

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(1992-93)**

(TENTH LOK SABHA)

199

**Twelfth Report
on
Dropping Requests**

(Presented on)

MAY 1993



12
3658R
2.12.93

**LOK SABHA SECRETARIAT
NEW DELHI**

April 15, 1993/Chaitra 25, 1915 (Saka)

Price: Rs. 10/-

LOK SABHA

CORRIGENDA

to the Twelfth Report of Committee on
Government Assurances (1992-93) Tenth Lok Sabha

Page No.	Para No.	Line	Correction
(iii)	(vi)	2	<u>for</u> 'September 23' <u>read</u> 'September 3'
		11	<u>for</u> 'APPENDIX' <u>read</u> 'APPENDICES'
		19	<u>add</u> 'Minutes of Fifth Sitting held on April 15, 1993'
4	part(d)	1	<u>for</u> 'Limited' <u>read</u> 'limited'
6	1.23	10	<u>for</u> 'wold' <u>read</u> 'would'
7	1.30 part(b)		<u>Insert</u> 'is' <u>after</u> proposal
8	3.19	12	<u>for</u> 'received' <u>read</u> 'receiving'
22		8	<u>Insert</u> '(Annexure-III)' <u>after</u> 'the one'
23	3.23 parts (a) & (b)	4	<u>for</u> 'Locshed' <u>read</u> 'Loco Shed'
28	3.42 {parts (b)}		<u>add</u> 'Annexure-IV' <u>after</u> appended

P.T.O

Page No.	Para No.	Line	Correction
31	At the top		<u>Insert</u> 'APPENDICES'
33		3	<u>for</u> 'assurances <u>read</u> 'assurance'
34		9	<u>for</u> '(Annexure)' <u>read</u> '(Annexure-I)'
39	Memo No.35	9	<u>for</u> '(c) & of' <u>read</u> '(c) & (d) of'
41	Heading	3	<u>delete</u> 'SEVENTH'
	2	1	<u>Insert</u> 'request' <u>after</u> 'regarding'

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**COMPOSITION OF THE COMMITTEE ON
GOVERNMENT ASSURANCES***
(1991-92)

CHAIRMAN

Dr. Laxminarain Pandey

MEMBERS

2. Shri Sai Prathap Annayyagari
3. Dr. Krupasindhu Bhoi
4. Shri B. Devarajan
5. Shri B.K. Gudadinni
6. Shri Prabhu Dayal Katheria
7. Shrimati Krishnendra Kaur (Deepa)
8. Shri Balin Kuli
9. Shri Manphool Singh
10. Shri Ajoy Mukhopadhyay
11. Shrimati Pratibha Devisingh Patil
12. Shri Shashi Prakash
13. Shri Naval Kishore Rai
14. Shri Gadam Ganga Reddy
15. Shri Chinmaya Nand Swami

SECRETARIAT

Dr. R.C. Bhardwaj — *Additional Secretary*
Shri Murari Lal — *Director*
Shri Joginder Singh — *Deputy Secretary*
Shri K.K. Ganguly — *Under Secretary*

*The Committee was nominated by the Speaker w.e.f. 25 November, 1991 vide Para 515 of Lok Sabha Bulletin Part-II dated 25.11.1991.

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(1992-93)

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4. **Smt. Saroj Dubey**
5. **Shri B.K. Gudadinni**
6. **Shri Prabhu Dayal Katheria**
7. **Shri Balin Kuli**
8. **Shri Manphool Singh**
9. **Shri Ajoy Mukhopadhyay**
10. **Shri Surendra Pal Pathak**
11. **Shrimati Pratibha Devisingh Patil**
12. **Shri Naval Kishore Rai**
13. **Dr. D. Venkateshwara Rao**
14. **Shri A. Prathap Sai**
15. **Shri Chinmaya Nand Swami**

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Shri Murari Lal	— <i>Director</i>
Shri Joginder Singh	— <i>Deputy Secretary</i>
Shri K.K. Ganguly	— <i>Under Secretary</i>

*The Committee was nominated by the Speaker w.e.f. 13 December, 1992 vide Para 1596 of Lok Sabha Bulletin Part-II dated 14.12.1992.

INTRODUCTION

1. The Chairman of the Committee on Government Assurances, as authorised by the Committee, do present on their behalf, this Twelfth Report of the Committee on Government Assurances.

2. The Committee (1992-93) were constituted on December 13, 1992.

3. The Committee (1991-92) at their sittings held on February 17, April 9, May 28, September 9, October 1, 1992, considered requests (*vide* Memoranda Nos. 24, 25, 26, 27, 30, 31, 34, 35, 39, 40, 41, 41-A, 42 and 43) received from the Ministries/Departments of the Government of India for dropping of pending assurances and their decisions are contained in this Report. At their sitting held on April 15, 1993, the Committee considered and adopted the Draft Twelfth Report.

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

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

DR. LAXMINARAIN PANDEY,
Chairman,
Committee on Government Assurances.

NEW DELHI;
April 15, 1993

Chaitra 25, 1915 (Saka)

CHAPTER I

(I)

PAK SPY RING IN KUTCH

1. On August 29, 1991, the following Unstarred Question No. 4996 given notice of by Sarvashri Yashwantrao Patil, Rajendra Agnihotri and Janardan Mishra, MPs was addressed to the Minister of Home Affairs:—

- “(a) whether attention of the Government has been drawn to the newsitem captioned “Pakistani spy ring in Kutch busted” appearing in the ‘Times of India’ dated July 24, 1991;
- (b) if so, the details thereof;
- (c) whether some instances of spying involving officials of the Pak High Commission have come to the notice of the Government recently;
- (d) if so, the details thereof and action taken in this regard; and
- (e) the steps taken by the Government to check such activities?”

1.1 The then Minister of State in the Ministry of Home Affairs (Shri M.M. Jacob) gave the following reply:—

- “(a) Yes, Sir.
- (b) One Junas Dosal resident of District Kutch was apprehended on 5th May, 1991 while trying to cross over to India. A case under Official Secrets Act was registered against him. The case is at the stage of investigation.
- (c) Yes, Sir.
- (d) It will not be in public interest to disclose the details in this regard.
- (e) In order to check such activities, vigilance on the borders has been intensified by way of effective border patrolling in addition to issue of photo identity cards to residents along the border belt in some areas. Security around vital installations has also been strengthened.”

1.2 Reply to part (b) 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 November 28, 1991.

1.3 On December 5, 1991, the Ministry of Home Affairs approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. I/HA(3) USQ 4996-LS/91

dated December 5, 1991, to drop the assurance on the grounds indicated below:—

"In reply to above question it was stated that 'One Junas Dosal resident of District Kutch was apprehended on 5th May, 1991 while trying to cross over to India. A case under Official Secrets Act was registered against him. The case is at the stage of investigation. This reply has been treated as an assurance. Since the investigation is being made by the Government of Gujarat, it is requested that the Committee on Government Assurances (Lok Sabha) may kindly be moved for dropping of this assurance."

1.4 The Committee considered the request of the Ministry of Home Affairs for dropping of the assurance at their sitting held on February 17, 1992.

1.5 The Committee did not agree to the request of the Ministry to drop the assurance. The decision of the Committee was conveyed and it was requested to initiate to fulfil the assurance.

1.6 The Ministry sought extension of time upto February 29, 1992 and thereafter upto May 29, August 29, November 29, 1992 and February 28, 1993. The last extension has been sought upto June, 1993. The grounds on which the extensions have been sought are as follows:—

".... that information is still awaited from the Government of Gujarat."

1.7 The Committee have noted that the Ministry of Home Affairs have not given due importance to the issue in which the security of the nation is involved. An assurance was given on August 29, 1991 in reply to part (b) of the question that a case under Official Security Act was registered against one Junas Dosal, a resident of District Kutch and the case was at the stage of investigation. The Committee also note that the investigation was to be completed within 3 months of time from the date of the assurance given on the floor of the House. But instead of completing the investigation, the Ministry have approached the Committee with a request for dropping of the assurance on the grounds '...that the investigation is being made by the Government of Gujarat'. Thereafter, the Ministry also approached the Committee six times to grant them extension of time. The last extension has been sought upto June, 1993 on the grounds 'that information is still awaited from the Government of Gujarat.'

1.8 The Committee are extremely unhappy to note the flimsy ground on which the Ministry of Home Affairs have sought extension of time, namely that information is still awaited from the State Government of Gujarat. The Committee feel that the Home Ministry could have deputed a senior official and ascertain the information from the State Government for furnishing the progress to this Committee while seeking time from the Committee to liquidate the pending assurance.

1.9 The Committee also regret to note that in the instant case the State Government could not complete the investigation during the course of 30 months time. The Committee are of the opinion that efforts should be made to complete the investigation by the end of June, 1993.

1.10 It is unfortunate that the Government should not have taken note of the issue seriously although it related to the national security. At least the Government should have assisted the State Government to get the investigation expedited and also initiate action to strengthen the security at border areas. The Committee do not regard existing arrangement as satisfactory and desire that the Union Government should convene a meeting of Home Ministers of State Governments to solve the problem relating to the security of the nation and give more emphasis on the security at border areas. The Committee also feel that it is of utmost importance to issue immediately identity cards to the residents of the border areas for detection of the culprits easily. Such issue of identity cards will also check anti-national activities at border areas and complete the pending investigations within the minimum time required for the purpose.

SETTING UP OF NUCLEAR POWER PLANTS WITH FRENCH AND SOVIET ASSISTANCE

1.11 On 27 February, 1989, the following Unstarred Question No. 72 given notice of by Shri Balasahcb Vikhe Patil, M.P. was addressed to the Prime Minister:

- “(a) Whether Government of French have offered the necessary help for setting up nuclear power plants in India;
- (b) if so, the details thereof; and
- (c) the extent to which the safeguards prescribed by the IAEA will be adhered to?”

1.12 The then Minister of State in the Ministry of Science and Technology and Minister of State in the Departments of Ocean Development, Atomic Energy, Electronics and Space (Shri K. R. Narayanan) gave the following reply:—

“(a), (b) and (c) “France has indicated its willingness to cooperate in the setting up of nuclear power reactors in India. The terms of cooperation are being negotiated between the two countries.”

1.13 On 27 February, 1989, the following Unstarred Question No. 638 was given notice of by Sarvashri Chintamani Jena and Gurudas Kamat, MPs was addressed to the Prime Minister:—

- “(a) the present position of the USSR offer to set up Atomic Plant in our country;
- (b) by when the said proposal will be finalised;

(c) the details of terms and conditions for establishing Atomic Power Plant with the help of Soviet Union;

(d) whether any other foreign country has offered their assistance in regard to setting up of Atomic Power Plant in our country; and

(e) if so, the details thereof and the action taken by Government thereon?"

1.14 The then Minister of State in the Ministry of Science and Technology and Minister of State in the Departments of Ocean Development, Atomic Energy, Electronics and Space (Shri K. R. Narayanan) gave the following reply:—

(a), (b) and (c) "An inter-Governmental Agreement between India and USSR for Cooperation in construction of a nuclear power station, consisting of two units each of 1000 MW pressurised light water reactors was signed on November 20, 1988 and a copy of the agreement was laid on the Table of the House on November 21, 1988. Details regarding time schedule will be finalised in due course of time.

(d) & (e) France has indicated its willingness to cooperate in the setting up of nuclear power reactors in India. However terms for such cooperation are yet to be agreed upon."

1.15 On 24 July, 1989, the following Unstarred Question No. 891 was given notice of by Shri Srikantha Datta Narasimharaja Wadiyar and Shrimati Kishori Sinha, M.Ps was addressed to the Prime Minister:

"(a) whether France has made an offer to set up a nuclear power plant in the country;

(b) if so, the details of the aid and assistance offered by France;

(c) the decision taken by Government thereon; and

(d) the policy of Government with regard to the setting up of nuclear power plants?"

1.16 The then Minister of State in the Ministry of Science and Technology and Minister of State in the Departments of Ocean Development, Atomic Energy, Electronics and Space (Shri K. R. Narayanan) gave the following reply:—

(a) to (c) France has indicated its willingness to cooperate in the setting up of nuclear power reactors in India and the terms for cooperation are under discussion between the two countries.

(d) In view of the Limited conventional energy resources, Government is committed to harnessing nuclear energy to meet the growing demand for power in the country. India's nuclear power programme envisages setting up of 10,000 MWE installed

generation capacity by the year 2000AD, based on the indigenous technology. Any import of reactors will be additional to this programme."

1.17 On August 27, 1990, the following Unstarred Question No. 3017 given notice of by Shrimati Vasundhara Raje, M.P. was addressed to the Prime Minister:—

- “(a) whether Government have revived negotiations with France for the purchase of two 900 MW Light Water Reactors(LWR);
- (b) if so, the terms and conditions laid down for the purchase of these two LWR earlier;
- (c) whether the same terms and conditions still exist now; and
- (d) if not, what are the present terms and conditions”

1.18 The then Minister of State in the Ministry of Science & Technology (Prof. M.G.K. Menon) gave the following reply:—

“(a) Yes, Sir.

(b), (c) and (d): The terms and conditions are still under consideration and have not yet been finalised.”

1.19 The replies to the first two questions and the replies to parts (a) to (c) of the third and fourth questions were treated as assurance and were required to be implemented within three months time from the date of the reply.

1.20 On 15 May, 1990, the Ministry of Atomic Energy approached the Committee through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. XIV/AE(1)USQ 891-LS/89 for the dropping of these three assurances on following grounds:—

“The assurances involve delicate negotiations with the Government of USSR and France. These assurances cannot be fulfilled till these negotiations are final in all respects. It may not be possible for this Department to bring out all the complex and delicate issues involved at the present juncture in order to fulfil the assurances.”

1.21 The Committee considered the request of the Department Atomic Energy for the dropping of the first three assurances at their sitting held on 11 June, 1990 and decided not to accede to the request of the Ministry.

1.22 The Committee made the following observations in this regard *vide* their Eight Report (1990-91) presented to the Lok Sabha on January 14, 1991:—

“The Committee note that the Government are involved in delicate negotiations with the Government of USSR and France for the setting up of nuclear power units in order to harness nuclear energy to meet the growing demand for power in the country. The Committee are unhappy to observe that the Government have

sought the dropping of the assurances instead of trying to fulfill the assurances by finalising the arrangements for the setting up of atomic power units through urgent negotiations. The Committee need hardly emphasise the importance nuclear energy has assumed in the context of current oil crisis and recommend that the Government should make concerted efforts towards the setting up of nuclear power units by expediting negotiations with USSR and France”.

1.23 On February 2, 1992, the Department of Atomic Energy approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. XIII/AE-(2)USQ-638-LS/89 dated 6-2-1992, to drop the assurance on the grounds indicated below:—

“The fulfilment of the above assurances involves the fructification of delicate bilateral negotiations between India and France in respect of French offer and between India and Soviet Union in respect of Soviet offer. The issues involved are too complicated and delicate to be laid thread bare at a public forum. A decision in the matter would only be taken by the Government of India at the most appropriate and beneficial moment. It would not serve our interest to make a public disclosure of the issues involved or the status of the negotiations.

The Committee on Government Assurances has always been appreciative of national interest and the constraints of the Government in such sensitive matters. Prudence also requires that the Government does not take a public stance on such sensitive bilateral issues which could be exploited against our interests by competing international forces. Premature disclosures could also jeopardise the negotiations. If and when, anything concrete emerges, it would immediately become public knowledge, keeping in view the economic, technological and political significance of the issue. In the circumstances, it is requested that the Committee may kindly drop the above assurances.”

1.24 The Committee considered the request of the Department of Atomic Energy for dropping of these four assurances at their sitting held on February 17, 1992.

1.25 The Committee did not agree to the request of the Ministry to drop the assurance. The decision of the Committee were communicated and the Department was asked to initiate action to fulfil the assurance.

1.26 The Committee are in agreement with the Department of Atomic Energy that the Government of India are undergoing a delicate and sensitive negotiations with the Government of USSR and France for the setting up of new nuclear power units in India ensuring for ourselves a more secure future and a better quality of life. The Committee cannot

decry the urgency and importance of the power energy required for taking the country on the path of progress to meet the challenge of the twenty-first century. A radical change in the total industrial environment of the country for fulfilling the hopes of the 21st century is only possible when there shall be more energy available and that too at cheaper rate. This, undoubtedly could be made available by establishing new atomic reactors in different parts of the country through global cooperation.

1.27 The Committee are, however, distressed to note that the Department of Atomic Energy have not sought extension of time from the Committee as a matter of procedure and practice and the Committee deplicate the tendency. Though the Committee endorse the plea of the Department of Atomic Energy that there are national interest and constraints involved in the issue yet there seems to be no hurdle in the way of seeking extension of time from the Committee.

1.28 The Committee have no objection in negotiations with the said developed countries being continued till the efforts are fruitful and desire that the Government should go on seeking extension of time till the fulfillment of these assurances.

(iii)

INDIRECT TAXES UNDER DISPUTES

1.29 On May 25, 1990, the following Unstarred Question (No. 10587) given notice of by Shri Dharmesh Prasad Varma, M.P., was addressed to the Minister of Finance:—

- “(a) whether a huge amount of indirect taxes and particularly Central Excise duties is under dispute; and
(b) if so, whether Government propose to create a forum on the pattern of the Settlement Commission to entertain matters relating to indirect taxes?”

1.30 The then Deputy Minister in the Ministry of Finance (Shri Anil Shastri) gave the following reply:—

“(a) Yes, Sir.

(b) A proposal under consideration at the preliminary stage.”

1.31 Reply to part (b) 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 August 24, 1990.

1.32 On November 27, 1991, the Ministry of Finance approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. FI/Fin. (126) USQ 10587-LS/90 dated November 27, 1991 to drop the assurance on the grounds indicated below:—

“In the case of Assurance to the Rajya Sabha Unstarred Question No. 709 for 30-7-1985 (Annexure-I, there is a proposal for an amendment to the legislation which has since been approved by the

Finance Minister and is now with the Ministry of Law for concurrence and vetting of the Cabinet Note. After the proposal has been approved by the Ministry of Law, the proposal will be sent to Cabinet for approval and on receipt of the Cabinet's approval a Bill will be prepared in consultation with the Ministry of Law and only then will it be introduced in Parliament. Accordingly, the Committee on Government Assurances (Rajya Sabha) was earlier requested to drop the assurance.

Similarly, for the Lok Sabha Unstarred Question No. 10587 dated 25th May, 1990, the Government replied that there was a proposal under consideration for creating a forum on the pattern of the Settlement Commission. This proposal is received my active attention.

As amending the law is a long-drawn process, it would take quite some time to bring the comprehensive bills. I would, therefore, request you to use your good offices to persuade the Committee on Government Assurances to drop these Parliamentary Assurances."

1.33 The Committee considered the request of the Ministry of Finance for the dropping of the assurance at their sitting held on February 17, 1992.

1.34 The Committee did not agree to the request of the Ministry to drop the assurance.

1.35 The decision of the Committee was accordingly conveyed to the Ministry.

1.36 The Ministry sought extension of time upto May 28, 1993 on the following grounds:—

"that the proposal regarding creation of a forum on the pattern of Settlement Commission to entertain matter relating to indirect taxes is still under consideration.

1.37 The Committee take notice that an important issue was raised in the Parliament to create a forum on the pattern of the 'Settlement Commission' to entertain the matter relating to indirect taxes. A promise has been made by the Minister on May 25, 1990 that the proposal is under consideration at preliminary stage. But immediately after the assurance was given, the Ministry of Finance approached the Committee to drop the assurance on the grounds that amending the law is a long drawn process and it would take quite some time to bring the comprehensive legislation. The Committee also note that while seeking extension of time upto May 28, 1993, the Ministry have not explained the progress made in the direction to fulfil the assurance by introducing a bill in Parliament. In the dropping request it has been stated that the proposal has since been approved by the Finance Minister and has been forwarded to the Ministry of Law for concurrence. The Committee find that it is for more than one year that the matter is pending

with the Ministry of Law and their final approval is still awaited. The Committee are not happy on the slow pace with which the Ministries of Finance and Law are taking up the matter although outstanding substantial amount under the Head of Indirect Taxes could be realised from the concerned industries if the proposal is accepted. The Committee need not but to highlight again that such an important issue should have been discussed at different levels at various forums in the Ministry of Finance and in its ancillary departments/offices.

1.38 The Committee hope that the matter would be given high priority and pursued with all the seriousness it deserves for clearance by the Ministry of Law without any further loss of time. The Committee would appreciate if a bill to the effect is introduced in the ensuing Winter Session of the Lok Sabha in order to implement the assurance.

(iv)

AMENDMENT TO SCHOOL ACT

1.39 On August 20, 1990, the following unstarred Question No. 1719 given notice of by Shri Manjai Lal, Shri Phool Chand Verma and Shrimati Geeta Mukherjee, M.Ps. was addressed to the Minister of Human Resource Development:—

- “(a) whether the attention of Government has been drawn towards the news—items published in Indian Express dated 25 July, 1990 under the caption ‘Move to amend School Act stalled.;
- (b) if so, whether Government propose to check irregularities being committed in private schools in Delhi by making amendments in Delhi School Education Act, 1973; and
- (c) if so, the reasons for not making amendments in the said Act so far?”

1.40 The then Minister of Human Resource Development (Shri Chimanbhai Mchta) gave the following reply:—

“(a) Yes, Sir.

(b) & (c) The matter is being looked into.”

1.41 Reply to parts (b) and (c) 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 November 19, 1990.

1.42 On April 11, 1991, the Ministry of Human Resource Development approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. III/HRD(6)USQ 1719-LS/90 dated April 11, 1991, to drop the assurance on the grounds indicated below:—

“Delhi Administration had formulated proposals for amendment of Delhi School Education Act, 1973 in July, 1987 and sought clearance of the Ministry of Human Resource Development. After the amendment proposals were cleared in principle by the Ministry

of Law, the same were sent to the Delhi Administration by the Department of Education in July, 1987 for presenting the same in the Metropolitan Council. Delhi Administration informed the Ministry that the amendment Bill was introduced in the Metropolitan Council on 23-12-87 and the Council after due process and procedure and by vote favoured to send the Bill to the Selection Committee of the Metropolitan Council. The Bill was finally passed by the Metropolitan Council in August 1989 and the same was sent to the Executive Council for their concurrence. Subsequently, Metropolitan Council/Executive Council were dissolved by the President of India and later when the matter was placed before the Administrator for his approval, he decided to leave the matter to be decided by the elected Govt. expected to be formed in Delhi in due course. In view of this Delhi Administration has dropped the matter for the present.

Delhi Administration Act, 1966 prescribes a detailed procedure for undertaking legislation in regard to the Union Territory. An extract from the Delhi Administration Act, 1966 is at *Annexure-II*. According to the provisions of this Act, all concerned authorities such as Metropolitan Council, Executive Council, Administrator and Central Govt. are required to be consulted, which process usually takes time.

In view of the position stated in above para, Delhi Administration is likely to take a fresh look at the amendment proposals already suggested. As new problem areas may have come to the notice of the Delhi Administration during the intervening period, there is every possibility that Delhi Administration may also propose some additional amendments to the Act and may also review the amendment proposals already suggested.

This is more likely because the new Executive Council and the new Administrator will have a fresh look at the whole matter and this is likely to be long drawn process.

From the above, it may be observed that although the Government had been pursuing the matter with all the seriousness it deserves, however, due to the long procedure involved and a large number of agencies required to be consulted, the matter could not be finalised and there is no likelihood of the matter being finalised in the near future. As the matter will require fresh look by the new Executive Council yet to be installed, no specific time limit can be indicated by the Government for undertaking these amendment proposals, which still may take a few more years.

In view of the position and circumstances explained above, it is requested that Parliament Assurance arising out of Lok Sabha Unstarred Question No. 1719 dated 20.8.1990 may be dropped."

1.43 The Committee considered the request of the Ministry of Human Resource Development for the dropping of the assurance at their sitting held on April 9, 1992.

1.44 The Committee did not agree to the request of the Ministry to drop the assurance.

1.45 The decision of the Committee was accordingly conveyed to the Ministry.

1.46 The Committee note that a point was raised in the Lok Sabha with a view to checking irregularities being committed in private schools in Delhi by making amendments in Delhi Schools Education Act 1973 and the Minister gave a categorical reply on August 20, 1990, that the matter was being looked into. The reply of the Minister was a categorical and clear-cut assurance. On the basis of the reply, the public at large, might be having high hopes that something concrete will come out of the promise and a Bill to amend the Delhi School Act, 1973 would come soon.

1.47 The Committee also take notice that a Bill was approved by the Metropolitan Council in August, 1989 to amend the Delhi School Act, 1973. Subsequently, the bill lapsed as the Metropolitan Council and the Executive Council were dissolved by the President of India. The Committee also note that the administrator has also decided to keep the matter pending for finalisation by the Elected Government expected to be formed in Delhi in due course.

1.48 As the proposal was already approved by the Metropolitan Council in August, 1989, the Committee feel that there should not have been any complication in bringing a Bill in the Parliament forthwith after consultation with the Delhi Administration. The Committee fail to see any justification for the misguided efforts made by the Ministry to get the assurance dropped on the plea that the matter will require a fresh look by the new Executive Council yet to be installed. The Committee do not see any necessity to wait for the formation of the new Executive Council in Delhi as Human Resource Development Ministry are competent to finalise the issue. The Committee express their displeasure that sincere efforts have not been made by the Ministry to fulfil the assurance. The Committee hope that the Ministry of Human Resource Development (Department of Education) will gear up their machinery in the right direction with the true spirit of the Constitution of India and ensure that the concrete decision in the matter is taken up in the right earnest and spirit of the assurance made on the floor of the House instead of waiting for the formation of the elected body in the State of Delhi.

(v)

SUPPLY OF EXPLOSIVES TO ASSAM EXTREMISTS

1.49 On November 25, 1991, the following Starred Question No. 50 given notice of by Shri Kamal Mishra Madhukar, M.P. was addressed to the Minister of Home Affairs:—

“(a) whether it has come to the notice of the Government that explosives are being supplied to the Assam extremists from the coal fields of Bihar; and

(b) if so, the steps taken by the Government in the matter?”

1.50 The Minister of Home Affairs (Shri S.B. Chavan) gave the following reply:—

“(a) and (b): Two parcel of gunny bags containing detonators were recovered by R.P.F., Guwahati. The offence is under investigation. The State Government with the aid of the army and the Central para-military organisations is engaged in controlling such activities.”

1.51 Reply to 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 February 24, 1992.

1.52 On September 21, 1992, the Ministry of Home Affairs approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O.Note No.II/HA(3) SQ-50LS/91 dated September 21, 1991, to drop the assurance on the grounds indicated below:—

“The Government of Assam has informed that two persons were arrested by Bihar Police. They are reported to have since been bailed out. Assam Police also arrested one person and he also managed to secure bail. Further investigation shows that the consignment of explosives was meant for use in illicit mining in shillong area of Meghalaya and not for terrorist activities. The case is still under investigation.

The matter is within the area of responsibility of the State Government. The investigation by the State Police and the judicial process is likely to take time and it will not be possible to get the information within a reasonable time.”

1.53 The Committee considered the request of the Ministry of Home Affairs for the dropping of the assurance at their sitting held on October 1, 1992.

1.54 The Committee did not agree to the request of the Ministry of drop the assurance.

1.55 The Ministry have sought extension of time to fulfil the assurance upto May 25, 1993. The grounds for seeking further extension of time are as under:-

"...Since the investigation by the State Police and the judicial process is likely to take considerable time, it is not possible for the Govt. of Assam to give any indication as to the time frame within which the process of investigation and the subsequent judicial process will be completed. The case is completely under the area of responsibility of the Govt. of Assam."

1.56 The Committee note that on November 25, 1991, the Ministry informed that 'two parcel of gunny bags containing detonators were recovered by RPF, Guwahati. The offence is under investigation'. The Committee have also been informed that two persons were arrested by Bihar Police and the Assam Govt. have also arrested one person. The investigations reveal that consignment of explosives was meant for use in illicit mining in Shillong area of Meghalaya and not for terrorist.

1.57 The Committee are constrained to observe that although sufficient time have elapsed yet the case is still under investigation and the Union Government want to get rid of the responsibilities in the guise of the matter being under the control of the State Governments as the area of responsibility lies with the State Governments.

1.58 The Committee find no justification in continuing the investigation and keeping the issue alive for investigation for all the time to come.

1.59 The Committee desire that the Union Government should not shirk of their responsibilities and pursue the matter with the State Governments. The State Governments should be directed to complete the investigations and file suits in the respective Court of Law for further action. The Ministry can liquidate the assurance by furnishing information to the fact that a case has since been filed/in the Court.

CHAPTER II

(i)

T.V. SERIAL 'KRISHNA'

2.0 On September 11, 1991, the following Unstarred Question No. 6716 given notice of by Shri Pandurag Pundlik M.P., was addressed to the Minister of Information and Broadcasting:-

"(a) whether approval to make serial 'Krishna' for Doordarshan has been sought by any producer;

(b) if so, the time by which the approval is likely to be accorded; and

(c) if not, the reasons therefor?"

2.1 The then Deputy Minister in the Ministry of Information and Broadcasting (Kumari Girija Vyas) gave the following reply:-

(a), (b) (c): Doordarshan has received a proposal for a T.V. Serial titled "Krishna" for approval under its new sponsorship scheme. Doordarshan has initiated the examination of the proposals received under this scheme."

2.2 Reply to 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 December 10, 1991.

2.3 On January 1, 1992, the Ministry of Information & Broadcasting approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs vide their U.O. Note No. 1/1B(6)USQ6716-LS/91 dated January 1, 1992, to drop the assurance on the grounds indicated below:-

"The selection of serials under the sponsorship scheme is an on going activity of Doordarshan. It is a continuous programme activity and, as per the normal practice, selection is made by special committees on which non-official members are also nominated. In October, 1990 the Doordarshan invited proposals for sponsored programmes and received more than 3500 proposals from various producers. A number of Committees have been formed to evaluate these proposals under different themes like programmes for children, detective programmes, socially relevant programmes, etc. The selection itself involves a three tier process, in the first stage, the concept of the proposal is approved, in the second stage, the plot is approved and in the third stage, the first four episodes are previewed and, if found suitable in all respects, the serial is finally cleared for telecast after

deciding the total number of episodes to be telecast. It is evident from the above that selection procedure under the sponsored programmes scheme is a time consuming process and a final decision on any of the proposals may take several months. This is further subject to the condition that all the proposals will not be approved. Doordarshan will only approve serials in accordance with the programme requirements.

The proposal 'Krishna' is one of the 3500 proposals being evaluated by the Selection Committee. It would not be possible to specify any time limit for processing the proposed serial 'Krishna' and as stated in the previous para the serial may or may not be eventually selected for telecast.

Moreover, it may kindly be appreciated that the reply to the question under reference was not intended to be an assurance by this Ministry."

2.4 The Committee considered the request of the Ministry of Information and Broadcasting for the dropping of the assurance at their sitting held on February 17, 1992.

2.5 The Committee did not agree to the request of the Ministry to drop the assurance.

2.6 The decision of the Committee was accordingly conveyed to the Ministry for compliance.

2.7 Subsequently the Ministry have implemented the assurance by laying a Statement on the Table of the Lok Sabha on December 22, 1992 *vide* SS No.X/16. The Statement contained the following information:—

“(a), (b) & (c): The Serial 'Krishna' received under the new Sponsorship Scheme 1990 has not been recommended by the Selection Committee.”

2.8 The Committee note that on September 11, 1991, the Minister gave a categorical reply. 'Doordarshan has received a proposal for a T.V. Serial "Krishna"..... and Doordarshan initiated the examination of the proposal'. The T.V. Serial "Krishna" was promised to be examined simultaneously alongwith other serials which were received by Doordarshan under the new Sponsorship Scheme. The Committee also note that instead of taking a decision on the issue that emerged in the Parliament, the Ministry have tried to get the assurance dropped on the plea, 'The Selection of serials under the sponsorship scheme is ongoing activity of Doordarshan....selection is made by Special Committee on which non-official members are also nominated.....It has also been mentioned that the Selection Committee

has to undergo a procedural system which takes almost about 8 to 9 months and hence it is a time consuming process.

2.9 The Committee note that, at last, the Ministry have fulfilled the assurance by laying a Statement(No.X/16) on December 26, 1992 on the Table of the Lok Sabha by taking a final decision in the matter.

2.10 The Committee need not but to reiterate that the Ministry should not adopt an easy procedure to get an assurance dropped on the plea that it involves a time consuming process. The Ministry should have rather diverted their earnest efforts in the right direction to fulfil the assurance.

2.11 The Committee wish that the Ministry of Parliamentary Affairs should discourage the Ministry to permit them to approach the Committee with the request of dropping of the assurance on the grounds which are not convincing and cogent one.

(ii)

TELECAST OF 'THIRUKKURAL'

2.12 On April 20, 1992, the following Starred Question No. 654 given notice of by Shri Kadambur MR. Janarthanan, M.P. was addressed to the Minister of Information and Broadcasting:—

“(a) the nature and extent of the coverage of ‘Thirukkural — a famous work of Great Saint Thiruvalluvar’ by the All India Radio particularly Tamil Nadu Radio Station;

(b) the future plans for the expansion of radio coverage;

(c) whether the Doordarshan has any plan to telecast “Thirukkural” quotes; and

(d) if so, the details thereof.”

2.13 The then Deputy Minister in the Ministry of Information and Broadcasting (Kumari Girija Vyas) gave the following reply:—

“(a) The coverage consists of the followings:—

(i) Recitation of one couplet from Thirukkural alongwith a short explanatory talk.

(ii) Inclusion of couplets from Thirukkural in the Thought for the Day programme.

(iii) Talks/Interviews/Discussions based on Thirukkural.

(iv) Coverage of public functions relating to Thirukkural and its author Thiruvalluvar.

(b) A 3-programme series devoted to each of the 3 chapters of Thirukkural is under preparation for being broadcast in the National Channel of All India Radio,

(c)&(d) Doordarshan Kendra, Madras is already including couplets from Thirukkural in its daily programme 'Namadhu Chinthanaikku' (Thought for the Day) on its Metro Channel. Couplets from Thirukkural are already frequently used as filler captions in between programmes on its Regional Channel."

2.14 During the course of supplementaries on the question, Shri K. Thulasiah Vandayar, M.P. raised the following question:—

"Thirukkural is a practical philosophical couplet in Tamil Nadu which is a normal guide. Has Doordarshan got any plan to telecast the Hindi version of Thirukkural everyday for two minutes?"

2.15 In reply to the above supplementary, the Minister of State in the Ministry of Information and Broadcasting (Shri Ajit Kumar Panja) stated as follows:—

"No plan is now made. But the point made by the hon'ble Member is noted."

2.16 Reply to the supplementary point raised during discussion 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 July 19, 1992.

2.17 On August 17, 1992, the Ministry of Information and Broadcasting approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. III/(16)SQ No.654-LS/92 dated August 17, 1992 to drop the assurance on the grounds indicated below:—

"...to clarify hereby that the statement attributed to MIB. *i.e.* 'No plan is now made. But the point made by the Hon. Member is noted' is only indicative of the fact that Doordarshan has no plan to telecast the Hindi version of 'Thirukkural' everyday for two minutes in immediate future, and therefore, does not constitute as an assurance. It is, therefore, requested that the above statement of Minister of State for Information and Broadcasting may not please be treated as assurance."

2.18 The Committee considered the request of the Ministry of Information and Broadcasting for the dropping of the assurance at their sitting held on September 9, 1992.

2.19 The Committee did not agree to drop the assurance and the decision of the Committee was accordingly conveyed to the Ministry for compliance.

2.20 Subsequently, the Ministry fulfilled the assurance by laying an implementation report on the Table of the Lok Sabha on November 25, 1992 *vide* No. IV/169. The implementation report furnished reads as follows:—

"Doordarshan has no plan to telecast the Hindi version of Thirukkural on daily basis."

2.21 The Committee are glad to note that when the Committee did not agree to drop the assurance on the request of the Ministry of Information and Broadcasting, the Ministry took a final decision on telecasting the Hindi version of 'Thirukkural' everyday for two minutes on Doordarshan. The Committee once again do not appreciate the efforts of the Ministry to get the assurance dropped from the Committee. The Committee reiterate and point out again that it is for the Committee to decide whether a reply constitute as an assurance and it is not for the Ministry to decide it. The Committee do not permit Government to sit on their judgement and undoubtedly, welcome and appreciate a negative decision.

2.22 The Committee record with concern the practice to challenge the Committee's decision and urge that it should not be repeated again.

CHAPTER III.

(i)

INCLUSION OF BACKWARD COMMUNITIES IN SCs/STs LIST

3.0 On December 9, 1991, the following Unstarred Question No. 2944 given notice of by Shri Kodikkunnil Suresh, M.P., was addressed to the Minister of Welfare:—

“(a) whether the Government have received any proposal from Kerala Government for inclusion of some backward communities in the Scheduled Castes List;

(b) if so, the details thereof; and

(c) the reaction of the Union Government thereto?”

3.1 The Minister of Welfare (Shri Sitaram Kesari) gave the following reply:—

(a), (b) and (c): “Yes, Sir. These are under examination.”

3.2 The reply to 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 March 8, 1992.

3.3 On March 10, 1992, the Ministry of Welfare approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. II/Wel. (8) USQ 2944-LS/91 dated March, 10, 1992, to drop the assurance on the grounds indicated below:—

“The Committee noted that since the comprehensive revision of SC/ST lists is still pending, the inclusion of Peruvannan Community in the List shall be taken care of during the introduction of the Bill and hence, agreed to drop the assurance.”

3.4 The Committee considered the request of the Ministry of Welfare for dropping of the assurance at their sitting held on April 9, 1992.

3.5 The Committee have taken notice of the fact that a comprehensive list of SCs/STs is already under consideration with the Government. The requests received from the individual States to include a specific tribe on the list will be considered simultaneously. The Committee have, therefore, decided to drop the assurance.

(ii)

VAYUDOOT LIMITED

3.6 On March 5, 1991, the following Starred Question No. 128 given notice of by Sarvashri Harsh Vardhan and Banwari Lal Purohit, M.Ps, was addressed to the Minister of Civil Aviation:—

- “(a) whether the Government propose to privatise the Vayudoot air service;
- (b) if so, the details thereof; and
- (c) the steps being taken by the Government to tackle the financial crisis faced by the Vayudoot?”

3.7 The then Minister of Civil Aviation (Shri Harmohan Dhawan) gave the following reply:—

- (a), (b) & (c): “Government is considering various options regarding the future set up of Vayudoot Limited. No final decision has yet been taken in this matter.”

3.8 On July 30, 1991, the following Unstarred Question No. 973 given notice of by Shri M.V. Chandrashekara Murthy, M.P., was addressed to the Minister of Civil Aviation and Tourism:—

- “(a) whether the Government have conducted a study for the inconvenience caused due to stoppage of air services and connection of air-routes/airports to the passengers and travelling public with the closure of Vayudoot;
- (b) whether the Indian Airlines have failed to provide and take over the services earlier served by the Vayudoot;
- (c) whether any effort would now be made to restructure the Vayudoot or any other airlines to reduce the inconvenience of travelling public; and
- (d) if so, the details thereof?”

3.9 The then Minister of Civil Aviation and Tourism (Shri Madhavrao Scindia) gave the following reply:—

- (a): “No, Sir.
- (b): No, Sir. Most of the services earlier operated by Vayudoot cannot be taken over by the Indian Airlines because the runways at those airports and the traffic demand to those places are not suitable for the type of aircraft in the fleet of Indian Airlines, namely, Airbus A-300, Airbus A-320 and Boeing 737.
- (c) & (d): Government is considering various options regarding the future set up of Vayudoot. At the same time, Government is encouraging private air taxi operators to provide more air services.”

3.10 On August 6, 1991, the following Starred Question No. 321 given notice of by Sarvashri Mukul Wasnik and Santosh Kumar Gangwar, M.Ps was addressed to the Minister of Civil Aviation and Tourism :—

- “(a) whether the Vayudoot is incurring heavy losses every month;
- (b) if so, the details thereof for the last one year and the reasons therefor;
- (c) whether the Government have any plan to privatise the Vayudoot; and
- (d) if so, the details thereof?”

3.11 The then Minister of Civil Aviation and Tourism (Shri Madhavrao Scindia) gave the following reply :—

- “(a) : “Yes, Sir.
- (b) : The accumulated losses of Vayudoot up to 31st March, 1991 are estimated to be of the order of Rs. 128 crores. The major reasons for the losses are: Short-haul nature of the operations, obsolete and uneconomic fleet, unremunerative fare structure.
- (c) & (d) : Government is considering various options regarding the future set up of Vayudoot. No final decision has been taken in the matter.”

3.12 On August 20, 1991, the following Unstarred Question No. 3569 given notice of by Shri Mukul Balkrishna Wasnik, M.P. was addressed to the Minister of Civil Aviation and Tourism :—

- “(a) the details of routes on which Vayudoot has been operating its air services;
- (b) whether the Government have any, proposal to confine Vayudoot to the north-east and a few farflung areas only; and
- (c) if so, the alternative measures the Government propose to take to operate on the remaining routes already uncovered by the Vayudoot?”

3.13 The then Minister of Civil Aviation and Tourism (Shri Madhavrao Scindia) gave the following reply :—

- (b) and (c) : “Government is considering various options regarding the future set up of Vayudoot. No final decision has yet been taken in the matter.”

3.14 On August 20, 1991, the following Unstarred Question No. 3637 given notice of by Prof. Ashok Anandrao Deshmukh, M.P. was addressed to the Minister of Civil Aviation and Tourism :—

- “(a) whether the Government propose to wind up the Vayudoot;
- (b) if so, the details thereof;

- (c) the total strength of Vayudoot staff who would become surplus as a result thereof; and
- (d) the manner in which the Government propose to rehabilitate the staff?"

3.15 The then Minister of Civil Aviation and Tourism (Shri Madhavrao Scindia) gave the following reply:—

- (a) to (d) "Government is considering various options regarding the future set up of Vayudoot. No final decision has yet been taken in the matter."

3.16 On August 27, 1991, the following Unstarred Question No. 4531 given notice of by Shri Anna Joshi, M.P. was addressed to the Minister of Civil Aviation and Tourism:—

- "(a) whether the Government propose to review the functioning of Vayudoot services in the country in general and Maharashtra in particular;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?"

3.17 The then Minister of Civil Aviation and Tourism (Shri Madhavrao Scindia) gave the following reply:—

- (a), (b) & (c) : "For commercial and operational reasons, Vayudoot has been forced to reduce its network drastically in various States of the country. Various options are under consideration of the Government regarding the future set up of Vayudoot."

3.18 Replies to the questions were treated as an assurance by the Committee which were to be fulfilled within three months of the date of reply.

3.19 On October 23, 1991, the Ministry of Civil Aviation and Tourism approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VII/CA (4) SQ 128-LS/91 dated 23.10.1991 to drop these six assurances on the grounds indicated below:—

"Since the promise made in reply to Starred Question No. 128 dated 5.3.1991 regarding privatisation of Vayudoot service is identical to the one that has now been excluded from the Register of Assurances, *vide* Lok Sabha Secretariat's aforesaid U.O. of 21.5.1991, the Ministry of Parliamentary Affairs are requested kindly to approach the Lok Sabha Secretariat to seek the exclusion of the replies given to the above mentioned assurances also from the Register of Assurances."

3.20 The Committee considered the request of the Ministry of Civil Aviation and Tourism for dropping of these assurances at their sitting held on May 28, 1992.

3.21 The Committee have decided to drop these assurances.

(iii)

CASUAL LABOURERS IN MORADABAD DIVISION OF NORTHERN RAILWAY

3.22 On August 28, 1990, the following Starred Question No. 273 given notice of by Shri Santosh Kumar Gangwar, M.P., was addressed to the Minister of Railways:—

- “(a) whether any agitation is being launched by the Indian Railway Loco Mechanical Staff Association in Moradabad division in Northern Railway for recalling casual labourers;
- (b) if so, the details of their demands;
- (c) whether any cases of corruption in the recruitment of casual labourers have also come to light; and
- (d) if so, the action proposed to be taken in this regard?”

3.23 The then Deputy Minister in the Ministry of Railways (Shri Ajay Singh) gave the following reply:—

“(a)&(b): Indian Railway Loco Mechanical Staff Association have launched an agitation on the ground that 285 persons engaged as loco cleaners in Moradabad Loco Shed have been so engaged allegedly on the basis of bogus records, ignoring the claims of genuine candidates. They have demanded that the candidates engaged allegedly on bogus records should be discharged from service and the candidates who are the genuine ones, according to their Association, should be engaged in their place.

(c)&(d): With reference to complaints received in this regard, investigation in 44 cases of appointment as loco cleaners in Moradabad Loco Shed of Northern Railway on the basis of alleged forged documents is being conducted by the Vigilance Department of Northern Railway. Out of these 44 cases, investigations in respect of 13 cases have since been completed and DAR action against the delinquent staff is being taken. Regarding remaining 31 cases investigations are being done by the Vigilance. The remaining cases referred to in the complaints, are being investigated by a Committee of Officers.

After the investigations on hand are completed, further action as found necessary will be taken by the Railway Administration in the light of the outcome of the investigations.”

3.24 Reply to parts (c) and (d) 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 November 27, 1990.

3.25 The Ministry of Railways, thereafter, approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. III/Rlys(8)/SQ 273 LS/90 dated nil, to drop the assurance on the grounds indicated below:—

“In reply to parts (c) & (d) of the question while indicating the progress of investigations, it has been mentioned that out of 44 cases, investigations in respect of 13 have been completed and the same are in progress in respect of the remaining 31 cases. After the investigations are completed, further action as found necessary will be taken by the railway administration in the light of the outcome of the investigations.

Based on the report received from the Northern Railway, it is noticed that investigations in 15 out of 31 cases have already been completed and staff found responsible recommended for major penalty proceedings under DAR. Investigations into the remaining 16 cases will also be completed early.

As the issue involved in the above matter concerns investigation of cases by Vigilance and as these matters are not likely to be completed early, same being a long drawn out process, it is considered that no useful purpose may be served by seeking extension of time periodically for fulfilment of the assurance.

As far as the Ministry of Railways are concerned, no assurance as such has been made in reply to the above question as the reply is complete in all respects giving factual position of the pending matters.”

3.26 The Committee considered the request of the Ministry of Railways for dropping of the assurance at their sitting held on May 28, 1992.

3.27 The Committee have decided to drop the assurance.

(iv)

DENOTIFIED COMMUNITIES AND NOMADIC TRIBES

3.28 On March 12, 1986, the following Starred Question No. 248 given notice of by Shri Uttam Rathod, M.P. was addressed to the Minister of Welfare:—

“(a) whether there are denotified communities and nomadic tribes in most of the States;

(b) whether Government have taken any census of these tribes; and

(c) if so, what is their population, State-wise?”

3.29 The then Deputy Minister in the Ministry of Welfare (Shri Giridhar Gomango) gave the following reply:—

“(a) Yes, Sir.

(b) No, Sir.

(c) The question does not arise.”

3.30 In reply to a supplementary point raised by Shri Uttam Rathod, M.P. regarding enumerating the nomadic tribes and the ex-criminal tribes in the proposed SCs/STs lists which is under the consideration of the Government, the then Minister of State in the Ministry of Welfare (Dr. Rajendra Kumari Bajpai) made the following statement:—

“Government is considering.... revising the list of Scheduled Castes and Scheduled Tribes. We are going to put a comprehensive Bill before Parliament. It is only the Parliament which is competent to revise it. At that time we will see all aspects of it, whether they are *vimukht jatis*, who falls in the category of Tribes.”

3.31 Reply to the supplementary points raised on 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 June 11, 1986.

3.32 On June 29, 1992, the Ministry of Welfare approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. V/Wel (18)SQ-248-LS/86 dated June 29, 1992 to drop the assurance on the grounds indicated below:—

“The Committee on Government Assurances have taken a decision on a similar subject in respect to USQ 6638 dated April 24, 1989, for the dropping of the assurance.”

3.33 The Committee considered the request of the Ministry of Welfare for dropping of the assurance at their sitting held on September 9, 1992.

3.34 The Committee take notice of the fact that a comprehensive revision of list of SCs/STs is already under consideration with the Government. The requests received from individual states to include a specific tribe in the list will be considered simultaneously. The Committee decide to drop the assurance.

(v)

WAR MEMORIALS FOR AWARD WINNERS

3.35 On April 3, 1992, the following Unstarred Question (No. 5957 given notice of by Maj. Gen. (Retd.) Bhuwan Chandra Khanduri, M.P. was addressed to the Minister of Defence:—

“(a) whether the Government contemplate to set up War Memorials in the name of Service personnel, **Param Vir Chakra** and **Ashok Chakra** award winners at their birth places or at other suitable places; and

(b) if so, the details in this regard?"

3.36 The Minister of Defence (Shri Sharad Pawar) gave the following reply:—

(a)&(b): "There is no proposal to set up War Memorials specifically in the name of awardees of Param Vir Chakra and Ashok Chakra by the Central Government either at their birth places or at other suitable places. However, Government of India contemplate to set up a National War Memorial in Delhi to commemorate the memory of all Armed Forces personnel who laid down their lives for the country, during the post Independence period".

3.37 Reply to 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 July 2, 1992.

3.38 On August 13, 1992, the Ministry of Defence approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* U.O. Note No. III/D(4)USQ-5957-LS/92 dated August 13, 1992 to drop the assurance on the grounds indicated below:—

"A suggestion was mooted in 1960 for the construction of a National War Memorial. The Chiefs of Staff Committee had initially recommended the conversion of India Gate into a Memorial for War heroes, including those who laid their lives after independence. However, this proposal was not agreed to by the Commonwealth War Graves Commission on the ground that India Gate was essentially a Memorial for the First World War heroes and nothing should be done to alter the intent and purpose of the original inscriptions. In view of the objection of the Commonwealth War Graves Commission, the choice on sites alternated between the Memorial being constructed in or near the Central Vista or at Dhaula Kuan. The possibility of locating the War Memorial and War Museum at one place was also examined. However, in 1991, the Chiefs of Staff Committee recommended the de-linking of these two issues.

In 1984, the then Prime Minister had indicated her preference for the site at Dhaula Kuan for the War Memorial and desired that India Gate should be left unencumbered. Consequently, 32 acres of land at Dhaula Kuan were taken over. However, the Chiefs of Staff Committee did not favour this site on the ground that it would be out of the way and suggested the location of the Memorial on Rajpath, preferably located between National Stadium and India Gate so that the Prime Minister could pay homage at the Memorial in full view of the public before commencement of the Republic Day Parade. This proposal was not found feasible for various

reasons. The matter was then again discussed in a meeting taken by RRM in November, 1985 when the choice fell on two sites viz., on the area between Chhatri (India Gate) and National Stadium or the area between Chhatri (India Gate) and Vijay Chowk. The site at Dhaula Kuan was ruled out. Later, when a presentation was made to the Prime Minister, in March 1986, he desired examination of an alternative site on the Western side of Rashtrapati Bhawan. A site on the Ridge proposed by Chiefs of Staff Committee was approved by the then Prime Minister who, however, did not approve of the proposed layout and design. This site did not find favour with the Urban Arts Commission, who expressed the view that the Memorial would disturb the natural flora and fauna of the Ridge. Some reservations were also expressed by Civil Aviation Department regarding the height of the Memorial, taking into account the requirements of aircraft touching the Safdarjung Airport. Since then several sites were identified and considered for the Memorial but not found suitable for one reason or the other.

In view of the afore-detailed prolonged history of the case, it would not be practical to envisage that the subject Assurance can be implemented within a perceived period, specially as agreement on a site acceptable to all concerned has posed continued problems, despite discussions at the level of P.M. In this background it is requested that the Assurance may please be dropped."

3.39 The Committee considered the request of the Ministry of Defence for the dropping of the assurance at their sitting held on September, 9, 1992.

3.40 The Committee have decided to drop the assurance.

(vi)

OVERSTAY OF CONTRACTUAL ENGINEERS IN ITDC

3.41 On September 3, 1991, the following Unstarred Question No. 5394 given notice of by Shrimati Geeta Mukherjee, M.P., was addressed to the Minister of Civil Aviation and Tourism:—

- “(a) whether a number of persons in the Engineering Cadre of ITDC appointed on contractual basis are allowed to continue to look after the important assignments involving financial and other transactions after the expiry of their contract period;
- (b) if so, the reasons thereof and the details of such persons as on June, 1991 alongwith the job/assignment being undertaken by each of them;
- (c) whether cases of irregularities/malpractices/leakage of funds have been reported on account of these persons;

- (d) if so, the details thereof and the remedial measures taken proposed to be taken in this regard; and
- (e) whether these persons are likely to be removed from the organisation?"

3.42 In reply to the above question, the Minister of State in the Ministry of Civil Aviation and Tourism (Shri Madhavrao Scindia) *inter-alia* stated as follows:—

- "(a) Five Assistant Managers (Engg.) have been continuing after expiry of their contract.
- (b) Statement appended.
- (c) No, Sir.
- (d) Does not arise.
- (e) Continuation of their employment will be considered in the light of operational necessities with the ITDC.

3.43 Reply to part (e) 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 December 2, 1991.

3.44 On September 2, 1992, the Ministry of Civil Aviation and Tourism approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. L/CAT(23)USQ 5394-LS/91 dated September 2, 1992, to drop the assurance on the grounds indicated below:

"....that two of the engineers working on contract basis in ITDC had filed Civil Suit in the Court of Sub-Judge of Delhi wherein interim orders were passed saying that ITDC should give a chance to the engineers for recruitment against permanent vacancies etc. However, ITDC has filed an appeal against the said interim order in the court of Additional District Judge and the same is pending.

It would be seen from the facts stated above that the question of appointment of contractual engineers in ITDC has become a subject of litigation and is likely to take considerable time for settlement."

3.45 The Committee considered the request of the Ministry of Civil Aviation and Tourism for the dropping of the assurance at their sitting held on October 1, 1992.

3.46 The Committee have decided to drop the assurance.

(vii)

TELECAST OF HINDI FILMS

3.47 On April 27, 1992, the following Unstarred Question No. 8060 given notice of by Shri Bhcem Singh Patel, M.P., was addressed to the Minister of Information and Broadcasting:—

- “(a) the criteria and priorities for telecast of religious and social Hindi feature films and T.V. serials;
- (b) the names of the religious and social Hindi feature films and T.V. serials proposed to be telecast during 1992-93;
- (c) whether the Government propose to telecast serials and feature films pertaining to Bodh Religion;
- (d) if so, the details thereof?”

3.48 The then Deputy Minister in the Ministry of Information and Broadcasting (Kumari Girija Vyas) gave the following reply:—

- (a) As a policy, Doordarshan does not telecast programmes which have a bearing only on religious theme. At the same time it is the endeavour of Doordarshan to telecast programme including Hindi Feature Films and Serials on established tradition and heritage, socio-cultural themes with universal values and to uphold secularism, religious tolerance and communal harmony.
- (b) The actual telecast of feature films and serials is dependent upon Doordarshan's programme requirements from time to time. No advance schedule of programmes is drawn up for the entire year.
- (c) & (d): Serials and feature films based on principles of Bodh religion, if offered, for telecast will be considered by Doordarshan depending on their programme requirement.

3.49 Reply to parts (c) and (d) 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 July 26, 1992.

3.50 On September 14, 1992, the Ministry of Information and Broadcasting approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. III/1B(17) USQ 8060-LS/92 dated September 14, 1992 to drop the assurance on the grounds indicated below:—

“....telecast of serials and other programmes including feature films on established traditions, heritage and socio-cultural themes is a continuing programme activity and as per normal practice, selection of such programme is made by Committees consisting of non-official members constituted for this purpose.

The reply given to part (c) and (d) states that serials/films based on Bodh Religion, if offered for telecast, will be considered by Doordarshan depending on the programme requirement. It may

kindly be appreciated that this reply was not intended to be an Assurance, as it only states that programmes on a particular theme, when offered will be considered on the basis of the programme requirement of Doordarshan."

3.51 The Committee considered the request of the Ministry of Information and Broadcasting for dropping of the assurance at their sitting held on October 1, 1992.

3.52 The Committee have decided to drop the assurance.

MINUTES
Fifth Sitting

SITTING OF THE COMMITTEE ON GOVERNMENT ASSURANCES
HELD ON 17TH FEBRUARY, 1992 IN ROOM No. 53,
PARLIAMENT HOUSE, NEW DELHI.

The Committee met on Monday, February 17, 1992 from 12.15 hrs. to 12.45 hrs.

PRESENT

Dr. Laxminarain Pandey — *Chairman*

2. Shri B. Davarajan
3. Shri Shashi Prakash
4. Shri Naval Kishore Rai
5. Shri Chinmaya Nand Swami

SECRETARIAT

Dr. R.C. Bhardwaj — *Additional Secretary*
Shri Murari Lal — *Director*
Shri Joginder Singh — *Deputy Secretary*

The Committee took up for consideration Memoranda Nos. 24 to 27 containing requests received from various Ministries/Departments for dropping of assurances.

Memorandum No. 24: Request for dropping of assurance given on September 11, 1991 in reply to Unstarred Question No. 6716 regarding T.V. serial 'Krishna'.

The Committee considered the request of the Ministry of Information and Broadcasting received through the Ministry of Parliamentary Affairs vide their U.O. Note No. 1/IB(6)USQ. 6716-LS/91 dated 1.1.1992 for dropping of the assurance on the following grounds:—

"The selection of serials under the Sponsorship Scheme is an on going activity of Doordarshan. It is a continuous programme activity and, as per the normal practice, selection is made by special committees on which non-official members are also nominated. In October, 1990 the Doordarshan invited proposals for sponsored programmes and received more than 3500 proposals from various producers. A number of Committees have been formed to evaluate these proposals under different themes like programmes for

children, detective programmes, socially relevant programmes, etc. The selection itself involves a three tier process, in the first stage, the concept of the proposal is approved, in the second stage, the plot is approved and in the third stage, the first four episodes are previewed and, if found suitable in all respects, the serial is finally cleared for telecast after deciding the total number of episodes to be telecast. It is evident from the above that selection procedure under the Sponsored programmes scheme is a time consuming process and a final decision on any of the proposals may take several months. This is further subject to the condition that all the proposals will not be approved. Doordarshan will only approve serials in accordance with the programme requirements.

The proposal 'Krishna' is one of the 3500 proposals being evaluated by the Selection Committee. It would not be possible to specify any time limit for processing the proposed serial 'Krishna' and as stated in the previous para the serial may or may not be eventually selected for telecast.

Moreover, it may kindly be appreciated that the reply to the question under reference was not intended to be an assurance by this Ministry."

After considering the *pros and cons* of the matter, the Committee did not agree to the request of the Ministry to drop the assurance and desired that Government should decide all the pending 3500 proposals including the serial 'Krishna' expeditiously.

The Committee further observed that whether or not a particular reply of Minister should constitute an assurance was a matter exclusively for the Committee to decide and the Ministry/Department concerned is not competent to question the decision of the Committee. The Committee would like the Ministry to note this observation for future guidance.

Memorandum No. 25: Request for dropping of assurance given on August 29, 1991 in reply to Unstarred Question No. 4996 regarding Pak Spy Ring in Kutch.

The Committee considered the request of the Ministry of Home Affairs forwarded through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. I/HA(3)USQ.4996-LS/91 dated 5.12.1991 for dropping of the assurance on the following grounds:—

"In reply to above question it was stated that 'One Junas Dosal resident of District Kutch was apprehended on 5th May, 1991 while trying to cross over to India. A case under Official Secrets Act was registered against him. The case is at the stage of investigation.' This reply has been treated as an assurance. Since the investigation is being made by the Government of Gujarat, it is requested that the Committee on Government Assurances (Lok Sabha) may kindly be moved for dropping of this assurance."

After considering all aspects of the matter and the reasons advanced by the Ministry, the Committee did not agree to drop the assurances as the security of the nation was involved therein.

The Committee granted extension of time upto February 29, 1992.

Memorandum No. 26: Request for dropping of assurances given on:—

- (i) February 27, 1989 in reply to Starred Question No. 72 regarding French help for setting up nuclear power plants;
- (ii) February 27, 1989 in reply to Unstarred Question No. 638 regarding atomic power plants with Soviet assistance;
- (iii) July 24, 1989 in reply to Unstarred Question No. 891 regarding setting up of nuclear power plant with French assistance; and
- (iv) August 27, 1990 in reply to Unstarred Question No. 3017 regarding purchase of Light Water Reactors from France.

The Committee considered the request of the Department of Atomic Energy received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. XIII/AE(2)USQ.638-LS/89 dated 6.2.1992 for the dropping of the four assurances on the following grounds:—

“The fulfilment of the above assurances involves the fructification of delicate bilateral negotiations between India and France in respect of French offer and between India and Soviet Union in respect of Soviet offer. The issues involved are too complicated and delicate to be laid threadbare at a public forum. A decision in the matter would only be taken by the Government of India at the most appropriate and beneficial moment. It would not serve our interest to make a public disclosure of the issues involved or the status of the negotiations.

The Committee on Government Assurances has always been appreciative of national interest and the constraints of the Government in such sensitive matters. Prudence also requires that the Government doest not take a public stance on such sensitive bilateral issues which could be exploited against our interests by competing international forces premature disclosures could also jeopardise the negotiations. If and when, anything concrete emerges, it would immediately become public knowledge, keeping in view the economic, technological and political significance of the issue. In the circumstances, it is requested, that the Committee may kindly drop the above assurances.”

The Committee reiterated their earlier decision taken by the Committee on Government Assurances (1990-91) and decided not to drop the assurances. The Committee also desired that the matter should be settled with the french Government expeditiously.

Memorandum No. 27: Request for dropping of an assurance given on May 25, 1990 in reply to Unstarred Question No. 10587 regarding indirect taxes under disputes.

The Committee considered the request of the Ministry of Finance forwarded through the Ministry of Parliamentary Affairs *vide* their D.O. No. F.II/Fin(126) USQ.10587-LS/90 dated November 27, 1991 for the dropping of the assurance on the following grounds:—

“In the case of Assurance to the Rajya Sabha Unstarred Question No. 709 for 30.7.1985 (Annexure), there is a proposal for an amendment to the legislation which has since been approved by the Finance Minister and is now with the Ministry of Law for concurrence and vetting of the Cabinet Note. After the proposal has been approved by the Ministry of Law, the proposal will be sent to Cabinet for approval and on receipt of the Cabinet’s approval a Bill will be prepared in consultation with the Ministry of Law and only then will it be introduced in Parliament. Accordingly, the Committee on Government Assurances (Rajya Sabha) was earlier requested to drop the assurance.

Similarly, for the Lok Sabha Unstarred Question No. 10587 dated 25th May, 1990, the Government replied that there was a proposal under consideration for creating a forum on the pattern of the Settlement Commission. This proposal is receiving my active attention.

As amending the law is a long drawn process, it would take quite some time to bring the comprehensive bills. I would, therefore, request you to use your good offices to persuade the Committee on Government Assurances to drop these Parliamentary Assurances.”

The Committee were not convinced with the reasons advanced by the Ministry of Finance and decided not to drop the assurance.

The Committee granted extension of time to the Ministry and desired that Government should set up a Settlement Commission for indirect taxes on the pattern of income tax, etc. as interim measure till the comprehensive Bills on the subject are introduced in the House.

The Committee decided to hold their next sitting on March 16, 1992.

The Committee then adjourned.

MINUTES

Seventh Sitting

MINUTES OF THE SEVENTH SITTING OF THE COMMITTEE ON GOVERNMENT ASSURANCES HELD ON APRIL 9, 1992

The Committee met on Thursday, April 9, 1992 from 15.30 hours to 16.15 hours

PRESENT

- Dr. Laxminarain Pandey—*Chairman*
2. Shri Sai Prathap Annayyagari
 3. Dr. Krupasindhu Bhoi
 4. Shri B. K. Gudadinni
 5. Shri Manphool Singh
 6. Shri Ajoy Mukhopadhyay
 7. Shri Naval Kishore Rai
 8. Shri Gadam Ganga Reddy

SECRETARIAT

- Shri Murari Lal — *Director*
Shri Joginder Singh — *Deputy Secretary*
Shri K. K. Ganguly — *Under Secretary*

2. The Committee considered their Draft Third Report and adopted it.
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Memorandum No. 30: Request for dropping of assurance given on December 9, 1991 in reply to Unstarred Question No. 2944 regarding backward classes for inclusion in the Scheduled Castes List.

5. The Committee considered the request from the Ministry of Welfare received through the Ministry of Parliamentary Affairs *vide* their U.O. Note NO. II/Wel(8) USQ. 2944-LS91 dated March 10, 1992 for dropping of assurance on the following grounds:—

“The fulfilment of the assurance is linked with the comprehensive revision of Scheduled Caste and Scheduled Tribe lists which is already under consideration of the Government. The revision in these lists can be done only by an Act of Parliament as laid down under Articles 341(2) and 342(2) of the Constitution.

It is not possible to indicate any time limit for amending the existing lists of Scheduled Castes and Scheduled Tribes through an

Act of Parliament as it involves consultation with concerned agencies such as State Govts., the Registrar General of India, which is a time consuming process. It is, therefore, requested that under the circumstances, the assurance may be dropped."

6. The Committee took notice that at their sitting held on December 27, 1991, they considered requests for dropping of 2 assurances given on (i) August 8, 1990 in reply to USQ No. 459 regarding inclusion of Peruvannan Community in Scheduled Tribes (Memo. No. 11) and (ii) August 14, 1991 during the course of General discussion regarding Bill for comprehensive revision of list of SCST (Memo. No. 16) the Committee had decided to drop the assurance given in reply to USQ No. 459 (Memo. No. 11) but did not agree to drop the assurance given on August 14, 1991 (Memo. No. 16)

7. The Committee reviewed their earlier decision and decided to drop assurance given on August 14, 1991 (Memo. No. 16). Accordingly, the Committee also decided to drop the assurance given on December 9, 1991 in reply to USQ No. 2944 (Memo. No. 30).

Memorandum No. 31: Request for dropping of assurance given on August 20, 1990 in reply to Unstarred Question No. 1719 regarding Amendment to School Act.

8. The Committee considered the request from the Ministry of Human Resource Development received from the Ministry of Parliamentary Affairs *vide* their U.O. Note No. IIIHRD(6)USQ.1719-LS90 dated 11.4.1991 for dropping of assurance on the following grounds:—

"Delhi Administration had formulated proposals for amendment of Delhi School Education Act, 1973 in July, 1987 and sought clearance of the Ministry of Human Resource Development. After the amendment proposals were cleared in principle by the Ministry of Law, the same were sent to the Delhi Administration by the Department of Education in July, 1987 for presenting the same in the Metropolitan Council. Delhi Administration informed the Ministry that the amendment Bill was introduced in the Metropolitan Council on 23.12.87 and the Council after due process and procedure and by vote favoured to send the Bill to the Selection Committee of the Metropolitan Council. The Bill was finally passed by the Metropolitan Council in August 1989 and the same was sent to the Executive Council for their concurrence. Subsequently, Metropolitan Council/Executive Council were dissolved by the President of India and later when the matter was placed before the Administrator for his approval, he decided to leave the matter to be decided by the elected Govt. expected to be

formed in Delhi in due course. In view of this Delhi Administration has dropped the matter for the present.

Delhi Administration Act, 1966 prescribes a detailed procedure for undertaking legislation in regard to the Union Territory. An extract from the Delhi Administration Act, 1966 is at *Annexure-II*. According to the provisions of this Act, all concerned authorities such as Metropolitan Council, Executive Council, Administrator and Central Govt. are required to be consulted, which process usually takes time.

In view of the position stated in para 2 above, Delhi Administration is likely to take a fresh look at the amendment proposals already suggested. As new problem areas may have come to the notice of the Delhi Administration during the intervening period, there is every possibility that Delhi Administration may also propose some additional amendments to the Act and may also review the amendment proposals already suggested.

This is more likely because the new Executive Council and the new Administrator will have a fresh look at the whole matter and this is likely to be long drawn process.

From the above it may be observed that although the Government had been pursuing the matter with all the seriousness it deserves, however, due to the long procedure involved and a large number of agencies required to be consulted, the matter could not be finalised and there is no likelihood of the matter being finalised in the near future. As the matter will require fresh look by the new Executive Council yet to be installed, no specific time limit can be indicated by the Government for undertaking these amendment proposals, which still may take a few more years.

In view of the position and circumstances explained above, it is requested that Parliament Assurance arising out of Lok Sabha Unstarred Question No. 1719 dated 20.8.1990 may be dropped."

9. The Committee, while agreeing to grant extension of time upto May 20, 1992, decided to pursue the subject matter.

10. The Committee authorised the Chairman and in his absence Shri Ajoy Mukhopadhyay to present the Third Report to the House on April 21, 1992.

11. The Committee also decided to hold their next sitting on April 28, 1992 at 15.30 hours.

The Committee then adjourned.

MINUTES

Ninth Sitting

SITTING OF THE COMMITTEE ON GOVERNMENT ASSURANCES
HELD ON MAY 28, 1992 IN COMMITTEE ROOM 'D' IN
PARLIAMENT HOUSE ANNEXE, NEW DELHI.

The Committee met on Thursday, May 28, 1992 from 15.00 hours to
16.00 hours

PRESENT

- Dr. Laxminarain Pandey—*Chairman*
2. Shri Sai Prathap Annayyagari
 3. Shri B. Devarajan
 4. Shri B. K. Gudadinni
 5. Shri Prabhu Dayal Katheria
 6. Shrimati Krishnendra Kaur (Deepa)
 7. Shri Balin Kuli
 8. Shri Ajoy Mukhopadhyay
 9. Shri Shashi Prakash
 10. Shri Naval Kishore Rai
 11. Shri Gadam Ganga Reddy

SECRETARIAT

- Shri R. C. Bhardwaj — *Additional Secretary*
Shri Murari Lal — *Director*
Shri Joginder Singh — *Deputy Secretary*
Shri K. K. Ganguly — *Under Secretary*

4. The Committee then took up for consideration Memoranda Nos. 34 and 35 for dropping of 7 assurances.

Memorandum No. 34: Request for dropping of six assurances given on:—

- (i) March 5, 1991 in reply to Starred Question No. 128 regarding privatisation of the Vayudoot service;
- (ii) July 30, 1991 in reply to Unstarred Question No. 973 regarding restructuring of the Vayudoot services;

- (iii) August 6, 1991 in reply to Starred Question No. 321 regarding privatisation of the Vayudoot;
- (iv) August 20, 1991 in reply to Starred Question No. 3569 regarding Vayudoot services;
- (v) August 20, 1991 in reply to Unstarred Question No. 3637 regarding winding up of Vayudoot; and
- (vi) August 27, 1991 in reply to Unstarred Question No. 4531 regarding Vayudoot service in Maharashtra.

The Committee considered the request of the Ministry of Civil Aviation and Tourism received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VII/CA(4) SQ. 128-LS91 dated October 23, 1991 for the dropping of the aforesaid six assurances on the following grounds:—

“Since the promise made in reply to Starred Question No. 128 dated 5.3.1991 regarding privatisation of Vayudoot service is identical to the one (USQ 462 dt. 26.2.1991) that has now been excluded from the Register of Assurances, *vide* Lok Sabha Secretariat’s aforesaid U.O. of 21-5-1991, the Ministry of Parliamentary Affairs are requested kindly to approach the Lok Sabha Secretariat to seek the exclusion of the replies given to the above mentioned assurances also from the Register of Assurances.”

The Committee decided to drop all the above six assurances.

Memorandum No. 35: Request for dropping of assurance given on August 28, 1990 in reply to Starred Question No. 273 regarding casual labourers in Moradabad Division of Northern Railway.

The Committee considered the request of the Ministry of Railways received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. III/Rlys(8)SQ-273-LS90 dated Nil for the dropping of the assurance on the following grounds:—

“In reply to parts (c) & of the question while indicating the progress of investigations, it has been mentioned that out of 44 cases, investigations in respect of 13 have been completed and the same are in progress in respect of the remaining 31 cases. After the investigations are completed, further action as found necessary will be taken by the railway administration in the light of the outcome of the Investigations.

Based on the report received from the Northern Railway, it is noticed that investigations in 15 out of 31 cases have already been completed and staff found responsible recommended for major penalty proceedings under DAR. Investigations into the remaining 15 cases will also be completed early.

As the issue involved in the above matter concerns investigation of cases by vigilance and as these matters are not likely to be completed early, same being a long drawn out process, it is considered that no useful purpose may be served by seeking extension of time periodically for fulfilment of the assurance.

As far as the Ministry of Railways are concerned, no such assurance as such has been made in reply to the above question as the reply is complete in all respects giving factual position of the pending matters.

The Committee decided to drop the assurance.

5. Thereafter, Shri Ajoy Mukhopadhyay, M.P. raised an issue regarding not keeping the promise made by the Minister of Railways on the floor of the House on July 25, 1991 in respect of re-deployment of all workers in steam loco sheds. The Chairman desired that the matter might be placed before the Committee at its next sitting.

The Committee then adjourned.

MINUTES

Twelfth Sitting

SEVENTH SITTING OF THE COMMITTEE ON GOVERNMENT ASSURANCES HELD ON WEDNESDAY, SEPTEMBER 9, 1992 IN ROOM NO. 62, PARLIAMENT HOUSE ANNEXE, NEW DELHI

The Committee met on Wednesday, September 9, 1992 from 11.30 hours to 12.30 hours.

PRESENT

- Dr. Laxminarain Pandey—*Chairman*
2. Shri Sai Prathap Annayyagari
 3. Shri B. Dearajan
 4. Shri B. K. Gudadinni
 5. Shri Prabhu Dayal Katheria
 6. Shri Balin Kuli
 7. Shri Ajoy Mukhopadhyay
 8. Shri Shashi Prakash
 9. Shri Naval Kishore Rai
 10. Shri Chinmaya Nand Swami
 11. Dr. Krupasindhu Bhoi

SECRETARIAT

- Shri Murari Lal —*Director*
 Shri Joginder Singh—*Deputy Secretary*
 Shri K. K. Ganguly—*Under Secretary*

2. The Committee considered Memorandum No. 39 regarding for dropping of an assurance given on March 12, 1986 in reply to Starred Question No. 248 regarding denotified communities and nomadic tribes. The Committee decided to drop the assurance in view of the facts furnished by the Ministry of Welfare.

3. The Committee then considered Memoranda No. 40 in respect of request for dropping of an assurance given on April 20, 1992 in reply to Supplementary question asked by Shri K. Thulasiah Vandayar, M.P. on Starred Question No. 654 regarding telecasting of 'Thirukkural' in Hindi.

4. The Committee were not convinced with the reasons advanced by the Ministry of Information and Broadcasting for dropping the assurance. The

Committee did not appreciate the action of the Ministry in questioning the wisdom of the Committee in treating the reply as an assurance. The Committee were of the opinion that it was the prerogative of the Committee to decide whether a reply constituted an assurance and the Ministry was not to question it. The Committee decided to pursue this assurance.

5. The Committee thereafter took up for consideration of Memorandum No. 41 regarding request for dropping of an assurance given on April 3, 1992 in reply to Unstarred Question No. 5957 regarding war memorials for award winners.

6. The Committee took notice of the fact that the issue of setting up war memorial was pending before the Government since 1960. Even after a prolonged discussion to select a site, the Government could not arrive at any final decision. Taking into consideration the difficulties pointed out by the Ministry, the Committee decided to drop the assurance.

7. The Committee then considered a request received from the Ministry of External Affairs to drop an assurance given on February 27, 1992 in reply to Unstarred Question No. 662 regarding encroachment of forest land by Napalese nationals.

8. The Committee noted that demarcation of Indo-Nepal boundary was under way. In view of the cordial relations with Nepal, the Committee felt that the assurance might not be pursued in public interest and treated as dropped.

9. At the end, the Committee took into consideration the pending assurances and noted with concern that there were 147 assurances of Eighth Lok Sabha, 363 assurances of Ninth Lok Sabha and 791 assurances of Tenth Lok Sabha (upto Second Session) pending implementation although those were required to be fulfilled within a period of three months from the date of reply.

10. Taking into consideration the salutary effect of on-the-spot study visits by the Committee in the past on the pace of implementation of the pending assurances, the Committee decided to undertake a study visit to Bombay, Cochin, Lakshadweep, Bangalore and Hyderabad after obtaining the approval of Hon'ble Speaker in this regard.

11. The Committee then decided to meet again on Friday, September 18, 1992 to take oral evidence of the representatives of the Ministry of Communications in connection with pending assurance.

The Committee then adjourned.

MINUTES

Fourteenth Sitting

SITTING OF THE COMMITTEE ON GOVERNMENT ASSURANCES
HELD ON THURSDAY, OCTOBER 1, 1992 IN ROOM NO. 53,
PARLIAMENT HOUSE, NEW DELHI.

The Committee met on Thursday, October 1, 1992 from 11.30 hours to 12.00 hours.

PRESENT

- Dr. Laxminarain Pandey — *Chairman*
2. Dr. Krupasindhu Bhoi
 3. Shri B. Devarajan
 4. Shri B.K. Gudadinni
 5. Shri Prabhu Dayal Katheria
 6. Shri Shashi Prakash
 7. Shri Naval Kishore Rai
 8. Shri Chinmaya Nand Swami

SECRETARIAT

Shri R.C. Bhardwaj — *Additional Secretary*

Shri Murari Lal — *Director*

Shri K.K. Ganguly — *Under Secretary*

2. The Committee took up for consideration Memoranda Nos. 41A, 42 and 43 containing requests for dropping of assurances received from various Ministries.

Memorandum No. 41A: Request for dropping of the assurance given on September 3, 1991, in reply to Unstarred Question No. 5394 regarding overstay of contractual engineers in ITDC.

3.1 The Committee considered the request of the Ministry of Civil Aviation and Tourism received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. I/CAT(23)/USQ. 5394-LS/91 dated 2.9.1992 for the dropping of the assurance on the following grounds:-

“....that two of the engineers working on contract basis in ITDC had filed Civil Suit in the Court of Sub-Judge of Delhi wherein interim orders were passed saying that ITDC should give a chance to the engineers for recruitment against permanent vacancies etc.

However, ITDC has filed an appeal against the said interim order in the court of Additional District Judge and the same is pending.

It would be seen from the facts stated above that the question of appointment of contractual engineers in ITDC has become a subject of litigation and is likely to take considerable time for settlement."

3.2 The Committee discussed the matter and decided to drop the assurance.

Memorandum No. 42: Request for dropping of the assurance given on November 25, 1991, in reply to Starred Question No. 50 regarding supply of explosives to Assam extremists.

4.1 The Committee considered the request of the Ministry of Home Affairs received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. II/HA(3)SQ. 50-LS/91 dated 21.9.1992 for the dropping of the assurance on the following grounds:-

"The Government of Assam has informed that two persons were arrested by Bihar Police. They are reported to have since been bailed out. Assam Police also arrested one person and he also managed to secure bail. Further investigation shows that the consignment of explosives was meant for use in illicit mining in Shillong area of Meghalaya and not for terrorist activities. The case is still under investigation.

The matter is within the area of responsibility of the State Government. The investigation by the State Police and the judicial process is likely to take time and it will not be possible to get the information within a reasonable time."

4.2 The Committee did not agree to drop the assurance and desired that it might be implemented within the extended time.

Memorandum No. 43: Request for dropping of the assurance given on April 27, 1992 in reply to Unstarred Question No. 8060 regarding telecast on Hindi films.

5.1 The Committee considered the request of the Ministry of Information and Broadcasting received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. III/IB(17)/USQ. 8060-LS/92 dated 14.9.1992 for the dropping of the assurance on the following grounds:-

"telecast of serials and other programmes including feature films on established traditions, heritage and socio-cultural themes is a continuing programme activity and as per normal practice, selection of such programme is made by Committees consisting of non-official members constituted for this purpose.

The reply given to part (c) & (d) states that serials/films based on Both religion, if offered for telecast, will be considered by Doordarshan depending on the programme requirement. It may kindly be appreciated that this reply was not intended to be an Assurance, as it only states that programmes on a particular theme, when offered will be considered on the basis of the programme requirement of Doordarshan."

5.2 The Committee agreed with the views of the Ministry and decided to drop the assurance.

The Committee then adjourned.

(*vide* para No. 1.32 of the Report)

RAJYA SABHA

Unstarred Question No. 709

To be answered on 30 July, 1985

Collection of Assessed duties from default companies

709. SHRI NIRMAL CHATTERJEE:

Will the Minister of Finance be pleased to state:

- (a) whether Government propose to bring forward a comprehensive legislation to empower it to collect assessed duties which the default companies very often hold up with themselves while excise duty claims lie in disputes in Courts; and
- (b) what is the number of such cases pending in courts and the amount held up at present?

ANSWER

The Minister of State in the Ministry of Finance

(SHRI JANARDHAN POOJARI)

- (a) Among the proposals before the Government to ensure that revenue does not get blocked in Court cases is a proposal to make it an offence under law to collect duties from the public and hold on to the amount, without depositing it in Government account.
- (b) About 7000 cases relating to Central Excise Duties are pending in various Courts. Most of these relate to issues having a bearing on the rate of duty valuation and excisability of the products. Quantification of revenue involved in individual cases is possible, only after Court decisions are available.

(*vide* para 8 of the Minutes dt. April 9, 1992)

Extracts from Delhi Administration Act, 1966

Section 22(1):

Subject to the provisions of this Act, the Metropolitan Council shall have the right to discuss, and make recommendations with respect to the following matters in so far as they relate to Delhi, namely:-

- (a) proposals for undertaking legislation with respect to any of the matters enumerated in the State List or the Concurrent List in the Seventh Schedule of the Constitution in so far as any such matter is applicable in relation to Union Territories (hereafter referred to as the State List and the Concurrent List);
- (b) proposals for extension to Delhi of any enactment in force in a State relating to any matter enumerated in the State List or the Concurrent List;
- (c) proposals for legislation referred to it by the Administration with respect to any of the matters enumerated in the State List or the Concurrent List;
- (d) the estimated receipts and expenditure pertaining to Delhi to be credited to and to be made from, the Consolidated Fund of India; and notwithstanding anything contained in the Delhi Development Act, 1957, the estimated receipts and expenditure of the Delhi Development Authority;
- (e) matters of administration involving general policy and schemes of development in so far as they relate to matters enumerated in the State List or the Concurrent List;
- (f) any other matter referred to it by the Administrator.

Section 22(2):

The recommendations of the Metropolitan Council, after having been duly considered by the Executive Council, shall, whenever necessary, be forwarded by the Administrator to the Central Government with the views, if any, expressed thereon by the Executive Council.

(Vide para 3.19 of Report)

LOK SABHA

UNSTARRED QUESTION No. 462

TO BE ANSWERED ON FEBRUARY 26, 1991

462. SHRI YASHWANTRAO PATIL:

Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether there is any proposal to restructure the Vayudoot; and
- (b) if so, the details thereof?

ANSWER:

**The Minister of State in the Ministry of Civil Aviation
(Shri Harmohan Dhawan)**

(a) and (b): The Government is considering various options regarding the future set up of Vayudoot Limited. No final decision has yet been taken in this matter.

ANNEXURE IV

(Vide para No. 3.42 of the Report)

Annexure to part (b) of the USQ No. 5394 dt. 3.9.91

Sl. No.	Name	Date of Joining	Date of expiry of contract	Present assignment	Reasons for continuing
1.	Shri A.K. Bansal, Diploma Assistant Manager (B&M)	21.3.88	20.3.91	Renovation schemes of South Zone, and transfer to Hotel Ashok Bangalore	To Complete the important renovation schemes at Hotel Ashok Bangalore, Madurai, Hassan and Mysore
2.	Shri R.K. Jha, Degree Assistant Manager (Civil)	11.10.88	9.4.91	To coordinate Corporate level, New Delhi for various works of South Zone, etc.	To coordinate for completion of important renovation schemes of South Zone, under guidance of senior engineers from Headquarters
3.	Ms. Veena Naidu, Degree Assistant Manager (Civil)	3.5.89	2.5.91	Renovation schemes at Hotel Ashok Bangalore	To complete the various important renovation schemes of Hotel Ashok Bangalore
4.	Shri A.K. Gupta, Degree Assistant Manager (Civil)	3.6.86	2.6.91	Maintenance Engineer at Hotel Bodhgaya Bihar	To continue with responsibility of Maintenance Engineer in view of tourist season on in Buddhist Sector at Bodhgaya
5.	Shri P. Madhawa Rajan Assistant Manager (Civil)	1.9.89	1.9.90	Renovation works at Hotel Madurai Ashok, Madurai	To complete the renovation schemes at Hotel Madurai Ashok, Madurai

MINUTES

Fifth Sitting

**SITTING OF THE COMMITTEE ON GOVERNMENT ASSURANCES
HELD ON THURSDAY, APRIL 15, 1993 IN ROOM NO. 143 IN
PARLIAMENT HOUSE, NEW DELHI.**

The Committee met on Thursday, April 15, 1993 from 15.30 hours to 16.00 hours.

PRESENT

CHAIRMAN

Dr. Laxminarain Pandey

MEMBERS

2. **Dr. Krupasindhu Bhoi**
3. **Shri B. Devarajan**
4. **Smt. Saroj Dubey**
5. **Shri B.K. Gudadinni**
6. **Shri Prabhu Dayal Katheria**
7. **Shri Ajoy Mukhopadhyay**
8. **Shri Surendra Pal Pathak**
9. **Shri Nawal Kishore Rai**

SECRETARIAT

Shri Joginder Singh, Deputy Secretary

Shri K.K. Ganguly, Under Secretary

2. **The Committee considered the Draft Twelfth Report and adopted it.**
3. **The Committee authorised the Chairman and in his absence Shri B. Devarajan, M.P. to present the Report on the Table of the House during the current session of Lok Sabha sometime in May, 1993.**
4. **The Committee also decided to take evidence of the Ministry of Urban Development and Programme Implementation in connection with certain pending assurances at their next sittings.**
5. ***The Committee then adjourned.***

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Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Seventh edition) and Printed by the Manager, P.L. Unit, Govt. of India Press, Minto Road, New Delhi.
