

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(1998-99)**

**TWELFTH LOK SABHA
SECOND REPORT**

(Request for Dropping of Assurances)

(Presented in Lok Sabha on 17.12.98)



**LOK SABHA SECRETARIAT
NEW DELHI**

Price: Rs. 15.00

**CORRIGENDA
TO
THE SECOND REPORT OF THE COMMITTEE ON
GOVERNMENT ASSURANCES
(TWELFTH LOK SABHA)**

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7	2.9	14	assurance after is also no longer in Power. As the assurance
18		Last	The Committee then adjourned.

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(1996-97)

Shri E. Ahamed—*Chairman*

MEMBERS

2. Shri Rajendra Agnihotri
3. Shri Mukhtar Anees
4. Shri Illiyas Azmi
5. Shri L. Balaraman
6. Shri Dileep Singh Bhuria
7. Shrimati Bhavana Chikhalia
8. Shri Paban Singh Ghatowar
9. Dr. Ramkrishna Kusmaria
10. Shri Sanat Mehta
11. Shri Hannan Mollah
12. Dr. Jayanta Rongpi
13. Dr. C. Silvera
14. Shri Tilak Raj Singh
15. Shrimati Purnima Verma

SECRETARIAT

1. Dr. A.K. Pandey — *Additional Secretary*
2. Shri P.D.T. Achary — *Director*
3. Shri K. Chakraborty — *Deputy Secretary*
4. Km. J.C. Namchy — *Assistant Director*

*The Committee was nominated by the Speaker w.e.f. September 13, 1996 vide para 456 of Lok Sabha Bulletin Part-II dated 16 September, 1996.

COMPOSITION OF MEMBERS OF COMMITTEE ON GOVERNMENT
ASSURANCES* (1998-99)

Shri E. Ahamed—*Chairman*

MEMBERS

2. Shri Amrik Singh Aliwal
3. Shri Prithviraj D. Chavan
4. Shri Mohd. Ali Asharaf Fatmi
5. Shri Vijay Goel
6. Shri Tarun Gogoi
7. Shri Ganga Ram Koli
8. Shri Sanat Kumar Mandal
9. Shri Rupchand Pal
10. Shri Hari Kewal Prasad
11. Shri A. Venkatarami Reddy
12. Shri Dileep Sanghani
13. Shri A. Siddaraju
14. Shri Sartaj Singh
- **15. Dr. C. Suguna Kumari

SECRETARIAT

1. Dr. A.K. Pandey — *Additional Secretary*
2. Shri P.D.T. Achary — *Joint Secretary*
3. Shri K. Chakraborty — *Deputy Secretary*
4. Km. J.C. Namchyo — *Assistant Director*

* The Committee was nominated by the Speaker w.e.f. August 6, 1998 vide para No. 553 of Lok Sabha Bulletin Part-II dated August 6, 1998.

** Nominated to the Committee on August 20, 1998 as published vide para 585 of Lok Sabha Bulletin Part-II dated August 20, 1998 vice Shri Arjun Charan Sethi resigned.

INTRODUCTION

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

The Committee (1998-99) was constituted on August 6, 1998.

The Committee (1996-97) at their sitting held on October 1, 1996 considered *inter-alia* Memorandum No. 2 and at their sitting held on April 7, 1997 considered *inter-alia* the Memoranda Nos. 10, 11 and 13 on requests received from the Ministries/Departments of the Government of India for dropping of three pending assurances. Draft Report prepared, however, could not be considered and adopted by the Committee during 11th Lok Sabha as Lok Sabha was dissolved.

At their sitting held on December 3, 1998, the Committee (1998-99) considered and adopted the draft Second Report.

The Minutes of the aforesaid sittings of the Committee form part of this Report. (Appendix)

The conclusions/observations of the Committee are contained in this Report.

NEW DELHI;
December 3, 1998
Agrahayana 12, 1920 (Saka)

E. AHAMED,
Chairman,
Committee on Government Assurances.

REPORT

INDEPENDENT COUNCIL FOR PHYSIOTHERAPISTS

1.1 On April 18, 1990 Shri Nathu Singh, M.P. addressed the following Unstarred Question No. 5464 to the Minister of Health and Family Welfare:—

- “(a) whether demands of physiotherapist, occupational therapist, etc. are pending since long;
- (b) if so, the reasons therefor; and
- (c) by when each demand made by these categories will be met?”

1.2 In reply to the above question, the then Minister of Health and Family Welfare (Shri Nilamani Routray) stated as follows:—

“(a) to (c): Representation from Physio-Occupational Therapists' Association of Delhi Government Hospitals and C.G.H.S., New Delhi, for creation of higher grade (Class-I Junior and Senior level) posts for Physiotherapists was received in September, 1989. There is also another demand received from Indian Association of Physiotherapists and All India Occupational Therapists' Association for setting up of Physiotherapists and Occupational Therapists Council. These demands are under consideration of Government.”

1.3 The above reply was treated as an assurance and was required to be implemented by the Ministry of Health and Family Welfare by 17.7.90 i.e. within three months of the date of assurance given by the Minister.

1.4 On August 22, 1990, Shrimati Geeta Mukherjee, M.P. addressed the following Unstarred Question No. 2226 to the Minister of Health and Family Welfare:—

- “(a) whether Government have received any representation from the Indian Association of Physiotherapists for the formation of a separate council for them; and
- (b) if so, the reaction of Government thereto?”

1.5 In reply to the above question, the then Minister of State in the Ministry of Health and Family Welfare (Shri Rasheed Masood) stated as follows:—

“(a) & (b) Yes. On the basis of the representation received from the Indian Association of Physiotherapists, it has been decided to set up a separate Council for physiotherapists and Occupational Therapists with separate cells. Steps to set up the said Council are being taken.”

1.6 The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Health & Family Welfare by November 21, 1990 i.e. within three months of the date of assurance given by the Minister.

1.7 On April 21, 1992, Shri Ram Vilas Paswan, M.P. addressed the following Unstarred Question No. 7301 to the Minister of Health and Family Welfare:—

- "(a) whether Government have abandoned the scheme to set up a separate council for Physiotherapists and Occupational Therapists with separate cells;
- (b) if so, the reasons therefor;
- (c) if not, action taken so far by the Government to bring suitable Legislation in this regard; and
- (d) the amount earmarked in this regard during 1992-93?"

1.8 In reply to the above question, the then Minister of State in the Ministry of Health & Family Welfare (Shrimati D.K. Tara Devi Siddhartha) stated as follows:—

- "(a) No, Sir.
- (b) The question does not arise.
- (c) The proposal to bring a suitable legislation on the subject is under process.
- (d) No funds have been earmarked during 1992-93."

1.9 The above reply to part (c) of the question was treated as an assurance and was required to be implemented by the Ministry of Health and Family Welfare by July 20, 1992 *i.e.* within three months of the date of assurance given by the Minister.

1.10 A request of the Ministry of Health and Family Welfare for dropping of assurance given to Unstarred Question No. 2226/22.08.90 and Unstarred Question No. 7301/21.4.92 was placed before the Committee for their Consideration on August 17, 1993. The reasons furnished by the Ministry was that they would not be in a position to implement the assurance till 31.3.97 as they have been advised by the Ministry of Finance that the proposal for the setting up of the council be kept pending till the end of the current Eighth Plan *i.e.* till 31.3.97 for lack of budgetary provisions. The Committee were not in favour of dropping the assurances and instead recommend that the Ministry of Health and Family Welfare should make efforts in all earnestness to bring the proposed legislation on the subject in Parliament at the earliest and implement the assurance without further delay.

1.11 Subsequently, the Ministry of Health and Family Welfare *vide* their O.M. No. H. 11016/24/90/MS/PMs dated 4.12.95 wrote to this Secretariat as follows:

"Acting as on the direction of the Committee on Government assurances, a Consultant was appointed to prepare a draft Bill and a draft Cabinet Note. A draft Bill and Cabinet Note were prepared and referred to the Ministry of Law for vetting. The Ministry of Law advised, after preparation to consult the State Governments, as not only the subject matter falls under the concurrent list (Entry 26), a definite role is envisaged to the State Governments under the legislation, proposed. To obtain the consent Health Secretaries was called on 25.8.95. It was decided in the meeting not to form a separate Council for Physiotherapists and Occupational Therapists and these categories may be covered in the proposed omnibus Para-Medical Council.

As the categories of the Physiotherapists and Occupational Therapists have to be covered under the omnibus Para-Medical Council, the implementation of the assurances under reference would not be possible. Therefore it is requested that the above assurances be dropped alongwith assurances given on 18.4.90 in reply to USQ No. 7464 in 2nd Session of Ninth Lok Sabha."

1.12 The Ministry of Parliamentary Affairs *vide* their U.O. Note No. 11/H.F.W.(39) USQ 2226-LS/90 dated 8.8.96 have forwarded a request of the Ministry of Health and Family Welfare for the dropping of these three assurances on the following grounds:—

"The undersigned is directed to refer to the Lok Sabha Secretariat's U.O. No. 12/3/1-96Q(CGA) dated 11/6/96 regarding the Assurance given on 22.8.90 in reply to the Lok Sabha Unstarred Question No. 2226 and to say that a meeting of the State/Union territories Health Secretaries was held on 25.8.95 in which it was decided not to form a separate Council or Physiotherapists and Occupational Therapists and to cover these categories under the proposed omnibus Para-Medical Council. Following this decision the Lok Sabha Secretariat was requested on 4.12.95 (copy enclosed) to take action to drop these assurances on the formation of the Physiotherapists and Occupational Therapists Council as it would not be possible to fulfil these assurances."

The Lok Sabha Secretariat is again requested to take necessary action to drop the assurances given on the following Parliament Question:—

1. Lok Sabha Unstarred Question No. 2226 dated 22.8.90
2. Lok Sabha Unstarred Question No. 7301 dated 21.4.92
3. Lok Sabha Unstarred Question No. 5464 dated 18.4.90.

1.13 The committee considered the request of the Ministry of Health and Family Welfare at their sitting held on April 7, 1997.

1.14 The Committee note that Government had received representations from Physio-occupational therapists association of Delhi Government hospitals and CGHS, for creation of higher grade (Class I Junior and Senior Level) posts for Physiotherapists. The Committee find that, though the demand has been pending since 1989, no steps have been taken by the Ministry so far in this regard. The Committee therefore recommend that the Government should take suitable steps in this regard as early as possible.

1.15 The Committee are informed that there is another demand which had been received from Indian Association of Physiotherapists and All India Occupational Therapist Association for setting up of a Physiotherapists an Occupational Thereapists Council. The committee take note of the reasons why the Government is not in a position to fulfil the assurances. While agreeing to drop the aforesaid assurances, the committee are of the view that it has taken the Government almost six years to finally express its inability to form a separate council for physiotherapists and occupational thereapists as these

categories will be covered under the proposed omnibus Para-Medical Council after giving due consideration to the demands of Indian association of Physiotherapists and All India Occupational Therapists' Association. The Committee recommended that Government may take expeditious steps to set up omnibus Para-Medical Council giving due consideration to the demand of Indian Association of Physiotherapists and All India Occupational Therapists' Association.

JAMMU AND KASHMIR SITUATION

2.1 On February 24, 1994 Sarvashri Charmanna Mondayya Sadul and P.C. Thomas MPs addressed the following Starred Question No. 41 to the Minister of Home Affairs:—

- (a) whether he visited Jammu & Kashmir recently;
- (b) if so, the details thereof including the areas visited by him;
- (c) whether the situation in the State has deteriorated recently and the militant activities have increased;
- (d) if so, the steps taken/proposed to be taken to improve the situation; and
- (e) the decision taken by the Government regarding holding of elections in the State?"

2.2 In reply to the above question, the then Minister of Home Affairs (Shri S.B. Chavan) laid a statement on the Table of the House as follows:—

- (i) The Union Home Minister visited Jammu, Doda and Kishtwar on 28—30 January, 1994. During the visit, he held detailed discussions with the Governor and Senior State Government Officers wherein matters pertaining *inter-alia* to the reactivation of the State administration; the financial problems of the State, measures required for stepping up of developmental activities and close physical and financial monitoring were reviewed. He also reviewed the obtaining security situation with the officials of the State/District administration, the Army and Central Para-Military Forces. In Jammu, the Home Minister met a large number of delegations representing diverse shades of opinion and visited two migrant camps. In Doda and Kishtwar also, a large number of delegations met him.
- (ii) While violence has continued at a high level, there is, in overall terms, an improvement in the situation. During recent months, steps to check infiltration/exfiltration of men and materials and to flush out the militants in the hinterland have been intensified further and action has also been taken to bring in greater coordination between the operations of the Security Forces in the State. Sustained pressure on the militants is being continued.
- (iii) The aim of the Government is to reduce the fear of the gun, motivate the people to come into the mainstream, activate the local administration and the political elements and to create conditions conducive to holding free and fair elections at the earliest.

2.3 During the course of supplementaries on the question, Shri Chandrajeet Yadav M.P. *inter-alia* expressed a need for setting of an Advisory Committee of the Parliament in Delhi so that all these questions about the employment, the strengthening of administration, rehabilitation and the large political aspect of Kashmir could be considered in the committee.

2.4 In reply the Minister of Home Affairs (Shri S.B. Chavan) stated as follows:—

"Actually I have already conceded that such an advisory committee needs to be appointed, so that on such an intricate issue if I were to get the feedback from different sections it would be really for the benefit of the Government. The only point was whether it should be confined to the Members of Parliament or there are some outsiders also who may be in a better position to give their own feed back also. That is the only point which was still under consideration and might be in a few weeks time we will be able to finalise the idea."

2.5 The above reply to the supplementary was treated as an assurance and was required to be implemented by the Ministry of Home Affairs by May 23, 1994 *i.e.* within three months of the date of assurance given by the Minister.

2.6 The Ministry of Parliamentary Affairs *vide* their U.O. Note No. IX/HA(1)SQ, 41-LS/94 dated 15.5.95 had forwarded a request of the Department of J&K Affairs for dropping of the aforesaid assurance on the following grounds:—

"Since the time when the assurance was given by the Home Minister there have been various developments in the State of Jammu & Kashmir and pertaining thereto. A separate Department of Jammu & Kashmir Affairs has also been since created under the charge of the Prime Minister. During the debate in Parliament on the issue of extension of President's Rule in the State beyond March 2, 1995 it has been stated by Home Minister that he would hold discussions with leaders of various political parties on issues pertaining to Jammu and Kashmir. A preliminary round of consultations has since been held by Home Minister with leaders of various parties including the AIADMK, BJP, CPI, CPM, Forward Block, Janata Dal, Janata Dal(S) on 20 March, 1995. Such consultations shall continue.

Keeping in view of the above developments, it is requested that the Committee on Government Assurances may kindly be requested to drop the pending assurance."

2.7 The Committee (1995-96) considered the request of the Department of J&K Affairs at their sitting held on October 5, 1995. The Committee took the following decision:—

"The Committee did not agree to drop the assurance. The Committee also desired to know the views expressed by the leaders of the various parties at the meeting held on March 20, 1995 with the Home Minister. The Committee also decided to hear the views of the Secretary of Department of J&K Affairs before taking a final decision on the request for the dropping of the assurance."

2.8 The decision of the Committee was conveyed to the Ministry through the Ministry of Parliamentary Affairs on October 31, 1995.

2.9 The Ministry of Parliamentary Affairs *vide* their-U.O. Note No. IX/HA(1)SQ-41-LS/94 dated July 8, 1996 have again forwarded a request of the Department of J&K Affairs for dropping of the assurance on the following grounds:—

"That the assurance regarding setting up of an Advisory Committee of Parliament in respect of Jammu & Kashmir was given in the Lok Sabha by the former Home Minister keeping in view the political situation in J& K at that period *i.e.* February, 1994. Keeping in view the various political developments thereafter, a request had been made earlier to drop the assurance *vide* this Departments O.M. of even number dated 19.4.1995. However, it was conveyed by the Ministry of Parliamentary Affairs, OM No. IX/HA(1)SQ-41/94 dated 2.11.95 that "The Committee did not agree to drop the assurance". Since then the Government has changed and a new Lok Sabha has been constituted. The Government which had given the assurance does not pertain to a factual matter, but concerns a particular policy oriented matter which was raised during the relevant period. It is felt that it would not be feasible to take any action for its fulfilment in the changed circumstances "keeping in view the above developments, it is requested that the Committee on Government Assurances may kindly be requested to drop the pending assurance."

2.10 The Committee note that the CGA (1995-96) had considered the request of the Ministry of Home Affairs to drop the assurance at their sitting held on 5th October, 1995 and decided to take a final decision on the request for dropping the assurance after hearing the views of the representatives of the Department of Jammu and Kashmir. However, the view of the representative and Deptt. of J&K could not be heard by the Committee as the term of the Committee expired and a new Committee was constituted.

2.11 The Committee, however, note that the previous Committee, while considering the request of the Department of Jammu & Kashmir to drop the assurance, had desired to know the views expressed by the leaders of the various parties at the meeting held on March 20, 1995 by Home Minister for setting up an Advisory Committee of Parliament in respect of Jammu and Kashmir. The Committee are concerned that despite the aforesaid request, Ministry have not cared to inform the Committee about it. The Committee take a serious view of this non-compliance. In response to the Ministry's contention that the Government which had given the assurance is no longer in power and that the same concerns a particular policy of that Government, which was raised during the relevant period, the Committee observe that the work of the Committee on Government Assurance is of a continuous nature. The assurances given by the Ministry on the floor of the House, which remain pending do not lapse on the constitution of a new Government. Assurances are solemn commitments to the House, given to the representatives of the people and the Government cannot abdicate its responsibility by allowing a commitment to the House to go unfulfilled irrespective of the fact that the same concerned in earlier Government.

2.12 The Committee, however, decide to drop the assurance, in view of the changes which have taken place in the political situation in that state.

EVACUEE PROPERTY TO GOANS/PORTUGUESE OR MOZAMBIQUE NATIONALS

3.1 On July 29, 1992, the following Unstarred Question No. 3200 given notice of by Dr. Vasant Pawar, M.P. was addressed to the Prime Minister:—

- “(a) whether the Government have held any talks with Portugal for restoration of Evacuee Property to Goans/Portuguese nationals;
- (b) if so, the outcome thereof;
- (c) whether any agreement has been reached between the two countries;
- (d) the total number of such evacuees;
- (e) the criteria adopted by the Government to fix the value of evacuee property; and
- (f) the total value of evacuee property?”

3.2 The Minister of State in the Ministry of External Affairs (Shri Eduardo Faleiro) gave the following reply:—

- “(a) Yes, Sir.
- (b) to (f) : The subject, as also the question of compensation to Indian Evacuees from Mozambique, is under consideration of Government and discussion with Portugal, with a view to determining the assets and liabilities of the respective countries.”

3.3 Reply to parts (b) to (f) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply *i.e.* by October 28, 1992.

3.4 On July 11, 1994 the Ministry of External Affairs approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. IV/EA(10)USQ-3200-LS/92 dated July 11, 1994, to drop the assurance on the grounds indicated below:—

“....the question of Compensation to Indian repatriates from Mozambique continues to remain under active consideration as well as discussion with the Government of Portugal with a view to determining the assets and liabilities of the citizens of the respective countries. Further progress in the matter, however, is not dependent on the Government of India alone as it involves interaction with the Government of Portugal and the sovereign discretion of that Government.

In view of the above, the answer provided to Lok Sabha Unstarred Question No. 3200 may be treated as final and the matter removed from the list of pending assurances.”

3.5 The Committee considered the request of the Ministry of External Affairs for dropping of the assurance at their sitting held on September 20, 1994.

3.6 While the Committee agreed with the view point expressed by the Ministry that the issue pertaining to the settlement of evacuees property involves interaction by both the countries and onesided efforts made by the Government of India were unlikely to bring any fruitful results, they however, did not agree to dropping of the assurance on this ground alone. The Committee took a serious note of inordinate delay in settling this issue and desired that since the matter was of public importance and deserved utmost priority, the full details in chronological order regarding the dates and levels at which the subject matter had been discussed with the Government of Portugal might be furnished to them in order to enable the Committee to assess the present position in the right perspective.

3.7 The Ministry of Parliamentary Affairs *vide* their U.O. No. IV/EA (10) USQ 3200-LS/92 dated 1.8.95 forwarded a request of the Ministry of External Affairs for the dropping of the assurance in the light of the detailed note given at Annexure.

3.8 The Committee considered the request of the Ministry of External Affairs at their sitting held on April 7, 1997 and decided to drop the assurance since the Evacuees Property Act of Goa 1964 provides for compensation. The former owners can approach the custodian of Evacuees Property, Government of Goa for any claim of compensation. The Government of Portugal need not approach Union Government in this regard. The Committee also appreciate the efforts made by the Government to persuade the Government of Mozambique to look into the problem of Indian evacuees from humanitarian angle and to see whether something could be done to alleviate the losses incurred by the families who had left behind their properties in Mozambique. The Committee, feel that the Govt. of India should continue their efforts with the Government of Mozambique to provide a suitable and early compensation to Mozambique repatriates, and to the return of the nationalised properties of persons of Indian Origin in that Country.

COMPENSATION TO ROBBERY VICTIMS

4.1 On August 8, 1995 Shri Rabi Ray, M.P. addressed the following Unstarred Question No. 1273 to the Minister of Railways:—

"The amount of compensation paid to the affected people in the incident of robbery which took place in Purushottam Express on 21st June, 1995 near Gaya Station in Bihar."

4.2 In reply to the above question, the then Minister of Railways (Shri C.K. Jaffer Sharief) stated as follows:—

"Claims are still being filed. Compensation will be paid by the railway when these are decreed by the Railway Claims Tribunal."

4.3 The above reply to the question was treated as an assurance and was required to be implemented by the Ministry of Railways by November 7, 1995 *i.e.*, within three months of the date of assurance given by the Minister.

4.4 The Ministry of Parliamentary Affairs *vide* their U.O. Note No. XIV/Rly(s) USQ No. 1273-LS/95 dated October 17, 1995 have forwarded a request of the Ministry of Railways for dropping of the assurance on the following grounds:—

"(i) under Section 17(b) of the Railway Claims Tribunal Act, 1987, the next of kin of the dead or injured or the authorised agent is required to file the claim with the Railway Claims Tribunal within one year from the date of accident. An application can be entertained even after one year, if the applicant satisfy the Tribunal that he had sufficient cause for not making the application within such period.

This incident happened on 21.6.95. The claimant may, therefore, file claims even after 20.6.96.

- (ii) After filing of the claims, cases are adjudicated by Railway Claims Tribunal based on evidence and facts, which may take longer time to decide cases.
- (iii) Railway Claims Tribunal is a judicial body and Ministry of Railways cannot give any direction to them to expedite disposal of cases.
- (iv) The cases at times are delayed for judgements by the Tribunal for:
 - (a) non-attendance of applicants or by their counsels;
 - (b) Adjournment sought by applicants/counsels in producing their witnesses or evidence; and
 - (c) dispute in determination of legal heirship of the deceased and adjournments sought to get the certificates from the Civil Court."

4.5 The Committee considered the request of the Ministry of Railways in their sitting held on 1.10.96 and were not in favour of dropping the assurance. Subsequently Hon'ble Chairman wrote a letter to the Minister of Railways requesting him the number of claimants as on date and the latest position thereof.

4.6 The Minister of Railways (Shri Ram Vilas Paswan) *vide* his D.O. Letter No. 95/IC-III/15/29/LS dated 7.4.97 has given the following reply:—

"I have had the matter looked into. Under Section 125 of the Railways Act, 1989, the next of kin of the dead or injured or the authorised agent is required to file claim with the Railway Claims Tribunal in order to claim compensation from the Railways. In this robbery incident, 15 rail passengers were injured. Four persons have so far filed claims for compensation. In one case preferring of application is under process. Compensation amounting to Rs. 10,000/- has already been paid to one injured named Shri R.A. Rai. Railways have been instructed to render all possible assistance to the claimants in securing the claim amount and to finalise the rest of the cases on priority basis.

As for the remaining 10 injured passengers whose complete addresses are not with the Railways, Press notifications have been issued in the leading newspapers requesting them to lodge their claims in R.C.T., Patna.

Compensation in these cases will also be paid after the claims are filed and decreed by the Tribunal."

4.7 After considering the above information, the Committee have decided to drop the assurance. The Committee, however were of the view that the matter should be pursued vigorously by Railways and all the victims including the ten injured passengers, whose complete addresses are not with the Railways, should be compensated suitably without further delay.

NEW DELHI;
December 3, 1998
Agrahayana 12, 1920 (Saka)

E. AHAMED,
Chairman,
Committee on Government Assurances.

MINUTES
FIRST SITTING

**MINUTES OF THE SITTING OF THE COMMITTEE ON GOVERNMENT
ASSURANCES HELD ON OCTOBER 1, 1996 IN COMMITTEE ROOM
NO. 'B', PARLIAMENT HOUSE ANNEXE, NEW DELHI.**

The Committee met on Tuesday, October 1, 1996 from 15.00 hrs. to 16.00 hrs.

PRESENT

Shri E. Ahamed — *Chairman*

MEMBERS

2. Shri Rajendra Agnihotri
3. Shri Dileep Singh Bhuria
4. Smt. Bhavana Chikhalia
5. Shri Sanat Mehta
6. Dr. Jayanta Rongpi

SECRETARIAT

1. Smt. Reva Nayyar — *Joint Secretary*
2. Shri P.D.T. Achary — *Director*
3. Shri K. Chakraborty — *Under Secretary*
4. Km. J.C. Namchyo — *Committee Officer*

2. At the outset, the Chairman extended a warm welcome to all members to the first sitting of the Committee. For the information of the new Members of the Committee, the Chairman in his inaugural address outlined the scope and functioning of the Committee and the procedure to be followed regarding assurances given by Ministers on the floor of the House from time to time.

3. Members were informed that prior to 1st December, 1953, there was no institutional arrangement to pursue assurances, promises, undertakings given by the Minister on the floor of the House. With the creation of the Committee by Speaker on 1st December, 1953, the problems have greatly been ease, as the Members were no longer required to follow up the implementation of assurances in their individual capacity. Further, it has helped considerably in the effective and expeditious implementation of pending assurances. The Chairman also informed the members that assurances do not lapse either on the dissolution of the Lok Sabha or expiry of the term of the Lok Sabha. These are continued to be pursued by Lok Sabha Secretariat as well as by Ministry of Parliamentary Affairs till the Government have forwarded the implementation Report on each such pending assurances. He added that out of 9022, 2827 and 8567 assurances culled out during Eighth, Ninth and Tenth Lok Sabha respectively, the Committee would have to pursue 1395

pending assurances during its term. In his concluding note, the Chairman hoped that the Members would work together in a spirit of mutual co-operation and coordination and take an active interest in the working of the Committee despite their busy schedule. The members assured the Chairman full co-operation in the functioning of the Committee.

The Committee, thereafter selected some important pending assurances pertaining to Social Justice, Atrocities on Women, Dalits and Violation of Human Rights, etc. from Eighth, Ninth and Tenth Lok Sabha for examination on priority basis:—

1. National Policy on Displaced tribals and their Rehabilitation (USQ Nos. 238/24.2.88, 8539/8.5.89, 806/27.9.91, 3308/19.8.91, 1704/2.12.91 and 583/27.2.92).
2. Central Legislation on Landless Agricultural Workers (USQ No. 373/14.3.90)
3. Welfare Programme for Women and Children (SQ No. 293/5.8.91)
4. Women Employees Reservation (USQ No. 4819/28.8.91)
5. Deaths in Police Custody (USQ No. 6385/5.5.94)
6. Industrially Backward Districts (USQ No. 509/27.7.94)
7. Child Labour (USQ Nos. 576/9.12.94 and 2569/23.12.94)
8. Child Marriage (USQ No. 4171/3.5.95)
9. Welfare and Upliftment of Minorities (USQ Nos. 6153/18.5.95 and 6265/11.5.95)
10. Rehabilitation of Oustees (USQ No. 4505/4.5.95)
11. Demands for Ex-servicemen (USQ No. 429/15.3.95)

The Committee then took up Memorandum 1 regarding assurance given on August 18, 1993 and February 23, 1994 in reply to USQ No. 3422 and SQ No. 27 regarding Rangarajan Committee Report and Standing Committee on Disinvestment respectively. The Committee were informed that the Ministry of Industry have taken up the matter with the Ministry of Finance so that the assurances given in reply to the above questions could be dropped. However, the entire matter is dependent on the recommendations of the Rangarajan Committee on Disinvestment of Public Undertakings Shares which are yet to be finalised. The Committee were of the view that a final decision in the matter could be taken only when recommendations of the Rangarajan Committee have been submitted.

The Committee, thereafter, took up for consideration Memorandum No. 2 regarding the dropping of an assurance given on August 8, 1995 in reply to USQ No. 1273 regarding Compensation to Robbery Victims. The request of the Ministry of Railways was received through Ministry of Parliamentary Affairs *vide* their U.O. Note No. XIV/Rly. (s) USQ-1273-LS/95 dated October 17, 1995 for dropping the assurance on the following grounds:—

- “(i) Under Section (b) of the Railway Claims Tribunal Act, 1987, the next of kin of the dead or injured or the authorised agent is required to file the claim with the Railway Claims Tribunal within one year from the date of

accident. An application can be entertained even after one year, if the applicant satisfy the Tribunal that he had sufficient cause for not making the application within such period. This incident happened on 21.6.95. The Claimant may, therefore, file claims even after 20.6.96.

- (ii) After filing of the claims, cases are adjudicated by Railway Claims Tribunal based on evidence and facts, which may take longer time to decide cases.
- (iii) Railway Claims Tribunal is a judicial body and Ministry of Railway cannot give any direction to them to expedite disposal of cases.
- (iv) The cases at times are delayed for judgements by the Tribunal for:—
 - (a) Non-attendance of applicants or by their counsels;
 - (b) Adjournment sought by applicants/counsels in producing their witnesses or evidence; and
 - (c) Dispute in determination of legal heirship of the deceased and adjournment sought to get the certificates from the Civil Court.”

The Committee were not in favour of dropping the assurance. The Chairman observed that he would write a letter to the concerned Minister with a view to know the number of claimants as on date and the latest position thereof.

The Committee, thereafter, decided to hold their next sitting on Friday, October 25, 1996 at 15.00 hours.

The Committee then adjourned.

MINUTES
ELEVENTH SITTING

**MINUTES OF THE SITTING OF THE COMMITTEE ON GOVERNMENT
ASSURANCES ON APRIL 7, 1997 IN COMMITTEE ROOM NO. 62,
PARLIAMENT HOUSE, NEW DELHI**

The Committee met on April 7, 1997 from 15.00 hours to 15.30 hours.

PRESENT

Shri E. Ahamed — *Chairman*

MEMBERS

2. Shri Paban Singh Ghatowar
3. Dr. C. Silvera
4. Shri Dileep Singh Bhuria
5. Shri Hannan Mollah
6. Shri Tilak Raj Singh

SECRETARIAT

1. Shri P.D.T. Achary — *Director*
2. Shri K. Chakraborty — *Deputy Secretary*
3. Ms. J.C. Namchyo — *Assistant Director*

2. The Committee considered the following 8 memoranda regarding dropping of assurances seriatim :—

Memorandum No. 10 Request for dropping of assurances given on
(i) April 18, 1990 in reply to USQ No. 5464,
(ii) August 22, 1990 in reply to USQ No. 2226 and
(iii) April 21, 1992 in reply to USQ No. 7301 regarding
Separate/independent Council for

The Committee took up for consideration the aforesaid request for dropping of the assurance in pursuance of the following communication received from the Ministry of Parliamentary Affairs *vide* U.O, No. II/HFW (39)-USQ 2226-LS/90 dated 8.8.96:—

“A meeting of the State/Union Territories Health Secretaries was held on 25.8.95 in which it was decided not to form a separate Council for Physiotherapists and occupational Therapists and to cover these categories under the proposed omnibus para-medical council.

The Lok Sabha Secretariat is again requested to take necessary action to drop the assurances given on the following Parliament Questions as it would not be possible to fulfil these assurances:—

1. Lok Sabha USQ No. 2226 dated 22.8.90
2. Lok Sabha USQ No. 7301 dated 21.4.92
3. Lok Sabha USQ No. 5464 dated 18.4.90

The Committee considered the request of the Ministry and agreed to drop the assurance.

Memorandum No. 11 Request for dropping of assurance given on July 29, 1992 in reply to USQ No. 3200 regarding Evacuee Property to Goans/Portuguese or Mozambique Nations.

The request of the Ministry of External Affairs for dropping of the above mentioned assurance *vide* Ministry of Parliamentary Affairs U.O. No. IV/E.A. (10) USQ-3200—LS/92 dated 1.8.95 was placed before the Committee on the detailed grounds given at the Annexure. The Committee considered the request of the Ministry and acceded to drop the assurance.

Memorandum No. 12 Request for dropping of assurance given on December 2, 1993 in reply to the USQ No. 34, regarding custodial deaths in J & K.

The Committee took up the above mentioned request of the Ministry of Home Affairs *vide* Ministry of Parliamentary Affairs *vide* U.O. No. VIII/HA(3) USQ-34—LS/93 dated November 16, 1995 to drop the above mentioned assurance on the following grounds:—

"While answering the question on 2.12.93 it was stated that action as per law will be taken against the police personnel found guilty of excesses on the basis of findings emerging from the investigations when concluded. This has been treated as an assurance. The requisite information forthcoming from the State Government of J & K due to the fact that police investigations into 130 such allegations may take a long time.

If the assurance is allowed to pend till then cases are settled and action wherever necessary is taken, it may be inordinately delayed. In view of the nature of the reply that has been treated as assurance, Lok Sabha Secretariat is requested to consider treating the assurance as closed on the basis of reply already given."

The Committee considered the request in detail and decided not to drop the assurance and instead they desired the Ministry of Home Affairs may be asked to furnish the latest position of the subject raised in the question.

Memorandum No. 13 Request for dropping of assurance given on February 24, 1994 in reply to SQ No. 41 regarding Jammu & Kashmir situation.

The above mentioned request of the Ministry of Home Affairs *vide* Ministry of Parl. Affairs U.O. Note No. IX/HA (1) SQ 41—LS/94 dated 2.11.95 was placed before the Committee for their consideration on the following grounds:—

“That the assurance regarding setting up of the Advisory Committee of Parliament in respect of Jammu & Kashmir was given in the Lok Sabha by the former Home Minister keeping in view the political situation in J & K at that period *i.e.*, Feb. 1994. Keeping in view the various political developments thereafter, a request had been made earlier to drop the assurance *vide* this departments O.M. of even number dated 19.4.95. However, it was conveyed by the Ministry of Parliamentary Affairs OM No. IX/HA (1)SQ 41/94 dated 2.11.95 that “The Committee did not agree to drop the assurance” Since then the Government has changed and a new Lok Sabha has been constituted. The Government which had given the assurance is also no longer in power. As the assurance does not pertain to a factual matter, but concerns a particular policy oriented matter which was raised during the relevant period, it is felt that it would not be feasible to take any action for its fulfilment in the changed circumstances. “Keeping in view the above developments, it is requested that the Committee on Government Assurances may kindly be requested to drop the pending assurance.”

The Committee considered the request and acceded to drop the assurance in view of the fact that a Government in the State has already come into existence.

MINUTES
FIFTH SITTING

**MINUTES OF THE FIFTH SITTING OF THE COMMITTEE ON
GOVERNMENT ASSURANCES HELD ON DECEMBER 3, 1998
IN COMMITTEE ROOM NO. 'D' GROUND FLOOR,
PARLIAMENT HOUSE ANNEXE, NEW DELHI**

The Committee met on December 3, 1998 from 15.00 hours to 15.50 hours.

PRESENT

Shri E. Ahamed — *Chairman*

MEMBERS

2. Shri Vijay Goel
3. Shri Rupchand Pal
4. Shri Ganga Ram Koli
5. Shri Hari Kewal Prasad
6. Shri Sanat Kumar Mandal
7. Dr. Suguna Kumari Chelia Melia

SECRETARIAT

1. Shri P.D.T. Achary — *Joint Secretary*
2. Shri K. Chakraborty — *Deputy Secretary*
3. Ms. J.C. Namchyo — *Assistant Director*

2. The Committee considered the draft 1st and 2nd Reports and adopted the same after slight ammendment in 1st Report. The Committee authorised the Chairman to present these reports during the current Winter Session of Parliament.

3. The Committee also decided to undertake a study tour during the month of January, 1999 and to finalise the details in this regard at the earliest.

PARLIAMENTARY ASSURANCE GIVEN IN REPLY TO LOK SABHA
USQ NO. 3200 ANSWERED ON 29 JULY 1992 IN CONNECTION
WITH PORTUGUESE EVACUEE PROPERTY IN GOA

The Lok Sabha Unstarred Question No. 3200 under reference had raised the question of talks with Portugal for restoration of evacuee property to Goans/Portuguese nationals, had sought details of any agreement arrived at between India and Portugal on this issue, and had also sought details of the number of evacuees, the criteria adopted by the Government to fix the value of evacuee property, and the total value of evacuee property.

2. At the time of answering the question, details regarding Portuguese Evacuee Property in Goa were not available with the Ministry of External Affairs. As the question of compensation to be paid for evacuee property had also been raised, we were in addition required to examine the provisions of the Indo-Portugal Treaty on re-establishment of diplomatic relations concluded in December, 1974 on the question of compensation to repatriates/evacuees. Furthermore, we were required to look into the question of compensation to Indian repatriates from Mozambique and undertake consultations with the Governments of Portugal and Mozambique to come to an understanding on the issue. Our answer to the Question was formulated accordingly.

3. As Portuguese evacuee properties are located in Goa, the matter had first and foremost to be taken up with the Government of Goa. Two officials of the Ministry of External Affairs had visited Goa on 25-26 June 1992 and had undertaken preliminary discussions with the Government of Goa with a view to ascertaining details of evacuee property. Preliminary information was received from the Government of Goa *vide* their letters dated 7.8.92, 30.9.92 and 1.9.93 forwarding lists of evacuees and their properties; part compensation paid out to evacuees in lieu of evacuee property; and the estimated value of evacuee property.

4. As this preliminary information started coming in from the Government of Goa contacts were also established with the Portuguese Ambassador in New Delhi. Notes verbale were received by the Ministry from the Portuguese Embassy on 20.8.92, 15.10.92, 15.3.93, 15.4.93, 21.4.93 and 11.2.94, putting forward claims of Portuguese nationals in respect of evacuee property. After the contents of these notes verbale had been examined, the Ministry of External Affairs addressed a letter to the Government of Goa on 24.5.94 seeking their final position on the number of Portuguese evacuees and details of evacuee property' seeking their views on the claims proffered by the Portuguese Embassy; and seeking their views on the procedure involved in payment of compensation as well as any additional information on how best to proceed in the matter in our interaction with the Portuguese Government. A final reply was received from the Government of Goa *vide* their letter of 14.9.94, providing details of evacuee property, procedure involved in seeking compensation and responding to the claims put forward on behalf of Portuguese nationals by the Portuguese Embassy in New Delhi.

5. The position conveyed by the Government of Goa was as follows:—

- (i) Evacuee property in Goa comprises 3822 hectares of land (Paddy fields, cashew farms, arecanut gardens etc.) as well as residential houses, furniture and bank deposits. The major portion of evacuee property is located at Mayem i.e. 3773 hectares belonging to one family and its heirs. Details of evacuee property indicate of total of 20 former owners whose property is currently valued at around Rs. 29 crores.
- (ii) The agricultural land is cultivated by tenants and lease holders. The houses and plots have been rented/leased out by the Custodian of Evacuee property who manages these properties and collects the annual income and rentals.
- (iii) The Government of Goa have ruled out any return of evacuee properties; they can entertain only reasonable compensation in terms of the Evacuee Property Act of Goa.
- (iv) The Evacuee Property Act of Goa, 1964 provides for the payment of compensation when the former owners approach the Custodian of Evacuee property. It is, therefore, not necessary for the Portuguese Government to approach the Government of India in this regard. The Custodian of Evacuee Property, in fact, has already paid out partial compensation in some cases from rentals received for evacuee property.
- (v) To cover cases where evacuees have not been satisfied with the amount of compensation proposed by the Custodian of Evacuee Property, an Appellate Tribunal has been set up. Provision for this has been made in Clause 22, Chapter V of the Evacuee Property Act. In an instance, an evacuee had filed an appeal in the High Court, Panaji against evacuee proceedings, but lost.
- (vi) In respect of the claims put forward by the Portuguese Embassy, these were not found to have been registered with the Custodian of Evacuee Property and in most cases their validity was disputable.

6. After due consideration of the details provided by the Government of Goa, the following information was conveyed to the Portuguese Ambassador in New Delhi on 16.3.95:—

- (i) The Evacuee Property Act of Goa, 1964, provides for the payment of compensation when the former owners approach the Custodian of Evacuee Property, Government of Goa. It is, therefore, not necessary for the Portuguese Government to approach the Government of India in this regard.
- (ii) To cover cases where evacuees have not been satisfied with the amount of compensation proposed by the Custodian, an Appellate Tribunal has been set up. Provision for this has been made in Clause 22, Chapter V of the Evacuee Property Act.
- (iii) Two evacuees, namely Smt. Ricardina de Noronha and Shri Jorge Anibal Matos Sequeira had received part payment (Rs. 22 lakhs) of the amount received from their property by the office of the Custodian of Evacuee Property.

- (iv) An evacuee, Dr. Ferreira Martins was not satisfied with evacuee proceedings; subsequently, however, the proceedings were dropped and his properties were declared as non-evacuee properties due to Land Acquisition Proceedings initiated at the instance of the Government of Goa.
- (v) In another instance, evacuee Shri Jorge Anibal de Matos Sequeira filed an appeal in the High Court, Panaji against evacuee proceedings, but lost.
- (vi) The claims proffered by the Portuguese Embassy have been examined by the Government of Goa; almost all of them pertain to Evacuee cases which have not been registered with the Custodian.

7. It was pointed out to the Portuguese Ambassador that the Evacuee Property Act of Goa lays down the procedure for claiming compensation and that it was not necessary for the Portuguese Government to approach the Government of India in this regard. The Portuguese Ambassador has conveyed this position as well as other details provided to him to his Government. He is yet to revert further to this Ministry on this issue.

8. As far as the question of compensation to Indian evacuees from Mozambique is concerned, the position is that out of the 2510 Indian nationals in Mozambique, 2453 persons were expelled from the Portuguese in 1963 subsequent to the liberation of Goa. Their properties were said to have been seized and their bank accounts frozen by the Government of Portugal. On their repatriation to India, the Mozambique evacuees filed compensation claims, of which 596 were admitted by the Rehabilitation Division of the Ministry of Home Affairs for a total assessed value of Rs. 2.29 crores. Against these claims, over and above the *ex-gratia* payment of Rs. 5000 per family paid in 1968-70, a further sum of Rs. 87 lakhs was paid in 1981 against a sliding scale as adopted for displaced persons from West Pakistan. In addition, they were assisted in their early rehabilitation by way of grant of loans, grant of licences for fair price shops and grant of free scholarships for education. The Rehabilitation Division of the Ministry of Home Affairs decided that no further claims could be entertained from the Mozambique repatriates as this would create a precedent for payment of compensation in respect of repatriates from Uganda, Zaire, Vietnam, Myanmar, etc.

9. Subsequent to the answer to LS USQ No. 3200, the matter of compensation for the Mozambique repatriates was taken up with the Government of Mozambique. A non-paper on the subject was handed over to the Foreign Minister of Mozambique who visited India from 25—27 August 1992, wherein the Government of Mozambique was requested to look into the problem from a humanitarian angle and see whether something could be done to alleviate the losses incurred by families who had left behind their properties in Mozambique. There has been no response from the Government of Mozambique to this demands and enquiries made through our mission in Mozambique to indicate that these claims are not likely to be entertained by the Mozambique Government. Furthermore, enquiries made by our mission in Mozambique have brought out additional limiting factors. According to the elders of the Indian origin community left behind in Mozambique, many of the Indians had left that country after selling their properties. There are no known

cases of claims filed or pending against the Portuguese Government by the Mozambique repatriates. The few Indian passport holders who had remained behind in Mozambique in 1963 had managed to buy back their properties from the then Portuguese Government. After Mozambique attained independence in 1975, the Frelimo-led Government nationalised all properties belonging to foreigners including persons of Indian origin, barring properties being used for residential or commercial purposes. No compensation was paid. The return of these nationalised properties is a sensitive issue which has frequently figured in the past in talks between the Mozambique and Portuguese Governments. If at all the Mozambique compensation for nationalised properties, some persons of Indian origin are likely to receive compensation or to regain their properties. However, the Mozambique Government will regard this as a global issue involving all foreign nationals whose properties had been nationalised any separate dispensation for persons of Indian origin as unlikely.

10. On the basis of the facts furnished above, it will be evident that there are several basic problems with seeking any linkage between Mozambique repatriates issue with compensation for Portuguese evacuees from Goa. Firstly, the Government of independent Mozambique, successor to the erstwhile Portuguese colonial Government, is unlikely to be inclined to consider compensation for Indian repatriates. Secondly, the Government of Goa has informed us that the estimated value of Portuguese evacuee property amounts to Rs. 29 crores. If we formally proffer claims of Rs. 2.29 crores on behalf of Mozambique repatriates, we are likely to be confronted with counter-claims from the Portuguese side, whose value will far exceed the claims of Mozambique repatriates. Thirdly, the Government of Goa has ruled out the actual return of evacuee properties and the Evacuee Property Act of Goa fully provides for the payment of reasonable compensation to Portuguese evacuees in the context of relevant tenancy and other laws of Goa. Even if Government were to establish a linkage between Mozambique repatriates and Portuguese evacuees, we will not be in a position to offer to the Portuguese compensation which goes beyond the context of the Evacuee Properties Act of Goa and relevant laws of Goa governing tenancy rights and payment of reasonable compensation. Portuguese evacuees are free to file for compensation with the Custodian of Evacuee Properties in Goa who has in fact already paid out partial compensation in some cases from rentals received from evacuee property.

11. There is, therefore, an established framework already in existence for compensation to Portuguese Evacuees which obviates the need for MEA/GoI to intervene in the matter. Details of this established framework have been received from the Government of Goa and passed on to the Portuguese Government. It is for the concerned Portuguese citizens or their legal heirs to proceed directly in the matter by approaching the Custodian of Evacuee Properties.

12. Details of Evacuee Properties in Goa, procedure for claiming compensation, and the status of claims proffered by the Portuguese Embassy on behalf of their citizens may be seen at Annexures A-E.

13. In the light of the detailed background and the considerations submitted above, the Committee on Government Assurances is requested to drop the assurance contained in the answer to LS USQ No. 3200 answered on 29 July 1992.

**PROCEDURE FOR PAYMENT OF COMPENSATION IN RESPECT OF
EVACUEE PROPERTY IN GOA**

The Evacuee Property Act of Goa, 1964, provides for the payment of compensation when the former owners approach the Custodian of Evacuee Property, Government of Goa. It is, therefore, not necessary for the Portuguese Government to approach the Government of India in this regard.

To cover cases where evacuees have not been satisfied with the amount of compensation proposed by the Custodian, an appellate tribunal has been set up. Provision for this has been made in Clause 22, Chapter V of the Evacuee Property Act.

**EVACUEES WHO HAVE RECEIVED COMPENSATION/APEALED
AGAINST AMOUNT OF COMPENSATION PROPOSED BY THE
CUSTODIAN OF EVACUEE PROPERTY,
GOVERNMENT OF GOA**

1. Two evacuees, namely Smt. Ricardina de Noronha and Shri Jonge Anibal de Matos Sequeira have received part payment (Rs. 22 lakhs) of the amount received from their property by the office of the custodian of Evacuee Property.

2. An evacuee, Dr. Ferreira Martins was not satisfied with evacuee proceedings; subsequently, however, the proceedings were dropped and his properties were declared as non-evacuee properties due to Land Acquisition Proceedings initiated at the instance of the Government.

3. In another instance, evacuee Shri Jorge Anibal de Matos Sequeira filed an appeal in the High Court, Panaji against evacuee proceedings, but lost.

LIST OF EVACUEES AND THEIR PROPERTIES

Sl. No.	Name of Evacuee	Description of Evacuee Properties	Remark
1	2	3	4
1.	Heirs & successors in interest of late Barco de Noronha de Silva and others	1. Landed property having coconut, arecanut gardens etc. and vast barren land at Bicholim Taluka.	The properties at S.No. 6,7,8 & 14 are being occupied by the relatives of the evacuee.
2.	Shri Jube Noronha E Tavora and others	2. Property known as part of palm, cashew garden etc. at Galdem, Siolim, Bardez Taluka.	
3.	S/Shri Correia de Silva	3. Property known as "Raimacho Sorvo and Kolshanschem Moll" having limited number of cashew trees, at Honda, Sattari Taluka.	
4.	Mrs. Maria Filomena Nunes	4. 1/3 share of the house at Fontainhas, Panaji, Tiswadi Taluka.	
5.	Shri Jorge Anibal de Matos Sequeira	5. One Bungalow & surrounding land, at Alinho, Panaji, Tiswadi Taluka.	
6.	Shri Herman Jose Morris e Alves and his wife.	6. 1/7 share in two buildings, at Panaji.	
7.	-do-	7. 1/7 share of the house and compound, at Carca Tiswadi Taluka.	
8.	Shri Irineo Xavier Fiodade S. Ferno	8. House Gorbatt & paddy field at Agcaim, Sulbhat, Tiswadi Taluka.	
9.	Smt. Jeanevita Natividade Adelina Vaz	9. House at Verla Casca, Bardez Taluka.	

1	2	3	4
10. Shri Antonio Agostinho A. de D.F. dos Marrães Jesus Lopes	10.	A plot and storeyed house, at Chinchimim, Salcete Taluka.	
11. Shri Agostinho C. Andrade.	11.	1/4 share in the shop having 33.44 sq. ms. plinth area, at Assolna, Salcete Taluka.	
12. -do-	12.	A share of a house & compound at Zaina- Velim, Salcete Taluka.	
13. Mrs. Maria Beatida Liberata Cardoso & her three daughters.	13.	A house at Curtorim, Salcete Taluka.	
14. Smt. Juliana Guilhermina Faria	14.	1/2 share of the house at Murida Cuncolim, Salcete.	
15. Smt. Rosa Esmeralda de Afonso	15.	A house near Desterro Chapel, Vasco da Gama, Mormugao.	
16. Shri Cyril Dias.	16.	A house & a plot, at Falvado-Arossim, Cassuilim, Calcete.	
17. Shri Francisco K. Alvares de Costa.	17.	Plot of land at Fatorda, Salcete.	
18. Mrs. Constanca S. Quadros	18.	Paddy field at Louzolim, Salcete.	
19. Shri Rui Castro e Lopes.	19.	Coconut garden, at Fatorda, Salcete.	
20. Shri Antonio Ferreira Martins.	20.	One Bungalow & surrounding land at Altinho, Panaji.	This bungalow and surrounding land already acquired by the Govt. of Goa.

Sl. No	Place where the property situated	Description of the property	Area,
1	2	3	4
1.	Mayem-Bicholim.	Cocoon garden & barren land.	2,569 Hac.
2.	-do-	Cashew garden.	910 "
3.	-do-	Paddy fields.	102 "
4.	-do-	Land under cultivation of cullie, paced, Nachini.	187 "
5.	-do-	Arecanut gardens.	5 "
		TOTAL	(a) 3,773 "
1.	Geddom-Siolim, Bardoz-Goa.	Paddy fields	23 "
2.	-do-	Cashew gardens	2 "
3.	-do-	Cocoon garden	6 "
		TOTAL	(b) 31 "
4.	Hosda, Sattari-Goa	Land under cultivation of cullie, paced, Nachini, having cashew trees, jackfruit trees and others.	3.3 "
		TOTAL	(c) 3.3 "
1.	Restainbar, Panaji-Goa	1/3 share in the house registered under No. 7751 and 7752 of Book No. 20(N).	—
2.	Alhaho, Panaji-Goa	One Bungalow and surrounding land registered under No. 17215 Book No. 45.	—
3.	Panaji-Goa	1/7 share in two buildings registered under No. 3339 in the Land Registered office	—
4.	Carca, Ilhas-Goa	1/7 share in the house and compound, Carca-Ilhas-Goa.	—
		Total	(d) —

1	2	3	4
1.	Chinchinim, Salcete—Goa	Property consisting of all plot and storeyed house bearing No. E-103 swastibw unswe No. 154.	—
2.	Assolim, Salcete—Goa	1/4 share in the shop No. E-43 having 33.44 sq. mts. plinth area.	—
3.		A change in the house No. E-60 and E-60 and compound coconut trees.	—
4.	Curturim, Salcete—Goa	Residential house E-14 registered in land Registration Office, Salcete under No. 34277.	—
5.	Mirid, Cascolim, Salcete.	Half share in the House No. E-58 with its compound.	—
6.	Near Dentere Chapel, Vasco House No. 2223		—
7.	Falvado Arreasin, Cassanlim		—
8.	Fatorda, Salcete—Goa	One house V.P. No. 77 and plot of land having coconut trees, mango and other trees.	—
9.	Loutalim, Salcete—Goa	Plot of land named Fatorda described in the Land Registration Office under No. 36079 and measuring about 900 sq. mts.	—
10.	Fatorda, Margao, Salcete	Landed property consisting of coconut trees and paddy field known as vaddy xet registration No. 1031.	—
		Property viz. "Predio Rustice" coconut grove describe in Revenue Office under matriz No. 2300.	—
		TOTAL	(e)
		GRAND TOTAL (i.e. of a, b, c, d & e)	
		= (a) 3,773 Hac.	
		(b) 31 Hac.	
		(c) 93.3 Hac.	
		GRAND TOTAL 3,807.3 Hac.	

**STATEMENT SHOWING DETAILS TOWARDS CLAIM OF PORTUGUESE CITIZENS :
COMMENTS OFFERED BY THE CUSTODIAN OF EVACUEE PROPERTY, GOVT. OF GOA**

Sl. No.	Name of the Portuguese citizens	Claim	Comments of the Custodian's Office
1.	Dr. Jose J.M. de Quadros & his wife	Claim related to property in Usgao, Ponda Taluka.	No property of Sltari Quadros at Usgao is being looked after by this Office (Property not declared as evacuee).
2.	Mr. Joao Correia de Santos	Member of "Policia do Estado da India" claims an indemnization for the loss of his residence.	No case is pending before this office regarding claim of Mr. Santos and no property belonging to him has been declared as evacuee property.
3.	Mr. Manuel de Melo Pereira Fernandes	Claim in respect of deposit in the Caixa Economica de Goa.	No case is pending before this Office. Enquiries may be made from the Custodian of Banco Nacional Ultramarino, Panaji-Goa.
4.	Mr. Abel da Costa Campos de Oliveira	Ultramarino, Panaji-Goa. Claim related to properties at Caranzalem of Talcigao.	No property of Mr. Oliveira at Caranzalem-Talcigao is being looked after by this Office. The same are not declared evacuee properties.
5.	Mrs. Valentina C. Fernandes e Lopes	Claim for compensation for the confiscated values in Goa.	No property of Mrs. Valentina have been declared as evacuee properties.
6.	Mrs. Maria de Lourdes Figueiredo Albuquerque	Requests before the competent authorities in New Delhi for the postponement of the auction of her property scheduled to be decided by the Court of Ponda (Goa).	This Office is not aware of any such auction. In case the Court is going to auction the property, a request will have to be made to the Court.
7.	Mr. Vasco Moura de Oliveira Leite	Claim related to his furnitures.	Some furniture of Mr. Leite is in possession of this Office. The same is leased out to various Govt. officials on rent basis. The balance amount in respect of this furniture upto March 1993 is Rs. 7,355.00.

Sl. No. Name of the Portuguese citizen	Claim	Comments of the Custodian's Office
8. Companhia Nacional de Navegacao	<p>Claim that they were carrying out business in India and M/s V.S. Dempo and Co. Pvt. Ltd. were its Agents from 1 January 1952. Prior to 6 December 1961, they owned two barges which were lying at Daman & Diu along with an engine.</p>	<p>This Office has verified from old receipt books register in Form No. 21, register in Form No. 16 and found the balance amount in the name of the said Companhia of Rs. 3,48,170.00 upto March 1993. Out of this, an amount of Rs. 1,01,476.00 has been received from M/s. V.S. Dempo as passed dues but details as to what items the said amount relates are not known.</p>