction of the Government thereto?"**

8. In reply, the Minister of Agriculture (Shri Sharad Pawar) stated as follows :-

"a) to (g): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (g) OF LOK SABHA STARRED QUESTION NO. 69 DUE FOR REPLY ON 28TH NOVEMBER, 2005.

(a): The National Agricultural Insurance Scheme (NAIS) sponsored by the Government of India is the major Crop Insurance Scheme being implemented in the country. In addition to the NAIS some of the private insurance companies are implementing weather based insurance scheme on limited scale. The main features of these schemes are annexed.

(b): National Agricultural Insurance Scheme is being implemented by 23 States and 2 Union Territories (UTs). These States and UTs are – Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Orissa, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh, Uttranchal, West Bengal, Andaman & Nicobar Islands and Pondicherry.

(c)&(e): The Government had set up a Joint Group to study the improvements required in the existing Crop Insurance Schemes. The Joint Group has submitted its report.

(d)&(f): The Group has made a number of recommendations. These include inter-alia reducing the unit area of insurance to Gram Panchayat for major crops, improving the basis of calculation of threshold yield, higher indemnity level of 80% and 90%, coverage of pre- sowing/planting risks and post-harvest losses, coverage of perennial horticultural crops.

(g): The Government is examining the recommendations of the Joint Group.

#### Annexure

Main Features of Crop Insurance Schemes	National Agricultural Insurance Scheme (NAIS)
# Scheme is available to all farmers – loanee and non-loanee both – irrespective of their size of holding.	
# Compulsory for loanee farmers and optional for non-loanee farmers.	
# The scheme is voluntary for the States/UTs.	
# Sum-insured may extend to the value of threshold yield of the area insured.	
# Coverage of all food crops (cereals, millets & pulses), oilseeds and annual commercial/horticultural crops in respect of which past yield data is available for adequate number of years.	
# Among the annual commercial/horticultural crops, eleven crops namely cotton, sugarcane, potato, chillies, ginger, onion, turmeric, jute, tapioca, annual banana and pineapple are presently covered.	
# Basically all-risk insurance scheme covering all yield losses due to natural, non-preventable risks.	
# Premium rates are 3.5% for bajra and oilseeds, and 2.5% for other Kharif crops; 1.5% for wheat, and 2% for other rabi crops. In case the rates worked out on the basis of actuarial data are less than the prescribed premium rate, the lower rate will be applicable.	
# In case of annual commercial/horticultural crops, actuarial rates are charged.	
# Small and marginal farmers are provided subsidy of 50% of the premium charged from them. The subsidy will be phased out over a period of 5 years on sunset basis.	
# To implement NAIS at lower unit of insurance i.e. Gram Panchayat within three years.	
Weather	Insurance

- # The basic idea of Weather Insurance is to measure variations in weather conditions like rainfall, temperature, humidity etc. which have bearing on crop output.
- # There are statistical techniques to workout the relationships between crop output and weather parameters.
- # Weather insurance may be made for various weather conditions like rainfall, temperature, humidity etc.
- # Among the weather based insurance schemes, Rain-fall insurance is implemented by the various private general insurance companies and Agriculture Insurance Company of India Ltd. (AIC) for major crops.
- # Rain-fall Insurance is a mechanism for providing effective risk management aid to the farmers likely to be impacted by adverse rainfall incidence.
- # Rain-fall Insurance Guarantees a pay out of claims on a graded scale, upon the adverse incidence of rainfall.
- # Claims arise when the actual rainfall incidence during the period of insurance falls short of the normal incidence.
- # The India Meteorological Department (IMD) provides normal rainfall data and actual rainfall data.
- # Rain-fall Insurance provides various options of insurance coverage as per requirement of farmers.”

9. On 31 July, 2006, Dr. K.S. Manoj and Shri Kishanbhai V. Patel, MPs addressed the following Starred Question No. 109 to the Minister of Agriculture:-

- “(a) the number of farmers benefited under National Agricultural Insurance Scheme (NAIS) during the last three years and the current year, State-wise;
- (b) the total funds released to farmers during the said period with the break-up of State and Central share therein, State-wise;
- (c) whether the Government has received any complaints regarding the inordinate delay in sanctioning of insurance amount;
- (d) if so, the details thereof;
- (e) the action taken thereon;
- (f) whether the Government has taken final decision on the recommendations of Joint

Group constituted to study the improvement required in the existing scheme and to include more crops in NAIS; and

(g) if so, the details thereof alongwith the changes made therein?"

10. In reply, the Minister of Agriculture (Shri Sharad Pawar) stated as follows :-

"(a) to (g): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (g) OF LOK SABHA STARRED QUESTION NO. 109 DUE FOR REPLY ON 31ST JULY, 2006.

(a) : States-wise details of farmers benefited during the last three years (i.e. 2003-04 to 2005-06) are given in the Annexure.

(b): Financial liabilities including claims under the National Agricultural Insurance Scheme (NAIS) are shared between the Central and State Governments on 50:50 basis. No State-wise allocation of fund is made under the scheme. Funds are released to the Agriculture Insurance Company of India Ltd. (AIC), the implementing agency for the scheme, which in turn settle the admissible claims of farmers. Details of funds released to AIC under NAIS during the last three years and in the current year are given as under :-

Years	(Rs. in crores) Funds released to AIC
2003-04	637.93
2004-05	350.00
2005-06	749.55
(including Rs. 0.55 crore for NER)	
2006-07	275.00
(as on 4-7-2006)	

State-wise details of claims settled/paid alongwith break-up of State, Central and AIC's share therein during the period 2003-04 to 2005-06 are given in the Annexure.

(c) to (e): Admissible claims under NAIS are worked out and settled by the AIC based on the yield data made available by the State concerned. Normally, AIC settles the admissible claims within two months after the receipt of yield data from the concerned State Government provided the share of funds of the Central and State Government have been received by the AIC. But sometimes due to discrepancies in yield data, legal cases etc. settlement of claims are delayed. Therefore, some States/ farmers have complained from time to time about this. The Joint Group constituted to suggest the improvements required in the existing scheme has examined this issue and made recommendation regarding early settlement of claims. The Government is looking into the matter.

(f) & (g): After the report of the Joint Group was submitted it was circulated among the States/UTs and other concerned for their comments/views. The Joint Group in its report has given number of recommendations which include interalia reducing the unit area of insurance to gram panchayat for major crops, improving the basis of calculation of threshold yield, higher indemnity level, coverage of pre-sowing risk, post-harvest losses and coverage of perennial crops. Most of the States/UTs have agreed to the suggestions given by the Joint Group. Based on the recommendations of the Joint Group, a proposal for review of NAIS is under consideration of the Government."

11. On 27 November, 2006, Prof. Mahadeorao Shiwankar, MP addressed the following Unstarred Question No. 774 to the Minister of Agriculture:-

"(a) whether the Government has taken final decision on the recommendations of the Joint Group constituted to study the improvement required in the existing scheme and to include more crops in the National Agricultural Insurance Scheme (NAIS);  
(b) if so, the details thereof along with the recommendations that have been accepted; and  
(c) the time by which these are likely to be implemented?"

12. In reply, the Minister of State in the Ministry of Agriculture (Shri Kanti Lal Bhuria) stated as follows :-

"(a) to (c): After the report of the Joint Group was submitted, it was circulated among the States/UTs and other concerned for their comments/views. The Joint Group in its report has given a number of recommendations which inter-alia include reducing the unit area of insurance to gram panchayat for major crops, improving the basis of calculation of threshold yield, higher indemnity level, coverage of pre-sowing risk, post-harvest losses and coverage of perennial crops. Most of the States/UTs have agreed to the suggestions given by the Joint Group. Based on the recommendations of the Joint Group, a proposal for review of NAIS is under active consideration of the Government."

13. On 26 February, 2007, Shri Chandrakant Khaire, MP addressed the following Unstarred Question No. 96 to the Minister of Agriculture:-

"(a) whether sharp increase in the rate of insurance premium of cotton crop for the Kharif season of 2006 under Rashtriya Krishi Bima Yojana (RKYB) has proved detrimental to the overall agricultural economy of the country; and  
(b) if so, the steps proposed to be taken by the Government to protect the cotton growers from the burden of such sharp increase?"

14. In reply, the Minister of State in the Ministry of Agriculture (Shri Kanti Lal Bhuria) stated as follows :-

"(a) & (b) : Cotton being a commercial crop an actuarial rate of premium is charged as per the provision of the scheme. These rates may vary from year to year and from State to State keeping in view the variability in the yield. Premium rate for cotton crop in Maharashtra in Kharif 2006 season was 7.5% as compared to 7.5% in Kharif 2005 and 6.10% in Kharif 2004 which is not a sharp increase. It is not detrimental to agriculture economy rather it helps the farmers by extending protection to their high investment in cultivation.

A Joint Group constituted to study the improvements required in the existing Crop Insurance Schemes and to make the scheme more farmer friendly has inter-alia recommended for providing adequate premium subsidy to farmers. Based on the recommendations of the Joint Group, modification of NAIS is under process."

15. On 30 April, 2007, Dr. M. Jagannath, MP addressed the following Unstarred Question No. 3780 to the Minister of Agriculture:-

"(a) whether the Government has recently decided to introduce village as unit in 100 districts of the country under National Agricultural Insurance Scheme (NAIS); and

(b) if so, the details thereof?"

16. In reply, the Minister of State in the Ministry of Agriculture (Shri Kanti Lal Bhuria) stated as follows :-

"(a) & (b): National Agricultural Insurance Scheme (NAIS) is implemented on the basis of 'homogeneous area' approach. The implementing States/UTs are free to notify any unit area of insurance viz. Tehsil, Taluka, block, mandal, firka, gram panchayat/village keeping in view the capacity of the State to undertake requisite number of Crop Cutting Experiments (CCEs) and availability of adequate past yield data.

However, a proposal to modify the existing NAIS based on the recommendations of the Joint Group constituted by the Government to study the improvements required in the existing NAIS, which interalia includes the reduction in unit area of insurance to Gram Panchayat/village for major crops, is under consideration of the Government."

17. On 27 August, 2007, Shrimati Kiran Maheshwari and Shri V.K. Thummar, MPs sed the following Starred Question No. 212 to the Minister of Agriculture:-

"(a) whether the Government has taken any measures to make the National Agricultural Insurance Scheme more effective and to facilitate the participation of farmers in the scheme;

- (b) if so, the details thereof and the success achieved as a result thereof;
- (c) the names of the States from which proposals to make modifications in the National Agricultural Insurance Scheme have been received during the last three years; and
- (d) the action taken by the Government in this regard?"

18. In reply, the Minister of Agriculture (Shri Sharad Pawar) stated as follows :-

"(a) to (d): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO.212 DUE FOR REPLY ON 27TH AUGUST, 2007.

(a) to (d): Several States/Union Territories including Maharashtra, Rajasthan, West Bengal, Assam, Haryana, Punjab, Andhra Pradesh, Karnataka, Orissa, Tamil Nadu, Kerala, Gujarat have given suggestions from time to time for making improvements in the National Agricultural Insurance Scheme (NAIS). The Government of India constituted a Joint Group to study the improvements required in the existing crop insurance scheme.

The Group made an in-depth study and have made a number of recommendations which inter alia include reduction in the unit area of insurance to Gram Panchayat for major crops; improving the basis of calculation of threshold yield; higher indemnity level of 80% and 90%; coverage of pre-sowing/post-harvest losses & perennial crops; to provide personal accident insurance cover and Package Insurance Policy.

Based on the recommendations of the Joint Group, a Modified National Agricultural Insurance Scheme (MNAIS) was formulated. At present, MNAIS is under consideration of the Government."

19. On 10 September, 2007 Sarvashri Prabhunath Singh and Shri M. Rajamohan Reddy, MPs addressed the following Starred Question No. 375 to the Minister of Agriculture:-

- (a) whether the Government proposes to include natural losses caused to various crops by frost, fog, heat-wave and hailstorms in order to provide compensation to farmers in the modified National Agricultural Insurance Scheme (NAIS);
- (b) whether the Government also proposes to make NAIS more comprehensive by including in it life insurance and insurance for agricultural implements for the farmers;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?"

20. In reply, the Minister of Agriculture (Shri Sharad Pawar) stated as follows :-

"(a) to (c): A proposal to modify the existing National Agricultural Insurance Scheme (NAIS) based on the recommendations of the Joint Group constituted by the Government which inter alia includes personal accident insurance cover and a composite package insurance, covering all assets, including agricultural implements of the farmers is under consideration of the Government. The proposed Modified NAIS is a comprehensive risk insurance scheme which will provide insurance cover to yield losses due to natural calamities including frost, fog, heat-wave and hailstorm.

(d) Does not arise."

21. Replies to the above questions were treated as assurances and were required to be fulfilled by the Ministry of Agriculture within three months of the date of replies i.e. by 3 March, 2001, 18 October, 2004, 24 October, 2005, 27 February, 2006, 30 October, 2006, 26 February, 2007, 25 May, 2007, 29 July, 2007, 26 November, 2007 and 09 December, 2007 respectively but the assurances are still pending. The Ministry have not sought extension of time beyond 28 February, 2009 to implement these assurances.

22. The Ministry of Agriculture *vide* their O.M. No. 14011/09/2006-Credit II dated 9 February, 2009, have requested to drop the above assurances on the following ground:-

"That some of the above assurances are pending for a long time awaiting the finalisation of the proposal on Modified National Agricultural Insurance Scheme (MNAIS). Recently, in the meeting of Agriculture Minister, Finance Minister and Deputy Chairman, Planning Commission it has been decided to implement the proposal of Modified NAIS on Non-Plan side and also to convene a meeting of Chief Ministers of all the States to seek the views of the State Governments on the proposed scheme, including sharing the financial liability. Therefore, implementation of proposed scheme is not feasible in the current year."

23. Accordingly, the Ministry, with the approval of the Minister of Agriculture, have requested to drop the assurances.

The Ministry of Home Affairs vide their O.M. No. H-11017/1/2007-NI-II dated 13 April, 2009 have requested for dropping the assurances given at (Annexures I to VII) on the following grounds:-

"It is stated that at present demands for inclusion of 38 more languages in the Eighth Schedule to the Constitution are pending with this Ministry.

A Committee was constituted in 2003 under the Chairmanship of Shri Sitakant Mohapatra to evolve a set of objective criteria with reference to which all proposals/representations for more languages in the Eighth Schedule could be examined and finally disposed of. The Committee submitted its report and made certain recommendations. No decision so far has been taken either to accept or reject the report of the Committee, and the report has been kept in abeyance.

Meanwhile, a draft Cabinet note for inclusion of Bhojpuri and Rajasthani languages was circulated by this Ministry among various departments for their views and comments. This was done even while a decision on Mohapatra Committee was still pending. Various departments provided their comments. Department of Personnel & Training (DOP&T) informed, with the approval of the Prime Minister, that the candidates appearing in the Civil Services (Main) Examination conducted by Union Public Service Commission (UPSC) are allowed to take the examination in any of the languages included in the Eighth Schedule to the Constitution. UPSC has requested that the present link between the Eighth Schedule languages may be delinked from the Commission's scheme of examination keeping in view the problems faced by the Commission in conducting the examination in all the Eighth Schedule languages. In view of this, DOP&T informed that the matter of inclusion of Bhojpuri and Rajasthani languages in the Eighth Schedule to the Constitution may be deferred till a decision is taken by the Government on the language issue with reference to the UPSC examinations.

Department of Personnel & Training has now informed that UPSC is already facing problems in conducting the examinations in some of the languages included in the Eighth Schedule as some of these languages are not being taught at graduation level in various Universities/Colleges and most of the medical, technical and science subjects are taught primarily in English/Hindi only. It has recommended that the question of including languages in the Eighth Schedule of the Constitution may be considered after the related issues are resolved and academic level of the languages and the resources available reach a level so as to meet the UPSC standards.

Department of Personnel & Training has also informed that a large number of Parliamentary Assurances in the name of their department on the issue of conducting the examination by the UPSC in all the languages of Eighth Schedule have been dropped by the Committee on Government Assurances of both Lok Sabha and the Rajya Sabha in view of intrinsic difficulties.

In view of the fact that the issue of inclusion of languages in the Eighth Schedule to the Constitution is linked to the issue of conducting of examination in these languages by UPSC, and it would not be possible to indicate a fixed time frame as to when the issue would be completely resolved, it is requested that the aforesaid Lok Sabha Assurance may be dropped.”

2. Accordingly, the Ministry, with the approval of the Minister of State in the Ministry of Home Affairs, have requested that the assurances may be dropped.

LOK SABHA

UNSTARRED QUESTION NO. 2081

TO BE ANSWERED ON 16.12.2003

INCLUSION OF KHASI LANGUAGE IN EIGHTH SCHEDULE

2081. SHRI P.R. KYNDIAH

Will the DEPUTY PRIME MINISTER be pleased to state:

- (a) the criteria for inclusion of a language in the 8<sup>th</sup> Schedule of the Constitution;
- (b) whether the Government received any representation for the inclusion of the Khasi Language in the 8<sup>th</sup> Schedule which is a rich tribal language in the North Eastern Region; and
- (c) if so, the steps taken by the Government for the inclusion of the language to the 8<sup>th</sup> Schedule of the Constitution?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI I.D. SWAMI)

(a): No criteria has been laid down in the Constitution for inclusion of any language in the Eighth Schedule to the Constitution.

(b) & (c): Representations have been received for inclusion of various languages, including Khasi language, in the Eighth Schedule to the Constitution. A Committee has been constituted under the Chairmanship of Shri Sita Kant Mohapatra to make recommendations, inter-alia to evolve a set of objective criteria for inclusion of more languages, including Khasi, in the Eighth Schedule to the Constitution. The Government will consider the recommendations of the Committee and take a suitable decision in the matter.

LOK SABHA

UNSTARRED QUESTION NO. 1121

TO BE ANSWERED ON 7.12.2004

INCLUSION OF REGIONAL LANGUAGE IN EIGHTH SCHEDULE

QUESTION

1121. SHRI DUSHYANT SINGH

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the proposal to include some regional languages particularly Rajasthani language in the eighth schedule of the constitution is under consideration of the Government; and

(b) if so, the steps taken/being taken to implement such proposal?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI SRIPRAKASH JAISWAL)

(a) & (b): The Sita Kant Mohapatra Committee constituted to evolve a set of objective criteria for inclusion of more languages in the Eighth Schedule has submitted its report. A decision on the pending demand for inclusion of languages in the Eighth Schedule, including Rajasthani, is under consideration in the light of the recommendations of the Committee.

LOK SABHA

UNSTARRED QUESTION NO. 3892

TO BE ANSWERED ON 20.12.2005

PROMOTION OF RAJASTHANI LANGUAGE

QUESTION

3892. SHRI DUSHYANT SINGH

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has any proposal under consideration to promote the Rajasthani language;
- (b) if so, the details thereof; and
- (c) the steps taken in this regard?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI SRIPRAKASH JAISWAL)

(a) to (c): Demands of Rajasthani and various other languages for inclusion in the Eighth Schedule to the Constitution are pending with the Government.

A Committee was set up under Shri Sitakant Mohapatra to evolve a set of objective criteria for inclusion of more languages in the Eighth Schedule. The Committee has submitted its report and made certain recommendations. A decision on the pending demands for inclusion of languages in the Eighth Schedule, including Rajasthani, will be taken in the light of the recommendations of the Committee.

LOK SABHA

UNSTARRED QUESTION NO. 3715

TO BE ANSWERED ON 16.5.2006

INCLUSION OF GONDI LANGUAGE IN EIGHTH SCHEDULE OF CONSTITUTION

QUESTION

3715. SHRI SUBODH MOHITE

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has received any memorandum from 'All India Gond Samaj Religious Conference' to include Gondi language in the Eighth Schedule of the Constitution of India; and

(b) if so, the reaction of the Government thereon?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI SRIPRAKASH JAISWAL)

(a) to (c): Demands of Gondi and various other languages for inclusion in the Eighth Schedule to the Constitution are pending with the Government.

A Committee was set up under Shri Sitakant Mohapatra to evolve a set of objective criteria for inclusion of more languages in the Eighth Schedule. The Committee has submitted its report and made certain recommendations. A decision on the pending demands for inclusion of languages in the Eighth Schedule, including Gondi, will be taken in the light of the recommendations of the Committee.

**LOK SABHA**  
**UNSTARRED QUESTION NO. 942**  
**TO BE ANSWERED ON 28.11.2006**  
**LANGUAGES IN EIGHTH SCHEDULE**  
**QUESTION**

**942. SHRI G. KARUNAKARA REDDY**

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has received any proposal from the State Government of Karnataka for inclusion of Kodava Language in the 8<sup>th</sup> Schedule of the Constitution;
- (b) if so, the details thereof;
- (c) whether the Government has also received any proposal from other State Governments Institution for inclusion of languages in the 8<sup>th</sup> Schedule of the Constitution;
- (d) if so, the details thereof along with the names of the languages, State-wise; and
- (e) the time by which these languages are likely to be included in 8<sup>th</sup> Schedule of the Constitution?

**ANSWER**  
**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS**  
**(SHRI SRIPRAKASH JAISWAL)**

(a) to (d): Yes, Sir. The Government has received demands from State Governments/Chief Ministers for inclusion of various languages, including Kodava, in the Eighth Schedule to the Constitution as follows:-

<u>Name of Language</u>	<u>State Government</u>
(i) Bhojpuri	Bihar
(ii) Chattisgarhi	Chattisgarh
(iii) Bhutia, Lepcha & Limboo	Sikkim
(iv) Kodava & Tulu	Karnataka
(v) Mizo	Mizoram
(vi) Rajasthani	Rajasthan
(vii) Tenyidie	Nagaland

(e) A Committee was set up under Shri Sitakant Mohapatra to evolve a set of objective criteria for inclusion of more languages in the Eighth Schedule. The Committee has submitted its report and made certain recommendations. The demands for inclusion of these languages in the Eighth Schedule will be considered in the light of the recommendations of the Committee and Government decision thereon.

Calling attention to matters of urgent public importance -- need to include Bhojpuri language in the Eighth Schedule to the Constitution, raised by Shri Prabhunath Singh, MP on 18 December, 2006 wherein he *inter alia* desired to know the following:-

"Sir, I through you would like to draw the attention of the Hon'ble Minister of Home Affairs for including Bhojpuri language in the Eighth Schedule. I would like to urge that the ground for including Bhojpuri language in the Eighth Schedule is very strong..... the Government has included languages spoken by lesser number of people in the Eighth Schedule but has shown disrespect to the Bhojpuri speaking people by not including it in the Eighth Schedule even though it is spoken by a population of 24 crore in India and abroad..... I would like to demand that Rajasthani language may also be included in the Eight Schedule along with Bhojpuri....."

In reply, the then Minister of State in the Ministry of Home Affairs (Shri Sripakash Jaiswal) stated as follows :-

We hope that the Bill in this regard will be passed in the next Session and both these languages will get recognition....."

LOK SABHA

UNSTARRED QUESTION NO. 4107

TO BE ANSWERED ON 22.4.2008

INCLUSION OF LANGUAGES IN EIGHTH SCHEDULE

QUESTION

4107. SHRI HITEN BARMAN

SHRI SUBRATA BOSE

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government had considered the report of Sitakant Mohapatra Committee for inclusion of 37 languages including Bhotia and Lepcha in the Eighth Schedule of the constitution;

(b) if so, the details thereof;

(c) if not, the reasons therefor; and

(d) the time by when these languages are likely to be included in the Eighth Schedule of the Constitution?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI SRIPRAKASH JAISWAL)

(a) to (d): The Sitakant Mohapatra Committee, which was set up, inter-alia, to evolve a set of objective criteria for inclusion of more languages in the Eighth Schedule, submitted its report and the same is under examination in consultation with the concerned departments of the Central Government. No time frame can be fixed for consideration of the demands for inclusion of more languages including Bhotia and Lepcha in the Eighth Schedule as it involves a lot of consultation with the concerned departments of the Central Government.

On 23 December, 2008, Shri Adhalrao Shivajirao Patil, MP asked the following Starred Question No. 348 to the Minister of Home Affairs.

- "(a) whether the Government has decided to set up integrated check posts for cargo and passenger traffic at entry points on the land borders with Pakistan, Nepal, Bangladesh and Myanmar;
- (b) if so, the details thereof;
- (c) the points at the borders identified for setting up of check posts; and
- (d) the steps taken by the Union Government in this regard?"

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

"(a) to (c): Yes, Sir. It has been decided to set up Integrated Check Posts (ICPs) at the 13 identified entry points on the land borders of the country with Pakistan, Nepal, Bangladesh and Myanmar, as indicated below:

Sl.No.	Location	State	Border
1.	Raxaul	Bihar	India-Nepal
2.	Attari/Wagah	Punjab	India-Pakistan
3.	Petrapole	West Bengal	India-Bangladesh
4.	Moreh	Manipur	India-Myanmar
5.	Dawki	Mehalaya	India-Bangladesh
6.	Akhaura/Agartala	Tripura	India-Bangladesh
7.	Hili	West Bengal	India-Bangladesh
8.	Chandrabangha	West Bengal	India-Bangladesh
9.	Sutarkhandi	Assam	India-Bangladesh
10.	Kawarpuchiah	Mizoram	India-Bangladesh
11.	Jogbani	Bihar	India-Nepal
12.	Sunauli	Uttar Pradesh	India-Nepal
13.	Rupaidiha	Uttar Pradesh	India-Nepal

The ICPs would house all the regulatory agencies like Immigration, Customs, Border Security etc. together with other support facilities, in a single premises, in an integrated manner. An institutional framework viz. the Land Ports Authority of India (LPAI), proposed to be established, will be charged with the responsibility to undertake the construction, management and maintenance of ICPs.

(d) An outlay of Rs.635 crore has been approved for the setting up of ICPs through a new Plan Scheme in the 11th Five Year Plan. An Empowered Steering Committee (ESC) has been constituted in the Ministry of Home Affairs, as an interim arrangement, till such time the Land Ports Authority of India (LPAI) is constituted, to facilitate the development of ICPs.

The Detailed Project Reports (DPRs) of all the 13 ICPs have already been prepared and the preparation of Detailed Engineering Reports (DERs) is in progress.

The Land Ports Authority of India Bill,2008 has also been introduced in the Lok Sabha on 18<sup>th</sup> December 2008.

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. However the assurance is yet to be fulfilled.

4. The Ministry of Parliamentary Affairs *vide* their U.O. No. XIV/XIV/HA(35)/SQ 348-LS/08 dated 1 July 2009 have forwarded a letter No. 11022/I/09/BM-V/ICP dated 10 June, 2009 of the Ministry of Home Affairs wherein the Ministry have requested to drop the assurance on the following grounds: -

"So far Detailed Engineering Report (DER) has been prepared only in respect of Raxual ICP. DER in respect of Attari ICP will be prepared by 15.06.2009. For other phase-I ICPs, DERs would be prepared gradually, depending on the status of completion of pre-DER formalities and the process is expected to be completed by 31.08.2009. Further, DERs in respect of Phase-II ICPs will be prepared only after the acquisition of land for them. As per our plan, Phase-II ICPs are to be developed only after the development of Phase-I ICPs. As such, DERs in respect of them will be prepared depending upon the factors like availability of funds acquisition of land urgency etc.

It is quite likely that the fulfillment of the Assurance given by the Hon'ble Minister on the floor of the House may take a very long time. As such, while apprising the Lok Sabha Secretariat of the above position, we may request them to drop the above Assurance from the list of the Assurances being maintained by them, as we are in the process of preparing the DER, one by one.

In view of the position explained above, it is requested that the Lok Sabha Secretariat may be approached for dropping the Assurance from the list of the pending Assurances maintained by them."

5. The Ministry have requested for dropping of assurance. The note has the approval of Minister of Home Affairs.

### [xxiii] AMENDMENTS TO EMIGRATION ACT

The Ministry of Overseas Indian Affairs vide their O.M. No.. H-11016/16/2007-EP dated 6 March, 2009 have requested for dropping the assurances given at (Annexures I to VII) on the following grounds:-

"That this Ministry's proposal for introduction of the Emigration (Amendment) Bill, 2009, in Rajya Sabha was approved by the Cabinet on 23.2.2009. The Bill was sent to the Rajya Sabha for its introduction in consultation with the Ministry of Law. However, it was not included in the list of Business and could not be introduced finally in Rajya Sabha which was adjourned *sine-die* on 26.2.2009. The Ministry has now decided to close the proposal of amendment of the Emigration Act, 1983 and in its place draft an entirely new legislation to replace the existing Act, based on the e-Governance and the business process re-engineering (BPR) Report as well as the draft National Policy on Overseas employment, exercises being currently carried out in the Ministry."

2. In view of the facts stated above, the Ministry, with the approval of Minister of Overseas Indian Affairs, have requested to drop the assurance.

TO BE ANSWERED ON 10 AUGUST, 2005

AMENDMENTS TO EMIGRATION ACT, 1983

2553. SHRI P.C. THOMAS:

Will the Minister of OVERSEAS INDIAN AFFAIRS to be pleased to state:

- "(a) whether the Government of Kerala has suggested certain amendments to the Emigration Act, 1983;
- (b) if so, the details in this regard; and
- (c) the reaction of the Union Government thereto?"

**ANSWER**

THE MINISTER OF STATE (INDEPENDENT CHARGE) IN  
MINISTRY OF OVERSEAS INDIAN AFFAIRS  
(SHRI JAGDISH TYTLER)

(a) to (c): A draft Cabinet Note relating to amendments to the Emigration Act, 1983 was circulated amongst the concerned Central Ministries and State Governments for their comments. Suggestions were received from various States including Government of Kerala and other Ministries/Departments on the proposed amendments. These are receiving attention.

LOK SABHA

UNSTARRED QUESTION NO. 1147

TO BE ANSWERED ON 02 AUGUST, 2006

AMENDING EMIGRATION ACT, 1983

1147. SHRI C.K. CHANDRAPPAN:

SHRI P. KARUNAKARAN:

Will the Minister of OVERSEAS INDIAN AFFAIRS to be pleased to state:

- (a) whether the new norms for getting emigration clearance has put Indians seeking jobs abroad in difficulty;
- (b) if so, whether the Government proposes to amend the Emigration Act, 1983 to make procedure simpler;
- (c) if so, the details in this regard; and
- (d) the time by which it is likely to be done?"

**ANSWER**

MINISTER OF OVERSEAS INDIAN AFFAIRS  
(VAYALAR RAVI)

(a) to (d): No sir. No new norms have been introduced. However, to make the emigration process simple and transparent, promote orderly and human migration and to ensure better protection and welfare of the worker, the process for comprehensive amendment to the Emigration Act, 1983 is underway.

LOK SABHA

UNSTARRED QUESTION NO. 1157

TO BE ANSWERED ON 02 AUGUST, 2006

ALLEGED MALPRACTICES IN IMMIGRATION OFFICES

1157. SHRI SUBRATA BOSE

Will the Minister of OVERSEAS INDIAN AFFAIRS to be pleased to state:

- (a) whether the Union Government has received any complaints about ongoing alleged malpractices in the Immigration Clearance Offices all over the country;
- (b) if so, the details thereof;
- (c) whether the CBI and the Central vigilance Department have done any on-the-spot verification and enquiry at the Immigration Offices particularly at Thiruvananthapuram and Kochi in Kerala;
- (d) if so, the details and the outcome thereof;
- (e) the steps taken/proposed to be taken by the Government to clear the pending applications;
- (f) whether the Government plans to exclude the SSLC Pass Certificate holders from the head of Emergency Check Required; and
- (g) if so, the details in this regard?

**ANSWER**

MINISTER OF OVERSEAS INDIAN AFFAIRS  
(VAYALAR RAVI)

(a) to (e): There have been CBI raids in some offices of Protector of Emigrants (PoE) including Thiruvananthapura. The cases are at various stages of investigation. Various measures to streamline the emigration process to make it simple and transparent, including amendments to the Emigration Act, 1983, are underway.

(f & (g): Yes, Sir. The proposal is under consideration.

LOK SABHA  
STARRED QUESTION NO. 387

TO BE ANSWERED ON 23 AUGUST, 2006

SENDING OF LABOURERS ABROAD

387. SHRI KASHI RAM RANA  
SHRI VIJAY KUMAR MALHOTRA

Will the Minister of OVERSEAS INDIAN AFFAIRS to be pleased to state:

- (a) The State-wise details of registered recruitment agencies involved in the sending of skilled/  
semi-skilled labourers abroad;
- (b) Whether several complaints of alleged exploitations/discrimination of these labourers abroad particularly from Gulf countries have been received by the Government;
- (c) If so, the details thereof including the action taken against the erring agencies in this regard;
- (d) Whether several countries have expressed interest to invite Indian labourers for their works;
- (e) If so, the present policy followed by the Government in this regard;
- (f) Whether the Government has taken steps to resolve various issues viz. safety, health benefits, timely bringing of bodies of the deceased, general welfare etc. of these labourers; and
- (g) If so, the action plan formulated in this regard?

**ANSWER**  
MINISTER OF OVERSEAS INDIAN AFFAIRS  
(VAYALAR RAVI)

(a) to (g): A statement is laid on the Table of the House.

Statement referred to in reply to Lok Sabha Starred Question No. 387 for answer on 23.08.2006 by Shri Kashiram Rana and Prof. Vijay Kumar Malhotra regarding sending of labourers abroad

(a) to (g): There are at present 1,515 recruiting agents with valid registration involved in recruiting skilled/semi-skilled/unskilled labourers for jobs abroad. State-wise break-up of these agents is given in the Annexure. Recruitment can also be made directly by the project exporters and foreign employers by obtaining a permit under the Emigration Act from the Protector General of Emigrants. A number of complaints are received from time to

time alleging cheating and exploitation of Indian workers by some registered/ unregistered recruiting agents in India and by some foreign employers abroad. In the year 2006 ( as on 01.08.2006), 65 complaints against Registered Recruiting Agents, 61 against unregistered agents and 03 against foreign employers have been received. Such complaints broadly relate to the following:

non-payment/reduced/delayed payment of salaries

non deployment on promised jobs

adverse working conditions

denial of appropriate medical facilities

poor living conditions, etc.

Although precise data is not available, overseas Indian workers are estimated about 4-5 million. During 2005, about 5.49 lakhs workers went abroad on emigration clearance. The number of complaints received is quite small in comparison to the number of Indians working abroad.

As and when a complaint is received against a registered Recruiting Agent, the concerned RA is directed to redress the grievance in a time bound manner. If he fails to do so, action is taken to suspend/cancel his Registration Certificate. In cases where the conduct of registered recruiting agent is required to be specifically watched in view of the nature of complaint, they are placed on an Internal Watch List. On complaints against illegal/unregistered recruiting agents, penal action is taken against them for violation of provisions of the Emigration Act, 1983 by referring their cases to the Police authorities of the State Governments concerned. The Foreign Employers, against whom complaints are received, are blacklisted by placing their names in the Prior Approval Category (PAC) List on the recommendation of the Indian Mission concerned, consequently debarring them to make further recruitment of workers from India.

In the year 2006 (upto 01.08.2006), 61 complaints were received against unregistered recruiting agents which have been referred to the State police authorities for necessary action. The police has registered FIR in 14 cases, In the year 2006 (upto 01.08.2006), show cause notices have been issued to 65 registered Recruiting Agents. Registration Certificates of 25 registered Recruiting Agents have been suspended and those of 11 cancelled.

Indian workers are appreciated abroad for their sincerity, hard work and non-interference. As a result Indian workers are generally preferred by foreign employers. The policy of the Government is to facilitate humane and orderly migration of Indian workers overseas.

With a view to curb the exploitation of Indian workers going abroad, it has been made mandatory w.e.f. 15.11.2003 for the Recruiting Agents to submit all the employment

documents, viz., demand letter, power of attorney and specimen employment contract in original for obtaining emigration clearance. Further, in respect of vulnerable categories of workers, i.e., unskilled labour and housemaids/domestic workers, these employment documents are required to be attested by the concerned Indian mission(s). In addition our missions have, with the help of Indian Community Welfare Associations and other community support groups, been providing legal assistance/counseling to protect the interest of Indian workers. A Joint Consultative Mechanism (JCM) consisting of local government authorities and officials of the Indian Missions also exists in some of the Gulf countries which have been addressing issues relating to the protection of Indian workers in those countries.

A revised and comprehensive insurance scheme, viz. Pravasi Bhartiya Bima Yojana, 2006 has been introduced w.e.f. 01.02.2006, which makes it mandatory for every emigrant worker to have the insurance cover under the Scheme. The Scheme, inter-alia, provides workers with life insurance, medical expenses and legal expenses cover.

Arrangements for bringing the mortal remains of deceased workers are made through the Indian Missions. Under the employment contract, the employer is bound to arrange transportation of mortal remains in case of death of the worker. A skill up-gradation programme, in collaboration with State Governments and other industry bodies, to enable overseas Indian workers seek better employment opportunities and to help them move up the wage chain is also an important initiative being undertaken by the Ministry.

In addition, to ensure protection and welfare of Indian workers abroad, a proposal to comprehensively amend the Emigration Act, 1983 is already underway.

#### Annexure

Statement indicating State- wise number of Registered Recruiting Agents having valid registration certificates

Sl. No.	Name of State/U.T.	No. of Agents
1	Andhra Pradesh	65
2	Chandigarh	42
3	Delhi	271
4	Goa	19
5	Gujarat	17
6	Haryana	14
7	Himachal Pradesh	2
8	Jammu & Kashmir	3
9	Karnataka	27
10	Kerala	174
11	Madhya Pradesh	1
12	Maharashtra	567
13	Mizoram	2
14	Orissa	1
15	Punjab	87

16	Rajasthan	29
17	Tamilnadu	174
18	Uttar Pradesh	9
19	Uttaranchal	1
20	West Bengal	10
	<b>TOTAL</b>	<b>1,515</b>

LOK SABHA

UNSTARRED QUESTION NO. 1080

TO BE ANSWERED ON 7 MARCH, 2007

AMENDMENT TO IMMIGRATION ACT

1080. SHRIMATI MANORAMA MADHAVARAJ:

Will the Minister of OVERSEAS INDIAN AFFAIRS to be pleased to state:

- (a) whether the Government has proposed to amend the Indian Immigration Act, 1983 to enforce compliance of statutory standards by agents recruiting skilled and semi-skilled labour for placement abroad;
- (b) if so, the details thereof;
- (c) whether the Government has planned to extend the Immigration Check Not Required (ICNA) status to more countries than presently available;
- (d) if so, the details thereof; and
- (e) the time by which the proposed amendment/extension is likely to be done?"

**ANSWER**

MINISTER OF OVERSEAS INDIAN AFFAIRS  
(VAYALAR RAVI)

(a) & (b): The Government has proposed amendments to Emigration Act, 1983 to address the present day concerns in emigration management and to provide for the promotion and regulation of overseas employment and the protection and welfare of the emigrants. The amendments are under finalization.

(c) & (d): The Government has already placed 173 countries under Emigration Check Not Required category. As a result, emigration check is required only in respect of the following 18 countries – Saudi Arabia, Qatar, UAE, Kuwait, Oman, Bahrain, Yemen, Libya, Sudan, Lebanon, Jordan, Syria, Afghanistan, Brunei, Malaysia, Indonesia, Thailand and Iraq (emigration banned.)

(e): The amendments are under finalization.

LOK SABHA

UNSTARRED QUESTION NO. 1365

TO BE ANSWERED ON 22 AUGUST, 2007

AGENCIES SENDING INDIANS ABROAD

1365. SARVASHRI M. APPADURAI,

RAMDAS ATHAWALE,

RANEN BARMAN

RAMAKRISHNA BADIGA,

Will the Minister of OVERSEAS INDIAN AFFAIRS to be pleased to state:

- (a) the number of registered/recognized employment agencies functioning in the country who are sending labours/workers/skilled and unskilled workers to foreign countries, State-wise;
- (b) whether some travel agencies in the metropolitan cities including Mumbai, are extracting heavy amount from people in the name of offering lucrative jobs in foreign countries including the Gulf countries;
- (c) if so, the number of cases which have come to the notice of the Government during the last three years, State-wise;
- (d) the details of the agencies against whom action has been taken, State-wise;
- (e) whether the Government proposes to regulate and formally recruit the labourers going abroad; and
- (f) if so, the details thereof?"

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF OVERSEAS INDIAN AFFAIRS  
(VAYALAR RAVI)

(a) Enclosed as Annexure-I.

(b), (c) & (d): Complaints are received from time to time regarding recruitment of labourers/workers by unregistered agencies, including travel agencies, who send them abroad for work in violations of the provisions of the Emigration Act. Such cases are sent to the State Police authorities for due legal action. The number of complaints against unregistered agencies state-wise received during 2004, 2005 and 2006 is

enclosed as Annexure-II. The number of prosecution sanctions issued in 2004, 2005 and 2006 is enclosed as Annexure-III.

(e)&(f): To regulate and protect the rights and welfare of the Indian emigrants, comprehensive amendment of the Emigration Act, 1983 is underway."

#### ANNEXURE – I

REFERRED TO IN REPLY TO PART (a) OF LOK SABHA UNSTARRED QUESTION NO. 1365 TO BE ANSWERED ON 22.08.2007

#### NUMBER OF REGISTERED RECRUITING AGENTS UNDER THE EMIGRATION ACT, 1983 AS ON 31.07.2007, STATE-WISE

Sr. No.	State/UT	Number of registered recruiting agents
1.	Andhra Pradesh	82
2.	Chandigarh	47
3.	Delhi	316
4.	Goa	22
5.	Gujarat	17
6.	Haryana	11
7.	Himachal Pradesh	1
8.	Jammu & Kashmir	3
9.	Karnataka	31
10.	Kerala	226
11.	Madhya Pradesh	2
12.	Maharastra	682
13.	Mizoram	2
14.	Orissa	1
15.	Pondicherry	1
16.	Punjab	86
17.	Rajasthan	39
18.	Tamilnadu	216
19.	Uttar Pradesh	12
20.	Uttaranchal	1
21.	West Bengal	10
	Total	1808

ANNEXURE-II

REFERRED TO IN REPLY TO PART (b), (c) & (d) LOK SABHA UNSTARRED QUESTION NO. 1365 TO BE ANSWERED ON 22.08.2007

NUMBER OF COMPLAINTS AGAINST UNREGISTERED AGENCIES DURING 2004, 2005 AND 2006 – STATE WISE

S.N.	State/UT	2004	2005	2006
1.	Andhra Pradesh	1	6	5
2.	Chandigarh	1	-	3
3.	Delhi	8	7	10
4.	Goa	-	-	
5.	Gujarat	1	-	
6.	Haryana	2	1	2
7.	Himachal Pradesh	-	-	
8.	Jammu & Kashmir	-	-	
9.	Karnataka	-	2	
10.	Kerala	5	10	25
11.	Madhya Pradesh	-	-	
12.	Maharastra	10	13	4
13.	Mizoram	-	-	
14.	Orissa	-	-	
15.	Pondicherry	-	-	
16.	Punjab	2	1	
17.	Rajasthan	-	-	
18.	Tamilnadu	4	8	27

19.	Uttar Pradesh	1	-	
20.	West Bengal	3	3	2
21.	Miscellaneous		2	
	Total	38	53	78

### ANNEXURE-III

REFERRED TO IN REPLY TO PART (b), (c) & (d) LOK SABHA UNSTARRED QUESTION NO. 1365 TO BE ANSWERED ON 22.08.2007

#### PROSECUTION SANCTION ISSUED DURING THE YEARS 2004, 2005 & 2006 YEAR 2004

SL. NO.	NAME OF THE AGENT
1.	SHRI SHAIK MOULA AND SHRI GANGI REDDY, AP
2.	M/S INTERNATIONAL MANPOWER RESOURCES, DELHI
3.	HENRY PAUL DENTIS OF M/S REIN TRAVELS, MUMBAI
4.	MR. EZAZ HASSAN SHEIKH, MUMBAI
5.	KARAN MONICA EDWARD AND PHARISH ABUBACKER, DELHI
6.	SHRI SALIM JAVEH ALAH PICHAI, MUMBAI
7.	M/S N.S. TRAVEL SERVICES, MUMBAI
8.	S/SHRI ABDUL REHMAN MIRZA KALA, SATYAPAL LEKHRAJ SHARM AND BADRUDDING AHMED PILLAI, MUMBAI
9.	S/SHRI SATYANARAYAN, GANGA RAM AND TANGELA OF MUMBAI

#### YEAR 2005

SL. NO.	NAME OF THE AGENT
1.	MR. M.S. RAJU OF M/S MSAR INTERNATIONAL CONSULTANTS, HYDERABAD
2.	MR. T. SRIDHAR GOUD AND OTHERS HYDERABAD
3.	MR. MOIJIUDDIN SIDDIQUE, MUMBAI
4.	SHRI GAGAN KUMAR GOVARDHAN SHARMA OF M/S S.N. TOURS AND TRAVELS, MUMBAI
5.	SHRI ANJALIN SANJAYAA NAIDU, MUMBAI
6.	JAHIR HUSSAIN OF M/S SANTOSHA ENTERPRISE , CHENNAI

7.	SMT. LOUSY PETER WAZ, ISMAIL KADAR NAIK, MAHESH NANDKUMAR SARVADE, MS. RESHMA IGBAL SAYED, SHAKIR MEMON, ASHIF CHIKODI, AMIR BHAT AND ASLAM
8.	SHIR CHANDU JAGDISH SONE, MUMAI

YEAR 2006

SL. No.	NAME OF THE AGENT
1.	M/s Ayisha Travels, Chennai
2.	Shri K.C. Shanmugam, Chennai
3.	S/Shri. Mylapalli Kanna Rao and Mylapalli Kumar, Visakhapatnam (AP)
4.	Shri Motimari Prasad, Penugonda, West Godawari Distt. (AP)
5.	Shri Mogd. Yasin Shamshuddin Shaikh (11) Mrs. Vajuda Abdul Rajak Tarannam and (iii) Mrs. Seema Chandra, Mumbai
6.	Shri P. Mohd. Koya of m/s Almirash Travels, Panniakara, Desom
7.	Shri Kirpal SinghMalhi, Panchkula of M/s Malhi & Basra Emigration & Allied Services, Chandigarh
8.	S/Shri E.K. Syed Alavi, Malapuram Distt. (2) Aboobaker Desom, Kozhikode Distt and (3) Kunhi Mogd., Kozhikode Distt.
9.	S/Shri Mohd. Ibrahim S/o shri Abdul Mohammed, Lot . 196, Jallan Singai, Putus Batu, Kiang, Solangor, Malaysia, (2) Shri Kumar alia Vasanthakumar S/o Shri K. Ramasamy, No. 34, REamasamy Street, Mannadi, Chennai-I and (3) Shri Kannan alias Ramalinga, S/o Shri Perianayagam, No. 3/8, Vembuli Street, Ramapuram, Chennai
10.	Shri. K. Ansari S/o Shri Khaja Mohideen, No. 10/19, Dr.I Natesan Road, B.B. IInd Land, Triplicane, Chennai-5
11.	Shri Viswajith Misra of M/s Welfare Manpower Supply Co., No. 108/109, 3 <sup>rd</sup> Floor, Hamidia Shopping Hall, Triplicane High Road, Chennai-600 005
12.	S/Shri S.K. Rathinasamy and A.N. Manoharan of M/s Er. Word, No. 52-20, anna Main Road , MGR Nagar, Chennai
13.	Shri L. Marimuthu S/o Shri K.R. Lakshmanan of M/s G.G. Enterprises, Adayar, Chennai-20
14.	S/Shri Kottai Madasamy S/o Shri Ponnaia, No. 176, Kumaran Nagar, Palayamkottai, Tirunelveli and Prakash S/o Shri Subbaia, no. 2/35-A, Pillayar Koil St., Poganallur, Koddayanallur, Tirunelveli on the allegation that the said persons were running an unauthorized travel agency under the name & style of 'Dhanshini Enterprises' at No.3, Anand Apartments, Casa Major Road, Egmore, Chennai-8
15.	S/Shri Azeez Khan (20 rafeequ and (3) Raja Malikasr of Chennai
16.	Shri R. Vasanthakumar S/o Shri Ramasamy, proprietor of M/s Ganesh Tours & Travels, No. 50, Mannady Street, Ist Floor, Shop No. 5, Chennai-I
17.	Shri Moideen Raja, Prop. Of M/s P.M.S. Exports & Imports, No. 100,

	Mahalingapuram Main Road , Nungambakkam, Chennai-34
18.	S/Shri Thainis, Rathinam and John Arokiadoss of M/s STS Consultant, No.1, 4 <sup>th</sup> Floor, Kodambakkam, Chennai-600 024
19.	Vinit Balwant Pathare of M.s Saudi Export and Travels Services, Mumbai
21.	P. Gopalkrishnan of M/s Sai Ram Travels, Chennai

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LOK SABHA

UNSTARRED QUESTION NO. 740

TO BE ANSWERED ON 21 NOVEMBER, 2007

AMENDMENT IN THE EMIGRATION ACT

740. SHRI IQBAL AHMED SARADGI

Will the Minister of OVERSEAS INDIAN AFFAIRS to be pleased to state:

- (a) whether the Government is planning to amend the Emigration Act to protect the interests of 50 lakh overseas Indian workers;
- (b) if so, the details of the amendments that have been finalized;
- (c) whether the Government has set up a 'Council for Promotion of Overseas Employment' in the country; and
- (d) if so, the details thereof and the benefit likely to accrue as a result thereof?

**ANSWER**

MINISTER OF OVERSEAS INDIAN AFFAIRS  
(VAYALAR RAVI)

(a) & (b): Yes Sir, the Government is proposing to amend the Emigration Act, 1983. The details are being finalized.

(c) & (d): Yes Sir, the Government is considering to set up a "Council for Promotion of Overseas Employment" as a Society under the Societies Registration Act, 1860. The details are being finalized.

On 15 July 2004, Tathagata Satpathy, MP asked the following Unstarred Question No. 1280 regarding 'Status of Rail Projects in Orissa to the Minister of Railways:-

- "(a) the status of the various rail projects which are currently under implementation in Orissa;
- (b) the estimated cost of each projects; and
- (c) the dead line by which the projects are likely to be completed?"

2. In reply to above question, the Minister of State in the Ministry of Railways (Shri R. Velu) stated as follows:-

"(a) to (c): A statement is attached."

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF THE UNSTARRED QUESTION NO.1280 ASKED BY SHRI TATHAGATA SATPATHY TO BE ANSWERED IN THE LOK SABHA ON 15.07.2004 REGARDING STATUS OF RAIL PROJECTS IN ORISSA.

(a) to (c): The project-wise progress, estimated cost and likely target date of completion, wherever fixed, for various on-going New Line, Gauge Conversion, Doubling and Railway Electrification works in Orissa are given as under:-

S. No.	Name of the Project	Present Status	Estimated Cost (Rs. in crores)
NEW LINES			
1.	Daitari-banspani	Banspani-Joruli (11 Km) section has been completed and commissioned. Joruli-Keonjhar (48 Km) section has also been completed. On Keonjhar-Tomka (98 Km) section, earthwork, bridgeworks and other ancillary works are in progress. The project is likely to be completed during 20050-2006, depending upon availability of resources.	590.60
2.	Lanjigarh Road-Junagarh (56 Km)	Land has been acquired partially. Presently, work has been taken up in Lanjigarh-Bhawanipatna (31 Km) section, where earthwork and bridgework are in progress.	119.29
3.	Khurda Road-Bolangir (289 Km)	Final Location Survey has been completed partially. Land has been acquired partially. Work is in progress on a length of 2.5 Km from Khurda road end, where the land is available with the Railway.	700.00
4.	Haridaspur-Paradeep (82 Km)	Final Location Survey and soil investigation of major bridges have been completed. Land has been acquired partially. The work is being implemented by Rail Vikas Nigam Ltd (RVNL).	301.64
5.	Angul-sukinda Road (98.7 Km)	Final Location Survey and soil investigation for all major bridges have been completed.	245.58

6.	Talcher-Bimlagarh (154 Km)	New Work taken up in Supplementary Budget 2003-2004.	726.96
<b>GAUGE CONVERSION</b>			
1.	Rupsa-Bangriposi (89 Km)	Gauge conversion of Rupsa-Baripada (52 Km) section is targeted for completion in 2004-05, where earthwork and bridgework are in progress.	89.00
2.	Naupada – Gunupur (90 Km)	Land acquisition in progress. Contracts for earthwork and bridges for 88 Km have been awarded and the work is in progress.	91.30
<b>DOUBLING</b>			
1.	Nergundi-Cuttak-Raghunathpur (43 Km)	Kapilas Road-Nergundi-birupa Cabin segment has been completed and commissioned. Earthwork and bridgeworks are in progress on rest of the section. The work on Cuttack-Raghunathpur is likely to be completed during 2004-05.	122.25
2.	Rahama-Paradeep (23 Km)	The work has been completed and the section is to be commissioned.	63.47
3.	2 <sup>nd</sup> bridges on mahanadi & Birupa (3 Km)	Work is in progress on 2 <sup>nd</sup> bridge over River Birupa. The work of 2 <sup>nd</sup> mahanadi bridge is to be executed by Rail Vikas Nigam Ltd (RVNL). The tenders have been processed.	109.05
4.	Lanjigarh-Titlagarh (47 Km)	Kesinga-Norla Road (23 Km) and Norla Raod-Lanjigarh (11 Km) sections are targeted for completion during 2004-2005. Earthwork and bridgework are in progress on rest of the section.	100.05
5.	Rajathgarh-Barang (20 Km)	Final Location Survey and geo-technical investigation of all major bridges except that on River Mahanadi have been completed. Land acquisition is in progress. The work is being executed by Rail Vikas Nigam Ltd (RVNL).	157.98
6.	Khurda Raod-Puri (Phase-I) (15.3 Km)	Earthwork and bridgeworks are in progress. Work is in progress for station buildings at Haripur, Motari and Delang.	47.28
7.	Sambalpur-Rengali (22.7 Km)	Final Location Survey has been completed. Land acquisition is under process and tenders are under finalization.	70.36
8.	Jharsuguda Bypass Line (8.73 Km)	Final Location Survey has been completed. Preparation of plans and estimates has been taken up.	19.62
9.	Cuttack-Barang (12 Km)	Final Location survey is in progress. the work is being executed by Rail Vikas Nigam Ltd (RVNL).	127.13
10.	Khurda Road-Barang 3 <sup>rd</sup> Line (35 Km)	Final location Survey is being taken up. The work is being executed by Rail Vikas Nigam Ltd (RVNL).	133.41
<b>RAILWAY ELECTRIFICATION</b>			

1.	Kharagpur/Nimpu ra-Bhubaneswar including branch line of Talcher-Cuttack-paradeep (540 Route Km)	The work is now being implemented under national Rail Vikas Yojana (NRVY) except Cuttack-Paradeep section for which the target has not been fixed because of doubling in progress.	325.18
2.	Bhubaneswar-Kottavalasa including Khurda Road-Puri (470 Route Km)	Bhubaneswar-Kottavalasa section completed. Khurda Road-Puri sanctioned at a later stage is targeted for completion by Dec 2004.	322.71

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

4. The Ministry of Railways *vide* their O.M. No. 2004/W-2/ECOR/PQL/10 dated 17 August, 2009 have requested for dropping of the assurance on the following grounds:-

"that after a project is included in the Budget, the final location survey is undertaken and once this survey is completed, land acquisition and tendering for the work are initiated. After the land is made available, the work is physically taken up. Thus, the process of land acquisition and tendering for the work are part of the normal course of action for implementation of a project. Furthermore, completion of work is dependent upon availability of funds. As such, unless a work is completed, its status would be "work is in progress". If this terminology is construed as Assurance, almost all the replies relating to progress/status of works would become Assurances whose fulfillment will take number of years. A reply need to be treated as Assurance only when the required information is not available at the time of answering question and the same is being collected."

5. In view of the above, the Ministry with the approval of Minister of State for Railways have requested that the above assurance may be dropped.

On 17 December, 2008 Shri Suresh Angadi, M.P., addressed the following Unstarred Question No. 2824 to the Minister of External Affairs:-

"(a) whether there is any proposal to create an agency on the lines of Japan International Cooperation Agency and South Korean International Cooperation Agency for handling development aid;

(b) if so, the details thereof including the funds earmarked for the purpose; and

(c) the benefits likely to accrue as a result thereof?"

2. In reply, the then Minister of External Affairs (Shri Pranab Mukherjee) stated as follows:-

"(a) Yes, pursuant to the announcement of Finance Minister in his budget speech for FY 2007-08, setting up of an autonomous agency is under consideration of the Government.

(b) The proposed Agency is envisaged to have under its mandate the entire range of existing activities relating to India's overseas development cooperation including disaster and humanitarian relief assistance and Line of Credit to developing countries in the spirit of South- South cooperation. The agency will seek funds from MEA's budget as required.

(c) The proposed agency is envisaged as an effective mechanism and umbrella institution for implementing the entire range of Government of India's overseas development assistance."

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

4. The Ministry of External Affairs vide O.M. No. DP/228/1/07-IAPD dated 25 February, 2009 and OM dated 22 May, 2009 have requested to drop the assurance on the following grounds:-

"As the process of setting up of 'Specialized Agency' is still underway and considering that presently the Cabinet Note on this matter is under further inter-ministerial consultation as desired by the Cabinet Secretariat, it would hardly be possible to give any assurance to the august House in the matter."

5. In view of the above, the Ministry, with the approval of the then Minister of External Affairs, have requested to drop the above assurance.

The Ministry of Law & Justice vide their O.M. No. F. No 3(12)/2009-IC dated 17 September, 2009 have requested to drop the assurances given at (Annexures I-IV) on the following grounds:-

"That the aforesaid assurances are pending due to the reply that a proposal for establishment of National Law University alongwith 3 National Centers in the Northern, Eastern and Western Regions of the is under consideration of the Government. The said proposal of National Law University has been under contemplation in pursuance of the recommendations of the Special Subject Group on the Administration and Legal Simplifications constituted by the Prime Minister's Council on Trade and Industry on 19-09-1998. However, the said proposal could not make any headway due to some technical reason.

This Department in the mean time has also received recommendation of the National Knowledge Commission (NKC) headed by Sh. Sam Pitroda, regarding legal education, the NKC recognizes legal education has an important constituent of professional education, the NKC constituted a Working Group of Experts including distinguished Members of Bar, Bench and Academia under the Chairmanship of Justice Sh. M. Jagannath to suggest National measures to meet the quality of legal education in India. The said Working Group have suggested following 3 reforms and one of them relates to setting up of 4 autonomous well-networked Center for Advanced Legal Studies and Research (CALSAR), on the each region to carry out cutting edge research on various aspects of law and also serve as think tank for advising the Government in National and International fora.

The aforesaid recommendation of the Special Subject Group regarding establishment of National Law University was re-examined in the light of recommendations of the NKC regarding establishment of CALSAR as desired by Hon'ble MLJ's. it has been decided with the approval of the Hon'ble MLJ to finalize to plan scheme for setting up of Center for Advanced Legal Studies and Research (CALSAR) for the 4 region to the country as recommended by the National Knowledge Commission, This Department proceeded towards the proposal of NKC regarding CALSAR to the Planning Commission."

2. In view of the above the Ministry have requested to drop the assurances. The note has the approval of Minister for Law & Justice.

## NATIONAL LAW UNIVERSITY

### Annexure-I

On 3 August 2000, Shri Chandra Bhushan Singh, MP and Shri Y.S. Vivekananda Reddy, M.P. addressed the following Unstarred Question No.1928 to the Minister of Law & Justice and Company Affairs:-

"(a) Whether the Government have proposed to establish a National Law University at Delhi with regional centers of excellence in Law at Ahmedabad, Mumbai and Calcutta;  
(b) if so, the details thereof;  
(c) the time by which the proposed National Law University with its regional centers will start functioning;  
(d) whether the Government are also considering to set up centers of excellence in Law under the proposed National Law University in all the State capitals of the country at a later stage; and  
(e) if so, the details thereof."

2. In reply, the then Minister of State of the Ministry of Information and Broadcasting (Independent Charge) and Minister of State of the Ministry of Law Justice and Company Affairs (Independent Charge) (Shri Arun Jaitley) stated as follows:-

"(a): (a) to (e) A proposal to establish a National Law University at Delhi with its three National centers in the Northern, Western and Eastern regions of the country on the pattern of the National Law School at Bangalore, with an enabling provision to create more such Centres, is under consideration of the Government. No time-frame has yet been finalized."

## LAW COLLEGES INSTITUTIONS

### Annexure-II

On 16 December 2005, Shri Avtar Singh Bhadana, MP and Shri S.K. Kharventhan, MP addressed the following Unstarred Question No.3635 to the Minister of Law & Justice:-

- "(a) the number of Colleges/Institutions relating to law courses which have been recognised by the Government so far;
- (b) the details of these Colleges/Institutions location-wise and State-wise;
- (c) whether the Government proposes to open new such Colleges/Schools in the country during the current year; and
- (d) if so, the details thereof?"

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

- "(a): The total number of colleges/institutions imparting law courses is 689,
- (b): The details of the colleges/institutions State-wise and location-wise as provided by the Bar Council of India are enclosed in Annexure A & Annexure B respectively.
- (c) & (d) : On the basis of recommendations of a Special Subject Group on the Administration and Legal Simplification constituted by the Prime Minister's Council on Trade and Industry on 19.9.1998, a proposal for establishment of National Law University as institution of excellence having world wide recognition and acclaim with three National Law Schools in eastern, western and northern region of the County is under consideration."

NATIONAL LAW UNIVERSITY AT MANESAR

Annexure-III

On 16 March 2007, Shri Deepender Singh Hooda, MP addressed the following Unstarred Question No.2598 to the Minister of Law & Justice:-

- "(a) whether the Government has received any approval to set up a National Law University at Manesar (Gurgaon);  
(b) if so, the details thereof; and  
(c) the time by which it is likely to be set up?"
2. In reply, the then Minister of Law & Justice (Shri H.R Bhardwaj) stated as follows:-

" (a) No, Sir.  
(b) to (c) However, a proposal for establishment of National Law University in pursuance of recommendations of a Special Subject Group on the Administration and Legal Simplification constituted by the Prime Minister's Council on Trade and Industry on 19.09.1998 is under consideration."

NATIONAL LAW UNIVERSITY

Annexure-IV

On 27 April 2007, Shri Braja Kishore Tripathy, MP addressed the following Unstarred Question No.3722 to the Minister of Law & Justice:-

- "(a) Whether the Government proposes to set up a National Law University in the country;
- (b) if so, the details thereof; and
- (c) the time by which it is likely to be set up?"
2. In reply, the then Ministry of Law & Justice (Shri H.R Bhardwaj) stated as follows:-

"(a) to (c) A proposal for establishment of National Law University in pursuance of recommendations of Special Subject Group on the Administration and Legal Simplification constituted by the Prime Minister's Council on Trade and Industry on 19.9.1998 is under consideration."

MINUTES

SECOND SITTING

Minutes of the second sitting of the Committee on Government Assurances (2009-2010) held on 29 October, 2009 in Committee Room 'B', Parliament House Annexe, New Delhi.

The Committee sat from 1200 hours to 1300 hours on Thursday, 29 October, 2009.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Anandrao Adsul
3. Dr. Kakoli Ghosh Dastidar
4. Shri Mohan Jena
5. Shri Bishnu Pada Ray
6. Rajkumari Ratna Singh
7. Shri Takam Sanjoy

Secretariat

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

At the outset, the Chairperson welcomed the Members and apprised them briefly about the agenda for the sitting.

Thereafter, the Committee considered requests for dropping of assurances. After in depth deliberations, of all such cases, the Committee were convinced with the reasonings adduced by the Ministry and decided to drop 21 assurances as per details given *vide* Annexure-I. The Committee also decided to retain 29 assurances, which are to be pursued further, as per details given in Annexure-II.

*The Committee then adjourned to meet again on 12<sup>th</sup> November, 2009.*



Details of Assurances to be pursued further by the Committee on Government Assurances at their sitting held on 29.10.2009

Sl. No. 1	Memo No. 2	Question No. & Date/Discussion 3	Ministry/Departm ent 4	Brief subject 5	Observation of the Committee 6
1.	3	USQ No. 4006 dt. 14 July, 1998	Tribal Affairs	Tribal Development Schemes	The Committee desired that the information assured may be collected at the earliest and laid on the Table of the House.
2.	5	(i) USQ No. 198 dt. 22 February, 2001 (ii) Supplementary to SQ No. 161 dt. 8 March, 2001 raised by Sh. P.R. Das Munsi	Law, Justice and Company Affairs	Circuit Bench of Calcutta High Court at Jalpaiguri	The Committee did not agree to drop the assurance and desired that the status report be furnished for consideration of the Committee.
3.	7	USQ No. 3959 dt. 22 March, 2001	Petroleum and Natural Gas	CBI cases against Oil Companies'	The Committee noted that the matter relate to corruption by public servants and CBI is investigating it. The Committee desired that the investigation may be brought to its logical end.
4.	8	(i) USQ No. 2320 dt.07 August, 2001 (ii) USQ No. 939 dt.29 November, 2005 (iii) USQ No.1992 dt. 05 December, 2006 (iv) SQ No. 575 dt. 15 May, 2007	Women and Child Development	Amendments to various Laws/Bills on sexual harassment at workplace, amendments to dowry prohibition Act or introduction of new scheme for	The Committee noted that the assurances relate to amendment or enactment of various laws such as Bill on Sexual Harassment at Workplace, amendment to Dowry Prohibition Act or introduction of New Scheme for Relief & Rehabilitation of Rape Victims etc. Taking into consideration the public importance of the subject, the Committee decided to pursue the assurance further.

		(v) USQ No. 5330 dt. 15 May, 2007 (vi) USQ No. 1185 dated 29 August 2007 (vii) USQ No. 1142 dt. 23 November, 2007 (viii) USQ No. 3306 dt. 07 December, 2007 (ix) USQ No. 3309 dt. 07 December, 2007		relief and rehabilitation of rape victims.	
5.	11	USQ No. 5600 dt. 2 May, 2005	Labour and Employment	EPF Facilities to Workers of Small Companies	Taking into consideration the social security of workers, the Committee desired to retain the assurance.
6.	12	USQ No. 3245 dt. 16 August, 2005	Human Resource Development	Council of Indian School Certificate Examination-enquiry into the issue relating to the functioning and powers of Chief Executive and Secy. CISCE	The Committee noted that the assurance involves irregularities in the functioning of the Council of Indian School Certificate Examination. Further some issues relating to the functioning and powers of the Chief Executive and Secretary, Council of Indian School Certificate Examination (CISCE) were referred by Government to the Council for necessary action. The Committee, therefore desired that the matter may be expedited.
7.	13	USQ No. 1622 dt. 7 August, 2006	Environment and Forests	Bifurcation of Services	The Committee noted that the proposal for bifurcation of Ministry of Environment and Forests has been kept in abeyance. The Committee decided to pursue the matter further.
8.	14	USQ No. 2047 dt.	Commerce and	Export to China	The Committee noted that the Indo-China Traders'

		13 March, 2007	Industry		Association of Sikkim has urged for revising the list of items exportable through Nathula Pass. The Committee, therefore desired that needful may be done at the earliest.
9.	15	USQ No. 3007 dt. 5 September, 2007	Health and Family Welfare	Hepatitis B Vaccine Immunization Programme	The Committee noted that the proposal for implementation of Hepatitis B vaccine Immunisation Programme in the country has been withdrawn by the Ministry. The Committee therefore desired to know the reasons for the withdrawal of the proposal and decided to pursue the matter.
10.	17	USQ No. 1753 dt. 28 November, 2007	Shipping, Road Transport and Highways	Rail-Road Linking of Ports	The Committee noted that various projects for Rail-Road connectivity to different ports in the country are at different stages of completion. The Committee desired that the pending work on the various projects be expedited.
11.	18	USQ No. 2728 dt. 18 March, 2008	Home Affairs	Visit of NHRC to Jails	The Committee noted that the National Human Rights Commission (NHRC) has recommended improving the conditions of jails in various States. The Committee, therefore desired that the Central Government may pursue the matter with the State Governments for early implementation of recommendations of NHRC.
12.	19	USQ No. 4960 dt. 29 April, 2008	Home Affairs	Blacklisted Non Govt. Organization	The Committee noted that cases of 17 associations have been referred to CBI for detailed investigation. The Committee therefore desired to be apprised of the outcome of the investigation in each case.

13.	20	USQ No. 68 dt. 26 February, 2008	Human Resource Development	Setting up of World Class Universities'	The Committee were not convinced with the reasonings adduced for dropping of assurance and decided not to drop the assurance.
14.	22	(i) USQ No. 2939 dt.03 September, 2007 (ii) USQ No. 2428 dt.03 December, 2007 (iii) USQ No.5400 dt. 05 May, 2008	Communication and Information	Amendments to Indian Post Office Act, 1898	The Committee noted that the Government assured thrice in reply to above questions that the proposal to amend the Indian Post Office Act was under consideration and the Ministry have now informed that the proposal to amend the Indian Post Office Act, 1898 has been dropped. The Committee, therefore desired to know the reasons for the same.
15.	23	USQ No. 2582 dt. 18 March, 2008	Home Affairs	Gorkha Hill Council Bill	The Committee were not convinced with the reasonings adduced for dropping of assurance and decided not to drop the assurance.
16.	26	USQ No. 1769 dt. 12 March, 2008	Planning	Monitoring for Quality Education	The Committee were not convinced with the reasonings adduced for dropping of assurance and decided not to drop the assurance.
17.	27	USQ No.608 dt. 8 July, 2009	Health & Family Welfare	Delay in setting up AIIMS like institutions.	The Committee desired to pursue the matter further, as they were not convinced with the reasons for dropping of assurance.
18.	28	USQ No.3411 dt. 23 December, 2008	Commerce & Industry	Wheat Import Scam.	The Committee noted that as CBI is still investigating the case, the assurance may be pursued further.

19.	30	SQ No. 463 dt. 25 April, 2008 supplementary by Sh. Bhartruhari Mahtab	Power	Rajiv Gandhi Grameen Vidyutikaran Yojana	The Committee noted that during the course of supplementaries the Hon'ble Member specifically desired to know about the shortfall of Rs. 7,000 crore between the DPR received from respective States (Rs. 32,528 crore) and the sanctioned amount (Rs. 25,043 crore). The Committee desired that the said information be collected at the earliest.
20.	32	USQ No. 3587 dt. 17 April, 2008	Petroleum and Natural Gas	Allotment of Petrol Pumps to dependants of martyrs who have laid down their lives while defending terrorists attack on Parliament on 13.12.2001.	The Committee noted that all Retail Outlets have been commissioned except the one allotted to Smt. Munesh Devi, widow of late Shri Desh Raj as approach road to the Retail Outlet is to be constructed by the NOIDA, Government of Uttar Pradesh. The Committee were not at all convinced with the reasoning furnished by the Ministry and desired that the matter be pursued further.
21.	38	SQ No. 141 dt.10 March, 2008 supplementary by Shri Iqbal Ahmed Saradgi	Communications and Information Technology	Pricing of Spectrum	The Committee noted that the subject matter of the assurance is very important and need to be pursued further.
22.	39	SQ No. 359 dt. 23 December, 2008	Home Affairs	Revision of Norms for Calamity Relief Fund/ National Calamity Contingent Fund	The Committee noted that the norms under CRF/NCCF would be revised after receipt of the report of the 13 <sup>th</sup> Finance Commission Accordingly, the Committee desired that the said norms be reviewed after receipt of the 13 <sup>th</sup> Finance Commission Report.
23.	42	(i) USQ No. 2348 dt.04 December, 2000 (ii) USQ No. 182 dt.19 July, 2004	Agriculture	National Agricultural Insurance Scheme	The Committee noted that some of the above assurances are pending for long time awaiting the finalisation of the proposal on Modified National Agricultural Insurance Scheme (MNAIS). The Committee, therefore desired that the said proposals

		(iii) SQ No.6 dt. 25 July, 2005 (iv) SQ No. 69 dt. 28 November, 2005 (v) SQ No. 109 dt. 31 July, 2006 (vi) USQ No. 774 dt. 27 November, 2006 (vii) USQ No. 96 dt. 26 February, 2007 (viii) USQ No. 3780 dt. 30 April, 2007 (ix) SQ No. 212 dt. 27 August, 2007 (x) SQ No. 375 dt. 10 September, 2007		may be finalized at the earliest.
24.	43	(i) USQ No. 2081 dt.16 December, 2003 (ii) USQ No. 1121 dt.07 December, 2004 (iii) USQ No.3892 dt. 20 December, 2005 (iv) USQ No. 3715 dt. 16 May, 2006 (v) USQ No. 942 dt. 28 November, 2006 (vi) Calling Attention dt.18 December, 2006	Home Affairs	Inclusion of various regional languages in 8th Schedule  The Committee noted that at present demands for inclusion of 38 more languages in the Eighth Schedule to the Constitution are pending with the Ministry. The Committee desired that a final decision in the matter may be taken at the earliest.

		(vii) USQ No. 4107 dt. 22 April, 2008			
25.	44	SQ No. 348 dt. 23 December, 2008 supplementary by Sh. Adhalrao Shivajirao Patil	Home Affairs	Integrated Check Posts	The Committee noted that Detailed Engineering Report (DER) has been prepared only in respect of Raxual ICP. DER in respect of Attari ICP will be prepared by 15 June, 2009. For other phase-I ICPs, DERs would be prepared gradually, depending on the status of completion of pre-DER formalities and the process is expected to be completed by 31 August, 2009. The Committee desired to know the status of the project and decided to pursue the matter further.
26.	45	(i) USQ No. 2553 dt. 10 August, 2005 (ii) USQ No. 1147 dt. 02 August, 2006 (iii) USQ No. 1157 dt. 02 August, 2006 (iv) SQ No. 387 dt. 23 August, 2006 (v) USQ No. 1080 dt. 07 March, 2007 (vi) USQ No. 1365 dt. 22 August, 2007 (vii) USQ No. 740 dt. 21 November, 2007	Overseas Indian Affairs	Amendments to Emigration Act	The Committee noted that the Government has decided to close the proposal of amendment of Emigration Act, 1983 and in its place draft an entirely new legislation to replace the existing Act for which exercises are being carried out by the Government. The Committee desired that the drafting of new legislation be expedited..
27.	48	USQ No. 1280 dt. 15 July, 2004	Railways	Status of Rail Projects in Orissa	The Committee noted that various rail projects are currently implementation in Orissa. The Committee therefore desired that the implementation of the rail

					projects be expedited.
28.	49	USQ No. 2824 dt. 17 December, 2008	External Affairs	Specialized Agency for International Cooperation	The Committee noted that the process of setting up of 'Specialised Agency' is still underway. The Committee, therefore, desired that the said process be brought to its logical conclusion
29.	50	(i) USQ No. 1928 dt. 3 August, 2000 (ii) USQ No. 3635 dt. 16 December, 2005 (iii) USQ No. 2598 dt. 16 March, 2007 (iv) USQ No. 3722 dt. 27 April, 2007	Law & Justice	National Law University	The Committee noted that a proposal for establishment for Centre for Advanced Legal Studies and Research (CALSARs) is under consideration of the Government pursuant to the recommendations of the National Knowledge Commission (NKC). The Committee, therefore, desired to know as to when such a centre would be established.



## 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 Annex, 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.***