

**COMMITTEE ON PAPERS LAID ON THE TABLE
(2019-2020)**

SEVENTEENTH LOK SABHA

17

SEVENTEENTH REPORT

[Action Taken by Government to the Recommendations/Observations made by the Committee in their Forty Fourth Report (Sixteenth Lok Sabha)] on delay in laying of the Annual Reports of the National Commission for Safai Karamcharis , New Delhi

(Presented on 20.03.2020)



सत्यमेव जयते

LOK SABHA SECRETARIAT

NEW DELHI

March , 2020 / Phalguna,1941(Saka)

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COMPOSITION OF COMMITTEE ON PAPERS LAID ON THE TABLE
(2019-2020)

Shri Shyam Singh Yadav - **Chairperson**

MEMBERS

2. Shri Shafiqur Rahman Barq
3. Shri Margani Bharat
4. Dr. A. Chellakumar
5. Shri Pallab Lochan Das
6. Shri Chowdhury Mohan Jatua
7. Choudhary Mehboob Ali Kaiser
8. Dr. Amol Ramsing Kolhe
9. Shri Raja Amareshwara Naik
10. Shri Jamyang Tsering Namgyal
11. Smt. Aparupa Poddar
12. Shri T.N. Prathapan
13. Shri S. Ramalingam
14. Shri Saptagiri Ulaka
15. Shri Ashok Kumar Yadav

SECRETARIAT

1. Shri B. Srinivasa Prabhu - Joint Secretary
2. Shri Kushal Sarkar - Director
3. Shri Munish Kumar Rewari - Additional Director
4. Smt. Rajni Bhagat - Committee Officer

INTRODUCTION

I, the Chairperson of the Committee on Papers Laid on the Table, having been authorized by the Committee to present the Report on their behalf, present this Seventeenth Report on the Action Taken by Government on the Recommendations/Observations contained in the Forty Fourth Report (Sixteenth Lok Sabha) of the Committee.

2. The Committee considered and adopted this Report at their sitting held on 04 March, 2020.
3. For facility of reference, observations/recommendations of the Committee have been printed in bold type in the body of the Report.

NEW DELHI
March, 2020
Phalguna, 1941 (Saka)

Shyam Singh Yadav
Chairperson
Committee on Papers Laid on the Table

REPORT

This Report of the Committee deals with the Action Taken by the Government on the Recommendations/Observations made in their Forty Fourth Report (16th Lok Sabha) on delay in laying of the Annual Reports National Commission for Safai Karamcharis, New Delhi which was presented to Lok Sabha on 12 February, 2019.

2. The Action Taken replies have since been received from the Government in respect of all the Recommendations/Observations contained in the aforesaid Report. Accordingly, the Statement showing the action taken by the Government on the Recommendations/Observations contained in the Forty Fourth Report (16th Lok Sabha) is given in Appendix.

3. **The Committee in their Forty Fourth Report noted that the National Commission for Safai Karamcharis was established in the year 1993 under erstwhile NCSK Act 1993 as Statutory Body. After February, 2004, it has been working as non Statutory Body. The Commission is being funded from the Government of India through the Ministry of Social Justice and Empowerment. Therefore, it is the responsibility of the Ministry to lay the Annual Reports and Audited Accounts on the Table of the House. However, the Ministry had taken a casual approach in respect of laying of the Annual Reports of the Commission. The Annual Report of the Commission for the year 2000-2001 has not been laid by the Ministry stating that during the period from April 2000 to January, 2001, the Commission was not in existence. Later on, the Annual Report of the Commission for the years 2001-2002 and 2002-2003 were laid with delays of 10 years. The Annual Report of the commission for succeeding years were also not laid till the matter was taken by the Committee with the representatives of the Ministry at the sitting of the Committee held on 19.05.2016. The Committee also noted that the Audited Accounts of the Commission have not been laid by the Ministry since its inception. The Ministry, therefore, recommended that pending Reports of the Commission should be laid at the earliest. The Committee also desired to know the reason for not laying of the Audited Accounts of the Commission.**

4. While examining the Action Taken Replies furnished by the Ministry the Committee observed instead of laying of the Annual Report of the Commission for the year 2000-2001, the Ministry in their replies has reiterated that due to non -constitution of the Commission for the period, the Report of the Commission could not be laid. The Committee are of the considered view that though the Commission was not in existence during the period, however, the Ministry had to lay a statement showing the reasons for not laying of the Annual Report as has been done in the case of the year 2016-2017. More over 10 years delay in laying of the documents of the Commission for the years 2001-2002 and 2002-03, attributed to obtaining of the Action Taken Replies to the recommendations contained in the Annual Report of the Commission as the Annual Reports are to be laid in the Parliament along-with the Memorandum of Action Taken in respect of the recommendations contained in the Reports, could not be justified on any ground. Further the Annual Reports of the Commission for the years 2017-2018 were laid on 16.07.2019 and 2018-2019 have not been laid as yet. The Committee are disappointed to note that instead of regretting for delay, the Ministry in their written replies submitted before the Committee that no time limit for laying of the papers of the Commission has been incorporated in the erstwhile NCSK Act, 1993.

5. The Committee was also apprised that after becoming statutory body, the Commission was under impression that the Annual Reports of the Commission were not required to be laid. It was also informed to the Committee that resolutions by which the NCSK is being governed do not stipulate such requirement. The matter came up in meeting of the Committee on 19.05.2015. After that the Ministry has started to lay the Annual Reports of the Commission for succeeding years. The Committee are dismayed to point out that if the Ministry themselves show such an apathy and indifferent attitude to the importance of timely laying of the documents, no better

**The Annual Report and Audited Accounts of the NCSK for the year 2018-19 have been laid on 17.03.2020.*

results can be expected from the organizations and bodies which look up to the Ministry for guidance. The Committee, therefore, strongly recommend that a provision for laying of the Annual Report within six months from the closure of respective Accounting year be incorporated in the Resolution/Rules by which the Commission is being governed so that the Annual Reports of the Commission should be laid within stipulated time in future.

6. The Committee further note that the Commission is receiving funds only for the administrative purposes and running the office of the Commission for which regular audit have taken place in this Commission from time to time which was done by the Comptroller and Auditor General, as well as internal Audit Wing of PAO, social Justice and Empowerment. From the Action Taken Replies furnished by the Ministry, it is not clear as to whether the Audited Accounts of the Commission are included in the Annual Report of the Ministry. The Committee, therefore, desire that the Audited Accounts of the Commission may be laid either separately or incorporated in the Annual Report of the Ministry. The Committee would like to be apprised of the action taken by the Ministry to the recommendations made by the Committee in this regard.

March, 2020
Phalgun, 1941(Saka)

Shyam Singh Yadav
Chairperson,
Committee on Papers Laid on the Table

**STATEMENT SHOWING ACTION TAKEN BY GOVERNMENT ON THE
RECOMMENDATIONS/OBSERVATIONS OF THE COMMITTEE CONTAINED IN THEIR
FORTY FOURTH REORT (16TH LOK SABHA)**

Recommendation No. 11

The Committee note that the National Commission for Safai Karamcharis have not been following the stipulated requirements of laying its Annual Reports and the Action Taken Memorandum on the Table of the House regularly. Till the date of oral evidence, *i.e.* 19.05.2015, the Annual Reports of the Commission for the year 2000-2001 and from 2004-2005 to 2013-2014 were not laid. Annual Reports for the remaining years were laid with excessive delays from 11 months to 10 years.

Reply of the Government

The Annual Report for 2000-2001 were not prepared due to non-constitution of the Commission during April 2000 to January 2001.

In accordance with section 12(1) of the erstwhile NCSK Act, 1993 its report was required to be laid before Parliament along with the action taken or proposed to be taken on recommendation contained therein. Section 12(1) did not, however, stipulate a time limit for this purpose, Annual Report for 2001-2002 was laid on 17.12.2012. It was delayed due to late receiving of action taken report on recommendations of NCSK from different Ministries/Departments.

The preparation of Annual Report for 2002-03 started in May, 2003. However due to delay in receipt of required information from all members and chairman in the NCSK, the draft report was finalized by NCSK only during January, 2004, The Chairperson made some changes in the Report after its finalization. Carrying out these changes in the final report took some time, hence the delay.

As explained above initially the National commission for Safai Karmcharis (NCSK) was set up as per provision under Section 3 of the National Commission for Safai Karamcharis Act, 1993. The said Act was extended from time to time and was last extended up to 29 February, 2004. Thereafter, as per Resolution dated 24.02.2004 though the continuation of the National Commission for Safai Karamcharis was felt necessary, as the Parliament had been dissolved, it was not possible to amend the National Commission for Safai Karamcharis Act, 1993 to enable the Commission to function after 29.02.2004. Therefore, it was resolved to continue the National Commission for Safai Karamcharis for a

period of six months beyond 29.02.2004 to 31.08.2004. Due to this extension it was decided to treat the period of Report from 01.03.2004 to 31.08.2004, i.e. (2004-2005) as a supplementary to the report. The activities of the commission during the period from 01.09.2004 to 31.03.2005 were included in Annual Report for the year 2005-2006. Hence separate report for the year 2004-2005 was not prepared.

In connection with delay in submission of Annual Report of remaining years, it is submitted that since the National Commission for Safai Karamcharis(NCSK) ceased to be governed under the NCSK Act 1993, after February 2004, the term of the National Commission for Safai Karamcharis was extended vide resolution dated 09.09.2004 for a period from 01.09.2004 to 31.12.2007. It became a non-statutory body and it was general impression that the ARs of the Commission were not required to be laid in the Parliament. Moreover, the resolutions by which the NCSK is being governed after February 2004 extending the term of the NCSK also do not stipulate such requirement. The matter came up in meeting of the Committee on Papers Laid on the Table on 19.05.2015, it has been decided to lay the remaining ARs and ATR thereon in the Parliament. Thereafter combined Annual Report for the years 2005-06 and 2006-07 was prepared. As decided, Annual Report for the years 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013 and 2013-2014 were laid together in both the Houses on 31.07.2015. The delay from 11 months to 10 years is regretted.

(Ministry of Social Justice and Empowerment No. 17015/2/2019-RIC, dated, the 2nd May, 2019)

Recommendation No. 12

The Committee was apprised that Annual Report of the Commission for the year 2000-2001 could not be laid due to non-constitution of the Commission during April 2000 to January 2001 and that it would be difficult to prepare the Annual Report at this stage.

Reply of the Government

The reasons for not laying the report of Commission are already apprised to the Committee.

(Ministry of Social Justice and Empowerment No. 17015/2/2019-RIC, dated, the 2nd May, 2019)

Recommendation No. 13

Further, delay of 10 years in the Annual Report of the Commission for the year 2001-2002 was stated to be due to delay in obtaining of the Action Taken Replies on the recommendations contained in the Annual Report of the Commission. The reasons for delay in respect of the succeeding years have not been furnished by the Ministry/Commission.

Reply of the Government

In connection with delay in submission of Annual Report in respect of the succeeding years after 2001-2002, it is submitted that since the National Commission for Safai Karamcharis (NCSK) ceases to be governed under the NCSK Act 1993, after February 2004. The term of the National Commission for Safai Karamcharis was extended vide resolution dated 09.09.2004 for a period from 01.09.2004 to 31.12.2007. It become a non-statutory body and it was general impression that the ARs of the Commission were not required to be laid in the Parliament. Moreover, the resolutions by which the NCSK is being governed after February 2004 extending the term of the NCSK also do not stipulate such requirement. The matter came up in meeting of the Committee on Papers Laid on the Table on 19.05.2015, it has been decided to lay the remaining ARs and ATR thereon in the Parliament. Thereafter combined Annual Reports for the years 2005-06 and 2006-07 was prepared. As decided, Annual Reports for the years 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013 and 2013-2014 were laid together in both the Houses on 31.07.2015. The delay from 11 months to 10 years is regretted.

(Ministry of Social Justice and Empowerment No. 17015/2/2019-RIC, dated, the 2nd May, 2019)

Recommendation No. 14

The Committee note that after the evidence of the Ministry taken by the Committee on 19.05.2015, within a period of 02 months 12 days, pending Annual Reports for 09 years (2005-2006 to 2013-14) were laid on 31.07.2015 and also that the Annual Report for the year 2014-2015 was laid timely, *i.e.* on 22.12.2015. However, the Reports for the years 2000-2001 and 2004-2005 still remain pending. The Committee have also not been apprised whether the Ministry has enquired into the matter as assured during the oral evidence referred to in para 7 of the Report as to why these Reports were not submitted.

Reply of the Government

The Annual Report for 2000-2001 were not prepared due to non-constitution of the Commission during April 2000 to January 2001.

As explained above initially the National Commission for Safai Karamcharis (NCSK) was set up as per provision under Section 3 of the National Commission for Safai Karamcharis Act, 1993. The said Act was extended from time to time and was last extended up to 29 February 2004. Thereafter, as per Resolution dated 24.02.2004 though the continuation of the National Commission for Safai Karamcharis was felt necessary, as the Parliament had been dissolved, it was not possible to amend the National

Commission for Safai Karamcharis Act, 1993 to enable the Commission to function after 29.02.2004. Therefore, it was resolved to continue the National Commission for Safai Karamcharis for a period of six months beyond 29.02.2004 to 31.08.2004. Due to this extension it was decided to treat the period of Report from 01.03.2004 to 31.08.2004, i.e. (2004-2005) as a supplementary to the report. The activities of the commission during the period from 01.09.2004 to 31.03.2005 were included in Annual Report for the year 2005-2006. Hence, separate report for the year 2004-2005 was not prepared.

(Ministry of Social Justice and Empowerment No. 17015/2/2019-RIC, dated, the 2nd May, 2019)

Recommendation No. 15

The Committee direct the Ministry of Social Justice and Empowerment to ensure laying of all the pending Annual Reports of the Commission without further delay. The Committee also desire to know the reasons as to why the Accounts are not being laid on the Table of the House since its inception and the remedial measure to ensure the same. The Committee also recommend that if for any unavoidable reasons, it is not possible to lay the Annual Reports and Audited Accounts of the National Commission for Safai Karamcharis on the Table of the House within the stipulated time; a statement explaining the reasons as to why the requisite documents could not be laid within prescribed period should be laid strictly within 30 days of the expiry of the prescribed period or within seven days after the reassembly of the next Session whichever is later.

Reply of the Government

The Ministry has noted the instructions of Committee. All the Annual Reports have been laid on the Table of the House. Only the Annual Report for the year 2017-18 is pending. The same will be laid in the Parliament shortly.

Regarding non-laying of Audited Accounts of NCSK, it is submitted that no such accounts are maintained in NCSK as this Commission is not implementing any scheme of the Government and hence no funds under Grants-in-aid are sanctioned to this Commission. The funds allocated to NCSK are only for the administrative purposes and running the office of the Commission. However, regular audits have taken place in this Commission from time to time by the Comptroller and Auditor General of India as well as Internal Audit Wing of PAO, Social Justice and Empowerment.

(Ministry of Social Justice and Empowerment No. 17015/2/2019-RIC, dated, the 2nd May, 2019)

**EXTRACTS OF THE MINUTES OF THE THIRD SITTING OF THE
COMMITTEE ON PAPERS LAID ON THE TABLE (2019-2020)**

The Committee sat on Wednesday, 04th March 2020 from 15:00 hrs to 16:00 hrs. in Committee Room 'E', Parliament House Annexe Building, New Delhi.

PRESENT

Shri Shyam Singh Yadav - **Chairperson**

MEMBERS

2. Shri Shafiqur Rahman Barq
3. Shri Pallab Lochan Das
4. Choudhary Mehboob Ali Kaiser
5. Dr. Amol Ramsing Kolhi
6. Shri Raja Amareshwara Naik
7. Shri Jamyang Tsering Namgyal
8. Shri T.N. Prathapan
9. Shri Saptagiri Ulaka
10. Shri Ashok Kumar Yadav

SECRETARIAT

1. Shri B. Srinivasa Prabhu - Joint Secretary
2. Shri Kushal Sarkar - Director
3. Shri Munish Kumar Rewari - Additional Director

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2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee and explained the purpose of convening the meeting.

3. The Committee then took up for consideration Eight Draft Reports (Original) regarding delay in laying of the Annual Report and Audited Accounts of :-

- i. Bharat Broadband Network Limited (BBNL), New Delhi;

- ii. SEZ- FALTA Kolkata, SEEPZ Mumbai and NOIDA;
- iii. Rashtriya Madhyamik Shiksha Abhiyan (RMSA), New Delhi;
- iv. National Council for Teachers Education, New Delhi;
- v. Science & Engineering Research Board, New Delhi;
- vi. National Sports Development Fund (NSDF);
- vii. Five Zonal Cultural Centres i.e., South Zone Cultural Centre (SZCC) Thanjavur, West Zone Cultural Centre (WZCC) Udaipur, South Central Zone Cultural Centre (SCZCC) Nagpur, North Central Zone Cultural Centre (NCZCC) Allahabad and North East Zone Cultural Centre (NEZCC), Dimapur;
- viii. Export Inspection Council of India (EIC),

After deliberations, the Committee adopted the Eight Original Reports without modifications.

4. Thereafter, the Committee took up for consideration Fifteen Action Taken Reports regarding Recommendations/Observations made by the Committee in their Original Reports regarding delay in laying of the Annual Reports and Audited Accounts of:-

- i. Central Pollution Control Board (CPCB), New Delhi;
- ii. National Council of Educational Research & Training (NCERT), New Delhi;
- iii. Banaras Hindu University, Varanasi;
- iv. Aligarh Muslim University, Aligarh;
- v. Nehru Yuva Kendra Sangthan (NYKS), New Delhi;
- vi. National Institute of Solar Energy (NISE), New Delhi;
- vii. Office of the Chief Commissioner for Persons with Disabilities (CCPD), New Delhi;
- viii. National Commission for Scheduled Castes (NCST), New Delhi
- ix. National Commission for Safai Karamcharis (NCSK), New Delhi
- x. National Institute of Technology, Meghalaya;
- xi. National Institute of Technology, Mizoram;
- xii. National Mission for Clean Ganga (NMCG), New Delhi;
- xiii. AIIMS (Bhopal, Bhubaneswar, Jodhpur, Patna and Rishikesh);
- xiv. Centre for Development for Telematics (CDOT), New Delhi; and
- xv. National Institute of Pharmaceutical Education Research (NIPER), Mohali.

After deliberations, the Committee adopted the Fifteen Action Taken Reports without modifications.

5. The Committee authorized the Hon'ble Chairperson to present both the Original and Action Taken Reports to the Parliament.

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The Committee then adjourned.
