

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(1988-89)**

(EIGHTH LOK SABHA)

FIFTEENTH REPORT

(Presented on ~~M.A.C.~~)



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MB

**LOK SABHA SECRETARIAT
NEW DELHI**

28 December, 1988/7 Pausa, 1910 (Saka)

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Fifteenth Report

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**COMPOSITION OF THE *COMMITTEE ON
GOVERNMENT ASSURANCE**

(1988-89)

Prof. Narain Chand Parashar—*Chairman*

2. Shri L. Balaraman
3. Dr. S. Jagathrakshakan
4. Shri Bapulal Malviya
5. Shri Murlidhar Mane
6. Dr. A. K. Patel
7. Shri V. Krishna Rao
8. Shri Bhola Raut
9. Shri Prabhu Lal Rawart
10. Shri Manik Reddy
11. Shrimati Shanti Devi
12. Shri Kamla Prasad Singh
13. Shri Ramashray Prasad Singh
14. Shrimati Usha Thakkar
15. Shri Mahabir Prasad Yadav

SECRETARIAT

1. Shri C. K. Jain—*Joint Secretary*
2. Shri S. C. Gupta—*Deputy Secretary (Q)*
3. Shri Raghubir Singh—*Under Secretary*

*The Committee was nominated by the Speaker w.e.f. June 20, 1988 *vide* Para No. 2318 of Lok Sabha Bulletin Part-II, dated 22 June, 1988.

INTRODUCTION

I, the Chariman of the Committee on Government Assurances as authorised by the Committee, do present on their behalf this Fifteenth Report of the Committee on Government Assurances.

2. The Committee (1988-98) were constituted on June 20, 1988.

3. The Committee (1987-88) at their sitting held on 24 September, 1987, considered requests from the Ministries for dropping of assurances and reviewed pending assurances pertaining to various sessions of the Eighth Lok Sabha. At their Seventh sitting held on 28 December, 1988, the Committee (1988-89) considered and adopted this draft Fifteenth 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 the succeeding chapters.

NEW DELHI ;
December, 28, 1988
Pausa 7, 1910 (Saka)

PROF. NARAIN CHAND PARASHAR,
Chairman,
COMMITTEE ON GOVERNMENT ASSURANCES

CHAPTER I

REVIEW OF PENDING ASSURANCES OF SEVENTH AND EIGHTH LOK SABHA

During the Seventh Lok Sabha, 7,231 assurances were culled out from Lok Sabha Debates for implementation by Government. Of these 7,223 assurances have since been implemented, leaving a balance of 8 assurances to be implemented.

2. During the First to Eleventh Sessions of Eighth Lok Sabha, 6,727 assurances were culled out. Out of them 4920 have since been implemented, thus leaving a balance of 1807 assurances pending implementation.

3. The above figures take into account the latest statements of implemented assurances laid on the Table of Lok Sabha by the Minister of Parliamentary Affairs on 16 December, 1988.

CHAPTER II

REQUEST FOR DROPPING OF ASSURANCES.

(i)

Structural changes in Planning Commission and National Development Council

4. On 12 November, 1986, the following Unstarred Question (No. 1271) given notice of by Shri Prakash V. Patil, M.P., was addressed to the Minister of Planning :—

- “(a) whether some State Governments have suggested a structural change in the Planning Commission and in the National Development Council ;
- (b) if so, details thereof ; and
- (c) Government's reaction in this regard ?”

5. The Minister of State in the Ministry of Planning (Shri Sukh Ram) gave the following reply :—

- “(a) and (b) As part of the process of fostering a continuing dialogue between Planning Commission and the States, the Deputy Chairman had addressed the Chief Ministers in March, 1986 proposing to hold a series of meetings on a regional basis to go into some of the aspects of macro level planning, consultation, interaction with the States etc. One of the subjects proposed to be discussed in the meeting was the planning process and methodology of drawing up the Five Year Plans and the Annual Plans.

While reacting to this item some Chief Ministers also made suggestions in regard to the constitution and functions of the Planning Commission as also the role and functioning of the National Development Council.

- (c) The suggestions made by the Chief Ministers are being examined.”

6. Reply to part (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 17 February, 1987.

7. On 23 June, 1987, the Ministry of Planning approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs vide their U.O. No. VIII/P (1) USQ, 12 I-LS/86 dated 23 June, 1987 to drop the assurance on the grounds indicated below :—

"The views expressed by some of the Chief Ministers, on structural changes in the Planning Commission and the National Development Council (NDC) were a part of the process of fostering a continuing dialogue between Planning Commission and the States. Planning Commission is in a continuous dialogue with the States regarding improvement/refinements in the Planning process and the States have an opportunity to air their views periodically in the NDC forum. These views are given due weightage in considering changes in the procedure for plan formulation.

It may further be mentioned that the Sarkaria Commission on Centre State relations is, *inter alia*, also seized of the matter and Planning Commission's views have been conveyed to it by the Minister of State and Secretary in their appearances before the Sarkaria Commission. The term of the Sarkaria Commission has recently been extended by six months, from 1st May, 1987. Moreover after the Sarkaria Commission has submitted its Report, some time would be required by the Government in examining its recommendations. Thus it would take quite some time before the Sarkaria Commission submits its Report and the same is considered by the Government. In any case the Parliament would be informed by the concerned Ministry about the various recommendations of the Sarkaria Commission and Government's views on the same at the appropriate time."

8. The Committee considered the request of the Ministry of Planning for dropping of the assurance at their sitting held on 24 September, 1987, and decided not to accede to the request of the Ministry for dropping the assurance. The decision of the Committee was conveyed to the Ministry on 8 June, 1988.

9. On 16.8.1988, the Ministry requested for extension of time upto 12 November, 1988 to implement the assurance. However, the assurance is yet to be fulfilled.

10. The Committee regret to note that the assurance has remained unfulfilled for more than two years. They are also constrained to observe that instead of implementing the assurance the Ministry approached the Committee for dropping the assurance by linking up the question of structural changes in the Planning Commission and National Development Council with the report of the Sarkaria Commission. The Ministry has also not cared to seek extension of time beyond 12th November, 1988 for implementing the assurance. The Committee take a serious view of this lapse on the part of the Ministry and hope that such instances would be avoidable in future. The Committee also expect the Government to take expeditious decision in the matter and to seek further extension of time considered necessary to fulfil the assurance.

(ii)

Indo-Nepal joint Economic Commission

11. On 27 February, 1987, the following Unstarred Question (No. 461) given notice of by Shri T. Bala Goud, M.P., was addressed to the Minister of External Affairs :

- “(a) whether it is a fact that an agreement has been reached for setting up Indo-Nepal Joint Economic Commission ; and
- (b) if so, the details thereof ?”

12. The Minister of State in the Ministry of External Affairs (Shri K. Natwar Singh) gave the following reply :—

- “(a) India and Nepal are discussing the establishment of a Joint Economic Commission. The specific terms of reference of the Joint Commission are still under consideration.
- (b) Does not arise.”

13. Reply to the above 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 27 May, 1987.

14. On 12 May, 1987, the Ministry of External Affairs approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VIII/EA(1)-USQ. 461—LS/87 dated 12 May, 1987, to drop the assurance on the grounds indicated below :—

“The question relates to an agreement being discussed between India and Nepal for the establishment of a Joint Commission. The reply by the Minister of State for External Affairs already gives the complete position in the case. It is not possible to define a time

period within which such an agreement could be concluded. In fact, if the two countries do not agree on specific terms of reference which are to mutual satisfaction, the joint Commission agreement may not be signed at all. The pace at which discussions between India and Nepal are to be carried out on this subject would also depend on a number of other factors in Indo-Nepal relations."

15. The Committee consider the request of the Ministry of External Affairs for dropping of the assurance at their sitting held on 24 September, 1987 but did not accede to it.

16. The Ministry of External Affairs implemented the assurance by laying a statement in Lok Sabha on 2 March, 1988 intimating that India and Nepal had concluded an agreement on establishment of the Joint Commission on 20 June, 1987.

17. While the Committee note the implementation of the assurance, they are constrained to observe that the assurance has been fulfilled only after the Committee did not accede to the request of the Ministry for dropping it. They have come across several other such cases. The Committee disapprove of this kind of approach on the part of the Ministries. While they are prepared to consider requests for dropping of assurances if some genuine unforeseen difficulties crop up in their implementation, this process is certainly not to be resorted to in cases where the Ministries are not able to implement the assurances as within the prescribed time. In such cases the Ministries would do well to seek further extension of time which they considered to be absolutely minimum necessary rather than making requests for the dropping of the assurances. The Committee therefore, stress that in future, the request for dropping of an assurance should be processed with utmost care and caution at an appropriate higher level and before submitting such requests to the Committee, specific approval of the Minister should be obtained.

(iii)

Light Combat Aircraft

18. On 3 December, 1986, the following Unstarred Question (No. 4514) given notice of by Shri Srikantha Datta Narasimharaja Wadiyar, M.P., was addressed to the Minister of Defence :—

- “(a) the year by which the light Combat Aircraft is expected to be inducted into service ; and
- (b) the details of aircrafts and helicopters manufactured/designed at Hindustan Aeronautics Limited, Bangalore that are expected to be put into service by 1990 ?”

19. The then Minister of State in the Ministry of Defence (Shri Arun Singh) gave the following reply :—

“(a) the light Combat Aircraft is Planned to be inducted into services by 1994 ;

(b) the induction of new fixed and rotary wing aircraft from HAL is under consideration.”

20. 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 3 March, 1987.

21. On 22 June, 1987 the Ministry of Defence approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs vide their U.O. No. VII/D(4)USQ. 4514-LS/86 dated 22 June, 1987, to drop the assurance on the grounds indicated below :-

“The induction of fixed and rotary wing aircraft into service is an ongoing activity and decisions in this regard are taken from time to time based on our operational requirements. Decisions to manufacture/design a particular type of aircraft at HAL is also taken based on operational and techno-economic considerations. This is an ongoing continuing process which is expected to continue hopefully for the next ten years.

Therefore, if the reply is treated as an ‘assurance’ it would not be possible to fulfil this within the stipulated time limit of three months or even a longer period. I would, therefore, request you to consider the possibility of not treating this as ‘assurance’.”

22. The Committee considered the request of the Ministry of Defence for the dropping of the assurance at their sitting held on 24 September, 1987. While not acceding to the request to drop the assurance, they agreed for extension of time upto 2.12.1987 to implement the assurance. The decision of the Committee was conveyed to the Ministry on 8 June, 1988.

23. The Ministry of Defence sought repeated extensions of time even thereafter to implement the assurance and has implemented the assurance only on 4 November, 1988, by laying the following statement in the Lok Sabha :-

“The aircrafts/helicopters that are in current production of HAL, viz. Jaguar, Kiran MK-II, Chetak, Cheetah, MIG-27M, HPT-32 and Dornier have already been inducted into service. No new fixed

and rotary wing aircraft from HAL are expected to be inducted into service by 1990."

24. The Committee regret to note that this is another instance where the Ministry has implemented the assurance after their request for dropping the assurance was not acceded to. They would invite attention in this connection to their observations in para 17 of this Report.

(iv)

Bill on Land Ceiling

25. On 20 April, 1987, the following Unstarred Question (No. 7135) given notice of by Shri Shanta Ram Naik, M.P., was addressed to the Minister of Agriculture :-

- “(a) whether Government of Goa, Daman and Diu have prepared and sent a draft bill on land ceiling for the approval of the Union Government ;
- (b) whether the draft bill has been approved ;
- (c) the salient features of the draft bill ; and
- (d) the reasons for delay in enacting a legislation on land ceiling by Goa Government ?”

26. The Minister of State in the Ministry of Agriculture (Shri Ramanand Yadav) gave the following reply :—

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

27. Reply to the above 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 20 July, 1987.

28. On 26 August, 1987, the Ministry of Agriculture approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII/Agri (28)USQ. 7135-LS/87 dated 26 August, 1987, to drop the assurance on the grounds indicated below :—

“The Goa, Daman and Diu Land Reforms (Ceiling on Agricultural Holdings) Bill was received for prior approval of the Central Government in January, 1984. This Department pointed out a number of shortcomings in the draft bill. A revised draft bill in the

light of observations made by this Department was again received from the UT Administration in January, 1985. As the bill was lacking in certain aspects and some of the observations were yet to be incorporated in the revised draft bill, UT Administration was again requested for reconsidering the draft bill. Thereafter, no Bill has been received from the UT Administration in this regard. The UT of Goa, Daman and Diu has been reorganised and Goa has become a State with effect from 30.5.87."

29. The Committee considered the request of the Ministry of Agriculture for dropping the assurance at their sitting held on 24 September, 1987.

Keeping in view that Goa had become a full-fledged State, the Committee agree to drop the assurance.

CHAPTER III

REVIEW OF PENDING ASSURANCES PERTAINING TO SECOND AND THIRD SESSIONS OF EIGHTH LOK SABHA

30. At their sitting held on 24 September, 1987 the Committee considered 11 pending assurances given during the Second and Third Sessions of Eighth Lok Sabha by various Ministries and followed them with the Ministries concerned. The observations of the Committee in respect of these assurances are given in the following paragraphs.

(i)

Enhancing deposit for nomination for Elections

31. On 14 May, 1985, Shri Digvijay Singh, M.P. asked the following Unstarred Question (No. 6588) regarding enhancing deposit for nomination for elections :

“(a) whether Government propose to enhance the deposit money for nomination of candidates standing for Legislative Assembly and Lok Sabha elections ; and

(b) if so, the extent of such enhancement ?”

32. The Minister of State in the Ministry of Law and Justice (Shri H.R. Bhardwaj) replied to the above question as follows :

“(a) and (b) In the set of proposals forwarded by the Election Commission on 20.4.1985, the Commission has proposed that security deposit may be raised ten times, i.e. Rs. 5,000/- (Rupees Five thousand) in the case of an election from a Parliamentary constituency and Rs. 2,500 (Rupees Two thousand five hundred) in the case of an election from an Assembly or council constituency. The proposal is under consideration.”

33. The reply of the Minister was treated as an assurance and was required to be fulfilled by 14 August, 1985. The assurance however remained unfulfilled and the Ministry sought repeated extensions of time for implementing it.

34. The Committee considered the above request of the Ministry and granted extension of time upto 30 September, 1987.

35. However, the assurance is yet to be fulfilled.

36. The Committee find that the assurance was given on 14th May, 1985. They are extremely unhappy to note that although more than three years have passed since then, the Government have not yet taken a decision on an important issue like this. They hope that the decision in the matter would be taken without any further delay.

Not only the assurance has remained unimplemented the Ministry have not sought extension of time also beyond 30 September, 1988 to fulfil it. The Committee would therefore like the Ministry to seek immediately further extension of time which they consider to be minimum necessary for fulfilling the assurance.

(ii)

Heun Tsang memorial at Nalanda

37. On 24 July, 1985 Prof. Narain Chand Parashar, M.P., referring to the reply given on 17 April, 1985 to the Unstarred Question No. 3279 regarding Heun Tsang Memorial at Nalanda asked the following Unstarred Question No. 310 regarding Management of Heun Tsang memorial at Nalanda :

“The functions which are carried on at the Heun Tsang Memorial at Nalanda and the pattern of Management for the memorial ?”

38. The Minister of State in the Ministry of Personnel and Training, Administrative Reforms and Public Grievances and Pensions and the Department of Culture (Shri K.P. Sing Deo) gave the following reply to the above question :—

“A proposal for the merger of the Heun Tsang Memorial Hall with the Nava Nalanda Mahavihara, Nalanda and to establish an autonomous organisation under the control of the Central Government is under active consideration in consultation with the Bihar Government.”

39. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 24 October, 1985. The Ministry was unable to implement the assurance within the stipulated period, and sought repeated extensions of time to implement it.

The last request for extension of time upto 24 October, 1987 was sought on the following grounds :

"Contrary to our original proposal to the Government of Bihar for the merger of the Heun Tsang Memorial Hall with the Nava Nalanda Mahavihara and to establish an autonomous organisation under the control of the Central Government, the Government of Bihar has decided to convert the merged organisation of the Mahavihara and Heun Tsang Memorial Hall into a Deemed to be University. The matter is being taken up with the Government of Bihar for their reconsideration of our original proposal."

40. The Committee at their sitting held on 24 September, 1987 considered the request of the Ministry and agreed to grant extension of time as desired.

41. The assurance is, however, yet to be implemented.

42. The Committee regret to note that not only the assurance has remained unimplemented for more than 40 months, the Ministry have not sought extension of time also beyond 24 October, 1988 to implement it. They take a serious view of the laxity on the part of the Ministry in dealing with the assurance. The Committee suggest that the matter should be taken up at the highest level with the Government of Bihar to fulfil the assurance without any further delay.

(iii)

Public sector undertakings in Tamil Nadu.

43. On 23 August, 1985, Shri N. Dennis, M.P., asked the following Unstarred Question (No. 4977) regarding Public Sector Undertakings in Tamil Nadu :—

- "(a) the details of the Tamil Nadu State owned public sector undertakings to which financial assistance has so far been extended by Union Government ;
- (b) the steps taken to get Union Government nominees included in these Tamil Nadu State owned public sector undertakings ; and
- (c) if not, the reasons thereof ?"

44. The Minister of State in the Ministry of Finance (Shri Janardhana Poojary) gave the following reply ;—

“(a), (b) & (c) : The information is being collected and will be laid on the Table of the House.”

45. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 23 November, 1985. The Ministry however neither fulfilled the assurance nor sought any extension of time to implement it. The Committee at their sitting held on 24 September, 1987, expressed their unhappiness in this regard and desired that the Ministry be asked to explain the position.

46. On 20.10.1987, the Ministry informed through the Ministry of Parliamentary Affairs that the information to fulfil the assurance had been sought from the State Government and requested for extension of time to implement the assurance upto 23 November, 1987.

47. On 11 December, 1987, the Ministry implemented the assurance by laying a statement on the Table of the House, giving the required information.

48. The Committee regret to note the lackadaisical approach of the Ministry in dealing with this assurance. The Ministry neither fulfilled the assurance nor sought any extension of time to implement it for more than two years. It was only after the Committee expressed their unhappiness and asked the Ministry to explain the position in September, 1987 that the Ministry came forward with a request for extension of time upto 23rd November, 1987. The assurance was ultimately fulfilled only in December, 1987. The Committee hope that such kind of lapses will not be repeated and the Ministry would take measures for expeditious implementation of the assurances.

49. Out of eleven pending assurance considered by the Committee at their sitting held on 24th September, 1987, eight assurances which were given in reply to SQ. No. 570/19.3.85, USQ. Nos. 1018/ 25.3.85, 1867/ 4.4.85, 1989/4.4.85, 2192/ 9.4.85, 3679/ 19.4.85, 3115/ 12.8.85 and 4280/ 21.8.85 have since been implemented. The details in regard to these cases are given in Appendix I.

50. The Committee are extremely unhappy to note that there have been delays of more than two to three years in implementing these assurances. Repeated extensions were sought by the Ministries concerned to implement them. In some cases, the Committee were also approached for dropping the assurances and only when this was not agreed to, the Ministries implemented the assurances. These inordinate delays in implementing the assurances is a sad reflection on the working of the Ministries. There is little evidence to show either adequate concern for the speed with which the assurances to the House are required to be implemented or any systematic approach on the part of the Ministries in collecting the required information. The Committee hope that in future the Ministries would make serious endeavour to implement the assurances at the earliest.

CHAPTER IV

POSITION OF PENDING ASSURANCES PERTAINING TO SEVENTH AND EIGHTH LOK SABHA

51. A statement showing the position of assurances pertaining to Seventh and Eighth Lok Sabha pending implementation by the Government as on 16 December, 1988 is given in *Appendix-II*.

52. The Committee would like the Ministries/Departments concerned to make a critical analysis of these assurances so as to implement them without further loss of time.

NEW DELHI ;
28 December, 1988
7 Pausa, 1910 (Saka)

PROF. NARAIN CHAND PARASHAR
Chairman,
Committee on Government Assurances.

APPENDIX I

(Vide Para No. 49 of the Report)

Assurances pertaining to Second and Third Sessions of Eighth Lok Sabha implemented by the Ministries

(I)

Illegal printing of leaflets received by Election Commission

53. On 19 March, 1985, Shri G.G. Swell, M.P. asked the following Starred Question (No. 570) on complaints regarding illegal printing of leaflets received by Election Commission :—

“(a) whether complaints have been received by the Election Commission regarding illegal printing of leaflets without mentioning the names of Printing Presses and their distribution during the Lok Sabha Elections held in December, 1984 ;

(b) whether complaints have also been received by the Election Commission about forgeries of names and signatures of contending candidates in the printing of such leaflets and their distribution ;

(c) what steps the Election Commission has taken in the matter ; and

(d) whether the offenders have been identified and nabbed ?”

54. The Minister of State in the Ministry of Law and Justice (Shri H.R. Bhardwaj) replied to the above question as follows :—

“(a), (b), (c) and (d) : The Election Commission with whom the matter was taken up has informed that the information is being collected. The information will be laid on the Table of the House after the same is received from the Commission.

55. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 17 June, 1985. As the Ministry was not in a position to fulfil the assurance within the stipulated period, the Ministry submitted requests for extension of time on 23.6.1985, 14.10.1985, 1.1.1986, 14.4.1986, 28.7.1986, 14.10.1986, 22.1.1987, 8.4.1987 and 3.8.1987. The last request for extension of time upto 30 September, 1987 was sought on the following grounds :

"The final report in the matter is still awaited from the Chief Electoral Officer, Meghalaya."

56. The Committee at their sitting held on 24 September, 1988 considered the request of the Ministry and agreed to grant them extension of time desired.

57. The Ministry however implemented the assurance only on 11 December by laying the following statement on the Table of the House :

"Three complaints were received by the Election Commission during the Lok Sabha election held in December, 1984. The first complaint was about illegal printing and distribution of two pamphlets. The second complaint alleged that the leaflets contain lies and were defamatory in character and that the addresses and telephone numbers printed were false. The two complaints were forwarded to the concerned Chief Electoral Officers for appropriate action.

A third complaint was also received from Shri G.G. Swell, the Hon'ble Member who was contesting from the Shillong parliamentary constituency. It was alleged in this complaint that defamatory and forged have been circulated by certain groups and it was mentioned further that a complaint had also been lodged with the police.

The Election Commission took up the matter with the Chief Electoral Officer, Meghalaya, who in turn, took up the matter with the police authorities who has registered a case under section 439 of the Indian Penal Code read with section 137(a) of the R.P. Act, 1951. The State Police authorities have also informed the Election Commission after necessary investigation that the culprit has been traced and a letter allegedly written by that person confessing to the offence, has also been seized. The accused was said to be giving training in Maharashtra, but it appears that he has gone abroad and is reported to be in Switzerland. The Meghalaya police authorities, are, however, in touch with the police authorities in Maharashtra for apprehending him on his return and for obtaining his specimen signature, statement, etc. so that the law could take its course. It may be expected that the Meghalaya police authorities will continue to keep a watch over this case for this purpose."

Increase of Capacity of Sugar Factory.

58. On 25 March, 1985, Shri C.D. Gamit, M.P. asked the following Unstarred Question (No. 1018) regarding increase of Capacity of Sugar Factory by Shri Madhi Vibhag Khand Udyog Sahakari, Manpali Ltd. Surat.

“(a) whether Shri Madhivibhag Khand Udyog Sahakari Mandali Ltd., Madhi district Surat, Gujarat has increased the capacity of its sugar factory from 2500 T.C.D. to 3500 T.C.D. without obtaining permission from Government of India, Ministries of Food and Civil Supplies and Industry ;

(b) if so, the details thereof ; and

(c) whether the Government of India have taken any action against this concern for violating the licensing laws ; if so, the details of the action taken or proposed to be taken ?”

58. The then Minister of Food and Civil Supplies (Shri Rao Birendra Singh) gave the following reply to the above question :

“(a), (b) and (c) : The Government are aware of the matter regarding the expansion undertaken by Shri Madhivibhag Khand Udyog Sahakari Mandali Limited, Madhi, District Surat raising their factory's capacity from 2500 T.C.D. to 3500 T.C.D. The legal ramifications of the entire matter are under active examination of the Government.”

60. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 25 June, 1985.

61. On 28 May, 1985 the Ministry of Food and Civil Supplies approached the Committee through the Ministry of Parliamentary Affairs for the dropping of the assurance on the following grounds :

“This Department feels that the reply should not have been regarded as an assurance as it is not feasible to fulfil the same within any specified time limit. In this connection, it may be stated that in a similar type of case, a sugar factory filed a writ petition in the Delhi High Court and the Division Bench of the Delhi High Court has passed its judgement. As per advice of the Law Ministry, this Directorate has filed an appeal in the Supreme Court against the judgement passed by the High Court of Delhi.

As such, a final decision on this case is likely to take time. Keeping in view the decision to be taken in this case, all such cases are likely to be reviewed and a decision on merits of each case will be taken by the Government."

62. The Committee at their sitting held on 11 July, 1988 considered the request of the Ministry and decided not to drop the assurance and the decision was conveyed to the Ministry. On 8 May, 1986 the Ministry again approached the Committee through the Ministry of Parliamentary Affairs for the dropping of the assurance. The Committee at their sitting held on 19 June considered the request of the Ministry and did not agree to the dropping of the assurance. Thereafter, the Ministry sought repeated extensions of time for fulfilling the assurance.

63. The Ministry implemented the assurance only on 2 March, 1988 by laying the following statement on the Table of the House :—

"While delivering the judgement on the writ petition filed by Shri Madhi Vibhag Khand Udyog Sahakari Mandali Ltd., the High Court of Delhi has, on 3.9.1987, held the view that the undertaking is entitled for registration of its expansion scheme from 2500 T.C.D. to 3500 T.C.D. The Central Government has filed an SLP challenging the judgement of the High Court of Delhi in the Supreme Court of India".

(ii)

More powers sought by Medical Council of India to enforce strict standard of Medical education

64. On 4 April, 1985, Shri Ram Bahadur Singh, M.P. asked the following Unstarred Question (No. 1867) regarding more powers sought by Medical Council of India to enforce strict standard of medical education :

"(a) whether it is a fact that the Medical Council of India has sought more powers to be able to enforce strict standards of medical education and deal effectively with colleges not conforming to set norms and if so, the details thereof ; and

(b) the reaction of the Government thereto ?"

65. The Minister of State for Health and Family Welfare (Shri Yogendra Makwana) gave the following reply to the above question :

"(a) Yes, Sir.

(b) The proposals are under consideration."

66. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 4 July, 1985. As the Ministry was not in a position to fulfil the assurance within the stipulated period, they sought repeated extensions of time for implementing the assurance.

67. The Ministry implemented the assurance only on 12 November, 1987 by laying the following statement on the Table of the House.

"A Bill to amend the Indian Medical Council Act, 1956, has since been introduced in the Rajya Sabha on the 26 August, 1987. The Bill provides, *inter-alia* powers to the Medical Council of India for strict enforcement of standards of medical education etc."

(iv)

Technical and industrial education at higher secondary level in Tribal areas

68. On 4 April, 1985, Shri Dileep Singh Bhuria, M.P. asked the following Unstarred Question (No. 1989) regarding technical and industrial education at higher secondary level in Tribal areas :—

- "(a) the names of the States and Union Territories in tribal areas on which arrangements for agricultural, technical and industrial education have been made at Higher Secondary level ;
- (b) whether for such education review of the syllabi prescribed by various States has been made at the Central level ;
- (c) whether this syllabus is employment-oriented ; and
- (d) if not, whether Central Government propose to take any steps to make these syllabi employment oriented ?"

69. The Minister of Education (Shri K.C. Pant) replied to the above question as follows :

- "(a) Vocationalization of higher secondary education at the ...2 stage has been introduced in the States of Andhra Pradesh, Assam, Gujarat, Haryana, Karnataka, Kerala, Maharastra, Tamil Nadu, West Bengal and the Union Territories of Andaman and Nicobar islands, Delhi and Pondicherry. Specific information in regard to tribal areas is not available, and is being collected from the States/Union Territories.

- (b) and (c) The NCERT has conducted evaluative studies of the implementation of the programme of vocationalization of higher secondary education in the States of Andhra Pradesh, Gajarat, Karnataka, Maharashtra, West Bengal and the Union Territory of Delhi. The studies revealed that by and large the States/Union Territories have introduced vocational courses before conducting vocational surveys. However, vocational surveys were conducted latter on and often the courses already introduced were rationalised.
- (d) The National Council of Educational Research and Training have prepared a set of competencies based curricula for 33 vocational courses. The Council is also assisting the States in development of curricular and instructional materials for vocational courses."

70. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 4 July, 1985. The Ministry did not fulfil the assurance within the stipulated period and sought repeated extensions of time to implement it. The assurance was partly implemented on 28.2.1986.

71. The Ministry implemented the assurance in full on 2 March, 1988 by laying the following statement on the Table of the House :

"Information has now been received from the following remaining 13 States/Union Territories ; Andhra Pradesh, Bihar, Assam, Delhi, Himachal Pradesh, Jmmu. & Kashmir, Karnataka, Madhya Pradesh, Maharastra, Manipur, Meghalaya, Rajasthan and West Bengal. Out of the above, arrangements for agricultural or technical education at higher secondary level in one form or the other exist in tribal areas of Andhra Pradesh, Madhya Pradesh, Karnataka and Rajasthan. The Government of West Bengal have informed that such arrangements exists in educationally backward districts of the State which caten to tribal people also. The Government of Assam has informed that the State provides for agricultural, technical and industrial education at higher secondary level. It has, however, not been specifically confirmed by the State Government whether such arrangements exist in the tribal areas of the State."

(v)

Opening of legal hospitals

72. On 9 April, 1985, Shri R. Annanambi, M.P. asked the following Unstarred Question (No. 2192) regarding opening of legal hospitals :

“(a) whether Government are aware of the urgency for opening legal hospitals in every District Headquarter just like civil hospitals to provide legal aid to the weaker sections and down-trodden ; and

(b) if so, the action being taken by Government in this regard ?”

73. The Minister of State in the Ministry of Law and Justice (Shri H.R. Bhardwaj) replied to the above question as follows :

“(a) Yes, Sir.

(b) The Government has constituted a Committee for implementing Legal Aid Schemes under the Chairmanship of Sh. Justice P. N. Bhagwati a sitting Judge of the Supreme Court. The form of legal aid adopted by the Committee is of two types :—

(i) Court or litigation oriented legal aid ; and

(ii) Preventive or strategic legal aid. The Committee lays greater stress on preventive form of legal aid which can be compared to legal clinics or hospitals. The Committee has also been setting up Legal Aid Clinics in Universities and Law Colleges with a view to providing para-legal and preventive legal assistance to the poor. The question of enactment of suitable legislation is also under consideration of the Government.”

74. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 9 July, 1985. On 21 February, 1986 the Ministry requested the Committee through the Ministry of Parliamentary Affairs for the dropping of the assurance on the following grounds :—

“According to the Committee for Implementing Legal Aid Schemes CILAS—a draft Bill on the legal aid prepared by them is being subjected to constant revision and modification on the basis of experience gained by the said Committee in the implementation of legal aid programme. The Committee is said to be obtaining the views/Comments of various State Legal Aid and Advice Boards as also of certain non-political social action groups in the field of legal aid. In the circumstances, it may take quite some time to give a final shape to the draft legislation on the subject and then only the Government could consider the said draft.

In this connection it may be stated that the subject matter of the question was also discussed in the Conference of Chief Justice, Chief Ministers and Law Ministers held in September-October, 1985. The subject matter of the question, therefore, would form part of a wider aspect of judicial reforms. Accordingly, it may not serve the purpose of the questioner to keep the assurance alive for an indefinite period as it is not possible for the Government to anticipate probable time by which the assurance would be fulfilled."

75. The Committee at their sitting held on 10 April, 1986, considered the request of the Ministry but did not accede to it. The Ministry thereafter sought repeated extensions of time to implement the assurance.

76. The Ministry implemented the assurance only on 11 December, 1987 by laying the following statement on the floor of the House :

"A Bill entitled "The Legal Service Authorities Bill, 1987", has been passed by Lok Sabha on 27.8.87 and the Rajya Sabha on 27.8.87 and the same has been assented to by the President on 11.10.87."

(vi)

Shifting of BALCO head office from New Delhi

77. On 19 April, 1985, Shri D. P. Jadeja, M.P., asked the following Unstarred Question (No. 3679) regarding shifting of BALCO head office from New Delhi :

- "(a) whether no other aluminum corporation except Bharat aluminium Corporation Limited has its head office in New Delhi ;
- (b) whether the aluminium, smelter and bauxite mines of BALCO are nearer to Korba ; Calcutta and Bhopal than New Delhi ;
- (c) whether BALCO is suffering huge losses since its inception and a large amount of expenditure is incurred on tours of the officers of BALCO to plants and mines etc.
- (d) if so, the action taken to reduce such expenditure and the justification in keeping the head office of BALCO in New Delhi ; and
- (e) whether Government propose to shift BALCO head office to a place which is more nearer to aluminium smelter and bauxite mines of BALCO ?"

78. The then Minister of Steel and Mines (Shri Vasant Sathe) gave the following reply to the above question :—

“(a) Yes, Sir.

(b) The bauxite mines at Phutkepahar and Amarkantak (in Madhya Pradesh) of Bharat Aluminium Company Limited (BALCO) are nearer to Korba and Bhopal than New Delhi and Calcutta. The Aluminium complex is located at Korba. The bauxite mine in Gandhamardan (in Orissa), which is under development, and the Aluminium Corporation at Bidhanbagh, Asansol (West-Bengal) which was nationalised on 2.6.1984 and vested in BALCO are nearer to Calcutta than New Delhi and Bhopal.

(c) and (d) It is not correct to say that the losses being incurred by BALCO are due to large expenditure on tours of the officers visiting plants and mines. The expenditure on this head is nominal.

A Board level Director incharge of operations and Projects, is functioning at Korba with supporting officers and engineers. The Gandhamardan Mine Project and the Aluminium Unit at Bidhanbagh, Asansol, are headed by senior level officers of the Company. The losses, however, have been mainly caused by non-available of power resulting in under-utilisation of the capacity which was created with heavy capital outlay.

(e) The matter is under consideration of the Government at the highest level.”

79. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 18 July, 1985. As the Ministry was not in a position to implement the assurance within the stipulated period, they sought repeated extensions of time for implementing it.

80. The Ministry implemented the assurance only on 5 September, 1988 by laying the following statement in Lok Sabha :

“The question of shifting of various Public Sector Undertakings located in Delhi to outside places has been under consideration of the Government. It has accordingly been decided that the Headquarters of Bharat Aluminium Company Limited may continue in Delhi but no further expansion may be allowed.”

Request from Maharashtra for revision of incentive scheme to new sugar mills

81. On 12 August, 1985, Shri Balasaheb Vikhe Patil, M.P. asked the following Unstarred Question (No. 3115) regarding request from Maharashtra for revision of incentive scheme to new sugar mills :—

- “(a) whether the incentives to be given to new sugar mills recommended by the Sampath Committee have become ineffective because of difference between the free sale price and levy price as also difference in their excise duty ;
- (b) whether the finalising of the levy free quota is often delayed causing difficulty to the beneficiaries ;
- (c) whether Government of Maharashtra have requested the Central Government to revise the incentive scheme to get over the above difficulties ; and
- (d) when this request was received and the time by which a decision will be taken ?”

82. The Minister of Food and Civil Supplies (Shri Rao Birendra Singh), gave the following reply :—

- “(a) No, Sir.
- (b) No, Sir, Immediately after receipt of incentive claims, from new sugar factories, in the prescribed proforma containing full relevant data provisional assessment of entitlement is made and incentive benefits allowed on provisional basis which are slightly lower than their entitlement. Full entitled benefits are allowed after spot verification and finalisation of the incentive claims.
- (c) Government of Maharashtra has requested the Central Government to revise the incentive scheme suitably so that high cost factories are able to meet their obligations to financial institutions.
- (d) the request was received by the Government on 13th July, 1984. The matter is under consideration of the Government.”

83. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 11 November, 1985. As the Ministry was not in a position to implement the assurance within the stipulated period, they sought repeated extensions of time to implement it.

84. The Ministry implemented the assurance only on 11 December, 1987 by laying the following statement on the Table :

“the revised scheme of incentives for new sugar factories and expansion projects licensed during Sixth Five Year Plan period has been approved.”

(viii)

Proposal from abroad for improving tourism cultural activities and trade

86. On 21 August, 1985, Sarvashri E. Ayyappu Reddy and V. Sobhanadreeswara Rao, M. Ps. asked the following Unstarred Question (No. 4280) regarding proposal from abroad for improving tourism, cultural activities and trade :—

“(a) the proposals received from various countries during the last three years for improving tourism, cultural activities and trade with India ; and

(b) names of the countries and Government’s reaction to each of the proposals ?”

86. The Minister of State in the Ministry of External Affairs (Shri Khurshed Alam Khan) gave the following reply to the above question :

“(a) and (b) the requisite information is being collected and will be placed on the Table of the House.”

87. The above reply of the Minister was treated as an assurance and was required to be fulfilled by 21 November, 1985. As the Ministry were not in a position to implement the assurance within the stipulated period, repeated extensions of time were sought to implement it.

88. The Ministry implemented the assurance only on 12 November, 1987 by laying a statement on the Table of the House giving the required information.

APPENDIX-II

(Vide Para No. 51 of the Report)

(i) Statement showing the position of the assurances of Seventh Lok Sabha pending implementation as on 16 December, 1988.

Session	No. of Assurances culled out	No. of Assurances implemented/ dropped	No. of Assurances Outstanding
First Session, 1980	26	26	—
Second Session, 1980	196	196	—
Third Session, 1980	548	548	—
Fourth Session, 1980	333	333	—
Fifth Session, 1981	793	793	—
Sixth Session, 1981	373	372	1
Seventh Session, 1981	418	418	—
Eight Session, 1982	798	798	—
Ninth Session, 1982	429	429	—
Tenth Session, 1982	315	315	—
Eleventh Session, 1983	861	861	—
Twelfth Session, 1983	433	433	—
Thirteenth Session, 1983	424	424	—
Fourteenth Session, 1984	956	951	5
Fifteenth Session, 1984	328	326	2
Total Assurances Outstanding	7231	7223	8

(Vide Para No. 51 of the Report)

(ii) Statement showing the position of assurances of Eight Lok Sabha upto eleventh Session pending implementation as on 16 December, 1988.

Session	No. of Assurances culled out	No. of Assurances implemented/ dropped	No. of Assurances outstanding
First Session, 1985	19	19	—
Second Session, 1985	426	421	5
Third Session, 1985	323	321	2
Fourth Session, 1985	355	341	14
Fifth Session, 1986	777	731	46
Sixth Session, 1986	475	439	36
Seventh Session, 1986	428	385	43
Eighth Session, 1987	777	739	138
Eighth Session, 1987 (Second Part)	578	360	278
Ninth Session, 1987	772	518	254
Tenth Session, 1988	1224	667	555
Eleventh Session, 1988	573	139	434
Total Assurances Outstanding	6,727	4,920	1807

MINUTES

Minutes of the Sixth Sitting of the Committee on Government Assurances held on 24 September, 1987 in Committee Room No. 'C', Ground Floor, Parliament House Annexe, New Delhi,

The Committee met on Thursday, 24 September, 1987 from 15.00 hours to 16.00 hours.

PRESENT

Prof. Narain Chand Parashar—*Chairman*

MEMBERS

- (2) Shri L. Balaraman
- (3) Shri Bapulal Malviya
- (4) Shri Sanat Kumar Mandal
- (5) Shri Murlidhar Mane
- (6) Shri V. Krishna Rao
- (7) Shri Bhola Raut
- (8) Shrimati Shanti Devi
- (9) Shri Kamla Prasad Singh
- (10) Shrimati Usha Thakkar

SECRETARIAT

- 1. Shri C.K. Jain—*Chief (Questions)*
- 2. Shri Raghbir Singh—*Senior Examiner of Questions*
- 2. The Committee took up for consideration Memoranda Nos. 98, 99, 100, 101, 102 and 103.

Memorandum No. 98 : Request for dropping of assurance given on 12 November, 1986, in reply to Unstarred Question No. 1271 regarding structural changes in Planning Commission and National Development Council.

3. The Committee considered the following request of the Ministry of Planning received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VII/P (1) USQ. 1271-LS/86 dated 23 June, 1987, for dropping of the assurance on the following grounds :—

“The views expressed by some of the Chief Ministers, on structural changes in the Planning Commission and the National Development Council (NDC) were a part of the process of fostering a continuing dialogue between Planning Commission and the States. Planning Commission is in a continuous dialogue with the States regarding improvement/refinements in the Planning process and the States have an opportunity to air their views periodically in the NDC forum. These views are given due weightage in considering changes in the procedure for plan formulation.

It may further be mentioned that the Sarkaria Commission on Centre State relations is, *inter alia* also seized of the matter and Planning Commission's views have been conveyed to it by the Minister of State and Secretary in their appearances before the Sarkaria Commission. The term of the Sarkaria Commission has recently been extended by six months, from 1st May, 1987. Moreover, after the Sarkaria Commission has submitted its Report, some more time would be required by the Government in examining its recommendations. Thus it would take quite some time before the Sarkaria Commission submits its Report and the same is considered by the Government. In any case the Parliament would be informed by the concerned Ministry about the various recommendations of the Sarkaria Commission and Governments views on the same at the appropriate time.”

3.1 The Committee were not impressed by Ministry of Planning to drop the assurance. It was noted that the Ministry had tried to link up the question of structural changes in the Planning Commission and the National Development Council with the Report of the Sarkaria Commission whose term had recently been extended to submit their Report in November, 1987.

The Committee decided not to drop the assurance and decided that the Ministry should seek extension of time required to implement the assurance.

Memorandum No. 99 : Request for dropping of assurance given on 27 February, 1987, in reply to Unstarred Question No. 461 regarding Indo-Nepal Joint Economic Commission.

4. The Committee considered the following request of the Ministry of External Affairs received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII/EA(1) USQ. 461—LS/87 dated 12 May, 1987, for dropping of assurance on the following grounds :—

“The question relates to an agreement being discussed between India and Nepal for the establishment of a Joint Commission. The reply by the Minister of State for External Affairs already gives the complete position in the case. It is not possible to define a time period within which such an agreement could be concluded. In fact, if the two countries do not agree on specific terms of reference which are to mutual satisfaction, the Joint Commission agreement may not be signed at all. The pace at which discussions between India and Nepal are to be carried out on this subject would also depend on a number of other factors in Indo-Nepal relations.”

4.1 The Committee did not accede to the request of the Ministry for the dropping of the assurance. They desired that the Ministry of External Affairs should intimate the latest position along with the progress made for implementation of assurance. The Ministry should also seek extension of time as considered minimum to implement the assurance.

Memorandum No. 100 : Request for dropping of assurance given on 3 December, 1986, in reply to Unstarred Question No. 4514 regarding progress of light combat aircraft.

5. The Committee considered the following request of the then Minister of State in the Ministry of Defence received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VII/D(4) USQ. 4514—LS/86 dated 22 June, 1987, for dropping of the assurance on the following grounds :—

“The induction of fixed and rotary wing aircraft into service is an ongoing activity and decisions in this regard are taken from time to time based on our operational requirements. Decisions to manufacture design of a particular type of aircraft at HAL is also taken based on operational and techno-economic considerations. This is an on going continuing process which is expected to continue hopefully for the next ten years.

Therefore, if the reply is treated as an 'assurance' it would not be possible to fulfil this within the stipulated time limit of three months or even a longer period. I would, therefore, request you to consider the possibility of not treating this as 'assurance'."

5.1 The Committee did not agree to drop the assurance. However, they agreed to the Minister's request for extension of time upto 2.12.1987 to implement the assurance. In the meantime, the Ministry should submit to the Committee a report indicating the latest progress in the matter.

Memorandum No. 101 : Request for dropping of assurance given on 20 April, 1987, in reply to Unstarred Question No. 7135 regarding bill on land ceiling.

6. The Committee considered the following request of the Ministry of Agriculture received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VIII/ Agri (28) USQ-7135-LS/87 dated 26 August, 1987 for dropping of the assurance on the following grounds :—

"The Goa, Daman and Diu Land Reforms (Ceiling on Agricultural Holdings) Bill was received for prior approval of the Central Government in January, 1984. This Department pointed out a number of shortcomings in the draft bill. A revised draft bill in the light of observations made by this Department was again received from the UT Administration in January, 1985. As the bill was lacking in certain aspects and some of the observations were yet to be incorporated in the revised draft bill, UT Administration was again requested for reconsidering the draft bill. Thereafter, no Bill has been received from the UT Administration in this regard. The UT of Goa, Daman and Diu has been reorganised and Goa has become a State with effect from 30.5.87"

6.1. The Committee noted that Goa had become a full-fledged State and agreed to drop the assurance.

Memorandum Nos. 102 and 103 : Review of pending assurances pertaining to 2nd and 3rd Sessions of Eight Lok Sabha.

7. The Committee considered eleven pending assurances given during the Second and Third Sessions of the Eight Lok Sabha by various Ministries in reply to USQ. Nos. 1018/25.3.85, 1867/4.4.85, 1989/4.4.85, 2192/9.4.85, 6588/14.5.85, SQ. No. 570/19.3.85, USQ. No. 3679/19.4.85, 310/24.7.85, 4280/21.8.85, 4977/23.8.85, 3115/12.8.85 (vide Annexures I & II).

7.1 The observations of the Committee in respect of the above mentioned assurances are given below :—

<i>Question No. & Date</i>	<i>Observation</i>
(i) USQ. No. 1018 dated 25.3.1985	Extension upto 30 November, 1987 was garanted as requested by the Ministry.
(ii) USQ. No. 1867 dated 4.4.1985	Extension up to 3 October, 1987 was granted.
(iii) USQ. No. 1989 dated 4.4.1985	Extension upto 4 November, 1987 was granted.
(iv) USQ. No. 2192 dated 9.4.1985	It was noted that a Bill for the purpose had since been introduced in Lok Sabha on 27 August, 1987. The Ministry should report implementation of assurance in the next Session of Lok Sabha.
(v) USQ. No. 6588 dated 14.5.1985	Extension upto 30 September, 1987 was granted.
(vi) USQ. No. 570 dated 19.3.1985	Extension upto 30 September, 1987 was granted.
(vii) USQ. No. 3679 dated 19.4.1985	Extension upto 18 October, 1987 was granted. It was decided that in case Ministry did not inform implementation of the assurance before 18 October, 1987, the Secretary of the Ministry be called for oral evidence to explain the reasons for delay in implementation of the assurance.
(viii) USQ. No. 310 dated 24.4.1985	Extension upto 24 October, 1987 was granted. It was decided that in case Ministry did not inform implementation of the assurance before 18 October, 1987, the Secretary of the Ministry be called for oral evidence to explain the reasons for delay in implementation of the assurance.

- | | |
|---------------------------------------|---|
| (ix) USQ. No. 4280 dated
21.8.1985 | Extension upto 21 August, 1987 was granted. The Ministry might be asked to submit for information of the Committee the latest information collected so far by the Ministry. |
| (x) USQ. No. 4977 dated
23.8.1985 | It was noted that the assurance was required to be fulfilled before 23 November, 1985 but the Ministry of Finance had neither reported implementation nor submitted any request for extension of time as yet. The Committee expressed their unhappiness and desired that the Ministry be asked to explain the position. |
| (xi) USQ. No. 3115 dated
12.8.85 | Extension upto 11 November, 1987 was granted. |

8. The Committee then adjourned to meet before Diwali holidays.

ANNEXURE

EIGHTH LOK SABHA

Sl. No.	Question No. and Date	Text of the Question	Assurance given	Extension sought on	Reasons upto	Remarks
1	2	3	4	5	6	7
						8

CATEGORY-1

MINISTRY OF FOOD AND CIVIL SUPPLIES

- Unstarred Question No. 1018 dated 25.3.85 by Shri C.D. Gamit.

(a) whether Shri Madhivibhag Khad Udyog Sehkal Mandal Ltd., Madhi district Surat, Gujarat has increased the capacity of its Sugar factory from 2500 T.C.D., to 3500 T.C.D. without obtaining permission from Government of India, Ministries of Food and Civil Supplies and Industry ;

(b) if so, the details thereof ; and

(a), (b) & (c) : The Government are aware of the matter regarding the expansion undertaken by Shri Madhivibhag Khand Udyog Sahakari Mandi Ltd. Madhi, Distt. Surat raising their factory's capacity from 2500 T.C.D. to 3500 T.C.D. The legal remifimatter are under active examination of the Government.

That the judgement in the case has since been delivered on 3.9.87. But the certified copy of the judgement is yet to be received in this Department

The Ministry made two requests for dropping of the assurance. The first request was considered by the Committee at their sitting held on 11 July, 1985. The Committee decided not to drop the assurance and desired to be apprised of the latest position of the case. The Ministry apprised the Committee of the latest position

(c) whether the Government of India have taken any action against this concern for violating the licensing laws ; if so, the details of the action or proposed to be taken ?

(Vide their letter dated 23.9.1987)

and again made the request to drop the assurance. The Committee considered the matter at their sitting held on 19 June, 1986. Not agreeing with the views of the Ministry, the Committee observed as follows (vide their Seventh Report presented to Lok Sabha on 26.3.87) "The Committee do not agree with the Ministry of Food and Civil Supplies that since the Member of Parliament who raised the above question had withdrawn the objection raised by him this assurance be dropped. According to the established Parliamentary practice, the moment a question is replied to in the House, the reply including an assurance given by the Minister thereon become the property of the House and even if at that

1	2	3	4	5	6	7	8

stage the Member who might like to withdraw such a question would not affect the position of the question as well as assurance given in reply. The Committee desire that the Minister of Food and Civil Supplies should take not of this position for future guidance and take all steps to implement the assurance at the earliest."

MINISTRY OF HEALTH AND FAMILY WELFARE

CATEGORY-I

2. Unstarred Question No. 1867 dated 4.4.1985 by Shri Ram Bahadur Singh.

- (a) whether it is a fact that the Medical Council of India has sought more powers to be able to enforce strict standards of medical education and deal effectively with colleges not conforming to the set norms and if so, the details thereof ;
- (b) the reaction of the Government thereto ?

(a) Yes, Sir.
 (b) The proposals are under consideration.

The proposed amendments which are to be carried out in the Indian Medical Council Act, 1956 are under consideration of Government. (vide their U.O. Note dated 16.7.87)

CATEGORY-C

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Education)

- | 3. Unstarred Question | (a) The names of the States and Union Territories in tribal areas of which arrangements for agricultural, technical and industrial education have been made at Higher Secondary level ; | (b) whether for such education review of the syllabi prescribed by various States has been made at the Central level ; | (c) whether this syllabus is employment oriented ; and | (d) if not, whether Central Government propose to take any steps to make these syllabi employ employment oriented. |
|--|--|--|--|--|
| No. 1989 dated 4.4.85 by Shri Dileep Singh Bhuria. | <p>(a) Vocationalization of higher secondary education at the X2 stage has been introduced in the States of Andhra Pradesh, Assam, Gujarat, Haryana, Karnataka, Kerala, Maharashtra, Tamil Nadu, West Bengal and the Union Territories of Andaman and Nicobar Islands, Delhi and Pondicherry. Specific information in regard of tribal areas is not available, and is being collected from the States/Union Territories.</p> | <p>(b) and (c) The NCERT has conducted evaluative studies of the implementation of the programme of vocationalization of higher secondary education in the States of Andhra Pradesh, Gujarat, Karnataka, Maharashtra, West Bengal, and the Union Territory of Delhi. The</p> | <p>(b) and (c) The NCERT has conducted evaluative studies of the implementation of the programme of vocationalization of higher secondary education in the States of Andhra Pradesh, Gujarat, Karnataka, Maharashtra, West Bengal, and the Union Territory of Delhi. The</p> | <p>(b) and (c) The NCERT has conducted evaluative studies of the implementation of the programme of vocationalization of higher secondary education in the States of Andhra Pradesh, Gujarat, Karnataka, Maharashtra, West Bengal, and the Union Territory of Delhi. The</p> |

1	2	3	4	5	6	7	8
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studies revealed that by and large the States/Union Territories have introduced vocational courses before conducting vocational surveys were conducted later on and often the courses already introduced were rationalised.

(d) The National Council of Educational Research and Training have prepared a set of competencies based curricula for 33 vocational courses. The Council is also assisting the States in development of curricular and instructional materials for vocational courses.

MINISTRY OF LAW AND JUSTICE

CATEGORY 'A'

4. Unstarred Question No. 2192 dated 9 April 1985 by Shri R. Abhisambhi
- | | | | | | |
|--|---------------|---|---|---|--|
| (a) whether Government are aware of the urgency for opening legal hospitals in every District Headquarters just like civil hospitals to provide legal aid to the weaker sections and downtrodden ; | (a) Yes, Sir. | 19.7.85
9.10.85
10.7.86
9.12.86
7.1.87
3.4.87
10.7.87 | 9.10.85
9.1.86
30.9.86
31.12.86
31.3.87
30.6.87
30.9.87 | "The proposal sent by the Committee for implementing the following recommendation in their Sixth Report presented on 13 August, 1986. | The Committee considered the request of the Ministry and made the following recommendation in their Sixth Report presented on 13 August, 1986. |
| Justice P. N. Bhagwati a sitting Judge of the Supreme Court. The form of legal aid adopted | | | | | The reasons given by the Ministry of Law and Justice in support |

taken by Government in this regard.

by the Committee is of two types :—

- (i) Court or litigation oriented legal aid ; and
- (ii) Preventive or strategic legal aid. The Committee lays greater stress on preventive form of legal aid which can be compared to legal clinics or hospital. The Committee has also been setting up Legal Aid Clinics in Universities and Law Colleges with a view to providing para-legal and preventive legal assistance to the poor. The question of enactment of suitable legislation is also under consideration of the Government.

approval. It may be more the dropping of the time to fulfil the assurance, give an impression that the assurance." (Vide their U.O. Government have lost initiative in the matter and their proposal for enactment of a legislation in regard to the legal and scheme is still in its infancy stage. Government are not sure of the time which may be involved in this expression. In the opinion of the Committee, this is not a very happy situation. The Committee urge upon the Government to keep the initiative. With their and chalk out a time bound programme to bring forward the necessary legislation before Parliament. The Committee would be glad to consider Government's request for extension of time for implementation of this assurance

Note dated 10.7.87)

1	2	3	4	5	6	7	8
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on receipt of definite time bound schedule from them in this regard.

(A Bill has been introduced in Lok Sabha on 7 8.1987)

CATEGORY-B

MINISTRY OF LAW AND JUSTICE

Unstarred Question No. 6588 dated 14 May, 1985 by Shri Digvijay Singh :	(a) whether Government propose to enhance the deposit money for nomination of candidates standing for Legislative Assembly and Lok Sabha elections ; and	(a) & (b) : In the set of proposals forwarded by the Election Commission on 20.4.1985, the Commission has proposed that security deposit may be raised ten times i.e. Rs. 5000/- (Rupees Five Thousand) in the case of an election from Parliamentary Constituency and Rs. 2,500 (Rupees Two Thousand Five Hundred) in the case of an election from an Assembly or Council constituency. The proposal is under consideration.	24,9.85 14,11.85 26,11.85 14,2.86 19,2.86 31,5.86 28,7.86 31,8.86 25,9.86 30,11.86 5,1.87 28,2.87 23,3.87 31,5.87 30,6.87 30,9.87	'The proposal to enhance security deposits for nomination in elections, forms part of set of proposals on electoral reforms which are under consideration of the Government. The proposals require consultation with political parties etc. before arriving at a final decision. The final decision in the matter is likely to make some more time.' (vide their U.O. Note date 30.6.1987).
	(b) if so, the extent of such enhancement ?			

CATEGORY-C

MINISTRY OF LAW AND JUSTICE

SQ No. 570	(a) Whether complaints have been received by the Election Commission	(a), (b), (c) & (d) :	23.6.85	30.9.85	The final report in
dated 19 March, 1985, by Shri G.G. Swell	regarding illegal printing of leaflets without mentioning the names of printing presses and their distribution during the Lok Sabha Elections held in December, 1984 ;	The Election Commission with whom the matter was taken up has informed that the information is being collected. The information will be laid on the table of the House after the same is received from the Commission	14.10.85	31.12.85	the matter is still awaited from the Chief Electoral Officer, Meghalaya (<i>Vide</i> their U.O. Note dated 3.8.1987)
			1.1.86	31.3.86	
			14.4.86	30.6.86	
			28.7.86	30.9.86	
			14.10.86	31.12.86	
			22.1.87	31.3.87	
			8.4.87	30.6.87	
			3.8.87	30.9.87	

(b) whether complaints have also been received by the Election Commission about forgeries of names and signatures of contending candidates in the printing of such leaflets and their distribution ;

(c) what steps the Election Commission has taken in the matter ; and

(d) whether the offenders have been identified and nabbed ?

1	2	3	4	5	6	7	8
			MINISTRY OF STEEL AND MINES				
	CATEGORY 'A'						
Unstarred Question No. 3679 dated 19.4.1985 by Shri D.P. Delhi ; Jadeja :	(a) whether no other aluminium corporation except Bharat aluminium Corporation Limited has its head office in New Delhi ;	(a) Yes, Sir.	12.2.85 5.10.85 14.1.86 16.4.86 17.7.86 15.10.86 5.1.87 22.4.87 14.7.87	18.10.85 18.1.86 18.4.86 18.7.86 18.10.86 18.1.87 18.4.87 18.7.87 18.10.87	The general issue of shifting of offices of public sector undertakings, outside Delhi including BALCO's Head Office is still under consideration of the Government (Vide their U.O. Note dated 14.7.1987)		
	(b) whether the aluminium smelter and bauxite mines of BALCO are nearer to Korba, Calcutta and Bhopal than New Delhi ;	(b) The bauxite mines at Phutkaphar and Amarkantak (in Madhya Pradesh) of Bhart Aluminium Company Limited (BALCO) are nearer to Korba and Bhopal than New Delhi and Calcutta. The Aluminium complex is located at Korba. The bauxite mine is in Gandhamardan (in Orissa), which is under development, and the Aluminium Corporation at Bidhanbagh, Asansol (West Bengal) which was nationalised on 2.6.1984 and vested in BALCO are nearer to Calcutta than New Delhi and Bhopal.					
	(c) whether BALCO is suffering huge losses since its inception and a large amount of expenditure is incurred on tours of officers of BALCO to plants and mines etc. ;	(c) and (d) It is not correct to say that the losses being incurred by BALCO are due to large expenditure on tours of the officers visiting plants and mines. The expenditure on this head is nominal.					
	(d) if so, the action taken to reduce such expenditure and the justification in keeping the head office of BALCO in New Delhi ; and						
	(e) whether Government propose of shift BALCO						

head office to a place which is more nearer to aluminum smelter and bauxite mines of BALCO ?

A Board level Director incharge of Operations and Projects, is functioning at Korba with supporting officers and engineers. The Gandhamardan Mine Project and the Aluminium Unit at Bidhanbagh, Asansol, are headed by Senior level officers of the Company. The losses, however, have been caused by non-availability of power resulting in under utilisation of the capacity which was created with heavy capital outlay.

(c) the matter is under consideration of the Government at the highest level.

CATEGORY 'B'

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Culture)

1. Unstarred Question No. 310 dated 24 July, 1985 by Prof. Narain Chand Parashar.	Will the Minister of Culture be pleased to refer to the reply given on 17 April, 1985 to the Unstarred Question No. 3279* regarding Heun Tsang Memorial at Nalanda and state the functions	A proposal for the merger of the Heun Tsang Memorial Hall with the Nava Nalanda Mahavihara and to establish an autonomous organisation under the control of the	30.10.85	24.1.86	24.1.86	Contrary to our original proposal to the Government of Bihar for the merger of the Heun Tsang Memorial Hall with the Nava Nalanda Mahavihara and to establish an autonomous organisation under the control of the Central Government of the Government of Bihar has
			4.2.86	24.4.86	24.4.86	
			14.7.86	24.7.86	24.7.86	
			28.7.86	24.10.86	24.10.86	
			19.11.86	24.1.87	24.1.87	
			3.3.87	24.4.87	24.4.87	
			1.5.87	24.7.87	24.7.87	
			3.9.87	24.10.87	24.10.87	

*Text enclosed

1	2	3	4	5	6	7	8
		which are carried on at the Heun Tsang Memorial at Nalanda and the pattern of Management for the memorial?	Central Government is under active consideration in consultation with the Bihar Government.		decided to convert the merged organisation of the Mahavihara and Heun Tsang Memorial Hall into a Deemed-to-be University. The matter is being taken up with the Government of Bihar for their reconsideration of our original proposal. (vide U.O. Note dated 3 September, 1987).		

CATEGORY 'B'

MINISTRY OF FINANCE

No request for extension of time has been received.

3. Unstarred Question No. 4977 dated the 23 August, 1985 by Shri N. Dennis.
- (a) the details of the Tamil Nadu State owned public undertakings to which financial assistance have so far been extended by Union Government ;

(b) the steps taken to get Union Government nominees included in these Tamil Nadu State owned public undertakings ; and

(c) if not, the reasons thereof.

(a), (b) and (c) :
The information is being collected and will be laid on the Table of the House.

(Vide Unstarred Question No. 310 dated 24 July, 1985 at Serial No. 1 of Memorandum No. 103)

Unstarred Question No. 3279
Dated 17 April, 1985

HEUN TSANG MEMORIAL AT NALAND (BIHAR)

PROF. NARAIN CHAND PARASHAR : Will the Minister of Culture be pleased to state :

(a) whether the Heun Tsang Memorial at Nalanda in Bihar has since been completed and handed over to the State Government of Bihar ;

(b) if so, the total cost of constructions alongwith the period taken for completion of this Memorial including the date of its completion ; and

(c) if not, the likely date of completion and the reasons for delay ?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL AND TRAINING ADMINISTRATIVE REFORMS AND PUBLIC GRIEVANCES AND PENSION AND IN THE DEPARTMENT OF CULTURE (SHRI K.P. SINGH DEO) : (a) The Memorial has since been completed. There is no proposal to hand it over to the State Government of Bihar.

(b) The total expenditure, for which approval has been accorded, is Rs. 46.42 lakhs. The construction work commenced in 1961 and completed in 1984.

(c) Does not arise.

Sl. No.	Question No. and dated	Text of the Question	Assurance given	Extension sought on	Reasons upto	Remarks
1	2	3	4	5	6	7
						8
MINISTRY OF EXTERNAL AFFAIRS						
CATEGORY 'A'						
2.	Unstarred Question No. 4280 dated 21 August, 1985	(a) the proposals received from various countries during the last three years for improving tourism, cultural activities and trade with India ; and (b) names of the countries and Government's reaction to each of the proposals.	(a) and (b) The requisite information is being collected and will be placed on the Table of the House.	2.6.86 23.12.86 21.4.87 3.7.87	21.8.86 21.2.87 21.5.87 21.8.87	Requisite information is still awaited from the concerned authorities. (Vide U.O. note dated 3.7.87)
MINISTRY OF FOOD AND CIVIL SUPPLIES						
CATEGORY 'A'						
4.	Unstarred Question No. 3115 dated the 12 August, 1985 by Shri Balasaheb Vikhe Patil.	(a) whether the incentives to be given to new sugar mills recommended by the Sampath Committee have become ineffective because of difference between the free sale price and levy price as also difference in their excise duty ; (b) No. Sir, Immediately after receipt of incentive claims, from new sugar factories, in the prescribed proforma containing full relevant data provisional assessment of entitlement is made and incentive benefits allowed	(a) No Sir. (b) No. Sir, Immediately after receipt of incentive claims, from new sugar factories, in the prescribed proforma containing full relevant data provisional assessment of entitlement is made and incentive benefits allowed	30.10.85 6.2.86 2.5.86 11.8.86 24.11.86 4.2.87 1.5.87 19.8.87	11.2.86 11.5.86 11.8.86 11.11.86 11.2.87 11.5.87 11.8.87 11.11.87	The recommendations made by the Fourth inter-Ministerial Group for review and revision of the Incentive Scheme have been examined and a note for the Cabinet Committee of Economic Affairs on the scheme is already under finalisation.

1	2	3	4	5	6	7	8
		<p>(b) whether the finalising of the levy free quota is often delayed causing difficulty to the beneficiaries ;</p> <p>(c) whether Government of Maharashtra have requested the Central Government to revise the incentive scheme to get over the above difficulties ; and</p> <p>(d) when this request was received and the time by which a decision will be taken ?</p>	<p>on provisional basis which are slightly lower than their entitlement. Full entitled benefits are allowed after spot verification and finalisation of the incentive claims.</p> <p>(c) Government of Maharashtra has requested the Central Government to revise the incentive scheme suitably so that high cost factories are able to meet their obligations to financial institutions.</p> <p>(d) The request was received by the Government on 13th July 1984. The matter is under consideration of the Government</p>				<p>(Vide U.O. note dated 19 August, 1987).</p>

MINUTES

SEVENTH SITTING

The Minutes of the Sitting of the Committee on Government Assurances held on 28 December, 1988 in Committee Room 'B' Parliament House Annexe, New Delhi.

The Committee met on Wednesday, 28 December, 1988 from 15.00 hours to 16.10 hours.

PRESENT

Prof. Narain Chand Parashar—Chairman

MEMBERS

2. **Shri Bapulal Malviya**
3. **Shri Murlidhar Mane**
4. **Dr. A.K. Patel**
5. **Shri Bhola Raut**
6. **Shri Prabhu Lal Rawat**
7. **Shrimati Shanti Devi**
8. **Shri Kamla Prasad Singh**
9. **Shri Ramashray Prasad Singh**
10. **Shrimati Usha Thakkar**
11. **Shri Mahabir Prasad Yadav**

SECRETARIAT

1. **Shri C.K. Jain—Director-IC(A)**
2. **Shri S.C. Gupta—Deputy Secretary(Q)**
3. **Shri Raghubir Singh—Senior Examiner of Questions**

2. The Committee considered the draft Fifteenth Report and adopted the same with the following modifications :—

- (i) Page 8, Para 10 : After line 9 add "The Committee take a serious view of this lapse on the part of the Ministry and hope that such instances would be avoided in future."
- (ii) Page 11, Para 17, line 10 : *for 'used' read 'resorted to' to*
- (iii) Page 26, Para 50, line 12 : *for 'planned' read 'systematic'*

3. The Committee authorised the Chairman to present the Report in the next Session of Lok Sabha.

4. The Committee then adjourned to meet again at 15.00 hours on 16 January, 1989.
