

COMMITTEE
ON
GOVERNMENT ASSURANCES
(1978-79)
(SIXTH LOK SABHA)
FOURTH REPORT

(Presented on the **24 APR 1979***)*



LOK SABHA SECRETARIAT
NEW DELHI

January, 1979/Phalguna, 1900 (Saka)

Price: Rs. 1.75

LOK SABHA

Corrigenda

to

The Fourth Report of the Committee on
Government Assurances (1978-79) (Sixth
Lok Sabha).

<u>Page No.</u>	<u>Correction</u>
1	Line 5 from bottom: <u>for</u> 'asurance' <u>read</u> 'assurance'
3	Line 13: <u>for</u> 'fellowshops' <u>read</u> 'fellowships'
8	Line 8: <u>for</u> 'Departments' <u>read</u> 'Department'
9	(i) Line 16: <u>for</u> 'fulfill' <u>read</u> 'fulfil' (ii) Line 2 from bottom: <u>for</u> 'assurance' <u>read</u> 'assurances'
12	Line 12: <u>before</u> 'Lok Sabha' <u>insert</u> 'the floor of'
18	Sl.No.10, col.3, part (a): Line 4, <u>for</u> 'Jyly' <u>read</u> 'July'
19	Sl.No.13, col.3, part (b): Line 2, <u>delete</u> 'de'
21	Sl.No.17, col.3, part (a): Line 2, <u>for</u> 'Plant' <u>read</u> 'Plans'
22	Sl.No.20, col.4. line 6: <u>for</u> 'Hocse' <u>read</u> 'House'
25	Sl.No.29, col. 2, line 3: <u>for</u> 'Dharamsinghbhai' <u>read</u> 'Dharmasinhbhai'
29	Line 12: <u>for</u> 'fulfiled' <u>read</u> 'fulfilled'
32	(i) Line 14: <u>after</u> 'given' <u>insert</u> 'in' (ii) Line 15 from bottom: <u>for</u> '1 1/4' <u>read</u> '1 1/4'
36	Statement (ii), line 1: <u>for</u> 'stetement' <u>read</u> 'statement'

NEW DELHI;

March 13, 1979

Phalguna 22, 1900 (Saka)

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**PERSONNEL OF COMMITTEE ON
GOVERNMENT ASSURANCES
(1978-79)**

CHAIRMAN

Shri Yagya Datt Sharma

MEMBERS

2. Shri Abdul Lateef
3. Shri A. Asokaraj
4. Shri Bhagat Ram
5. Shri Motibhai R. Chaudhary
6. Shri Dajiba Desai
7. Shri Ram Prasad Deshmukh
8. Shri L. K. Doley
9. Shri Harikesh Bahadur
10. Shri Shridharrao Nathobaji Jawade
11. Shri N. P. Kesharwani
12. Shri Kanwar Mahmud Ali Khan
13. Shri M. S. Sanjeevi Rao
14. Shri G. Narsimha Reddy
15. Shri Ram Awadesh Singh

SECRETARIAT

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

Shri D. N. Gadhol—Senior Examiner of Questions.

REPORT

I. INTRODUCTION

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

II. SITTINGS OF THE COMMITTEE

2. The Committee held three sittings on the 29th September, 9th November, 1978 and 24th January, 1979. At the sitting held on the 29th September, 1978, the Committee considered the following items:

- (i) Request from Government for dropping of an assurance;
- (ii) Time-limit for the supply of information promised by the Ministers on the floor of Lok Sabha; and
- (iii) Review of pending assurances pertaining to Second Session of Sixth Lok Sabha.

3. At the sitting held on the 9th November, 1978, the Committee took oral evidence of the representatives of the Ministry of Health and Family Welfare in regard to the delay in implementation of eleven pending assurances relating to the Second Session of Sixth Lok Sabha which had been pending for considerable periods of time.

4. At their sitting held on the 24th January, 1979, the Committee considered their draft Fourth Report and adopted the same.

5. The Minutes of the aforesaid sittings of the Committee are appended to, and form part of, this Report.

6. Conclusions/observations of the Committee are contained in the succeeding Chapters and in the Minutes appended to this Report.

7. The Committee wish to express their thanks to the Ministry of Health and Family Welfare and their officers for furnishing information and tendering evidence before them.

NEW DELHI;
January 24, 1979
Magha 4, 1900 (Saka)

YAGYA DATT SHARMA,
Chairman,
Committee on Government Assurances.

CHAPTER I

I. REQUEST FROM GOVERNMENT FOR DROPPING AN ASSURANCE

The Committee have considered a request made by the Government for dropping of the assurance given in reply to Unstarred Question No. 8292 on the 28th April, 1978 regarding earning of foreign exchange by export of defence goods.

2. The Committee have perused the reasons advanced by the Government for dropping of the above assurance. The Ministry of Defence had requested through the Department of Parliamentary Affairs that the question was reconsidered by them and it was "considered that if the information sought for is laid on the Table of the House, they are likely to severely compromise our security and foreign policy interests as they relate to foreign exchange earned by export of defence stores and foreign exchange incurred on import of defence stores." The Ministry also stated that their request for the deletion of assurance had the approval of the Ministry of Defence.

3. After considering the reasons advanced by the Ministry of Defence, the Committee agree to drop the assurance.

II. TIME-LIMIT FOR THE SUPPLY OF INFORMATION PROMISED BY MINISTERS ON THE FLOOR OF LOK SABHA

4. Shri Hukam Chand Kachwai, M.P. gave a notice under Direction 115 on 21st July, 1978 in which he *inter alia* requested that it might be ensured that the information in regard to replies to questions by the Member was laid on the Table by the Ministers within a month.

5. The Committee in this connection noted that they had already fixed time-limit of three months for the implementation of assurances vide para 6 of their Seventh Report, Fourth Lok Sabha, presented to the House on the 13th December, 1969, in which they had *inter alia* observed:

"They are of the view that there is no case for raising the maximum time-limit for implementation of an assurance from two to six months. They, however, agree that, considering the steep rise in the incidence of assurances, the time-limit of three months, as agreed to, on experimental basis, by the Committee on Government Assurances

(1967-68), may finally be laid down for implementation of the assurances. The Committee feel that this period is more than adequate for implementing an assurance. If Government, however, foresaw any genuine difficulties in implementing assurances within the stipulated period of three months, such cases may be reported to the Committee for extension of the time-limit for implementing them."

6. The Committee also note that the Ministries are unable to implement a number of assurances even within the prescribed period of three months and have to seek extensions for implementing them. They, therefore, feel that there is no need to reduce the time-limit for implementation of assurances from three months to one month.

III. REVIEW OF PENDING ASSURANCES PERTAINING TO SECOND SESSION OF SIXTH LOK SABHA

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

8. Assurances pertaining to the Sixth Lok Sabha still lying pending, which have become more than three months old, are being reviewed by the Committee in convenient batches.

9. At their sitting held on the 29th September, 1978, the Committee review 29 pending assurances pertaining to Second Session (Second batch) of Sixth Lok Sabha (details given in Annexure I to Minutes of the sitting held on the 29th September, 1978).

10. During the course of review at their sitting held on September 29, 1978, the Committee note that Government have requested for extension of time in 28 cases as indicated in the said Annexure. In regard to an assurance given in reply to U.S.Q. No. 1551 on 23rd June, 1977 regarding family planning Centres (Sl. No. 1 of Annexure I to the Minutes of the sitting held on the 29th September, 1978), the Committee noted that neither the assurance had been fulfilled, nor had any request for extension of time for the fulfilment of the assurance been received from the Ministry of Health and Family Welfare. It was only on the previous day (i.e. 28th September, 1978) that a communication was received from the Ministry requesting for extension of time for the fulfilment of the assurance. The

Committee, therefore, decided that the Secretary of the Ministry of Health and Family Welfare should be asked to appear before them to explain the reasons for delay in implementation of that and some other pending assurances relating to that Ministry.

11. The Committee examined the representatives of the Ministry of Health and Family Welfare on the 9th November, 1978 in regard to the delay in implementation of the following eleven assurances relating to the Second Session of Sixth Lok Sabha:

- (1) Assurance given in reply to USQ. No. 1551 on the 23rd June, 1977 regarding family planning centres;
- (2) Assurance given in reply to USQ. No. 2786 on 7-7-77 regarding sending of Scheduled Caste and Scheduled Tribe candidates to foreign countries for fellowships and scholarships;
- (3) Assurance given in reply to USQ. No. 3588 on 14-7-77 regarding expenditure on sterilisation in Delhi;
- (4) Assurance given in reply to USQ. No. 4269 on 21-7-77 regarding adulteration in groundnut oil;
- (5) Assurance given in reply to USQ. No. 4294 on 21-7-77 regarding payment to blood donors;
- (6) Assurance given in reply to USQ. No. 4355 on 21-7-77 regarding opening of Ayurvedic hospitals in villages;
- (7) Assurance given in reply to USQ. No. 5229 on 28-7-77 regarding persons punished for spurious drugs;
- (8) Assurance given in reply to USQ. No. 5243 on 28-7-77 regarding vacancies in medical services;
- (9) Assurance given in reply to USQ. No. 5271 on 28-7-77 regarding punishment to food adulterators;
- (10) Assurance given in reply to USQ. No. 6157 on 4-8-77 regarding number of registered practitioners and registration agencies; and
- (ii) Assurance given in reply to USQ. No. 6285 on 4-8-77 regarding unauthorised use of colouring material in grape fanta.

[For details, see Sl. Nos. 1 to 11 of Annexure to Minutes of the Sitting held on the 29th September, 1978].

12. Some of the important cases of delay in implementation of assurances and Committee's observations/recommendations in that regard are given in the next Chapter.

CHAPTER II

I. DELAY IN IMPLEMENTATION OF ASSURANCES GIVEN DURING THE SECOND SESSION OF SIXTH LOK SABHA RELATING TO THE MINISTRY OF HEALTH AND FAMILY WELFARE

- (i) *Delay in implementation of an assurance given in reply to USQ. No. 1551 on the 23rd June, 1977 regarding family planning Centres*

13. The Ministry of Health and Family Welfare in their written note furnished to the Committee on 24th October, 1978 stated:

“After the reply was given on 23-6-77, the file got mixed up with some old files and lost sight of and as such it could not be followed up vigorously with the States from which information was not received. Further, the year 1977-78 was an abnormal year for the Family Welfare Programme when about 40,000 complaints were received from various sources in regard to use of force and coercion in the implementation of Family Welfare Programme during the Emergency and there were several requests for re-canalisation. This had disturbed the normal work of the sections to a great extent. However, as soon as the file was located in September, 1978, a telegram was sent to Health Secretaries of the States of Andhra Pradesh and Bihar from whom the information was still awaited on 27th September 1978. The information in respect of Andhra Pradesh was obtained by the personal efforts of Joint Secretary on 28th September 1978. Even so no reply was received from the Government of Bihar. A D.O. reminder was also sent to Government of Bihar on 18th October 1978. However, the information was not received till 30th October 1978 and Joint Secretary (Health) Bihar and Regional Director (FW&MCH), Bihar were reminded on telephone to expedite the same. The reply from Bihar has been received today (1st November 1978) through a Special Messenger.

The delay in fulfilment of assurance and non-follow up with the States, which was mainly due to misplacement of the file and also the abnormal situation stated above is highly

regretted and the person responsible for the delay have been warned to be careful in future. Suitable instructions are also being issued in the Department to avoid recurrence of such instances."

14. During evidence before the Committee on the 9th November, 1978, the Additional Secretary, Ministry of Health and Family Welfare explaining the reasons for the delay in implementing the above assurance stated:

"First I would like to draw your kind attention to assurance No. 1551. We have given a statement on this, but I would like to humbly submit that there has been a lapse on our side. In fact we would have given full information barring information received from Andhra Pradesh and Bihar right in July, 1977. Last year, there had been a lot of work, as you know, relating to the family planning programme. As we had to deal with many complaints from the public relating to the sterilisation programme during the emergency period, this file got misplaced. We were not in position to send the reply. Then the reminder came from the Department of Parliamentary Affairs. Without offering any further explanation, I would only request you to kindly condone it. This is the first time that we have made this mistake. We had never made this mistake in the past and it shall not happen in future. All the information which is required to answer the assurance in this case has been now furnished. Even in respect of Bihar and Andhra Pradesh, the information has come and we have submitted it to the Department of Parliamentary Affairs. I would seek your indulgence for closing this matter if you kindly agree. It is only in September, 1978 that we came to know that this was misplaced. It has escaped the attention of the person who was handling it. We have asked for his explanation. He is a very vigilant officer. This file got mixed up and have lost complete track; he forgot about it. It was only when the notice came that we tried to trace the file."

15. The Committee enquired whether it was a fact that due to misplacement of file the assurance could not be fulfilled. The Additional Secretary of the Ministry stated as under:

"Whatever you are stating is quite correct. We have to fulfil an assurance within three months. There has been a lapse in this. This has occurred when all information

excluding Bihar and Andhra Pradesh had been received till 19th July, 1977. If this file had not been misplaced we would have sent the reply much earlier."

16. When asked whether there was any other officer responsible for giving replies, for fulfilling the assurances, etc., the Additional Secretary of the Ministry stated:

"The procedure in our department is this. There are Deputy Secretaries, Joint Secretaries, Under Secretaries, in charge of different subjects. The subject matter related to our plan-budget section. The research officer of that division was looking after this assurance."

17. In reply to a query whether there was any special officer for attending to the Parliamentary work, the witness stated that there was a cell in the combined Ministry of Health and Family Welfare but unfortunately even from the cell they did not get any reminder.

18. When asked whether the cell had a continuous record of assurances given, the representative of the Ministry stated that 'that assurance was not got listed in the record.'

19. The Committee enquired whether any person had been taken to task for misplacing the file and the responsibility fixed for the negligence. The representative of the Ministry stated as under:

"Research Officer, Class I gazetted. We are issuing him a warning. For the first time this happened and I assure you that we will not give any occasion for this in future. That officer has been working for the last 8-9 years, nothing like this has happened."

(ii) *Delay in implementation of assurance given in reply to Unstarred Question No. 2788 on the 7th July, 1977 regarding sending of Scheduled Castes and Scheduled Tribes candidates to foreign countries for fellowships and scholarships.*

20. In reply to the Committee's query that the extension of time for implementation of the assurance was sought upto 30th September, 1978, but why no further extension has been sought, the Ministry in their written note stated:

"The Ministry of Works and Housing have since furnished the requisite material on 8th November 1978. The draft for fulfilling the Assurance in full has already been approved by the Minister of State (Health) and has been issued alongwith Hindi version."

(iii) *Delay in the implementation of assurance given to Unstarred Question No. 3588 on the 14th July, 1977 regarding expenditure on sterilisation in Delhi.*

21. During evidence the Committee pointed out that the extension regarding above assurance was given upto 14th December, 1977. Several months had passed but no request for further extension had so far been made by the Ministry. In reply, the Additional Secretary of the Ministry stated that the Ministry had been reminding for that regularly, and an extension was sought on 13th October, 1977.

22. When attention to para 50 of the Eleventh Report of the Committee of Fifth Lok Sabha was drawn, wherein it had been recommended that each Ministry or Department should set up a cell, if it was not already there, under the charge of a responsible officer to coordinate the work relating to assurances and asked whether such a cell had been set up, the representative of the Ministry stated:

"That is the correct position, Sir. This is also the guideline followed in our Ministry. I am not trying to explain away our default but if you kindly see the files relating to the pending assurances, you will notice that 14 or 15 D.O. letters in each case have been written by the Under Secretary, Deputy Secretary, Joint Secretary, Secretary and some times even the Minister."

23. The Committee pointed out that the subject matter of the question related to Delhi Administration and the information could be supplied within 15 days, the Additional Secretary of the Ministry stated:

"This is in relation to Delhi and we should have been able to get it. But all these questions related to matter which were being enquired into by the Shah Commission and the Delhi Administration was not able to give us a reply."

(iv) *Delay in the implementation of assurance given in reply to Unstarred Question No. 4294 on the 21st July, 1977 regarding payment to blood donors.*

24. In a written reply on 29th November, 1978 to a question, as to why Government did not consider it proper to lay whatever in-

formation was available with the Ministry in partial fulfilment of the above assurance, the Ministry stated:

"It was intended to fulfill the assurance fully. However on detailed scrutiny of the information it was found necessary to seek further information from 3 States—Bihar, Haryana and Meghalaya. They have been reminded again at the level of Joint Secretary. Rest of the information has been sent to the Departments of Parliamentary Affairs on 8th November, 1978 in partial fulfilment of the assurance."

25. The Committee are not satisfied with the explanation given by the Ministry with regard to the misplacement of the file relating to the assurance given in reply to USQ. No. 1551 on the 23rd June, 1977. To the Committee it appears that there is no proper machinery in the Ministry of Health and Family Welfare for the listing of assurances given on the floor of the House and no proper procedure has also been laid down for watching the progress about the timely implementation of assurances.

26. In para 50 of their Eleventh Report (Fifth Lok Sabha) the Committee had suggested:

"Each Ministry/Department may consider setting up a cell, if not already there, under the charge of a responsible officer, to coordinate the work relating to assurances and ensure their implementation in time. Further, as soon as an assurance is given, the cell should study it carefully and, where necessary, seek information from authorities concerned in specific terms/forms so that there is no delay in collecting the information and avoiding need for further clarification by protracted correspondence."

In para 30 of their Thirteenth Report (Fifth Lok Sabha) and Third Report (Sixth Lok Sabha) the Committee had recommended:

"In all such cases where the collection of the information is likely to take a long time, instead of waiting for the collection of the entire information, whatever information is readily available should be laid on the Table of the House at the earliest possible opportunity. The rest of the information as and when available should be laid on the Table of the House periodically in piece-meal, say, quarterly, half-yearly and so on."

27. The Committee are constrained to observe that the Ministry of Health and Family Welfare have completely failed to take note

of Committee's above recommendations/observations; otherwise such a case would not have arisen where an assurance had neither been fulfilled nor any request for extension of time for implementation of the assurance had been made and the partial information available with the Ministry had also not been furnished to the House.

28. The Committee would like the Department of Parliamentary Affairs to take note of the above case and devise suitable means so that all the Ministries/Departments give due consideration to Committee's observations/recommendations and also set up proper machinery for this purpose. The Committee would like to be informed by the Department of Parliamentary Affairs which are the Ministries/Departments which have set up special cells for the purpose and what is the composition and function of those cells.

29. The Committee would also like the Department of Parliamentary Affairs to stress upon all the Ministries/Departments that if for genuine reasons it is not possible for them to fulfill an assurance within a period of three months or during the extended period, they would make a timely request for extension of time and each request should be supported by a detailed note giving reasons for delay, the actual progress made in collecting information giving dates when action was initiated, reminders issued, etc. They should also indicate the definite date by which the assurance would be fulfilled.

30. The Committee note that information in fulfilment of the assurances mentioned at Sl. Nos. 1, 3, 5, 9 and 10 of Annexure to Minutes of the sitting held on 29th September, 1978 has since been laid on the Table of the House on 30th November and 21st December, 1978 respectively.

The Committee note that in regard to Sl. No. 2, the draft fulfilling the assurance in full has already been approved. In the case of Sl. No. 5, statement in partial fulfilment of the assurance has been sent to the Department of Parliamentary Affairs and information from Bihar, Haryana and Meghalaya is awaited. As regards Sl. No. 6, the information in respect of 16 States and 5 Union Territories has been sent to the Department of Parliamentary Affairs for laying on the Table and information in respect of 4 more States and 4 more Union Territories and the C.G.H.S. is likely to be sent very soon. Information sought in Sl. No. 7 has been compiled and efforts are being made to implement the assurance. As regards Sl. No. 11, information from all States except Bihar has been received. **The Committee desire that all these assurance should be fulfilled, fully or partially as the case may be, without further delay.**

31. The Committee feel unhappy to not that the machinery in the Ministry of Health and Family Welfare to ensure that observations/recommendations of the Committee on Government Assurances are properly and thoroughly studied and steps are taken promptly to proceed with action for implementation of the assurances given by the Minister on the floor of the House need gearing up. They need hardly stress that the Ministries should give utmost importance to the work relating to a Parliamentary Committee and ensure that the staff and officers dealing with this work maintain and study a complete record of all the observations/recommendations of the Committee, whether they are directly concerned or not, so that they have a complete guideline as to the procedure and method to be followed by the Departments for the timely implementation of the recommendations of the Committee. For this purpose the Committee desire that effective steps be taken by the Ministry of Health and Family Welfare to gear up their machinery.

II. POSITION OF PENDING ASSURANCES PERTAINING TO FOURTH, FIFTH AND SIXTH LOK SABHA

32. A statement showing the position of assurances pertaining to Fourth, Fifth and Sixth Lok Sabha pending implementation by the Government as on the 22nd December, 1978 is given at Appendix. The Committee would like the Ministries/Departments concerned to make earnest efforts to implement expeditiously all the assurances of Fourth and Fifth Lok Sabha which have been pending for a considerable period of time. The Committee would also like to urge upon the Ministries/Departments concerned to make sincere efforts to implement the pending assurances of First to Fifth Sessions of Sixth Lok Sabha as early as possible.

NEW DELHI;
January 24, 1979
Magha 4, 1900 (Saka)

YAGYA DATT SHARMA,
Chairman,
Committee on Government Assurances.

MINUTES
FOURTH SITTING

(1978-79)

The Committee sat on Friday, the 29th September, 1978 from 11.00 hours to 12.50 hours.

PRESENT

CHAIRMAN

Shri Yagya Datt Sharma

MEMBERS

2. Shri Abdul Lateef
3. Shri A. Asokaraj
4. Shri Bhagat Ram
5. Shri Motibhai R. Chaudhary
6. Shri Ram Prasad Deshmukh
7. Shri Shridharrao Nathobaji Jawade
8. Shri Kanwar Mahmud Ali Khan
9. Shri M. S. Sanjeevi Rao

SECRETARIAT

Shri K. K. Saxena—*Chief Examiner of Questions*

Shri D. N. Gadhok—*Senior Examiner of Questions*

2. The Committee took up for consideration Memoranda Nos. 19, 20 and 21. Observations/recommendations of the Committee on these Memoranda are as under:

Request from the Government for dropping of an assurance given in reply to Unstarred Question No. 8292 on the 26th April, 1978 regarding earning of foreign exchange by export of defence goods.

MEMORANDUM NO. 19

3. The Committee took up for consideration Memorandum No. 19. The Ministry of Defence had requested through the Department of Parliamentary Affairs that the above assurance might be dropped.

The Ministry of Defence had stated that the question was reconsidered by them and it was "considered that if the information sought for is laid on the Table of the House, they are likely to severely compromise our security and foreign policy interests as they relate to foreign exchange earned by export of defence stores and foreign exchange incurred on import of defence stores." The Ministry also stated that their request for the deletion of assurance had the approval of the Minister of Defence.

After considering the reasons advanced by the Ministry of Defence, the Committee agreed to drop the assurance.

Time-limit for the supply of information promised by Ministers on Lok Sabha

MEMORANDUM NO. 20

4. The Committee took up for consideration Memorandum No. 20.

In his notice dated the 21st July, 1978 under Direction 115 of the Directions by the Speaker, Shri Hukam Chand Kachwai, M.P. had *inter alia* requested the Speaker to ensure that the information in regard to replies to Questions by the Members was laid on the Table by the Ministers within one month.

In this connection, the Committee noted that they had already fixed time-limit of three months for the implementation of assurance *vide* para 6 of their Seventh Report, Fourth Lok Sabha, presented to the House on the 13th December, 1969, in which they had *inter alia* observed:

"They are of the view that there is no case for raising the maximum time limit for implementation of an assurance from two to six months. They, however, agree that, considering the steep rise in the incidence of assurances, the time-limit of three months, as agreed to, on experimental basis, by the Committee on Government Assurances (1967-68), may finally be laid down for implementation of the assurances. The Committee feel that this period is more than adequate for implementing an assurance. If Government, however, foresaw any genuine difficulties in implementing assurances within the stipulated period of three months, such cases may be reported to the Committee for extension of the time-limit for implementing them."

The Committee also noted that the Ministries are unable to implement a number of assurances even within the prescribed period

of three months and had to seek a number of extensions for implementing them.

The Committee, therefore, decided not to reduce the time-limit for implementation of assurances from three months to one month.

The Committee further observed that in future when such a request was received from any Member of Lok Sabha, the Secretariat should draw the attention of the Member to the Committee's observations in that regard and inform him that the period of three months for the implementation of an assurance had been stipulated by the Committee. However, if the Member insisted and suggested that the time-limit should be reduced or enhanced, only then the matter might be placed before the Committee.

Review of pending assurances pertaining to Second Session of Sixth Lok Sabha.

MEMORANDUM NO. 21

5. The Committee then proceeded to consider Memorandum No. 21 (item Nos. 1 to 29) for the purpose of reviewing assurances pertaining to the Second Session of Sixth Lok Sabha (second batch) (details given in Annexure).

The Committee made the following observations/recommendations on 29 pending assurances.

Item 1 of the Annexure to Memorandum: The Committee noted that the assurance had been given on 23rd June, 1977. Neither the assurance had been fulfilled nor had any request for extension of time for the fulfilment of the assurance been received from the Ministry of Health and Family Welfare. It was only on the previous day (i.e. 28th September, 1978) that a communication was received from the Ministry requesting for extension of time for the fulfilment of the assurance.

The Committee decided that the Secretary, Ministry of Health and Family Welfare, should be asked to appear before them and explain why the assurance had not been fulfilled so far and why no timely request had been made to the Committee for extension of time.

So far as other items were concerned, the Committee decided to extend the time-limit for the fulfilment of the assurances upto 15th November, 1978 and hoped that all those assurances would be implemented within the extended period.

6. The Committee, however, took a serious view that Ministries had been repeatedly requesting for extension of time for implementation of assurances and in some cases as many as 7 extensions had been sought. The Committee felt that no serious effort was being made by the Ministries to fulfil the assurances within the extended periods. They, therefore, desired that a note should be prepared suggesting how the Committee could be made more effective and the Ministries could be made to implement the assurances within the stipulated period of three months or more where Ministries had genuine difficulties. The note, they desired, should be placed before them at their next sitting. After consideration and approval by them, the note might be placed by the Chairman before the Speaker.

7. The Committee decided to hold the next sitting ten days before the commencement of the next session.

8. The Committee then adjourned.

A N N E X U R E

As on 1st September, 1978

(Vide para 5 of Minutes dt. 29-9-1978)

Pending assurances pertaining to Second Session, 1977 of Sixth Lok Sabha

Sl. No.	Date and Reference	Text of the Question/Debate	Assurances given	Remarks
1	2	3	4	5

(Ministry of Health and Family Welfare)

1 USQ. No. 1551
dt. 29-6-77 by
Shri R.L.P. Verma.

(a) the number of family planning centres, State-wise, set up by the former Government throughout the country and the number of centres run in the buildings constructed by Government as also number of centres run in rented buildings and the monthly and annual expenditure incurred on these centres separately, during the last two years;

(a) the information is being collected and will be laid on the Table of the Sabha when received.

(b) whether Government propose to make changes for improving arrangements in these centres; and

(c) if so, the manner in which changes would be made?

2

3

4

5

2 USQ. No. 2735
dt. 7-7-77 by
Shri K. Pradhani.

(a) the number of candidates belonging to Scheduled Castes and Scheduled Tribes sent by Government to different countries on W.H.O. Fellowships and Commonwealth scholarships during the last two years;

(a) to (c) : The requisite information is being collected and will be laid down on the Table of the Sabha.

(b) the criteria adopted by Government for such a selection; and

(1) on 17-10-77 upto 30-11-77.
(2) on 5-1-78 upto 31-1-78.

(c) the names of candidates who were sent to foreign countries under the schemes and the names of the States from which they were selected and to which disciplines they belonged.

(3) on 25-2-78 upto 31-3-78
(4) on 19-4-78 upto 30-6-78
(5) on 19-7-78 upto 30-9-78

3 USQ. No. 3588
dt. 14-7-77 by
Shri Kanwar Lal
Gupta.

(a) the amount of expenditure incurred on sterilization in Delhi during the last two years.

(e) The information is being collected and will be laid on the Table of the Sabha when received.

(b) the heads under which this amount was spent and the amount spent under each head;

Request received from DAP for extension of time on 25-10-77 upto 14-12-77.

(c) the names of officers under whose orders Smt. Rukana Sultana and Smt. Radharaman and other Congress leaders were given money in connection with sterilization;

(d) whether Government would take any departmental action against those officers; and

(e) the reasons for not suspending so far by Government those officers who issued circulars regarding forced sterilization.

*Requests received from D.P.A. for extension of time

- 4 USQ No. 4269 dt. 21-7-77 by Shri G. V. Krishnan.
- (a) Whether Groundnut oil available through retailers has unpleasant taste and smell and apart from some stickiness due to long holding this smell is due to the mixture of castor oil which is cheaper than groundnut oil ;
- (b) whether Government realise that this adulteration enables the traders to increase their profits ; and
- (c) the steps Government propose to take to prevent adulteration which will soon spread to the rural areas particularly in the State of Karnataka?
- (d) whether there is a large variation in the rates paid to the blood donors per 300 cc bottle ;
- (e) if so, detailed rates prevalent in different States ;
- (c) the reason for such a large variation in the rates paid ; and
- (d) whether various malpractices in Blood Transfusion Centres have come to the notice of the Government and the action taken to ensure fair deal to blood donors.
- 5 USQ No. 4294 dt. 21-7-77 by Shri Vasant Sathc.
- (a) the number of Ayurvedic dispensaries throughout the country, State-wise, as also the locations thereof ;
- (b) whether Government are considering a proposal for opening Ayurvedic hospitals in small villages ; and
- (c) if so, the details thereof?
- 6 USQ No. 4355 dt. 21-7-77 by Shri Lalji Bhai.
- (a) to (c): The information is being collected and will be laid on the Table of the Sabha in due course.
- (a) to (c): The information is being collected and will be laid on the Table of the Sabha.
- (a) to (c): The information is being collected and will be laid on the Table of the Sabha.

Requests received from D.P.A. for extension of time.

(1) on 24-10-77 upto 31-12-77

(2) on 16-1-78 upto 28-2-78

(3) on 3-3-78 upto 31-3-78

(4) on 13-4-78 upto 30-4-78

(5) on 23-5-78 upto 30-6-78

(6) on 19-7-78 upto 31-8-78

Requests received from D.P.A. for extension of time.

(1) on 25-10-77 upto 20-12-77

(2) on 22-12-77 upto 20-3-78.

Requests received from D.P.A. for extension of time

(1) on 25-10-77 upto 21-1-78

(2) on 1-2-78 upto 21-4-78

(3) on 28-4-78 upto 22-6-78

(4) on 12-7-78 upto 23-9-78.

7. USQ No. 5229 dt. 28-7-77 by Shri Om Prakash Tyagi. The number of persons apprehended for manufacturing spurious drugs during the last three years and the number of persons out of them punished therefor. The information is being collected and will be laid on the Table of the Sabha. Requests received from DPA for extension of time (1) on 1-11-77 upto 31-1-78 (2) on 17-2-78 upto 1-5-78 (3) on 13-5-78 upto 1-9-78 (4) on 22-8-78 upto 1-12-78.
8. USQ. No. 5243 dt. 28-7-77 by Shri Shyamprasadna Bhattacharyya. (a) the number of vacancies in the State/Central Medical Services, State-wise and Union Territory-wise ; and (b) the number of posts likely to be created and the number of doctors required during the next 3 years. Partly implemented vide statement laid in Lok Sabha on the 17th Nov. 1977. Requests received from DPA for extension of time (1) on 7-12-77 upto 31-1-78 (2) on 1-2-78 upto 31-3-78 (3) on 26-4-78 upto 31-5-78 (4) on 21-6-78 upto 31-8-78.
9. USQ. No. 5271 dt. 28-7-77 by Shri Samrat Mukherjee. (a) the number of food adulterators 'life imprisoned' so far ; and (b) the nature and number of highest punishment given to the food adulterators ; State-wise. Requests received from DPA for extension of time (1) on 31-10-77 upto 31-1-78 (2) on 17-2-78 upto 31-3-78 (3) on 22-4-78 upto 31-5-78 (4) on 13-6-78 upto 31-7-78 (5) on 22-8-78 upto 30-9-78.
10. USQ. No. 6157 dt. 4-8-77 by Shri Surendra Bikram. (a) the number of registered Allopathic Ayurvedic, Homoeopathic, Unani, Mirani (Egyptian and Arabic) and Naturopathic doctors in the country as on 20th July, 1977 ; and (b) the number of registration agencies recognised by Government of India for various systems of medicine in the country and the locations thereof. Partly implemented vide statement laid in Lok Sabha on the 22nd December, 1977. Requests received from DPA for extension of time (1) on 17-2-78 upto 4-4-78 (2) on 23-5-78 upto 5-8-78 (3) on 22-8-78 upto 5-10-78.

Requests received from DPA for extension of time (1) on 14-11-77 upto 31-1-78 (2) on 17-2-78 upto 3-3-78 (3) on 23-5-78 upto 30-6-78 (4) on 19-7-78 upto 31-8-78 (5) on 23-9-78 upto 31-10-78.

(d) and (e) The information is being collected and will be laid on the Table of the Sabha.

(a) whether Coca Cola Company for their Grape Fanta particularly, were using unauthorised colouring material ;

(b) whether the erstwhile Government had been deliberately delaying their prosecution ;

(c) whether prosecution was launched finally and if so, its final outcome ;

(d) which are the other products like hydrogenated cooking oil (vanaspathi) butter and other items of daily use produce by some monopoly houses and multinational corporation, which have been found to be adulterated/sub-standard etc. ; and

(e) if so, how many prosecutions have been launched against such business firms during last five years ; and fullest details in connection with adulterated cases of such cases for the said period.

(MINISTRY OF HOME AFFAIRS)

Whether Government are aware that a very large number of employees of various grades of Central Government have exempted more than 20 years service in their grades.

Requests received from DPA for extension of time (1) on 4-10-66 upto 21-12-77 (2) on 28-12-77 upto 31-3-78. (3) on 13-4-78 upto 30-6-78. (4) on 7-7-78 upto 30-9-78.

Partly implemented *vide* statements laid in Lok Sabha on the 6th April and 31st April, 1978.

Requests received from DPA for extension of time. (1) On 19-10-77 upto 6-2-78 (2) On 15-5-78 upto 6-3-78 (3) On 24-5-78 upto 6-8-78. (4) On 22-8-78 upto 30-9-78.

(a) to (c) It was *Inter-dia* stated that specific information regarding political prisoners and members of the banned organisations is being collected and will be placed on the Table of the House in due course.

(a) whether all the cases in respect of political prisoners and prisoners of the banned organisations during emergency have been withdrawn from the courts;

(b) if not, the number of such cases which have not been withdrawn so far and also the details thereof State-wise; and

(c) the reasons thereof ?

12. USQ. No. 2146 dt. 29-6-77 by Shri Mohan Lal Pipil.

13. USQ. No. 2663 dt. 6-7-77 by Shri Bhanu Kumar Shaastri.

14. USQ. No. 2722 dt. 6-7-77 by Shri Kanwar Lal Gupta.

(a) how much amount was spent by each State Government, which was visited by the ex-Prime Minister, Smt. Indira Gandhi during the emergency period;

(b) whether large amount of money was spent by many State Governments for bringing the persons from different places to the meeting places to be addressed by Smt. Indira Gandhi;

(c) whether roads and helipads, gates, etc. were constructed by the State Government on her visit; and

(d) if so, the details thereof.

(a) to (d) In the statement laid on the Table of the House giving information in respect of the States of Manipur, Nagaland and Sikkim, it was stated that the information from other States was being collected and would be laid on the Table of the House.

Partly implemented *vide* Statement laid in Lok Sabha on the 6th April, 1978.

Requests received from DPA for extension of time. (1) On 17-10-77 upto 5-12-77. (2) On 12-12-77 upto 5-2-78. (3) On 17-2-78 upto 5-4-78. (4) On 18-4-78 upto 5-3-78. (5) On 23-5-78 upto 5-6-78. (6) On 17-6-78 upto 5-8-78. (7) On 23-8-78 upto 5-10-78.

15. USQ. No. 3444 dt. 13-7-77 by Shri Jyotirmoy Bose.

Cost of security whilst at Delhi and while on tour of the erstwhile Prime Minister, Shrimati Indira Gandhi and her son, Sanjay Gandhi (to be shown separately) for the last three years.

While laying the Statement on the Table of the House in respect of 19 States/Union Territories, it was stated that the information in respect of remaining States and Union Territories was being collected and would be laid on the Table of the House when received.

Partly implemented *vide* statement laid in Lok Sabha on the 11th May, 1978.

Requests received from DPA for extension of time.

(1) On 31-10-77 upto 19-12-77
(2) On 22-12-77 upto 14-2-78
(3) On 17-2-78 upto 14-3-78
(4) On 17-3-78 upto 14-4-78
(5) On 28-4-78 upto 14-5-78
(6) On 14-7-78 upto 14-8-78
(7) On 23-8-78 upto 14-10-78

Partly implemented *vide* statements laid in Lok Sabha on the 29th Feb. and 31st August, 1978.

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

(a) the number of those education and social welfare institutions functioning in the country which are run by foreign missionaries;

(b) the amount of grant given to these institutions by the Government of India during the last three years, year-wise.

16. USQ. No. 5028 dt. 27-7-78 by Shri Raghavji.

Requests received from D.P.A. for extension of time.

- (1) On 9-11-77 upto 31-1-78
- (2) On 21-2-78 upto 31-3-78
- (3) On 1-4-78 upto 30-6-78
- (4) On 18-7-78 upto 30-9-78.

Requests received from DPA for extension of time.

- (1) On 5-1-78 upto 27-1-78
- (2) On 17-6-78 upto 13-9-78.

(a) whether the States have utilised all the money earmarked by their State Plan and assistance provided by the Ministry under Sub-Plan for Tribals in the year 1976-77; and

(b) if so, the State-wise money released by the Ministry and the allocation made by the States.

17. USQ. No. 5032 dt. 27-7-77 by Shri Giridhar Gomango.

Requests received from DPA for extension of time.

- (1) On 7-12-77 upto 15-1-78
- (2) On 8-5-78 upto 30-6-78
- (3) On 13-7-78 upto 31-8-78.

(a) to (c). The required information is being collected from the State Governments and the Union Territory Administrations and will be laid on the Table of the House.

(a) how many Members of Parliament were kept under detention during the emergency, their names, duration of detention and places where they were kept under custody;

(b) the facilities provided to these prisoners in jails;

(c) the daily or monthly allowance provided to each of them;

(d) whether Government received any complaint from any one of them about maltreatment by police, while in prison and if so, the details thereof; and

(e) whether these Members of Parliament were allowed to receive their salaries from Parliament, while they were in detention.

18. USQ. No. 5112 dt. 27-7-77 by Shri C.K. Chandrapan.

19. USQ. No. 5924
dt. 3-8-77 by Shri
Bhagat Kam

(a) when his Ministry issued instructions that Statutory and Semi-Government bodies and Public Undertakings under Government of India should observe rules of reservation for Scheduled Castes and Scheduled Tribes in their services on the lines of the reservation in Central Government services;

(b) how many of the Statutory and Semi-Government bodies introduced the reservation within the first year, within the second year, within the third year, within the fourth year and within fifth year of those orders;

(c) how many Statutory and Semi-Government bodies the introduction of those orders beyond five years;

(d) whether any posts were lost the Scheduled Castes and Scheduled Tribes by the delay in the application of Government's orders; and

(e) if so, the steps Government propose to take to make good that loss.

(Ministry of Information and Broadcasting)

20. USQ. No. 1411
dt. 22-6-77 by Shri
Prasannbhai Mehta

(a) whether a Committee headed by Sh. A.K. Chanda, was appointed in 1977 to study the working of the various media units of the Ministry.
(b) if so, whether the present Government propose to implement its recommendations fully; and

(c) how many of its recommendations were accepted by the earlier Government and the steps being taken by the present Government to implement its recommendations immediately.

(a) to (c) Relevant information in this regard as also for the other parts of the Question is being collected from all the Ministries/Departments and Bureau of Public Enterprises, Ministry of Finance and will be laid on the Table of the House.

Partly implemented vide statement laid in Lok Sabha on the 23rd February, 1978.

Requests received from DPA for extension of time.

- (1) On 15-11-77 upto 3-2-78.
- (2) On 21-2-78 upto 3-5-78
- (3) On 6-6-78 upto 2-8-78
- (4) On 14-8-78 upto 2-11-78.

Requests received from DPA for extension of time.

- (1) On 25-10-77 upto 31-1-78
- (2) On 13-2-78 upto 30-4-78
- (3) On 29-6-78 upto 30-9-78.

(Ministry of Industry)

21. USQ No. 2115 dt. 29-6-77 by Shri D.B. Chandra Gowda. (a) whether Government have evolved any policy to reopen the sick mills in the country; (b) if so, the number of sick units not functioning in the States.

(b) The information is being collected and will be laid on the Table of the House.

(Ministry of Labour)

22. USQ No. 631 dt. 16-6-77 by Shri Shyam Prasad Bhatnagar.

Information is being collected and will be laid on the Table of the Sabha after it is received.

Requests for extension of time received from D.P.A. (1) on 6-10-77 upto 16-12-77 (2) on 14-1-78 upto 15-3-78 (3) on 23-4-78 upto 15-5-78 (4) on 2-6-78 upto 15-7-78 (5) on 19-7-78 upto 15-10-78.

BUDGET (GENERAL) DEMANDS FOR GRANTS—MINISTRY OF LABOUR.

During the course of discussion certain questions were raised about wage policy. The Minister *inter-alia* said, "A concerted policy in this regard (National Wage Policy) is being formulated and when it is ready it will certainly be placed before the House".

Request for dropping of an assurance was considered by the Committee at their sitting held on the 30th May, 1978. The Committee did not agree to drop the assurance and desired how much time they would require to formulate National Wage Policy.

23. 12-7-1977

Requests received from D.P.A. for extension of time (1) on 13-4-78 upto 30-6-78 (2) on 21-7-78 upto 30-9-78 (this case has been dealt with in the Third Report of the Committee).

(a) the number of (1) large, (2) medium and (3) small industrial establishments closed down during the period June 25, 1975 to March, 1977 State-wise;

(a) to (c): The required information is being collected and will be placed on the Table of the Sabha in due course.

(b) the total number of workers laid off/retrenched as a result of these closures;

Partly implemented *vide* statements laid in Lok Sabha on 11-5-78. (1) on 25-10-77 upto 13-12-77 (2) on 12-1-78 upto 13-12-78 (3) on 20-5-78 upto 13-7-78 (4) on 4-9-78 upto 15-10-78.

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Requests received from DPA for extension of time.

24. USQ No. 3541 dt. 14-7-77 by Shri Jyotirmoy Bose.

(c) factors responsible for these closures;

(d) the number of establishments—small, medium and large, reopened upto-date; and

(c) the steps being taken to get all the establishments reopened.

(MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS—DEPARTMENT OF COMPANY AFFAIRS)

25. USQ. No. 342 dt. 14-6-77 by Shri R. K. Maalgi

(a) whether a number of companies registered under the Companies Act have paid lot of money for advertisements in the Souvenir of All-India Congress Party before the General Elections of 1977;

(b) if so, the number of such companies and the amount of money involved;

(c) how many companies out of them have actually got their advertisements printed in the souvenir;

(d) whether all these companies received the receipts of the amount paid; and

(e) if not, the reasons therefor.

(a) & (b). The particulars are being collected.
 Requests received for extension of time from D.P.A. (1) on 29-10-77 upto 20-12-77 (2) on 30-12-77 upto 20-3-78 (3) on 1-4-78 upto 20-6-78 (4) on 17-6-78 upto 20-9-78.

(c) to (e): These particulars would have to be collected.

25. USQ. No. 255, dt. 28-6-77 by Shri Kanwar Lal Gupta

(a) whether the same committed lawyers who used to represent erstwhile Government are still representing the Central Government and Union territories before courts;

(b) if so, why have they not been changed so far;

(c) the names of the lawyers who have been representing the Central Government and Union territories before different courts; and

and (b) Information in respect of the Union Territories is being collected and will be laid on the Table of the House.
 Requests for extension of time received from D.P.A. (1) on 4-10-77 upto 28-3-78 (2) On 29-3-78 upto 28-9-78.

(c) the information in respect of Union territories is being collected and will be laid on the Table of the House.

- (d) the amount of fees given to each of them by Government during the last three years.
- The Minister said, "there are a very large number of licences, as I said, several thousands, and therefore, those details of foreign exchange allocation in respect of each individual and other things are not available with me at the moment."
- The Speaker directed the Minister to give the information to the Member on his suggestion for laying the information on the Table.
- The Speaker again observed that the Minister might give this information to the Member.
- (a) and (b) : The information is being collected and will be laid on the Table of the House.
- (a) Presently legal aid has been provided by the Code of Criminal Procedure, 1973 in trials before the Courts of Session for accused persons not having sufficient means to engage a lawyer indicating the details thereof ; and
- (b) the number of poor people given legal aid State-wise since the enactment of law for providing legal aid to poor ; and
- (c) by when would Government change these Advocates.
- (a) the nature of legal aid provided now to the poor ;
- (b) the names of the advocates to whom Government paid the sum of Rs. 1 lakh or more as fee during the last three years ;
- (b) the total amount of money paid to each lawyer indicating the details thereof ; and
- (c) by when would Government change these Advocates.
- (a) the nature of legal aid provided now to the poor ;
- (b) the number of poor people given legal aid State-wise since the enactment of law for providing legal aid to poor ; and
- (c) by when would Government change these Advocates.
- (a) Presently legal aid has been provided by the Code of Criminal Procedure, 1973 in trials before the Courts of Session for accused persons not having sufficient means to engage a lawyer means to engage a

Requests for extension of time received from D. P. A.
 (1) on 25-10-77 upto 19-4-78
 (2) on 28-4-78 upto 19-8-78
 (3) on 23-8-78 upto 19-11-78.

Requests for extension of time received from D.P.A.
 (1) on 13-10-77 upto 19-4-78
 (2) on 28-4-78 upto 19-10-78.

Partly implemented *vide* statements laid in Lok Sabha on 22-12-77, 23-2-78 and 11-5-78.
 Requests received from DPA for extension of time
 (1) on 17-2-78 upto 26-4-78.

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(c) the number of poor people whose cases are in progress at present State-wise.

Pleader. Similarly, provision has been made in Sections 7 (2) (b) and 6 (2) (b) of the Advocates Act, 1961 enabling the Bar Council of India and the State Bar Councils to tender legal aid to the poor. Order XXXIII of the Code of Civil Procedure 1908 has been amended to enable the Courts to assign a pleader to an indigent person if the circumstances so require. Certain State Governments have formulated Schemes for legal aid to the poor. The details are being ascertained.

(a) on 8-5-78 upto 26-7-78.

MINUTES
FIFTH SITTING
(1978-79)

The Committee sat on Thursday, the 9th November, 1978 from 11.00 hours to 12.20 hours.

PRESENT

Shri Abdul Lateef—*In the Chair.*

MEMBERS

2. Shri A. Asokaraj
3. Shri Bhagat Ram
4. Shri Motibhai R. Chaudhary
5. Shri Dajiba Desai
6. Shri L. K. Doley
7. Shri Harikesh Bahadur
8. Shri Shridharrao Nathobaji Jawade

SECRETARIAT

Shri K. D. Chatterjee—*Chief Examiner of Questions.*
Shri D. N. Gadhok—*Senior Examiner of Questions.*

WITNESSES EXAMINED

Smt. Sarla Grewal—*Additional Secretary (Family Welfare)*
Ministry of Health and Family Welfare.

Shri N. N. Vohra—*Joint Secretary, Ministry of Health and*
Family Welfare.

2. In the absence of the Chairman, the Committee chose Shri Abdul Lateef to act as the Chairman for the sitting under Rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee took evidence of the representatives of the Ministry of Health and Family Welfare in regard to the delay in implementation of the following 11 assurances:

- (i) Assurances given in reply to USQ. No. 1551 on the 23rd June, 1977 regarding family planning centres:

- (ii) USQ. No. 2786 on 7-7-77 regarding sending of Scheduled Caste and Scheduled Tribe candidates to foreign countries for fellowships and scholarships;
- (iii) USQ. No. 3588 on 14-7-77 regarding expenditure on sterilisation in Delhi;
- (iv) USQ. No. 4269 on 21-7-77 regarding a adulteration in ground-nut oil;
- (v) USQ. No. 4294 on 21-7-77 regarding payment to blood donors;
- (vi) USQ. No. 4355 on 21-7-77 regarding opening of Ayurvedic hospital in villages;
- (vii) USQ. No. 5229 on 28-7-77 regarding persons punished for spurious drugs;
- (viii) USQ. No. 5243 on 28-7-77 regarding vacancies in medical services;
- (ix) USQ. No. 5271 on 28-7-77 regarding punishment to food adulterators;
- (x) USQ. No. 6157 on 4-8-77 regarding number of registered practitioners and registration agencies; and
- (xi) USQ. No. 6285 on 4-8-77 regarding unauthorised use of colouring material in grape fanta.

4. At the outset, the Additional Secretary, Ministry of Health and Family Welfare while explaining the reasons for delay in the implementation of the assurance given in reply to USQ. No. 1551 on the 23rd June, 1977 regarding family planning centres stated as follows:

"First I would like to draw your kind attention Assurance No. 1551, We have given a statement on this, but I would like to humbly submit that there has been a lapse on our side. In fact, we could have given full information barring information received from Andhra Pradesh and Bihar right in July, 1977. Last year, there had been a lot of work, as you know, relating to the family planning programme. As we had to deal with many complaints from the public relating to the sterilisation programme during the emergency period, this file got misplaced. We were not in position to send the reply. Then the reminder came from the Department of Parliamentary Affairs. Without offering any further explanation, I would only request you to kindly condone it. This is the first time that we have made this mistake. We had never made this mistake in the past and it shall not happen in future. All the information which is required to answer the assurances in this case has been now

furnished. Even in respect of Bihar and Andhra Pradesh, the information has come and we have submitted it to the Department of Parliamentary Affairs. I would seek your indulgence for closing this matter if you kindly agree. It is only in September, 1978 that we came to know that this was misplaced. It has escaped the attention of the person who was handling it. We have asked for his explanation. He is a very vigilant officer. This file got mixed up and he lost complete track; he forgot about it. It was only when the notice came that we tried to trace the file."

5. The Committee enquired whether it was a fact that due to misplacement of file the assurance could not be fulfilled. The Additional Secretary of the Ministry stated as under:

"Whatever you are stating is quite correct. We have to fulfil an assurance within three months. There has been a lapse in this. This has occurred when all information excluding Bihar and Andhra Pradesh had been received till 19th July, 1977. If this file had not been misplaced we would have sent the reply much earlier."

6. When asked whether there was any other officer responsible for giving replies, for fulfilling the assurances, etc., the Additional Secretary of the Ministry stated:

"The procedure in our department is this. There are deputy secretaries, joint secretaries, under secretaries, in charge of different subjects. The subject matter related to our plan-budget section. The research officer of that division was looking after this assurance."

7. In reply to a query whether there was any special officer for attending to the Parliamentary work, the witness stated that there was a cell in the combined Ministry of Health and Family Welfare but unfortunately even from the cell they did not get any reminder.

8. When asked further whether the cell had a continuous record of assurances given, the representative of the Ministry stated that that assurance was not got listed in the record.

9. The Committee enquired whether any person had been taken to task for misplacing the file and the responsibility fixed for the negligence. The representative of the Ministry stated as under:

"Research Officer, Class I gazetted. We are issuing him a warning. For the first time this was happened and I assure you that we will not give any occasion for this in future. That Officer has

been working for the last 8-9 years, nothing like this has happened."

10. The Committee pointed out that there were 11 assurances, and these were pending for more than 12 to 15 months and the Ministry had not cared to ask for extension of time also. In reply, the representative of the Ministry stated:

"We have a list of other 10 assurances to which perhaps you are referring. In this connection I would submit that we have in all these cases sought time for extension."

11. The Committee desired the representative of the Ministry to explain the position in respect of each assurance one by one. In reply the representative stated that assurance in regard to USQ No. 2786 dated the 7th July, 1967 regarding sending of Scheduled Castes and Scheduled Tribe candidates to foreign countries for fellowships and scholarships had been partially fulfilled.

12. When the Committee enquired why was extension of time not sought before the expiry of the period. The Ministry's representative stated:

"If negligence has been shown in 10 cases at a time it is a mistake. I can cite individual cases in which there has been delay for 2 to 3 days or for a week."

13. The Committee asked whether the Ministry were aware of the fact that the information should be furnished to the Committee within 3 months, and what were the reasons for asking a number of extensions even after a lapse of a period of 6 to 8 months. The witness stated:

"Since our assurances are over one year old, we have sought for extension on several occasions. Perhaps, on one occasion we might have gone wrong."

14. The Chairman pointed out that the extension in regard to Question No. 2786 was sought upto 30th September, 1978. Further extension should have been sought much earlier and reasons therefor should have also been given. But the request for further extension of time was made only after the issuance of notice by the Secretariat on 7th November, 1977. Moreover, the reasons for asking extension had not been stated.

15. The Chairman further pointed out that the extension regarding Question No. 3588 dated the 14th July, 1977 regarding expenditure on sterilisation in Delhi was given upto 14th December, 1977. Several months had passed but no request for further extension had so far been made by the Ministry. The Committee also pointed out that the matter related to the local Delhi authorities. In reply, the Additional Secretary of the

Ministry stated that the Ministry had been reminding for that regularly, and an extension was sought on 13-10-1977.

16. The Committee pointed out that it took 10 months for receiving a reply. Some officer should have been deputed to ascertain the position. The Committee enquired whether Joint Secretaries, Deputy Secretaries checked that the job was being done properly. The Joint Secretary of the Ministry stated as under:

“We have gone wrong a little.

On every fortnight, we procure reports from all sections of the Ministry indicating full details of the pending assurances, the up-to-date position of the assurance-whether reply has been submitted to the Department, whether any confirmation has come etc. Then we prepare section-wise list of pending assurances and we circulate it to all in the Ministry.”

17. The Committee enquired whether Secretary or Joint-Secretary of the Ministry checked up at any time if any assurance was pending. The Joint Secretary of the Ministry informed that every six weeks every Joint Secretary had a review meeting of his own branches.

18. The Chairman drew the attention to para 50 of the Eleventh Report of the Committee of Fifth Lok Sabha, wherein it had been recommended that each Ministry or Department should set up a cell, if it was not already there, under the charge of a responsible officer to coordinate the work relating to assurances and asked whether such a cell had been set up. In reply, the representative of the Ministry stated:

“That is the correct position, Sir. This is also the guideline followed in our Ministry. I am not trying to explain away our default but if you kindly see the files relating to the pending assurances, you will notice that 14 or 15 D.O. letters in each case have been written by the Under Secretary, Deputy Secretary, Joint Secretary, Secretary and some times even the Minister.”

19. The Committee pointed out that the subject matter of the question related to Delhi Administration and the information could be supplied within 15 days, the Additional Secretary of the Ministry stated:

“This is in relation to Delhi and we should have been able to get it. But all these questions related to matter which were being enquired into by the Shah Commission and the Delhi Administration was not able to give us a reply.”

20. Asked to explain the reasons for not applying for extension of time before the expiry of the period for fulfilment of the assurance and for

not implementing partially the assurance given in reply to USQ. No. 4294 on the 21st July, 1977, regarding payment to blood donors, the Joint Secretary of the Ministry stated that the Ministry had already applied for further extension of time for fulfilment of the assurance.

21. The Committee enquired the names of the States who had not sent the information in respect of the assurance given in reply to USQ No. 4355 on the 21st July, 1977 regarding opening of Ayurvedic hospital in villages and the reasons for not implementing the assurance partially, the representative of the Ministry stated:

“All have sent replies except Assam, West Bengal and Lakshdweep, We will compile the information and effect partial implementation. We have issued 10-11 reminders to those which have not sent reply so far.”

22. Asked to explain the position of the assurance given reply to USQ. No. 5229 on the 28th July 1977 regarding persons punished for spurious drugs, the representative of the Ministry stated that replies had been received from all the States except from Uttar Pradesh who had been reminded.

23. Explaining the reason for delay in regard to the assurance given in reply to SUQ. No. 5243 on the 28th July, 1977 regarding vacancies in medical services, the representative of the Ministry stated that in order to expedite the reply, D.O. letters were sent to Chief Minister, Minister and Chief Secretary and a period of 1 1/4 years had elapsed.

24. When pointed out by the Committee that the progress was very slow in regard to implementation of the assurance given in reply to USQ. No. 6285 on the 4th August, 1977 regarding unauthorised use of colouring material in grape Fanta, the representative of the Ministry stated:

“We have written 10 D.O. letters. Replies from two States have not been received. The replies from the rest have been received.”

25. The Chairman told the Ministry's representatives that as the Committee was not satisfied with the replies given by them, the Committee's Secretariat would be writing to them for additional information which should be furnished in time for Committee's information and use. The Ministry's representatives promised to do so.

(Witnesses then withdrew).

The Committee then adjourned.

MINUTES
SIXTH SITTING
(1978-79)

The Committee sat on Wednesday, the 24th January, 1979 from 15.00 hours to 15.30 hours.

PRESENT

Shri Yagya Datt Sharma—*Chairman*

MEMBERS

2. Shri Abdul Lateef
3. Shri Bhagat Ram
4. Shri Ram Prasad Deshmukh
5. Shri L. K. Doley
6. Shri Harikesh Bahadur
7. Shri Shridharrao Nathobaji Jawade
8. Shri Kanwar Mahmud Ali Khan
9. Shri G. Narsimha Reddy

SECRETARIAT

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

2. The Committee considered their draft Fourth Report and adopted the same.

3. The Committee authorized the Chairman, and in his absence, Shri Abdul Lateef, M.P. to present the Report during the next Session of Lok Sabha.

4. The Committee then took up for consideration Memorandum No. 22 regarding request from Government for the deletion of an assurance given during the discussion on the Calling Attention Notice on the 24th April, 1978 regarding the train accident near Bombay on the 18th April, 1978.

5. The Ministry of Railways had represented through the Department of Parliamentary affairs that under the Commission of Enquiry Act, 1962 the report submitted by the Accidents Enquiry Committee was required to be placed on the Table of the House. As it was a statutory obligation

on the part of Government to lay the Report, the obligation might not be insisted upon to be implemented in the form of an assurance. The item would also pend for a long time in view of the fact that the term within which the Committee was expected to submit its report had been extended. The Ministry, therefore, had requested for the deletion of the assurance.

6. After considering the reasons advanced by the Ministry of Railways, the Committee agreed to drop the assurance.

7. The Committee then adjourned to sit again at 11.00 hours on Thursday, the 25th January, 1979.

APPENDIX

(Vide para 32 of the Report)

Statement showing the position of assurances of Fourth Lok Sabha as on the 22nd December, 1978

Session	No. of pending assurances pertaining to *Fourth Lok Sabha selected by the Committee (5th Lok Sabha) for being pursued further as on 22nd December, 1978	No. of assurances implemented/dropped up to 21-12-78	No. of assurances outstanding
Eighth Session 1979	1	Nil	1**

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

**Ministry of Law.

(ii) Statement showing the position of assurances of Fifth Lok Sabha as on the 22nd December, 1978.

Session	No. of assurances called out	No. of assurances implemented/dropped	No. of assurances outstanding	Ministry/Department concerned
First Session, 1971 . . .	42	42	Nil	
Second Session, 1971 . . .	1007	1006	1	Ministry of Law, Justice & Company Affairs.
Third Session, 1971 . . .	347	346	1	Ministry of Labour
Fourth Session, 1972 . . .	831	831	Nil	
Fifth Session, 1972 . . .	351	351	Nil	
Sixth Session, 1972 . . .	398	398	Nil	
Seventh Session, 1973 . . .	847	847	Nil	
Eighth Session, 1973 . . .	426	426	Nil	
Ninth Session, 1973 . . .	490	490	Nil	
Tenth Session, 1974 . . .	865	865	Nil	
Eleventh Session, 1974 . . .	362	362	Nil	
Twelfth Session, 1974 . . .	562	562	Nil	
Thirteenth Session, 1975 . . .	898	898	Nil	
Fourteenth Session, 1975 . . .	Nil	Nil	Nil	
Fifteenth Session, 1976 . . .	105	105	Nil	
Sixteenth Session, 1976 . . .	292	289	3	Ministries of Agriculture & Irrigation, Commerce & Civil Supplies and Cooperation and Petroleum & Chemicals and Fertilizers.
Seventeenth Session, 1976 . . .	115	114	1	Ministry of Agriculture & Irrigation.
Eighteenth Session, 1976 . . .	1	1	Nil	
	7939	7933	6	

(iii) Statement showing the position of assurances of Sixth Lok Sabha as on the 22nd December, 1978.

Session	No. of assurances called out	No. of assurances implemented/dropped	No. of assurances out-standing
First Session, 1977	21	20	1
Second Session, 1977	497	459	38
Third Session, 1977	377	348	29
Fourth Session, 1978	899	673	226
Fifth Session, 1978	433	231	202
TOTAL :	2227	1731	496

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

(ii) Ministry-wise details of outstanding assurances of Sixth Lok Sabha

Ministry/Department	Sessions of Fifth Lok Sabha				Total	
	First	Second	Third	Fourth	Fifth	
Agriculture & Irrigation		3	1	18	15	37
Commerce, Civil Supp. & Coop.				5	4	9
Communications		1	2	5	8	16
Defence				2	2	4
Education, S. W. & Culture		1	3	7	15	26
External Affairs					3	3
Finance		4	6	57	31	98
Health & Family Welfare		5	13	15	20	43
Home Affairs	1	4	1	20	12	38
Industry				7	10	17
Information & Broadcasting				4	6	10
Energy		2	1	6	5	14
Labour		2	1	9	8	20
Law, Justice & Co. Affairs		3	1	13	4	21
Petroleum & Chem. & Fertza.		3	5	17	10	44
Planning		1	1	2	1	5
Railways		2	2	26	11	41
Shipping & Transport				1	1	2
Steel & Mines		1		4	3	8
Tourism & Civil Aviation		4		5	1	10
Works & Housing & Supply & Reh.		2	2	3	18	25
Atomic Energy						
Electronics					3	3
Science & Technology					2	2
TOTAL :	1	38	29	226	202	496

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