

**COMMITTEE ON PAPERS LAID ON THE TABLE
(2022-23)**

SEVENTEENTH LOK SABHA

117

ONE HUNDRED AND SEVENTEENTH REPORT

[Action Taken by the Ministry of Minority Affairs on the Recommendations/ Observations made by the Committee in their Sixtieth Report (Seventeenth Lok Sabha) regarding delay in laying of the Annual Reports and Audited Accounts of the National Commission for Minorities, New Delhi]

(Presented to Lok Sabha on 27 March, 2023)



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI
March, 2023/Chaitra, 1945 (Saka)**

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COMPOSITION OF COMMITTEE ON PAPERS LAID ON THE TABLE
(2022-23)

Shri Girish Chandra - **Chairperson**

MEMBERS

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

SECRETARIAT

1. Shri Vinay Kumar Mohan - Joint Secretary
2. Shri Naval K. Verma - Director
3. Shri Uttam Chand Bharadwaj - Additional Director

INTRODUCTION

I, the Chairperson of the Committee on Papers Laid on the Table (2022-23), having been authorized by the Committee to present the Report on their behalf, present this One Hundred and Seventeenth Report on the action taken by the Government on the recommendations/observations made by the Committee in the Sixtieth Report (Seventeenth Lok Sabha) regarding the delay in laying the Annual Reports of the National Commission for Minorities, New Delhi.

2. The Sixtieth Report (Seventeenth Lok Sabha) was presented to Lok Sabha on 15 December, 2021. The Ministry for Minority Affairs furnished their replies on 9th November, 2022 indicating the action-taken on the observations/ recommendations contained in the Sixtieth Report. The Committee considered and adopted this Report at their sitting held on 23 March, 2023.

3. The Committee place on record their appreciation of the valuable assistance rendered to them by the officials of the Lok Sabha Secretariat attached to the Committee.

4. The Observations/Recommendations of the Committee have been printed in bold letters at the end of the Report.

New Delhi;

March, 2023
Chaitra, 1945 (Saka)

Girish Chandra
Chairperson
Committee on Papers Laid on the Table

COMMITTEE ON PAPERS LAID ON THE TABLE (2022-2023), LOK SABHA

Report

Action Taken by Ministry of Minority Affairs on the Recommendations/ Observations made by the Committee in their Sixtieth Report (Seventeenth Lok Sabha) regarding the delay in laying of the Annual Reports and Audited Accounts of the National Commission for Minorities, New Delhi.

This Report of the Committee deals with the action-taken by the Ministry of Minority Affairs on the Recommendations/Observations made by the Committee on Papers Laid on the Table (2021-2022) in their Sixtieth Report (17th Lok Sabha) which dealt with the matter of delay in laying the Annual Reports and Audited Accounts of the National Commission for Minorities, New Delhi (NCM) for the years 2015-2016 to 2019-2020 and was presented to the Lok Sabha on 15 December, 2021.

2. The action-taken replies to all the Observations/Recommendations of the said Report have been received from the Ministry of Minority Affairs on 9th November, 2022. The reply showing the action-taken by the Ministry of Minority Affairs on the Recommendations/Observations contained in the Sixtieth Report (17th Lok Sabha) is given in **Appendix-I**.

3. **The Committee in their original Reports, i.e. 19th Report, 16th Lok Sabha and 60th Report, 17th Lok Sabha, presented on 08 February, 2018 and 15 December, 2021 respectively, had observed that the Annual Reports along with Action taken memorandum since the years 2011-2012 have not been laid. The main reason for delay was stated to be obtaining the Action Taken Report from the stakeholders/Ministries concerned on the recommendations contained in the Annual Report of the Commission and also time taken in getting approval of the same from the Cabinet. Keeping this aspect in view, the Committee had recommended amending the NCM Act, 1992 suitably so that the Annual Reports and Audited Accounts of the NCM would be laid within the stipulated period and the Memoranda of Action Taken should be laid separately. In response to the recommendation, the Ministry in their action taken reply has stated that they would examine the recommendation made by the Hon'ble Committee for suitably amending Section 13 of the NCM Act, 1992. It has also been informed that the matter is also being monitored at the highest level in the Ministry. The Committee note the assurance given by the Ministry and expect that the Ministry will take up the matter with top most priority so that the delay on this score does not occur in future.**

4. The Committee further note that Ministry/NCM has also accepted the recommendation of the Committee wherein it had been stated that the Annual Report and Audited Accounts of the NCM should be laid together to enable the House to have a complete picture of the working of that organization. Accordingly, the Ministry/NCM has stated that as per directions in the matter, NCM is now receiving Grants-in-aid w.e.f. 2022-23. This will ensure that the audit of annual accounts of NCM is regularly conducted by the CAG. The Committee hope that with the remedial measures taken by the Ministry, the Annual Reports and Audited Accounts of the NCM since the year 2022-2023 will be laid together within the stipulated time.

5. However, the Committee are disappointed to note that after being recommended in their original Reports, the requisite documents of the NCM since the years 2011-2012 have not been laid as yet. Moreover, the Ministry/NCM has not furnished the stages of laying of the requisite documents of the NCM and also expected dates of laying these documents. The Committee take a serious view over the fact and recommend that the pending documents of the NCM should be laid at the earliest. The Committee would like to be informed of the action taken by the Ministry in this regard.

New Delhi;

March, 2023
Chaitra, 1945 (Saka)

Girish Chandra
Chairperson
Committee on Papers Laid on the Table

Action Taken by Ministry of Minority Affairs on the Recommendations/ Observations made by the Committee in their Sixtieth Report (Seventeenth Lok Sabha) regarding the delay in laying of the Annual Reports and Audited Accounts of the National Commission of Minorities, New Delhi

(Recommendation Serial No. 27)

The Committee are discontented to note that the administrative Ministry i.e. the Ministry of Minority Affairs, which is responsible for laying the documents of the National Commission of Minorities (NCM) before Parliament, has itself not taken care to ensure that such reports and accounts are laid before Parliament within the stipulated period of nine months of the closure of the respective accounting year. The Committee find from the replies received from the Ministry that the NCM took a long time for sending the document to the Ministry and the Ministry has also treated the matter in a causal manner. The Committee are perturbed to note that the Annual Reports of the NCM since the years 2011-2012 have not been laid as yet in spite of the recommendations made by the Committee in this regard in their 19th Report (16th Lok Sabha). Moreover, the Committee could not find any justification for not furnishing the action taken replies by the Ministry to the recommendations made by the Committee in their aforementioned Report as these replies were furnished by the Ministry only when the Committee decided to call the Ministry for tendering evidence. The Committee is extremely disappointed with this continuous heedless approach of the Ministry towards fulfilling its obligation before the Parliament. The Committee, hence, strongly recommend to the Ministry to explain the reasons for not furnishing the action taken replies within 03 months as desired by the Committee because it appears that there is no need to take Cabinet approval for furnishing the replies.

Reply of the Government

The reasons for delay in sending the ATRs on the recommendations made by the Committee's 19th Report have been explained in replies to List of Points (S.No.1) sent vide this Ministry's O.M. dated 20.11.2020.

However, the delay in sending reply is deeply regretted.

**(Ministry of Ministry of Minority Affairs NCM-14011/2/2020-PP-MoMA O dated 9th
November 2022)**

(Recommendation Serial No. 28)

The Committee in their earlier Report (19th Report 16th Lok Sabha) recommended that the Annual Reports and Audited Accounts of the NCM should be laid on the Table of the House as per section 13 of NCM Act. However, the Ministry in their action taken replies has made a plea that the National Commission for Scheduled Castes has been exempted for laying of the Audited Accounts on the Table of the House. The Committee is of the opinion that the question for exemption of not laying the audited accounts of the National Commission for Scheduled Castes does not arise here as the Committee suggested to follow the statutory provision made in their Act. Later on, the Ministry itself has accepted the recommendation made by the Committee and decided that the Annual Reports would be laid along-with the Audited Accounts of the NCM from the year 2011-2012 onwards as recommended by the Committee. For the purpose, the NCM has got separate audit of NCM done by CAG w.e.f 2011-12 to 2015-16 and the same will be annexed in their respective Annual Reports at the time of laying of the Annual Reports.

However, the Committee are disappointed to note that no sincere efforts were made by the Ministry/NCM to get the annual accounts of the NCM audited by C&AG since the year 2016-2017 and the matter for auditing of the annual accounts with C&AG was taken up in the year 2020 only. The Committee, therefore strongly recommend that such kind of lapse should not recur in future.

Reply of the Government

The Audit of the NCM accounts has since been conducted by the Office of the Director General of Audit (Central Expenditure) with effect from 2016-17 to 2019-20. This position was conveyed to the Lok Sabha Secretariat, Committee Branch II, Committee on Papers Laid on the Table vide this Ministry's O.M No.2-4/2015-NCM dated 28.06.2021. A copy of the said O.M is again enclosed for ready reference.

NCM has also made a request to the DGACE for carrying out the Audit of NCM for 2020-21 and 2021-22.

The Ministry would also like to inform the Committee that as per directions in the matter, NCM is now being given Grants-in-aid w.e.f. 2022-23. This will ensure that the audit of annual accounts of NCM is regularly conducted by the CAG.

**(Ministry of Ministry of Minority Affairs NCM-14011/2/2020-PP-MoMA O dated 9th
November 2022)**

(Recommendation Serial No. 29)

The Committee is of the considered view that non-laying of the documents of the Commission since the year 2011-2012 could not be justified on any ground. The Committee, therefore, strongly recommend that the Annual Reports and Audited Accounts of the Commission should be laid within nine months as recommended by the Committee in their earlier Report. Action Taken Memorandum be laid after completing the all formalities as per their procedure. For this, if need be, Section 13 of the NCM Act should be suitably amended. The Committee may be apprised of the action taken by them in this regard.

Reply of the Government

The Ministry will examine the recommendation made by the Hon'ble Committee for suitably amending Section 13 of the National Commission for Minorities Act, 1992

(Ministry of Ministry of Minority Affairs NCM-14011/2/2020-PP-MoMA O dated 9th November 2022)

(Recommendation Serial No. 30)

The Committee further note from the replies furnished by the Ministry that the annual accounts of the NCM since the year 2016-2017 have not been audited separately as yet. It was apprised to the Committee that as per their procedure, the NCM collects the data of expenditure incurred for every annual accounting year and sent to the Ministry wherein the annual accounts of the NCM expenditure are prepared by PAO of the Ministry along-with the annual accounts of the Ministry in the form of Annual Appropriation Accounts. These Accounts are audited by the C&AG and finally laid in the Parliament as Annual Appropriation Accounts of Government of India. The Committee desired to know during evidence as to why the annual accounts of the NCM were audited by the C&AG for earlier years and also the C&AG were requested in the year 2020 to audit the annual accounts for the years 2016-2017 to 2019-2020. The Secretary/the representatives to the Ministry/NCM could not reply on those points at that time and requested the Committee that the replies would be sent by them within two weeks' time. However, the replies have not been sent by the Ministry as yet. The Committee is disturbed to note that the Ministry has taken a casual approach even in sending the replies to the Committee.

Reply of the Government

Before 2015-16, no separate audit report was prepared as the accounts of NCM used to be audited in the composite audit of the Ministry.

The audit of Central Ministries and their attached/subordinate offices under Section 13 and 15 and the transaction audit of autonomous bodies under Section 14 & 19/20 of CAG's (DPC) Act, 1971 is done by Director General of Audit (Central Expenditure) themselves. However, since the audit was

not conducted for some years after 2015-16 by Director General of Audit (Central Expenditure), a request was made by NCM to the Office of Director General of Audit (Central Expenditure) in the year 2020 to carry out the comprehensive Audit of the functions mandated and performed by the NCM including the accounts of the Commission to ascertain and rectify the irregularities.

As already informed in reply to Recommendation No. 28, Audit of annual accounts for the year 2017-18 to 2019-20 has already been carried out by DGACE. This position was also conveyed to the Committee Branch II, Committee on Papers Laid on the Table vide this Ministry's O.M No.2-4/2015-NCM dated 28.06.2021.

Further, NCM has also made a request to the DGACE for carrying out the Audit of NCM for 2020-21 and 2021-22.

(Ministry of Ministry of Minority Affairs NCM-14011/2/2020-PP-MoMA O dated 9th November 2022)

(Recommendation Serial No. 31)

Moreover, the Ministry was advised during evidence that in order to create more accountability, the Ministry/NCM should lay down a logistic time schedule covering the each stage from compilation of the annual report/annual accounts to laying the documents on the Table of the House. The representative to the Ministry/NCM assured the Committee that the time schedule would be prepared by them and a copy of the same should be sent to the Committee within a week. However, no such copy of the time schedule has been sent to the Committee as yet.

The Committee is of the opinion that the administrative Ministry, who is responsible for laying documents of the NCM before Parliament, is required to exercise greater vigilance and devise a suitable procedure to ensure that such reports and accounts are laid before Parliament within the stipulated period of nine months of the close of the accounting year. The Committee think that if the Ministry themselves show such an apathetic and indifferent attitude to the importance and timely laying of documents, good results cannot be expected from the organizations and bodies which look to the Ministry for guidance. The Committee consider it as a grave irregularity on the part of the administrative Ministry which certainly amounts an abdication of Parliamentary responsibility and can hardly be overlooked. Notwithstanding the reasons adduced for the delay, the Committee conclude that an atmosphere of non-accountability is prevalent in the Ministry/NCM insofar as fulfilling the obligatory responsibility towards Parliament is concerned. The Committee, therefore, strongly recommend that the time schedule should be laid down henceforth and a senior officer should be deputed with the specific job of monitoring the time-schedule for laying of Reports on a regular basis. The Committee would like to be apprised of the positive and conclusive action taken in this regard within 3 months from the date of presentation of the Report.

Reply of the Government

The Ministry of Minority Affairs may like to inform that in compliance with the directions of the Hon'ble Committee, the time schedule covering the each stage from preparation of the annual report

of NCM was conveyed to the Committee Branch–II vide O.M. No.2-4/2015-NCM dated 28.06.2021. A copy of the same is enclosed for ready reference.

Further to avoid delay, the recommendation contained in the Annual Report of the NCM are incorporated in Draft Cabinet Note and straight away circulated to the concerned Ministries/Departments for their comments.

However, due to the peculiar procedure involved, delay occurs in complying the requirement of laying of Annual Report along with ATMs in nine months time.

As recommended by the Hon'ble Committee, The Ministry will examine the recommendation for suitably amending Section 13 of the National Commission for Minorities Act, 1992.

The matter is being monitored at the highest level in the Ministry.
(Ministry of Ministry of Minority Affairs NCM-14011/2/2020-PP-MoMA O dated 9th November 2022)

(Recommendation Serial No. 32)

The Committee further noticed that the NCM has uploaded the Reports of the Commission at their Web site since the year 2011-2012 which could not be laid on the Table of both the Houses as yet. The Committee think that these Reports could be uploaded after laying of these documents before Parliament. The Committee, therefore, desire to know whether the procedure set by the Ministry/NCM allow them to upload the Reports on their website before its laying in Parliament. If not, the serious lapses must be tracked. The committee also desire to know the steps taken by them in this regard

Reply of the Government

The Annual Reports of the National Commission for Minorities (NCM) since the year 2011-12 were uploaded inadvertently on the website of the NCM. However, the same have now been removed from the website of the NCM.

(Ministry of Ministry of Minority Affairs NCM-14011/2/2020-PP-MoMA O dated 9th November 2022)

(Recommendation Serial No. 33)

The Committee note that the Ministry had failed to comply with the recommendation made in their earlier Report, to lay a statement within 30 days of the expiry of the prescribed period or as soon as the House meets, whichever is later, explaining the reasons as to why the requisite documents could not be laid within the stipulated period. Therefore, the Committee recommend the Ministry to lay this statement as per the recommendation of the Committee. However, this measure may be resorted to

only to explain the “unavoidable” reasons which caused the delay and not as a means to justify the delay.

Reply of the Government

A statement indicating the reasons for delay in laying the Annual Report before the Houses of Parliament shall be laid along with the Annual Report and Audit Report with ATMs.

**(Ministry of Ministry of Minority Affairs NCM-14011/2/2020-PP-MoMA O dated 9th
November 2022)**

Committee On Papers Laid On The Table (2022-23)

**The Extracts of the Minutes of the sitting of the Committee on Papers Laid on the Table
held on 23 March, 2023**

The Committee sat on Thursday, 23rd March, 2023 from 15:00 hours to 17:10 hours in Committee Room 'C', Parliament House Annexe, New Delhi.

Present

Shri Girish Chandra - ***Chairperson***

***Members
(Lok Sabha)***

1. Shri Pallab Lochan Das
2. Choudhary Mehboob Ali Kaiser
3. Shri Jamyang Tsering Namgyal
4. Shri Ashok Kumar Yadav

Secretariat

1. Shri Vinay Kumar Mohan - Joint Secretary
2. Shri Naval K. Verma - Director
3. Shri Uttam Chand Bharadwaj - Additional Director

2. At the outset, the Chairperson welcomed the Members of the Committee to the sitting and apprised them of the agenda.

XX XX XX XX

4. At first, the Committee took up the following four draft Reports and eight Action taken Reports for consideration and adoption:-

- i. to xi
- xii Action Taken by **the Ministry of Minority Affairs** on the Recommendations/ Observations made by the Committee in their **Sixtieth** Report (Seventeenth Lok Sabha) regarding delay in laying of the Annual Reports and Audited Accounts of the National Commission for Minorities, New Delhi;

The above mentioned four Reports and eight Action Taken Reports were unanimously adopted by the Committee and the Chairperson was authorized by the Committee to finalize and present Reports to the Lok Sabha.

xx	xx	xx	xx
xx	xx	xx	xx

(A Copy of the verbatim proceedings of the sitting is kept.)

The Committee then adjourned.
