

**COMMITTEE ON
GOVERNMENT ASSURANCES
(2019-2020)**

(SEVENTEENTH LOK SABHA)

FOURTH REPORT

**REVIEW OF PENDING ASSURANCES
PERTAINING TO THE MINISTRY OF
CULTURE**

Presented to Lok Sabha on ^{20/9} 20/9/2020



**LOK SABHA SECRETARIAT
NEW DELHI**

September, 2020/Bhadrapada, 1942 (Saka)

CONTENTS

	Page
COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES (2019-2020)	iii

INTRODUCTION	iv
--------------	----

REPORT

I. Introductory	1
II. Review of Pending Assurances pertaining to the Ministry of Culture	4

APPENDICES

(i) USQ No. 4960 dated 26.04.2000 regarding 'Recommendations of Fifth Pay Commission'	18
(ii) SQ No. 408 dated 03.05.2007 regarding 'Illegal Trafficking in Antiquities'	19
(iii) USQ No. 392 dated 02.08.2011 regarding 'Protection of Paintings'	22
(iv) USQ No. 2351 dated 12.03.2013 regarding 'Smuggling of Antique Objects'	23
(v) USQ No. 4790 dated 23.04.2013 regarding 'Restructuring of ASI'	24
(vi) USQ No. 6541 dated 07.05.2013 regarding 'Amendment in Antiquities and Art Treasures Act, 1972'	26
(vii) USQ No. 732 dated 10.12.2013 regarding 'Restructuring of ASI'	27
(viii) USQ No. 864 dated 10.12.2013 regarding 'Restoration of Kedarnath Temple'	28
(ix) USQ No. 3284 dated 11.02.2014 regarding 'Documentation of Antiquities'	29
(x) Extracts from the Manual of Parliamentary Procedures in the Government of India, Ministry of Parliamentary Affairs, New Delhi	30

ANNEXURES

- | | | |
|-----|---|----|
| I. | Minutes of the Sitting of the Committee held on 11 November, 2019. | 35 |
| II. | Minutes of the Sitting of the Committee held on ----- 25-08-2020 | 41 |

**COMPOSITION OF THE COMMITTEE
ON GOVERNMENT ASSURANCES*
(2019 - 2020)**

SHRI RAJENDRA AGRAWAL

- Chairperson

MEMBERS

2. Shri Sudip Bandyopadhyay
3. Shri Nihal Chand Chauhan
4. Shri Gaurav Gogoi
5. Shri Nalin Kumar Kateel
6. Shri Ramesh Chander Kaushik
7. Shri Kaushalendra Kumar
8. Shri Ashok Mahadeorao Nete
9. Shri Santosh Pandey
10. Shri Pashupati Kumar Paras
11. Shri Parbatbhai Savabhai Patel
12. Shri M.K. Raghavan
13. Shri Chandra Sekhar Sahu
14. Dr. Bharatiben Dhirubhai Shyal
15. Smt. Supriya Sule

SECRETARIAT

1. Shri Pawan Kumar - Joint Secretary
2. Shri Lovekesh Kumar Sharma - Director
3. Shri S. L. Singh - Deputy Secretary

* The Committee has been constituted w.e.f. 09 October, 2019 *vide* Para No. 609 of Lok Sabha Bulletin Part-II dated 09 October, 2019

INTRODUCTION

I, the Chairperson of the Committee on Government Assurances (2019-2020), having been authorized by the Committee to submit the Report on their behalf, present this Fourth Report (17th Lok Sabha) of the Committee on Government Assurances.

2. The Committee at their sitting held on 11 November, 2019 took oral evidence of the representatives of the Ministry of Culture regarding some of the pending Assurances.

3. At their sitting held on 25.08.2020, the Committee considered and adopted their Fourth Report.

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

5. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in bold letters in the Report.

**RAJENDRA AGRAWAL
CHAIRPERSON
COMMITTEE ON GOVERNMENT ASSURANCES**

NEW DELHI;
25 August, 2020

03 Bhadrapada, 1942 (Saka)

REPORT

I. Introductory

The Committee on Government Assurances scrutinize the Assurances, promises, undertakings, etc., given by the Ministers from time to time on the floor of the House and report the extent to which such Assurances, promises, undertakings have been implemented. Once an Assurance has been given on the floor of the House, the same is required to be implemented within a period of three months. The Ministries/Departments of the Government of India are under obligation to seek extension of time required beyond the prescribed period for fulfillment of the Assurance. Where a Ministry/Department are unable to implement an Assurance, that Ministry/Department are bound to request the Committee for dropping it. The Committee consider such requests and approve dropping, in case, they are convinced that grounds cited are justified. The Committee also examine whether the implementation of Assurances has taken place within the minimum time necessary for the purpose and the extent to which the Assurances have been implemented.

2. The Committee on Government Assurances (2009-10) took a policy decision to call the representatives of the various Ministries/Departments of the Government of India, in a phased manner, to review the pending Assurances, examine the reasons for pendency and analyze operation of the system prescribed in the Ministries/Departments for dealing with Assurances. The Committee also decided to consider the quality of Assurances implemented by the Government.

3. The Committee on Government Assurances (2014-2015) decided to follow the well established and time tested procedure of calling the representatives of the Ministries/Departments of the Government of India, in a phased manner and review the pending Assurances. The Committee took a step further and decided to call the representatives of the Ministry of Parliamentary Affairs also as all the Assurances are implemented through them.

4. In pursuance of the *ibid* decision, the Committee on Government Assurances (2019-2020) called the representatives of the Ministry of Culture and the Ministry of Parliamentary Affairs to render clarifications with respect to delay in implementation of pending Assurances. As many as 39 Assurances were pending against the Ministry of Culture at the time of the constitution of the Committee i.e. 09 October, 2019 with the oldest Assurance dating back to 26 April 2000. Out of these, the Committee examined in detail the following nine Assurances given during the period from the 13th Lok Sabha to the 15th Lok Sabha at their sitting held on 11 November 2019:

S.No.	SQ/USQ No. dated	Subject
1.	USQ No. 4960 dated 26.04.2000	Recommendations of Fifth Pay Commission (Appendix-I)
2.	SQ No. 408 dated 03.05.2007	Illegal Trafficking in Antiquities (Appendix-II)
3.	USQ No. 392 dated 02.08.2011	Protection of Paintings (Appendix-III)
4.	USQ No. 2351 dated 12.03.2013	Smuggling of Antique Objects (Appendix-IV)
5.	USQ No. 4790 dated 23.04.2013	Restructuring of ASI (Appendix-V)
6.	USQ No. 6541 dated 07.05.2013	Amendment in Antiquities and Art Treasures Act, 1972 (Appendix-VI)
7.	USQ No. 732 dated 10.12.2013	Restructuring of ASI (Appendix-VII)
8.	USQ No. 864 dated 10.12.2013	Restoration of Kedarnath Temple (Appendix-VIII)
9.	USQ No. 3284 dated 11.02.2014	Documentation of Antiquities (Appendix-IX)

5. The Extracts from the Manual of Parliamentary Procedures in the Government of India, Ministry of Parliamentary Affairs laying guidelines on the definition of an Assurance, the time limit for its fulfilment, dropping/deletion and extension, the procedure for fulfilment, etc., besides maintenance of Register of Assurances and periodical reviews to minimize delays in implementation of the Assurances are reproduced at Appendix-X.

6. During oral evidence, the Committee drew the attention of the representatives of the Ministry to the unreasonable delays in the fulfilment of the 39 Assurances by the Ministry of Culture. The Committee also desired to know about the existing

mechanism in the Ministry for review and implementation of the Parliamentary Assurances. The Director General, Archaeological Survey of India (ASI) who was also representing the Ministry, in her deposition before the Committee, stated during evidence as under:-

"The pending Assurances are scrutinised from time to time at the levels of the Secretary and the Joint Secretary and meetings are also held with the organizations concerned. These Assurances are also reviewed at Assistant Director General (ADG) and ASI level and I, myself, also take meetings on the Assurances from time to time. It is true that these Assurances have been pending for long and our efforts have always been to not to keep them pending and implement them with all our efforts."

7. The Committee pointed out that the statement given by the DG, ASI seemed to be vague and emphasized that every effort is measured by the yardstick of result achieved and if efforts are not result oriented then such efforts are useless. The Committee then enquired about the interval in which meetings are conducted by the Ministry for review of pending Assurances. The DG, ASI responded as follows:-

"Sir, meetings are held fortnightly at the Secretary level."

8. The Committee noticed that even after conducting fortnightly meetings for such a long period, the Ministry were still having 39 pending Assurances. The Committee also highlighted that the Ministry are expected to fulfil an Assurance within the prescribed period of 3 months and if there is any scope or complications and a valid reason, then the Assurance can also be dropped on request. Emphasizing that the Minutes are the official written record of the meetings, the Committee enquired as to whether the Ministry keep the Minutes of the fortnightly meetings. The DG, ASI apprised the Committee during evidence, as under:-

"Secretary Sir hold meetings. The Joint Secretary says that they keep the minutes of the meetings."

Observations/Recommendations

9. The Committee note that as many 39 Assurances were pending against the Ministry of Culture at the time of the constitution of the Committee. Out of these 39 pending Assurances, the Committee examined

nine Assurances given by the Ministry during the period from the 13th Lok Sabha to the 15th Lok Sabha and found that the Assurances mentioned at Sl. Nos. 1 and 2 are pending for about 20 and 13 years, respectively, while the remaining seven Assurances mentioned at Sl. Nos. at 3, 4, 5, 6, 7, 8 and 9 are pending for more than 6 years. The inordinate delays in fulfilment of the Assurances clearly indicate lackadaisical approach of the Ministry in dealing with the Assurances and in taking proper follow-up action once an Assurance has been given. These delays also prove that the fortnightly review meetings held in the Ministry to monitor implementation of the Assurances are far from effective. Since the utility and relevance of an Assurance are lost due to inordinate delay in its fulfilment, the Committee recommend that the existing mechanism/system in the Ministry should be overhauled and streamlined with mandatory result oriented regular reviews so as to avoid undue delay in fulfilment of Assurances particularly the pending Assurances. The Committee further desire that the Ministry of Culture should adopt a proactive approach and take all requisite steps for early and time bound implementation of all the pending and future Assurances.

II. Review of Pending Assurances pertaining to the Ministry of Culture

10. In the succeeding paragraphs, the Committee deal with the pending Assurances pertaining to the Ministry and critically examined by them.

A. Amendment in Antiquities and Art Treasures Act, 1972

- (i) **SQ No. 408 dated 03.05.2007 regarding 'Illegal Trafficking in Antiquities' (Appendix-II)**
- (ii) **USQ No. 2351 dated 12.03.2013 regarding 'Smuggling of Antique Objects' (Appendix-IV)**
- (iii) **USQ No. 6541 dated 07.05.2013 regarding 'Amendment in Antiquities and Art Treasures Act, 1972' (Appendix-VI)**
- (iv) **USQ No. 3284 dated 11.02.2014 regarding 'Documentation of Antiquities' (Appendix-IX)**

11. In replies to the aforesaid Questions, it was *inter-alia* stated that the Government are considering the amendment of the Antiquities and Art Treasure Act, 1972 to make the provisions more stringent and for providing higher punishments for violation of the Act.

12. In their Status Notes furnished in November 2019, the Ministry apprised the Committee of the following position with regard to the fulfilment of the above Assurances as under:-

"the question attracts the provisions of AAT Act 1972; regulating the trade in Antiquities and Art Treasures. A committee was constituted under the Chairmanship of Dr. Karan Singh on 12.12.2013. The committee recommended that instead of amendments of existing act, two separate acts namely Antiquities and Art Treasures Export and Import Control Bill and Indian Antiquities and Art Treasures Bill (to regulate and to promote domestic art market) may be framed. These two bills were sent to Ministry of Law for the final approval in 2017. MoL suggested clubbing the two separate Bills as one Bill. ASI drafted revised single Bill. Further, Legislative Department, Ministry of Law, directed that new draft Cabinet Note and draft Bill is to be submitted after formation of new government. A meeting was held under the Chairmanship of Hon'ble Minister of Culture on 02/09/2019 to discuss the proposed Bill 'Antiquities and Art Treasures Regulations, Export and Import Control Bill 2019'. Now the file is submitted to MoC on 22nd October 2019 incorporating therein the decisions taken in the meeting. The file has been sent to Ministry of Law and Justice for examination on 29th October, 2019."

13. During evidence, the DG, ASI elucidated the matter when she briefed the Committee about the Assurances as under:-

"Taking cognizance of this Assurance, ASI conducted various meetings on the matter and various Committees were also set up in different years. Finally, a Committee was constituted under the Chairmanship of Dr. Karan Singh which framed two drafts which were sent to the Ministry of Culture. Subsequently, the same were sent to the Ministry of Law and Justice. The Ministry of Law and Justice suggested clubbing of the two separate Bills as one Bill. A meeting was held under the Chairmanship of the Minister of Culture to discuss and amend the proposed Bill. The Bill was again submitted to the Ministry of Culture after incorporating therein the decisions taken in the meeting. The Ministry of Culture have asked us to furnish documents relating to inter-Ministerial Consultations conducted in the matter. We would send the requisite papers to the Ministry of Culture and try to place the Implementation Report on the Table of the House as soon as possible after following due process."

14. The DG, ASI, further elaborated the position as under: -

"The new Bill has proposed some changes which would make things easier for the people. Earlier there was no clarity regarding the time from which 100 years will be counted. Now, we have proposed 31st December of every year as the cut off date for any article or object to be classified as an antiquity. Similarly, for manuscripts also, the cut off date of 75 years would be determined as on 31st December. Our AAT Act, 1972 does not have any provision for import. If anybody possesses an Indian origin antiquity and wants to bring it here, then for that there was no provision in the Act. Now, we have proposed that the Act would have a provision namely Import of Antiquity of Indian Origin. Similarly, earlier people were required to go to the circle office to get their antiquities registered. Now, we have proposed for abolition of this provision. Also, earlier for selling an antiquity, a person had to go through various formalities such as taking licence, permit etc."

15. The Committee further desired to know as to when the Ministry propose to give effect to the Act. The DG, ASI responded during evidence as under:-

"Sir, as I just mentioned, we would send the requisite papers to the Ministry of Culture and we would make efforts to get the Bill vetted by the Ministry of Law and Justice. Our Cabinet Note is ready and we would try to place it on the Table of the House at the earliest after following due process."

16. On being pointed out that the Ministry have requested for extension of time till 11.05.2020 for implementing the Assurance, the DG, ASI submitted during oral evidence as follows:-

"Sir, we would try to fulfil the Assurance before that date so that we would not have to seek further extension."

Observations/Recommendations

- 17. The Committee note that the trade in Antiquities and Art Treasures to be regulated under the Antiquities and Art Treasures Act, 1972. The Government has been considering the amendment of the Act to make trading in Indian Art more institutionalised, and also to make the provisions more stringent to check violations of the Act. The Committee are, however, concerned to find that the four Assurances given in this regard over a span of seven years still remain unfulfilled even after a lapse**

of about 13 years of giving the first Assurance. The Committee note that pursuant to the Assurance given to the House in 2007, various Committees were set up in different years and ASI conducted various meetings in the matter but nothing substantial materialized. Finally, a Committee was constituted under the Chairmanship of Dr. Karan Singh which recommended that instead of amendment of the existing act, two separate Acts namely 'Antiquities and Art Treasures Export and Import Control Bill' and 'Indian Antiquities and Art Treasures Bill' may be framed. Subsequently, the two Bills were sent to the Ministry of Law and Justice for the final approval in 2017. The Ministry of Law and Justice suggested clubbing of the two separate Bills as one Bill. However, the proposed Bill is yet to be finalised. The sequence of events clearly shows lackadaisical approach, lack of coordination and indecisiveness on the part of the Government as a result of which all the Assurances on the subject still remain pending for implementation. Nevertheless, the Committee now expect the Ministry to accord utmost priority to it and pursue the case in a time bound manner so that the pending Assurances are implemented without further delay. The Committee would like to be apprised of the progress made in the matter.

B. Protection of Paintings

18. In reply to USQ No. 392 dated 02.08.2011 regarding 'Protection of Paintings' (Appendix -III), it was stated that the information regarding valuable paintings at the Lalit Kala Akademi (LKA) which have been replaced with fakes and the steps taken by the Government towards digitization and cataloguing of art works at the Lalit Kala Akademi and the National Gallery of Modern Arts (NGMA) as well as warehousing the same under proper security and controlled environment along with the time by which these are likely to be completed, is being collected and will be laid on the Table of the House.

19. In their Status Note furnished in November 2019, the Ministry have stated the position with regard to implementation of the Assurance as under:-

"Lalit Kala Akademi (LKA) has been asked to make inventory of all valuable paintings kept at LKA HQ, National School of Drama (NSD) and Regional Centre of LKA at Garhi and to get the inventory digitised. Meetings have been

held in the Ministry with LKA many times in this regard. Digitisation of artwork of NGMA is under way."

20. During oral evidence, the Joint Secretary in the Ministry further elaborated in this regard as under:-

"Sir, the Question has 2 parts. The first part relates to the paintings of the Lalit Kala Akademi (LKA) which were suspected to have been stolen and replaced with faked ones. The second part relates to the steps taken by the Government for digitisation of the entire collection of Lalit Kala Akademi and the National Gallery of Modern Arts. The respective Chairman of LKA and NGMA have come with us. I am looking after both the Departments. Both the Departments are slightly different. In NGMA, an attached office of the Ministry is there and we can see directly, on day-to-day basis, as to what is happening. Sir, Lalit Kala Akademi is an autonomous organization. They enter into yearly MoU with the Ministry of Culture and by and large enjoy freedom as to what they want to do."

21. The Joint Secretary further added as under:-

"As far as first part is concerned, the Ministry is regularly following up with the LKA. We ourselves were not satisfied with the reply given by the LKA and we are not treating it as fulfilled. They have referred the matter twice to the CBI but cataloguing is still not complete. We are repeatedly telling them to complete the cataloguing process. In NGMA, we have our attached office. There, the work has been done swiftly. They have 3 branches and in Mumbai and Bengaluru 100 percent digitisation has been done. They have installed C-DAC Jatan Software of the Government in all the museums. Paintings are RFID tagged and they can be tracked from anywhere through a Mobile app and an SMS delivery report can also be obtained. We have requested LKA to do the same since the Jatan software is not at all expensive and with its help the LKA can get their collection digitised and catalogued."

22. When the Committee enquired about the reasons for non-cooperation by LKA, the Chairperson LKA responded as under:-

"Sir, I want to put before you some facts very clearly. It has been one and a half years since I joined LKA as a Chairman and found that 30 paintings from

our collection have been stolen. When paintings are sent for exhibitions these are original. However, what comes back is a duplicate copy. We provided all the documents to the National Research Laboratory for Conservation of Cultural Property (NRLC) Lab, Lucknow. They asked for another painting of the same artist so that they can frame rules. However, LKA informed them that since the stolen painting were quite expensive, the LKA doesn't have another painting of the same artist. After that they requested us to get it from a private gallery. But, we did not get co-operation from any private gallery. The matter has since been stalled."

23. The Chairperson, LKA further stated as under:-

"I want to place a very serious issue before you. We want the Government to give us money for the LKA Centres to be set up at Mumbai, Indore and Bengaluru. We have 6 to 8 thousand paintings. We have placed certain items at the underground area of Bawalpur House at NSD. NSD has given us a notice to vacate the space. Madam knows the subject matter. We have a lot of vacant space at Ravindra Bhawan. A gallery can be set up there. We have placed our entire paintings at barely 4 thousand foot space. NSD is not co-operating inspite of the fact that the matter of supplying an increased power supply was agreed to in a meeting. They are asking us to vacate the space. We request the Government to provide us the vacant space available at Ravindra Bhawan so that the country's compilation of valuable paintings can be exhibited in galleries and to provide ventilation to paintings and facility to the visitors."

24. On being enquired as to whether the catalogues can be made even without meeting the abovesaid demands of LKA, the Chairperson, LKA replied as under:-

"Sir, Catalogue can still be made and our process is going on. We have set up a Committee of 3 Members. Catalogues of valuable paintings will be made first."

25. The Committee, while emphasizing that the needs of the LKA will be justified only after the cataloguing process is over, asked the Ministry to fix a time limit for the purpose. In reply, the Chairperson, LKA responded as under:-

"Sir, we have set the time limit. As the collection is very big, we will prepare the catalogue within 6 months."

26. While emphasizing the need for keeping the valuable paintings in protected conditions, the Committee specifically asked the representatives of the Ministry of Culture as to how much time will it take to provide an extra gallery to the LKA. The representatives of the Ministry of Culture replied as under:-

"Sir, it takes times to set up. Let them prepare the catalogue. The plan will be prepared accordingly."

27. The Committee pointed out that the conduct of LKA has not been satisfactory and that the non-compliance by LKA with the requests of the Ministry of Culture puts a question mark on the functioning of LKA and asked LKA to get the work done in the next 6 months. The Chairperson, LKA submitted as under:-

"Sir, I request that I have done 61 programmes in my one and a half year tenure. We have set up a centre in Nazrool area in Agartala. There is a painting workshop of senior artists of LKA taking place in Rashtrapati Bhawan. We have requested for permission for putting paintings of revered patriots in the Cellular Jail from the Governor. We are getting demands from the artists of every State to set up a centre of LKA in Mumbai. The number of colleges is increasing but LKA is not getting resources. Today, LKA scholarship is Rs. 10, 000 and even after getting this scholarship, students leave the Akademi."

Observations/Recommendations

28. The Committee note with concern that the Assurance given in reply to USQ No. 392 dated 02.08.2011 regarding 'Protection of Paintings' still remains to be fulfilled even after a lapse of more than 8 years against the prescribed period of 3 months for the purpose. The Assurance has 2 parts, the first part relates to the paintings of Lalit Kala Akademi (LKA) which were suspected to have been stolen and replaced with the fake ones; the second part relates to the digitisation of the entire collection of LKA and the National Gallery of Modern Arts (NGMA). As regards the first part of the Assurance, the Committee have been informed that the Ministry of Culture have been pursuing the matter repeatedly with LKA but the replies of LKA have been far from satisfactory. The Committee do not see any

plausible reason for the inordinate delay as the task involved is mainly coordinating with CBI and identifying the paintings that have been replaced with fake ones. Ostensibly, lack of coordination between the Ministry and the CBI is one of the major reasons behind the delay. The Committee cannot appreciate this sort of approach and desire that the Ministry should take all requisite steps in a professional manner and scale up the coordination with CBI for ensuring implementation of the Assurance without further delay. In so far as the second part of the Assurance is concerned, the Committee note that NGMA has been doing its work of digitisation and cataloguing satisfactorily. Moreover, its paintings have been RFID tagged and can be tracked *via* software application. However, the response of LKA in this regard has been unsatisfactory and their cataloguing and digitisation work is still far from completion despite repeated requests by the Ministry of Culture for the same. The Committee have been informed by the representatives of LKA that despite promoting Indian art, organizing exhibitions in and outside the country and providing scholarships and fellowships to students, they have not been getting resources from the Ministry of Culture and the expensive art works at their disposal are at the risk of getting replaced with fake ones due to paucity of space. While acknowledging the work done by LKA for the conservation, promotion and propagation of art in and outside the country, the Committee would like to emphasize that the failure of LKA in digitisation and cataloguing of art works despite repeated requests by the Ministry of Culture puts a question mark on the efficient functioning of LKA. As regards the demands of LKA for getting sufficient resources from the Ministry, the Committee feel that the same can be fulfilled only after the completion of digitisation and cataloging process. The Committee have been informed that the process of preparing catalogues of art works of LKA is under process and a committee of 3 Members has also been constituted in this regard. Considering the long pendency of the matter, the Committee urge upon the representatives of the Ministry of Culture and LKA to complete the process within six months. The Committee would also like the Ministry to provide enough resources and space to LKA to preserve rare and valuable art works and paintings once their cataloguing process is completed and a status report in the matter be furnished to them.

C. Restructuring of ASI

- (i) **USQ No. 4790 dated 23.04.2013 regarding 'Restructuring of ASI' (Appendix - V)**
- (ii) **USQ No. 732 dated 10.12.2013 regarding 'Restructuring of ASI' (Appendix - VII)**

29. In reply to the aforesaid questions, it was *inter-alia* stated that Archaeological Survey of India (ASI) engaged M/s Manpower Management and Planning Consultants, New Delhi on 21.05.2010 on the work measurement study to restructure and strengthen ASI. Based on the Report of M/s Manpower Management and Planning Consultants, a comprehensive proposal for overall strengthening of ASI is under process. The implementation of restructuring process will start once the proposal is approved by the competent authority.

30. In their Status Notes, furnished in November 2019, the Ministry have submitted the position regarding the fulfilment of the above Assurances as under:-

"The proposal initially submitted for restructuring of Archaeological Survey of India (ASI) was received back from Ministry of Finance (MoF), Department of Expenditure with the advice to recast the same in the line of creation/abolition of posts. Accordingly, a revised proposal, in accordance with the instructions of Ministry of Finance contained in its Office Memorandum dated 12.4.2017, has been submitted by ASI on 31.10.2019 to Ministry of Culture for seeking the approval of Ministry of Finance. In the meanwhile, vide order dated 11.06.2019 a Working Group under the chairmanship of CEO, Niti Aayog has been constituted to improve the heritage management and conservation in India with the mandate to suggest, inter-alia, the required institutional changes to improve its management."

31. During the course of evidence the DG, ASI explained the position as under:-

"Sir, ASI is a 158 years old organisation and during its long journey, various changes have taken place alongwith people's objectives and expectations from the organisation. Earlier, ASI was more of a research based organisation. Now, it occupies a very important position from the point of view of tourism, heritage and history. Considering all these changes and to

live upto the expectations of the visitors, it is very important to have a restructuring of the organisation from the manpower point of view. This initiative was undertaken in the year 2009 and proposals were sent in this regard to the Ministry of Culture and Department of Expenditure. In between, we got various instructions to revise the proposal keeping in mind various guidelines or considerations. Now, we have revised the recruitment rules of 50 critical posts which in itself is very complex procedure involving approval of UPSC and DoPT. After this, notification is issued. We have completed all the work. We have sent the proposal on 30th October in accordance with the instructions of Ministry of Finance and Ministry of Culture."

32. The DG, ASI further added as under:-

"When we prepared the proposal, we kept various criteria under consideration such as the increased number of our protected monuments, the increased number of our visitors from 80 lakhs to 5.5 crores and our enhanced budget allocation of more than one thousand crore rupees. Considering all these needs, we made efforts to increase only such posts as are critical for the organization. We have recommended for an addition of 340 posts only. It will have an implication of only 42 crore rupees per year. We think that the posts which are redundant should not remain. These days, we can abolish the posts where we can use the technology. We hope that our proposal will now be acceded to."

33. When asked about the time by which it is likely to be done, the DG, ASI apprised the Committee during evidence as under:-

"Sir, we have submitted the proposal on 30.10.2019. We are making continuous efforts. We will try that it goes to the Ministry of Finance from the Ministry of Culture as early as possible. There also, we will request for a meeting with the concerned Additional Secretary so that it gets an early approval. Once it gets approved, three of our Assurances will get fulfilled."

Observations/Recommendations

34. The Committee note that restructuring of ASI is crucial for effective conservation, protection and better management of the country's priceless

protected monuments. The need for working on restructuring of ASI is more than ever due to increased awareness among people about the country's glorious past. The Committee observe that archaeology is increasingly becoming an interdisciplinary subject which needs professionals and skilled persons from diverse fields. Challenge today is not only to prepare ahead, but also to integrate the best talent in the field of conservation, co-existing with different talent pools ranging from NGOs which have been working to conserve monuments and heritage, to roping in universities across the country in the task of conserving the heritage. Stressing the urgent need for cadre restructuring of ASI, the Committee feel that the Ministry have not been serious enough about cadre restructuring of ASI. The Committee note that initiatives towards the restructuring of the manpower in ASI were taken in the year 2009 and proposals were sent to the Ministry of Culture from time to time. The lackadaisical attitude of the Government is evident from the fact that the revised proposal in accordance with the instructions of the Ministries of Finance and Culture has been submitted by ASI on 30.10.2019. The Committee have been informed that the ASI has now recommended for creation of only 340 posts which are very critical for organization. Stressing the imperative need for cadre restructuring of ASI including the creation of the aforesaid 340 posts, the Committee recommend the Ministry of Culture, having received the revised proposal from ASI, to step up their initiatives, make all out efforts in better co-ordination with the Ministry of Finance and pursue the matter vigorously at the highest level so as to expedite the restructuring of ASI and enable it to meet all its expectations and increasing challenges and the expectations of the people efficiently.

D. Restoration of Kedarnath Temple

35. In reply to USQ No. 864 dated 10.12.2013 regarding 'Restoration of Kedarnath Temple' (Appendix-VIII), it was *inter-alia* stated that the Archaeological Survey of India (ASI) has prepared a detailed report and estimate for conservation of Kedarnath Temple but change of course of the Mandakini river around this unprotected monument has not been suggested. The report received from Geological Survey of India in this regard has been sent to the State Govt. of Uttarakhand.

36. In their Status Note furnished in November 2019, the Ministry of Culture apprised the position with regard to fulfilment of the Assurance as under:-

"Based on the information received from Govt. of Uttarakhand the approval for fulfilment of Assurance was obtained from HCM and communicated in March, 2018. However after the visit of Parliament Assurance Committee to Haridwar in August, 2018 it has been treated as partly fulfilled. The further information in this regard is being obtained from Govt. of Uttarakhand."

37. During oral evidence, the DG, ASI submitted before the Committee the latest status with regard to the fulfilment of the Assurance as under:-

"Sir, the temple was severely hit due to floods in Kedarnath in the year 2013. The State Government gave the responsibility for restoration and conservation of the Kedarnath Temple to the ASI. We started the work in 2013 itself. ASI has completed the restoration work. As we get only 2-2.5 months to work there and all the material has to be transported through ponies, it took us 4 - 4.5 years to complete the task. Now, ASI has done its work and it has got much appreciation for the job it has done."

38. The DG, ASI further elaborated in this regard as under:-

"When the Parliamentary Assurance Committee undertook a visit to Haridwar, one of the recommendations that was received was for changing the course of the Mandakini river. As ASI would not have been able to do this work, the work was handed over to the Geological Survey of India (GSI). They have submitted the Report and the same has been forwarded to the State Government. We have not yet received any response from there. We would pursue the matter with the State Government and even at the level of Chief Minister/Chief Secretary to get their response. We will try to contact them and get the response as early as possible. Moreover, there are 4 'Kunds'. We have written to the State Government that if they want to get these Kunds restored through ASI then we are in a position to prepare the estimate of the entire project and start the work immediately."

39. On being asked about the time sought by the Ministry till March 2020 to complete the work, the DG, ASI responded as under:-

"By that time we will also get the rest of the work done."

Observations/Recommendations

40. The Committee are deeply concerned to note that an Assurance given on the floor of the House in 2013 on an important issue relating to restoration of Kedarnath Temple which involves preservation/conservation of Kedarnath Temple and its surroundings is yet to be fulfilled even after a lapse of nearly 6 years. The Committee are informed that in June, 2013, a deadly cloudburst hit the State of Uttarakhand causing devastating floods and landslides which became one of the country's worst natural disasters. The temple complex and its surroundings were severely hit due to heavy rains and floods. Subsequently, ASI was given the responsibility for restoration and conservation of the Kedarnath Temple by the State Government and the work was started in 2013 itself. It took a time span of nearly four and a half years to complete the work due to unfavourable weather conditions and difficult terrain and the said restoration and conservation work has now been stated to be completed. Based on information received from the State Government of Uttarakhand, the Ministry furnished the Implementation Report in respect of the Assurance in March, 2018. Noticing that certain crucial information including the information on changing the course of the Mandakini river was missing in the said Implementation Report, the Committee treated the Implementation Report as partly fulfilled and recommended for complete implementation of the Assurance. Further, during the Committee's study visit to Haridwar, the Committee emphasized the need for changing the course of the Mandakini river. The Committee have been informed that as ASI would not have been able to do this work, the work was handed over to the Geological Survey of India (GSI) and the Report submitted by the GSI has been sent to the State Government. However, the response of the State Government is still awaited. The Committee desire that the Ministry, as assured by them during oral evidence, should pursue the matter with the State Government of Uttarakhand at the highest level to get their response. Considering the fact that the Kedarnath is one of the most important holy shrines and sacred pilgrimage centres, the Ministry need to prevail upon the State Government to expedite the matter instead of allowing things to take their own course. The Committee now expect the Ministry to step up their efforts, scale up their co-ordination with the State

Government of Uttarakhand, pursue the matter vigorously at the highest level and take all the requisite steps for ensuring full implementation of the Assurance without further delay.

**RAJENDRA AGRAWAL
CHAIRPERSON
COMMITTEE ON GOVERNMENT ASSURANCES**

NEW DELHI;
25 August, 2020

03 Bhadrapada, 1942 (Saka)

GOVERNMENT OF INDIA
 MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
 (DEPARTMENT OF PERSONNEL & TRAINING)

LOK SABHA

UNSTARRED QUESTION NO.4960

(TO BE ANSWERED ON 26.04.2000)

RECOMMENDATIONS OF FIFTH PAY COMMISSION

4960. SHRI TRILOCHAN KANUNGO:

Will the PRIME MINISTER be pleased to state:

- (a) whether the Fifth Central Pay Commission have made some recommendations for library staff working in Government of India;
- (b) if so, the details thereof;
- (c) the reasons for not implementing the said recommendations till date;
- (d) the time frame worked out for early implementation of the recommendations of Fifth Central Pay Commission;
- (e) whether the Government have received any demands from the Central Government Librarians Association; and
- (f) if so, the action taken thereon?

ANSWER

MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS' WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SMT. VASUNDHARA RAJE)

(a): Yes, Sir.

(b): The recommendations of the Fifth Central Pay Commission regarding Library Staff working in Government of India are contained in chapter 55 (para 55.155 to 55.180) Vol.II of the Fifth Central Pay Commission's report.

(c) & (d): Recommendations of Fifth Central Pay Commission are under consideration of the Department of Culture which is the nodal agency for processing various recommendations of the Fifth Central Pay Commission in regard to the Library staff in consultation with Ministry of Finance and other concerned Ministries. Therefore, it may not be possible to indicate time frame for taking a final decision thereon.

(e): Yes, Sir.

(f): The demands submitted by Government of India Library Association (GILA) are under consideration of the Government.

GOVERNMENT OF INDIA
 MINISTRY OF CULTURE
 LOK SABHA
 STARRED QUESTION NO 408
 ANSWERED ON 03.05.2007
 ILLEGAL TRAFFICKING IN ANTIQUITIES

408 . Singh Shri Dushyant

Will the Minister of CULTURE be pleased to state:-

- (a) whether the Government is aware of the increasing illegal trafficking in antiquities in the country;
- (b) if so, the number of cases reported during each of the last three years;
- (c) the corrective steps being taken to combat antiquities trafficking;
- (d) whether the National Mission on Monuments and Antiquities will be able to combat the antiquities trafficking; and
- (e) if so, to what extent ?

ANSWER

MINISTER FOR CULTURE (SMT. AMBIKA SONI)

(a) to (e) A statement is laid on the table of the House.

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO.408 FOR 03,05.2007 REGARDING ILLEGAL TRAFFICKING IN ANTIQUITIES

(a) & (b) The available data does not indicate increasing illegal trafficking in antiquities. The number of cases of antiquity thefts reported during the last three years is at Annexure.

(c) Under the Antiquities and Art Treasures Act 1972, provisions exist for regulating the trade in antiquities and for registering specific categories of antiquities. Government is considering the amendment of the Act to make the provisions more stringent and for providing higher punishments for violation of the Act.

India is also a signatory to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Trafficking in cultural property. The provision for security at museums and protected monuments has been augmented by deploying State Police, Private Security Guards and also CISF in selected places. Strict vigil is also maintained by the Customs Department at all airports and seaports and other law enforcing agencies like the CBI, DRI and the State Police.

(d) & (e) The National Mission on Monuments and Antiquities would document the antiquities and prepare a national database, which would help in establishing provenance in the retrieval of smuggled antiquities. The Mission would also promote public awareness, concern and participation in safeguarding of antiquarian wealth.

Annexure

Statement showing the number of thefts of antiquities during the last three years.

S.No.	Name of State	Name of Monument/ Site & the District	Description of the Objects	Date of theft	Status of the Case	Remarks
YEAR 2004						
1	Rajasthan	Charkhamba Temple premises at ruined Krishna Vilas	2 Sculptures	21-4-2004	F.I.R. lodged.	
2.	J & K	Bumzuva Cave, Distt. Anantnag	Shiv Linga of stone	23/24-5-04	F.I.R. lodged.	Recovered
3.	Gujarat	Sun Temple Modhera, Distt Mehsana	2 Fragment sculptures	4-8-2004	F.I.R. lodged	Recovered
4.	Tamil Nadu	Alathur, Taluk Kulathur Distt. Pudakkottai	Jaina Image	6-8-2004	F.I.R. lodged.	Recovered
5.	Madhya Pradesh	Lanji Fort, Distt. Balaghat	2 Sculptures	21-8-2004	F.I.R. lodged.	
6.	Andhra Pradesh	Ruins of buried Jaina Temple, Denavulapadu Village, Jammalamadugu Mandal	Bust of Jainatirthankara	8/9-9-2004	F.I.R. lodged.	
7.	West Bengal	Indian Museum, Kolkata,	A stone head of Lord-Buddha	29.12.04		Case handed over to the CBI
YEAR 2005						
1	Rajasthan	Ancient site Nagar, Distt. Tonk	7 Sculptures	12-1-2005	F.I.R. lodged.	
2.	Chhatisgarh	Centrally Protected Site Sirpur, Distt. Mahasamund	Stone image of Hariti	23/24-6-05	F.I.R. lodged	Recovered
3	Madhya Pradesh	Sculpture shed, Karitalai, Distt. Katni	9 Sandstone sculptures	17-8-05	F.I.R. lodged	
4.	Chhatisgarh	Laxman Temple, Sirpur, Distt. Mahasamund	Stone image of Ananta-Shesh	13/14-10-05	F.I.R. lodged	Recovered

YEAR 2006						
1	Uttaranchal	Cave temple Patal-Bhubneswar Tehsil:- Berinag Distt. Pithoragarh	Two small size stone images of Ganesha (Under worship) not so old.	2/3-4-2006	F.I.R. lodged	
2.	Uttaranchal	Temple premises of the Chandpur Fort, Distt. Chamoli.	1 Carved- wooden head of Kali	18/10-04-06	F.I.R. lodged	
3.	Bihar	Patna State Govt. Museum	18 Bronze sculptures,	26-09-2006	F.I.R. lodged	17 have been recovered and 1 is still to recovered.
4	Andhra Pradesh	Shiv Kodandarama Swamy Temple, Vomtimitta Distt. Kadapa Andhra- Pradesh	Theft of central bud portion of the inverted lotus carved on the Kalyanamanda- pa ceiling	6-10-2006	F.I.R. lodged	
5.	Rajasthan	Archaeological Museum, Kalibangan, Distt. Hanumangarh	Wheel and cart frame	21-01-2006	F.I.R. lodged	

GOVERNMENT OF INDIA
MINISTRY OF CULTURE

LOK SABHA

UNSTARRED QUESTION NO. 392
TO BE ANSWERED ON 02.08.2011

PROTECTION OF PAINTINGS

392. SHRI RAMSINH RATHWA:

Will the Minister of CULTURE be pleased to state:

- (a) whether any valuable paintings at the Lalit Kala Akademi has been replaced with fakes;
- (b) if so, the details thereof;
- (c) whether the Government has taken / proposes to take any step towards digitization and cataloguing of art works at the Lalit Kala Akademi and the National Gallery of Modern Arts as well as warehousing them under proper security and controlled environment; and
- (d) if so, the details thereof along with the time by which these are likely to be completed?

ANSWER

MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND
MINISTER OF CULTURE
(KUMARI SELJA)

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

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
LOK SABHA
UNSTARRED QUESTION NO.2351
TO BE ANSWERED ON 12.3.2013
PHALGUNA 21, 1934 (SAKA)

SMUGGLING OF ANTIQUE OBJECTS

2351. SHRI S.S. RAMASUBBU:

Will the Minister of CULTURE be pleased to state:

- (a) whether the Government is aware that there is a slump in domestic antique buying in the recent years and increasing cases of smuggling and fraudulent dealings in Indian antique objects;
- (b) if so, the details thereof and the reaction of the Government thereto along with the losses to the exchequer as a result thereof;
- (c) whether a Committee set up by the Government has recommended amendments in the Antiquities and Art Treasures Act;
- (d) if so, the details thereof;
- (e) whether any action/steps has been taken by the Government on the recommendations made by the said Committee; and
- (f) if so, the details thereof and if not, the reasons therefor?

ANSWER
MINISTER OF CULTURE
SMT. CHANDRESH KUMARI KATOCH

- (a) There is no information available with Archaeological Survey of India to & indicate that there is a slump in domestic antique buying in recent
- (b) years or increasing cases of smuggling and fraudulent dealings in Indian antique objects.
- (c) Government had set up a Committee under the chairmanship of Prof. R. to N. Misra on 27.4.2010 which submitted its recommendations for
- (f) amendments in the Antiquities and Art Treasures Act, 1972 on 29.07.2011. The recommendations of this Committee was reviewed by the Ministry of Culture and it constituted a Committee under the chairmanship of Justice Mukul Mudgal (Retired) on 2.11.2011. The Committee submitted the draft amendments to the Antiquities and Art Treasures Act, 1972 on 26.10.2012 which is under consideration.

GOVERNMENT OF INDIA
 MINISTRY OF CULTURE
 LOK SABHA
 UNSTARRED QUESTION NO.4790
 TO BE ANSWERED ON 23RD APRIL 2013
 VAISAKHA 3, 1935 (SAKA)

RESTRUCTURING OF ASI

†4790 **DR. KIRODI LAL MEENA:**
SHRI DILIPKUMAR MANSUKHLAL GANDHI:
SHRI SHRIPAD YESSO NAIK:
SHRI PRALHAD JOSHI:

Will the Minister of **CULTURE** be pleased to state:

- (a) whether there is acute shortage of staff in the Archaeological Survey of India (ASI);
- (b) if so, the details thereof and the reasons therefor, State/UT and Circle-wise;
- (c) whether the Government proposes to address the issue of pay and perks to attract the best talents in the field of history and archaeology and if so, the details thereof;
- (d) whether any suggestions have been received from the Central Advisory Board of Archaeology regarding restructuring of ASI; and
- (e) if so, the details thereof along with the progress made so far for restructuring of ASI and the time by which the restructuring process is likely to be completed?

ANSWER

MINISTER OF CULTURE
SHRIMATI CHANDRESH KUMARI KATOCH

- (a) & (b) The shortage of staff in ASI is most acutely felt in the sufficient numbers of monument attendants. To cope with the situation, ASI has been allowed to engage up to 1000 monument attendants from ex-servicemen. Besides, CISF (for Red Fort and Taj Mahal only), State Armed Police, Home Guards and private security guards have been engaged for watch and ward duty of monuments under the protection of ASI.

- (c) The pay and perks of archaeologists are fixed as per Government order, on recommendation of 6th Central Pay Commission.
- (d) As per the decision taken in the 34th CABA meeting held on 2nd December 2009, a Sub-Committee on 'Restructuring of ASI' was set up. In its meeting held on 22nd December 2009, it unanimously resolved to recommend that the restructuring proposal as prepared by ASI should be got approved by the Government at the earliest.
- (e) ASI has created 4 additional posts of Additional Director General and 18 additional posts of Joint Director General. ASI engaged M/s Manpower Management and Planning Consultants, New Delhi on 21.5.2010 on the work measurement study to restructure and strengthen the Archaeological Survey of India. Based on the report of Manpower Management and Planning Consultants a comprehensive proposal for overall strengthening of ASI is under process.

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
LOK SABHA
UNSTARRED QUESTION NO.+6541
TO BE ANSWERED ON 07.05.2013
VAISAKHA 17, 1935 (SAKA)

AMENDMENT IN ANTIQUITIES AND ART TREASURES ACT, 1972

†6541 SHRI HANSRAJ G. AHIR:

will the Minister of CULTURE be pleased to state :

- (a) whether the Government has prepared any draft for carrying out amendments in the Antiquities and Art Treasures Act, 1972;
- (b) if so, the salient features of the said draft and the time by which the said Act is likely to be amended; and
- (c) the other steps taken/being taken by the Government to put a ban on the sale and purchase of items of archaeological importance in the private sector?

ANSWER

MINISTER OF CULTURE
SRIMATI CHANDRESH KUMARI KATOCH

- (a) & (b) Yes Madam. The Government has constituted a committee under Justice (Retd.) Mukul Mudgal. The committee has submitted a draft for carrying out amendments in the Antiquities and Art Treasures Act, 1972 in Dec. 2011 to Ministry of Culture, which is under consideration.
- (c) While there is no ban on the sale and purchase of items of archaeological importance in the private sector, necessary licence has to be obtained for the purpose.

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
LOK SABHA.
UNSTARRED QUESTION NO.732
TO BE ANSWERED ON 10.12.2013
AGRAHAYANA 19, 1935 (SAKA)

RESTRUCTURING OF ASI

+ 732. DR. KIRODI LAL MEENA

Will the Minister of CULTURE be pleased to state:

- (a) whether the Government is considering a major restructuring of the Archaeological Survey of India (ASI);
- (b) if so, the details thereof;
- (c) whether the Government proposes to address the issues of low pay scale and status to attract the best minds in the field of history and archaeology;
- (d) if so, the details thereof; and
- (e) the time by which the restructuring process is likely to be started?

ANSWER

**MINISTER OF CULTURE
(SHRIMATI CHANDRESH KUMARI KATOCH)**

- (a) & (b) Yes, Madam. For the purpose of restructuring and strengthening Archaeological Survey of India, an agency namely M/s Manpower Management and Planning Consultants, New Delhi was engaged to undertake an exercise and their report was submitted in March, 2011. Based on this report, a detailed proposal for the overall strengthening and restructuring of ASI, including strengthening of existing cadres and introducing some new cadres is in the final stages of preparation.
- (c) & (d) The pay and perks of officers in all fields are fixed as per Government order, on recommendation of Central Pay Commission from time to time.
- (e) The implementation will start once the proposal is approved by the competent authority.

GOVERNMENT OF INDIA
 MINISTRY OF CULTURE
 LOK SABHA
 UNSTARRED QUESTION NO. 864
 TO BE ANSWERED ON 10.12.2013
 AGRAHAYANA 19, 1935 (SAKA)

RESTORATION OF KEDARNATH TEMPLE

† 864. SHRIMATI MALA RAJYA LAXMI SHAH:
 SHRI K.P. DHANAPALAN:

Will the Minister of CULTURE be pleased to state:

- (a) whether the Archaeological Survey of India (ASI) has submitted a detailed report regarding damage to the Kedarnath Temple in Uttarakhand and suggested to change the course of the Mandakini river to save the temple;
- (b) if so, the details thereof;
- (c) whether the ASI has any proposal to assist in the restoration of the Kedarnath temple;
- (d) if so, the estimated cost of restoration of the Kedarnath Temple and other monuments in the hilly State;
- (e) whether the ASI has set up a team of experts to assess the damage; and
- (f) if so, the details thereof and the time by which the restoration work is likely to be started along with expected time of completion thereof?

ANSWER

MINISTER OF CULTURE
 (SHRIMATI CHANDRESH KUMARI KATOCH)

- (a) Yes Madam. The Archaeological Survey of India (ASI) has prepared a detailed report and estimate for conservation of Kedarnath Temple but change of course of the Mandakini river around this unprotected monument has not been suggested. The report received from Geological Survey of India in this regard has been sent to State Govt. of Uttarakhand.
- (b) &
- (c) The estimated cost worked out for conservation and preservation of Kedarnath Temple by ASI is Rs. 3.65 crores.
- (d) &
- (e) A team of experts has been constituted by the ASI for conservation of Kedarnath Temple. The conservation work of the temple was started in the month of October, 2013 which at present is suspended due to harsh weather conditions at site and closure of the temple. Due to limited working season, lack of proper land route approach and extreme weather conditions it is difficult to fix up an exact time frame.
- (f) &

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
LOK SABHA
UNSTARRED QUESTION NO. 3284
TO BE ANSWERED ON 11.02.2014
MAGHA 22, 1935 (SAKA)

DOCUMENTATION OF ANTIQUITIES

3284. SHRI P. KUMAR:

Will the Minister of CULTURE be pleased to state:

- (a) the details of objects/antiquities available/likely to be uploaded on the websites of the National Mission on Monuments and Antiquities(NMMA);
- (b) whether the NMMA was launched to complete documentation of seven million antiquities by 2010;
- (c) if so, whether the NMMA has achieved the target set therefor;
- (d) if not, the reason therefor; and
- (e) whether the Government proposes to amend the Antiquities and Art Treasures Act, 1972 and if not, the reasons therefor?

ANSWER

MINISTER OF CULTRE

(SHRIMATI CHANDRESH KUMARI KATOCH)

- (a) NMMA has documented 8.0 Lac antiquities from different sources. NMMA has uploaded the data of 1,19,793 in the NMMA website till date.
- (b) NMMA was launched for five years from 2007 to 2012 during the XI Five Year Plan to document the antiquities. However, the target was not to complete documentation of seven million antiquities by 2010.
- (c) & (d) The NMMA has been continued for a further period of five year from 2012-2017 in the XII Five Year Plan to complete the tasks assigned to it.
- (e) The amendment to the Antiquities and Art Treasures Act, 1972 is under consideration of the Central Government.

Chapter 8

Assurances

8.1 During the course of reply given to a question or a discussion, if a Minister gives an undertaking which involves further action on the part of the Government in reporting back to the House, it is called an 'assurance'. Standard list of such expressions which normally constitute assurances as approved by the Committee on Government Assurances (CGA) of the respective House, is given at Annex-3. As assurances are required to be implemented within a specified time limit, care should be taken by all concerned while drafting replies to the questions to restrict the use of these expressions only to those occasions when it is clearly intended to give an assurance on the floor of the House.

Definition

8.2 An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This limit has to be strictly followed.

Time limit for fulfilling an assurance

8.3 To ensure early fulfillment of assurances, entire process beginning from culling out of assurances from the proceedings of the House to the submission of Implementation Report including extension of time, dropping and transfer of assurances have been automated through a Software Application named "Online Assurances Monitoring System" (OAMS). Requests for extension of time, dropping or transfer of assurances and submission of Implementation Report through any other offline mode shall not be entertained under any circumstances.

Online Assurances Monitoring System (OAMS)

Culling out of Assurances

8.4 When an assurance is given by a Minister or when the Presiding Officer, directs the Government to furnish information to the House, it is extracted by the Ministry of Parliamentary Affairs, from the relevant proceedings and communicated to the Department concerned online through 'OAMS' normally within 20 working days of the date on which it is given on the floor of the House.

Deletion from the list of assurances

8.5 If the administrative Ministry/Department has any objection to treating such a statement as an assurance or finds that it would not be in the public interest to fulfill it, it may upload its request at 'OAMS' within a week of treating such statement as assurance for getting it deleted from the list of assurances. Such action will require prior approval of the Minister concerned and this fact should be clearly indicated in their communication containing the request. If such a request is made towards the end of stipulated period of three months, then it should invariably be accompanied with a request of extension of time. The department should continue to seek extension of time till the decision of the Committee on Government Assurances is conveyed through 'OAMS'. Requests received through offline mode shall not be entertained by either Rajya Sabha/Lok Sabha Secretariat or Ministry of Parliamentary Affairs.

Extension of time for fulfilling an assurance

8.6 If the Department finds that it is not possible to fulfill the assurance within the stipulated period of three months or within the period of extension already granted, it may seek further extension of time as soon as the need for such extension becomes apparent, indicating the reasons for delay and the probable additional time required alongwith details of action taken/progress made in the matter. All such request should be submitted at 'OAMS' for decision by CGA thereon with the approval of the concerned Minister.

Registers of Assurances

8.7.1 The particulars of every assurance will be entered by the Parliament Unit of the Ministry/Department concerned in a register as at Annex 4 after which the assurance will be passed on to the concerned section

8.7.2 Even ahead of the receipt of communication from the Ministry of Parliamentary Affairs through 'OAMS' the section concerned should take prompt action to fulfill such assurances and keep a watch thereon in a register as at Annex 5.

8.7.3 The registers referred to in paras 8.7.1 and 8.7.2 will be maintained separately for the Lok Sabha and the Rajya Sabha assurances, entries therein being made session wise.

The Section Officer in charge of the concerned section will:

Role of Section Officer and Branch Officer

- (a) scrutinize the registers once a week;
- (b) ensure that necessary follow-up action is taken without any delay whatsoever;
- (c) submit the registers to the branch officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within the period of three months; and
- (d) review of pending assurances should be undertaken periodically at the highest level in order to minimize the delay in implementing the assurances.

8.8 The branch officer will likewise keep his higher officer and Minister informed of the progress made in the implementation of assurances, drawing their special attention to the causes of delay.

8.9.1 Every effort should be made to fulfill the assurance within the prescribed period. In case only part of the information is available and collection of the remaining information would involve considerable time, an Implementation Report(IR) containing the available information should be uploaded at 'OAMS' in part fulfillment of the assurance, within the prescribed time limit. However, efforts should continue to be made for expeditious collection of the remaining information for complete implementation of the assurance at the earliest.

Procedure for fulfillment of an assurance

8.9.2 Information to be furnished in partial or complete fulfillment of an assurance should be approved by the Minister concerned before it is uploaded at 'OAMS' in both English and Hindi versions in the prescribed pro forma as at Annex-6 , together with its enclosures. After online submission of the Report for fulfillment of the assurance partial or complete as the case may be, four hard copies each in Hindi and English version with one copy of each version duly authenticated by the officer concerned should be sent to the Ministry of Parliamentary Affairs for laying until e-laying is adopted by the concerned House.

8.9.3 The Implementation Report should be submitted at 'OAMS' only. Implementation Report sent by any other mode or sent to Rajya Sabha/Lok Sabha Secretariat directly, will not be considered for laying.

Laying of the
Implementation
Report on the Table
of the House

8.10 The Ministry of Parliamentary Affairs, after scrutiny of the Implementation Report, will arrange to lay it on the Table of the House concerned. A copy of the Implementation Report, as laid on the Table, will be forwarded by Ministry of Parliamentary Affairs to the member(s) concerned. Details of laying of Implementation Report submitted by the Ministry/Department concerned would be made available by the Ministry of Parliamentary Affairs at 'OAMS'. The Parliament Unit of the Ministry/Department concerned and the concerned section will, on the basis of information available at 'OAMS', update their records.

Obligation to lay a
paper on the Table
of the House vis-à-
vis assurance on the
same subject

8.11 Where there is an obligation to lay any paper (rule/order/notification, etc.) on the Table of the House and for which an assurance has also been given, it will be laid on the Table, in the first instance, in fulfillment of the obligation, independent of the assurance given. After this, a formal report regarding implementation of the assurance indicating the date on which the paper was laid on the Table will be submitted at 'OAMS' in the prescribed pro forma (Annex-6) in the manner already described in para 8.9.2

8.12 Each House of Parliament has a Committee on Government Assurances nominated by the Chairman/Speaker. It scrutinizes the Implementation Reports and the time taken in the fulfillment of Government Assurances and focuses attention on the delays and other significant aspects, if any, pertaining to them. Instructions issued by Ministry of Parliamentary Affairs from time to time as available on 'OAMS' are to be followed strictly.

Committees
on Government
Assurances
RSR 211-A
LSR 323, 324

8.13 The Ministries/Departments will, in consultation with the Ministry of Parliamentary Affairs, scrutinize the reports of these two Committees for remedial action wherever called for.

Reports of the
Committees on
Government
Assurances

8.14 On dissolution of the Lok Sabha, the pending assurances do not lapse. All assurances, promises or undertakings pending implementation are scrutinized by the new Committee on Government Assurances for selection of such of them as are of considerable public importance. The Committee then submits a report to the Lok Sabha with specific recommendations regarding the assurances to be dropped or retained for implementation by the Government.

Effect on assurances
on dissolution of
the Lok Sabha

MINUTES

COMMITTEE ON GOVERNMENT ASSURANCES
(2019-2020)
(SEVENTEENTH LOK SABHA)
SECOND SITTING
(11.11.2019)

The Committee sat from 1500 hours to 1630 hours in Committee Room "C", Parliament House Annexe, New Delhi.

PRESENT

Shri Rajendra Agrawal - **Chairperson**

MEMBERS

2. Shri Ramesh Chander Kaushik
3. Shri Kaushalendra Kumar
4. Shri Santosh Pandey
5. Shri Pashupati Kumar Paras

SECRETARIAT

1. Shri P.C.Tripathy - Joint Secretary
2. Shri H. Ram Prakash - Director
3. Shri S.L. Singh - Deputy Secretary

WITNESSES

***** ***** ***** ***** *****

Ministry of Culture

1. Ms. Nirupama Kotru - Joint Secretary
2. Shri Rajesh Kumar Singh - Director
3. Shri Ajay Yadav - Deputy Secretary

Archaeological Survey of India

1. Smt. Usha Sharma - Director General
2. Shri Janhwij Sharma - Joint Director General

National Gallery of Modern Art

1. Shri Adwaita Charan Gadanayak - Director General

Lalit Kala Akademi

1. Dr. Uttam Pacharne - Chairperson
2. Shri Ramkrishna Vedala - Secretary-in-charge

Ministry of Parliamentary Affairs

1. Shri J.P.P. Kajur - Assistant Section Officer

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda.

***** ***** ***** ***** ***** *****

(The witnesses of the Ministry of Culture were ushered in)

2. Welcoming the representatives of the Ministry of Culture, the Chairperson informed that the Secretary, Culture has been granted exemption from appearing personally before the Committee owing to his pre-scheduled engagement with an urgent and important event. The Chairperson emphasized that the Ministries/Departments are required to implement an Assurance within a period of three months and if the Ministry/Department are unable to fulfil the Assurance within that time period, then it is imperative for them to seek extension of time. The Chairperson then drew their attention to Direction 55 (1) of the Directions by the Speaker, Lok Sabha regarding the confidentiality of the proceedings till the presentation of the relevant Report of the Committee to the House. Observing that the Ministry of Culture had a total of 39 pending Assurances and noticing that there were unreasonable delays in fulfillment of the Assurances, the Chairperson highlighted that nine Assurances from the Thirteenth Lok Sabha to the Fifteenth Lok Sabha have been taken up for the oral evidence.

3. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Culture on the abovementioned nine pending Assurances. The Committee desired to know about the existing mechanism in the Ministry for review and implementation of the Parliamentary Assurances. The Director General (DG), Archeological Survey of India (ASI) informed the Committee that the review of pending Assurances is done at the Secretary level every 15 days. The Committee were concerned to note that even after conducting fortnightly recurring meetings for such a long period, the Ministry were having 39 pending Assurances. The Committee enquired as to whether the Ministry keep the Minutes of the fortnightly meetings to which the representatives replied in the affirmative. The Committee then reviewed the 09 pending Assurances (Annexure-III) of the Ministry of Culture pertaining to the period from the 13th Lok Sabha to the 15th Lok Sabha as mentioned below:-

I. USQ No. 4960 dated 26.04.2000 regarding 'Recommendations of Fifth Pay Commission' (SI. No.1)

Admitting that the Assurance has been pending for a long time, the DG, ASI informed the Committee that the Question was initially answered by the Department of Personnel and Training and

when it became an Assurance, it was transferred to the Ministry of Culture. The Committee were apprised that a Task Force was constituted in the year 2009 which recommended a categorization formula for the libraries. The Task Force submitted its report in 2010 which was sent to the Ministry of Finance in the year 2011. The Ministry of Finance after examination conveyed to the Ministry of Culture that the recommendation of the Task Force might lead to upgradation of the libraries and consequently the pay scale of the Library in-charge would also be required to be upgraded causing financial implications. Subsequently, the Ministry of Finance recommended the Ministry of Culture to apply the revised categorization formula on 10-12 libraries to test the utility of the formula. After that, meetings were held in 2015 and in 2017. In the meeting held in 2017, the Task Force concluded that no upgradation of categorization of library was happening on the basis of the formula and in fact the categories of libraries were getting downgraded. The report of the Task Force teams and recommendations were sent to the Ministry of Finance to take a final decision. The Ministry of Finance advised the Ministry of Culture to initiate steps in accordance with the latest recommendations of the 7th Central Pay Commission (CPC). The DG, ASI further apprised the Committee that the 7th CPC examined the issues flowing through the 5th CPC and concluded that the posts of library staff were appropriately placed and no upgrade was justified. The DG, ASI also informed the Committee that the Ministry of Culture were in the process of requesting the Committee to drop the Assurance. The Committee were upset to note that the Ministry acted lethargically as could be gauged from the fact that the Task Force was constituted after an inordinate delay of more than nine years and it took another seven years for the Task Force to come to the conclusion. However, noticing that the Assurance pertaining to the career growth of Librarians which was supposed to be completed in 3 months had not been properly pursued even after a lapse of more than 19 years, the Committee deplored the lackadaisical approach of the Ministry in the matter. However, noticing that no action was pending with respect to implementation of the recommendations of the 5th CPC in view of the recommendations of the 7th CPC, the Committee directed the Ministry to forward a formal request for dropping of the Assurance so that the matter could be brought to a conclusion.

- II. (i) **USQ No. 408 dated 03.05.2007 regarding 'Illegal Trafficking in Antiquities' (Sl.No. 2)**
- (ii) **USQ No. 2351 dated 12.03.2013 regarding 'Smuggling of Antique Objects' (Sl. No.4)**
- (iii) **USQ No. 6541 dated 07.05.2013 regarding 'Amendment in Antiquities and Art Treasures Act, 1972 (Sl .No.6)**
- (iv) **USQ No. 3284 dated 11.02.2014 regarding 'Documentation of Antiquities'(Sl. No.9)**

The Committee were informed that ASI conducted various meetings in the matter and various Committees were also set up in different years. Finally, a Committee was constituted under the Chairmanship of Dr. Karan Singh which recommended that instead of amendment of the existing Act, two separate Bills might be framed. Subsequently, those two Bills were sent to the Ministry of Law and Justice. The Ministry of Law and Justice suggested clubbing of the two separate Bills as one Bill. A meeting was held under the chairmanship of the Minister of Culture to discuss and amend the proposed Bill. The Bill was again submitted to the Ministry of Culture incorporating therein the decisions taken in the meeting. Later on, the Ministry of Culture asked the ASI to furnish the documents relating to inter-Ministerial consultations. The DG, ASI assured the Committee that they would send the requisite papers to the Ministry of Culture and fulfil the Assurance as soon as possible after following due process. The Ministry further informed the Committee that the new Bill had proposed some changes which would make things easier for the people. The Committee desired to know as to when the Ministry proposed to give effect to the Act. The DG, ASI apprised the Committee that after sending the requisite papers to the Ministry of Culture they would make efforts

to get the Bill vetted by the Ministry of Law and Justice. Ministry of Culture also apprised that their Cabinet Note was ready and they would try to place it on the Table of the House at the earliest. The DG, ASI stressed that they would try to fulfil the Assurance before 11.05.2020 so that they do not have to seek further extension.

III. USQ No. 392 dated 02.08.2011 regarding 'Protection of Paintings' (SI No.3)

The Committee were informed that the Question had two parts, the first part related to the paintings of Lalit Kala Academy (LKA) which were suspected to had been stolen and replaced with fake ones; the second part related to the digitisation of the entire collection of Lalit Kala Academy and the National Gallery of Modern Arts (NGMA). The representative of the Ministry of Culture apprised the Committee that NGMA had been doing its work swiftly and its paintings were RFID tagged so that they could be tracked. However, as regards Lalit Kala Academy, the Committee were informed that it was an autonomous organisation which entered into yearly MOU with the Ministry of Culture. The representative of the Ministry of Culture further informed the Committee that they had been pursuing the matter repeatedly with LKA and urging them to use the requisite software for getting their collection catalogued so that it could be digitized but the replies of LKA were far from satisfactory and their cataloging work had not been completed. The Committee enquired about the reasons for the delay in that regard from the representatives of the LKA. The representatives of LKA informed the Committee that in spite of promoting Indian Art, organizing exhibitions in and outside the country and providing scholarships and fellowships, the LKA had not been getting any resources from the Ministry of Culture and that expensive art works were at the risk of getting replaced with fake ones due to lack of space. The Committee emphasized that the demands of the LKA could be fulfilled only after completion of cataloguing process and urged upon the representatives of LKA to complete the process without delay and within six months. The representative of LKA informed the Committee that they were in the process of preparing catalogues of their art works and they had also constituted a Committee in that regard. The Committee stressed upon the representatives of the Ministry of Culture to provide space to the LKA, to preserve expensive art works and paintings, once their cataloguing process was complete and directed them to furnish a status report on the matter.

IV. (i) USQ No. 4790 dated 23.04.2013 regarding 'Restructuring of ASI' (SI. No.5)

(ii) USQ No. 732 dated 10.12.2013 regarding 'Restructuring of ASI' (SI. No.7)

The DG, ASI informed the Committee that ASI was a 158 years old organisation and during its long journey, various changes have taken place along with people's expectations from the organisation. The Committee were informed that earlier ASI was more of a research based organisation but it has now occupied a very important position from the point of view of heritage and history. Considering all these changes and to live up to the expectations of its visitors, the DG, ASI stated that it was very important that restructuring of the manpower of that organisation was done. The Committee were further informed that the initiative towards the restructuring was taken in the year 2009 and proposals were sent in this regard to the Ministry of Culture from time to time. The proposal initially submitted for restructuring of ASI was received back from the Ministry of Finance with the advice to recast the same in line of creation/abolition of posts. The DG, ASI informed the Committee that they had recommended for creation of only 340 posts which were very critical for the organisation. The DG, ASI further informed that they had also proposed for abolition of certain posts which had become redundant due to the advent of technology. The Committee were also informed that the revised proposal had already been submitted in accordance with the instructions of the Ministry of Finance and the Ministry of Culture. The DG, ASI assured the Committee that they would make further efforts to expedite the fulfilment of the Assurance.

V. USQ No. 864 dated 10.12.2013 regarding 'Restoration of Kedarnath Temple' (Sl.

No.8)

The DG, ASI informed the Committee that heavy losses were incurred due to the floods in Kedarnath in the year 2013. The State Government gave the responsibility for restoration and conservation of the Kedarnath Temple to the ASI and the work was started in 2013 itself. The DG, ASI also apprised the Committee that the restoration and reconstruction work of the Kedarnath Temple had been completed and it took a time span of nearly four and a half years to complete the work due to unfavourable weather conditions and difficult terrain. The DG, ASI further informed the Committee that subsequently when the Committee undertook a study visit to Haridwar, one of the recommendations that were received was for the change in the direction of the Mandakini river. As ASI would not have been able to do the work, the work was handed over to the Geological Survey of India (GSI). GSI had submitted its report and the same was sent to the State Government concerned. The DG, ASI apprised the Committee that they would pursue the matter with the State Government and even at the level of Chief Minister/Chief Secretary to get their response. The Committee noted that the Ministry had sought extension of time till March 2020 for fulfilment of the Assurance. The Ministry assured the Committee that they would get all the work done by that time.

4. The representatives of the Ministry of Culture then withdrew.

*****	*****	*****	*****	*****	*****
*****	*****	*****	*****	*****	*****
*****	*****	*****	*****	*****	*****
*****	*****	*****	*****	*****	*****
*****	*****	*****	*****	*****	*****
*****	*****	*****	*****	*****	*****
*****	*****	*****	*****	*****	*****
*****	*****	*****	*****	*****	*****

6. A verbatim record of the proceedings has been kept.

The Committee then adjourned.

Annexure-III

Statement of pending Assurances pertaining to the Ministry of Culture to be discussed during oral evidence to be held on 11.11.2019.

S.No.	SQ/USQ No. dated	Subject
1.	USQ No. 4960 dated 26.04.2000	Recommendations of Fifth Pay Commission
2.	SQ No. 408 dated 03.05.2007	Illegal Trafficking in Antiquities
3.	USQ No. 392 dated 02.08.2011	Protection of Paintings
4.	USQ No. 2351 dated 12.03.2013	Smuggling of Antique Objects
5.	USQ No. 4790 dated 23.04.2013	Restructuring of ASI
6.	USQ No. 6541 dated 07.05.2013	Amendment in Antiquities and Art Treasures Act, 1972
7.	USQ No. 732 dated 10.12.2013	Restructuring of ASI
8.	USQ No. 864 dated 10.12.2013	Restoration of Kedarnath Temple
9.	USQ No. 3284 dated 11.02.2014	Documentation of Antiquities

MINUTES
COMMITTEE ON GOVERNMENT ASSURANCES
(2019-2020)
(SEVENTEENTH LOK SABHA)
FIFTEENTH SITTING
(25.08.2020)

The Committee sat from 1100 hours to 1215 hours in Committee Room 'C' Parliament House Annexe, New Delhi.

PRESENT

Shri Rajendra Agrawal - Chairperson

Members

2. Shri Nihal Chand Chauhan
3. Shri Ramesh Chander Kaushik
4. Shri Kaushalendra Kumar
5. Shri Santosh Pandey
6. Shri Pashupati Kumar Paras

Secretariat

1. Shri Pawan Kumar - Joint Secretary
2. Shri Lovekesh Kumar Sharma - Director
3. Shri S.L. Singh - Deputy Secretary

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda. Thereafter, the Committee considered and adopted the following seven (07) draft Reports without any amendments:-

- (i) Draft Third Report (17th Lok Sabha) regarding 'Review of Pending Assurances pertaining to the Ministry of Law and Justice (Legislative Department)';

- (ii) Draft Fourth Report (17th Lok Sabha) regarding 'Review of Pending Assurances pertaining to the Ministry of Culture';
- (iii) Draft Fifth Report (17th Lok Sabha) regarding 'Requests for Dropping of Assurances (Acceded to)';
- (iv) Draft Sixth Report (17th Lok Sabha) regarding 'Requests for Dropping of Assurances (Not Acceded to)';
- (v) Draft Seventh Report (17th Lok Sabha) regarding 'Review of Pending Assurances pertaining to the Ministry of Road Transport and Highways';
- (vi) Draft Eighth Report (17th Lok Sabha) regarding 'Requests for Dropping of Assurances (Acceded to)'; and
- (vii) Draft Ninth Report (17th Lok Sabha) regarding 'Requests for Dropping of Assurances (Not Acceded to)';

2. The Committee also authorized the Chairperson to present the Reports.

XXX	XXX	XXX	XXX	XXX	XXX
XXX	XXX	XXX	XXX	XXX	XXX

The Committee then adjourned.