

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(1996-97)**

ELEVENTH LOK SABHA

**FIRST REPORT
ON
REVIEW OF PENDING ASSURANCES**

(Presented in Lok Sabha on 18 December, 1996)



**LOK SABHA SECRETARIAT
NEW DELHI**

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LOK SABHA

CORRIGENDA

to the First Report of the Committee on Government Assurances(1996-97)-Eleventh Lok Sabha.

Page No. (1)	Para No. (2)	Line No. (3)	Correction (4)
2	1.9	9	<u>For</u> apprised to <u>read</u> apprised of
8	1.19	1	<u>For</u> LV <u>read</u> the
12	1.25 Casual and Part- time employees (i) and (ii)	9	<u>For</u> Provides <u>read</u> Provide
13	1.29	7	<u>For</u> Department <u>read</u> Department's
13	1.30	3	<u>For</u> Feel the <u>read</u> Feel that the
15	1.37	2	<u>For</u> comprising <u>read</u> comprising of
19	1.59	5	<u>For</u> whic <u>read</u> which
19	1.59	5	<u>For</u> 10 crores <u>read</u> 10 crores.
19	1.59	10	<u>For</u> institution <u>read</u> institutions
20	1.66	14	<u>For</u> homogenous <u>read</u> homogeneous
23	1.78	8	<u>Delete</u> wherever,
23.(23)	1.81	1	<u>Delete</u> already
30	1.116	24	<u>Add After Secretary</u> mentioned that in pursuance of National Child Labour
31	1.117	1	<u>For</u> interntional <u>read</u> international
31(31)	1.117	2	<u>For</u> lamented <u>read</u> lamented
31	1.117	6	<u>For</u> motion <u>read</u> notion
31	1.118	9	<u>For</u> as <u>read</u> As
38	2.21	7	<u>For</u> vigorously <u>read</u> vigorously
39	2.23	1	<u>For</u> not <u>read</u> no
41	Members	5	<u>For</u> Shri Saniat Mehta <u>read</u> Shri Sanat Mehta
44	2 Memorandum No.3(i)	3	<u>For</u> R.B.M. <u>read</u> I.R.B.M.
49	9	6	<u>Delete</u> II
56	4	1	<u>For</u> In reply of <u>read</u> In reply,
57	8	2	<u>For</u> Welfare fund for <u>read</u> Welfare fund by
65	Total of the statement	No of assurances implemented, dropped	<u>For</u> 7327 <u>read</u> 7231

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

CHAIRMAN

Shri E. Ahamed

MEMBERS

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

SECRETARIAT

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

*The Committee was nominated by the Speaker w.e.f. September 13, 1996 vide para 436 of Lok Sabha Bulletin, Part-II, dated 16 September, 1996.

INTRODUCTION

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

2. The Committee (1996-97) was constituted on September 13, 1996 and has held six meetings so far.

3. An assurance given by a Minister on the floor of the House is a solemn commitment on the part of the executive in regard to a matter of great public importance. The executive is duty bound to implement this assurance within the stipulated time. This signifies the accountability of the executive to Parliament which is the corner stone of the Parliamentary system of government. Through the instrumentality of the Committee on Government Assurances the House ensures this accountability.

4. Once an assurance is given, it does not lapse until it is implemented or is dropped by the Committee. Thus, this Committee has to deal with as many as 1439 assurances most of which relate to the Tenth Lok Sabha. There are assurances of 8th and 9th Lok Sabha as well which show on the one hand that the implementing machinery is rather slow and on the other that the Committee is ever vigilant and active and is pursuing tenaciously the assurances given by the Government.

5. The Committee in its first meeting took an over all view of the pending assurances and formulated its strategy to ensure the full implementation of the pending assurances at the shortest possible time. While selecting the pending assurances for detailed scrutiny, the Committee decided to accord priority to assurances pertaining to serious socio-economic problems such as exploitation of Child Labour, Women Development, Development of weaker sections including the minorities, custodial deaths, economic offences etc. Accordingly, the Committee took up assurances relating to Child Labour, Welfare Programme for Women and Child Development, Industrially Backward Districts, and Deaths in Police Custody.

6. The Committee took oral evidence of the representatives of Ministries of Human Resource Development, Finance, Industry and Labour on 15 November, 1996 in respect of the assurances given in reply to the following questions.

- (i) Unstarred Question No. 293 replied on August 5, 1991 by Minister of Human Resource Development regarding Welfare Programme for Women and Children.
- (ii) Unstarred Question No. 509 replied on 27 July, 1994 by Minister of Industry and subsequently transferred to Ministry of Finance regarding 'Industrially Backward Districts'.

(iii) Three questions, viz. Unstarred Question No. 373 replied on 14 March, 1990 regarding Central Legislation on Landless Agricultural Workers and Unstarred Question Nos. 576 and 2560 replied on 9 December, 1994 and 23 December, 1994 respectively regarding Child Labour by Minister of Labour.

7. I had also called Secretary, Ministry of Home Affairs and Secretary, Department of Post on 31 October, 1996 in respect of assurances arising out of replies given to Unstarred Question No. 6385 on 5 May, 1994 regarding 'Deaths in Police Custody' and Unstarred Question No. 676 on February 28, 1994 regarding 'Strike by Postal Employees' respectively.

8. The Committee at their sittings held on October 1 and 25, 1996 considered four requests (*vide* Memoranda Nos. 1, 2, 3, and 4,) received from Ministries/Departments of Government of India for dropping of four pending assurances and their decisions are contained in this report.

9. At their sitting held on December 12, 1996, the Committee considered and adopted the draft of this Report.

10. The minutes of the aforesaid sittings of the Committee form part of the Report (Appendices).

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

12. The Committee wish to express their thanks to the officials of the Ministries of Communications, Home Affairs, Human Resource Development, Finance, Industry and Labour for their co-operation. The Committee also accord appreciations to the Secretariat staff/officers for the services rendered by them to the Committee in finalisation of this Report.

NEW DELHI;
December 12, 1996

Agrahayana 21, 1918(Saka)

E. AHAMED,
Chairman,
Committee on Government
Assurances.

CHAPTER I

REVIEW OF PENDING ASSURANCES PERTAINING TO EIGHTH, NINTH AND TENTH LOK SABHA

1.1 Assurances do not lapse even on dissolution of Lok Sabha. They remain pending as long as these are not implemented. As such, as many as 51 assurances of 8th, 52 assurances of 9th and 1336 assurances of 10th Lok Sabha were pending when the Committee on Government Assurances (1996-97) of 11th Lok Sabha was constituted on 13 September, 1996. (Annexures I, II & III)

1.2 The Committee on Government Assurances at their first sitting decided to examine certain pending assurances on priority basis pertaining to social justice atrocities on women, Dalits and violation of Human Rights etc., from Eighth, Ninth and Tenth Lok Sabha. Accordingly, it was decided to call the representatives of the Ministries concerned to find out why the assurances were pending for so long and to decide thereafter the course of action to be taken by the Committee.

1.3 Details of assurances which have been examined by the Committee are as under:—

(1) DEATH IN POLICE CUSTODY

1.4 On May 5, 1994, S/Shri Ram Kirpal Yadav and Mohammad Ali Ashraf Fatmi, MPs addressed the following Unstarred Question No. 6385 to the Minister of Home Affairs:—

“(a) whether the Government have conducted any inquiry into the cases of deaths which occurred in police custody in Jammu & Kashmir during the last three years; and

(b) if so, the details and the outcome thereof?”

1.5 In reply, the then Minister of State in the Ministry of Home Affairs (Shri Rajesh Pilot) stated as follows:—

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

1.6 The above reply to the question was treated as an assurance and was required to be implemented within three months of the date of reply i.e. by August 4, 1994.

1.7 As the assurance remained unfulfilled, the Secretary, Ministry of Home Affairs (Shri K. Padmanabhaiah) was called by the Chairman in his Chamber on October 31, 1996 and enquired about the reasons for delay in the implementation of the assurance pertaining to the case of death in

police custody in Jammu & Kashmir. The Home Secretary pointed out that affairs of J&K being different from other States, they encounter lot of difficulties in collecting information. A statement indicating year-wise details of cases of alleged custodial deaths registered in Jammu & Kashmir was handed over to Chairman. (Annexure-IV)

1.8 As a consequence of the aforesaid meeting with Chairman of the Committee, it has been conveyed by Ministry of Home Affairs that following action has been initiated by the Ministry with regard to the implementation of the assurance:—

- “(i) Home Ministry is asking Government of J&K to monitor the progress of the investigation in the cases where the investigation is still on, and to bring them to their logical conclusion at the earliest.
- (ii) J&K Government has been asked to re-verify the untraced cases and inform the Ministry about the outcome of their re-investigation.
- (iii) The State Government will give a time frame within which they will be able to complete the above tasks.”

1.9 The Committee note that the Union Government have been able to collect information in regard to alleged death in police custody registered in Jammu & Kashmir during 1991, 1992 and 1993. The Committee, however, note that there are still 46 cases under investigation and 2 cases under magisterial inquiry. The Committee also note that there are 99 registered cases which are untraced. The Committee appreciate that the Ministry of Home Affairs have taken up the matter with the Government of Jammu & Kashmir in order to monitor the progress of the investigation and to bring them to their logical conclusion. The Committee may be apprised to the progress made in this regard and the time by which the State Government has been asked to complete the investigation, so that implementation of this assurance is fulfilled without further delay.

(2) STRIKE BY POSTAL EMPLOYEES

1.10 On February 28, 1994 S/Shri Hannan Mollah, Devi Bux Singh and Smt. Bhavana Chikhalia MPs addressed the following Unstarred Question No. 676 to the Minister of Communications:—

- “(a) whether the postal employees had taken part in a nation wide strike during the recent past;
- (b) if so, the details of their demands; and
- (c) the action taken or proposed to be taken by the Government thereon”

1.11 In reply, the then Minister of State in the Ministry of Communications (Shri Sukh Ram) stated as follows:—

- “(a) Yes, Sir.

(b) The following was the Charter of Demands given by the Postal Employees Federations/Associations:—

1. Demands of Extra Departmental Employees (E.D.E.)

- (i) Introduction of Scales of Pay for all categories of extra departmental employees.
- (ii) Counting of E.D. service.
- (iii) Grant of Pension/Statutory Gratuity.
- (iv) Grant of subsistence Allowance.
- (v) Grant of leave with Pay.

2. Biennial Cadre Review

- (i) Upgrading of 10% of HSG-II posts to HSG-I.
- (ii) Revision of scale of Pay of Postmen and allied cadres placed in BCR Rs. 1200-1800.
- (iii) Retention on age of superannuation at 60 for Group 'D' officials placed in BCR scale of Rs. 950-1400.

3. Privatisation, Mechanisation and Computerisation

- (a) Strict adherence to Clause 7(b) of Strike settlement dated 12.7.1987.
 - (b) Dropping of all schmes for privatisation of services like:—
 - (i) Licensing of private agents to perform Postal and RMS work in urban and rural areas.
 - (ii) Privatisation of mail conveyance displacing Mail Motor Service.
 - (iii) Employing non-postal employees including retired personnel for performing Postal and RMS work.
 - (iv) Scrapping the system of presorting by bulk mailers.
 - (c) Advance increments and incentives to all the staff connected with mechanised and computerised areas.
 - (d) Reduction of working hours for the staff.
- 4. Dropping of all proposals to tighten the existing norms and restoration of pre-tightened norms wherever the time factor has been reduced.**
- 5. Sanction of justified posts in all cadres and filling up the existing and future vacancies.**

6. Coverage of Time-bound Promotion scheme to:—

- (i) Circle office cadres.
- (ii) Mail Motor Service cadres.
- (iii) Non-test category staff and other excluded cadres.

7. Revision of Bonus Formula

- 8. (i) Grant of hourly O.T.A. rates for Postmen for work done on absentee Beat and holiday duties.
- (ii) Removal of ban on O.T. duty in Post Offices.

9. Casual and Part-time employees

- (i) Coverage of orders on Temporary Status to the casual labourers working for less than 8 hours a day.

10. Problems of Part-time employees

- (i) Restructuring of Inspectors/Assistant Superintendents Cadres.
- (ii) Restoration of Mail Overseers and Orderlies to IPOs/ ASPs.
- (iii) Raising the scale of pay of Senior Accountants of the Postal Accounts Offices from Rs. 1640/- to Rs. 2900/-.

(c) In Pursuance of discussions held with the Employees' Federations/Associations, the Government has already issued orders conceding the following demands:—

- (i) Extra Departmental Branch Postmaster whose work-load exceeds 90 points have been compensated by a graded scale upto 100 points.
- (ii) Group 'D' officials, on promotion to Biennial Cadre Review, have been given the option of selecting the scale of pay of Rs. 950-1400 or Rs. 800-1200. In case they chose the former, they will retire at the age of 58 years; and in case they chose the latter, they will continue to be deemed as Group 'D' and retire at 60 years.
- (iii) Officials who work on multipurpose counter machines will be given a Machine allowance of Rs. 100 per month irrespective of their pay scale.
- (iv) Holiday Duty Allowance of postmen has been increased from Rs. 25/- to Rs. 36/-. The allowance for combination of beats, if the beat is shared by two postmen, each postmen will get Rs. 12/-.
- (v) Extra Departmental Agents have been given Interim Relief of Rs. 50/- per month w.c.f. 16.9.1993.

- (vi) Extra Departmental Agents who were recruited prior to 25.8.1987 have been made eligible to appear in promotion examination even if they have not acquired the Matriculation qualification.
- (vii) The scheme of placing the staff car drivers in three different grades announced by the Department of Personnel and Training has been made applicable to drivers, including drivers in the Mail Motor Service, of the Department of Post.
- (viii) Orders have been issued that no new bulk mail centres would be opened, without consultation with the staff side.
- (ix) The scheme of Time Bound One Promotion and Biennial Cadre Review had already been extended to Group 'C' posts in Circle Office cadre.

2. The following demands are under consideration of the Government:—

- (i) Upgradation of 10% of Higher Selection Grade II (HSG-II) posts to HSG-I.
- (ii) Introduction of system of Contributory Provident Fund for the Extra Departmental Agents with subscribers contribution and matching contribution by Government.
- (iii) Relief to extra departmental officials who are put off duty and who are subsequently reinstated.
- (iv) Revision of the Biennial Cadre Review and pay scale of the postmen cadre to Rs. 1200-1800.
- (v) Sanction of justified posts and filling up of existing and future vacancies.

3. The Government has also agreed to appoint an Extra Departmental Committee after the constitution of the Pay Commission with an outsider as its Chairman to consider all other demands of the Extra Departmental Agents. The terms of reference of this Committee will be finalised in consultation with the Postal Employees Federation. It has also been agreed that the Committee will be asked particularly to examine the demand for grant of pension to extra departmental agents and made recommendation thereon.

4. The Government has also agreed to consider sympathetically, in consultation with the Employees' Federations, all other demands relating to the departmental postal employees included in the charter of demands which are not already covered above."

1.12 Para 2 to 4 of part (c) of the above to the question was treated as an assurance and was required to be implemented within three months.

1.13 As the assurance remained unfulfilled, the Committee on Government Assurances (1995-96) took evidence of the representative of Ministry of Communications (Department of Post) and the representatives of Postal Employees Federation on December 21, 1995 and January 8, 1996 respectively.

1.14 The Committee on Government Assurances in their 38th report presented to the Lok Sabha on February 27, 1996 had *inter-alia* observed:—

“37 The Committee wish that the Union of India should take a positive and a final decision on each of the demands pending with them within one month's time from the date of presentation of this Report. The Committee hope that the Union of India shall take into confidence the representatives of the three federations before arriving at any decision on the demands of the Extra Departmental Employees as well as other departmental employees of the Department of Post.”

1.15 A representation dated 13 September 1996 addressed to HS (Annexure V) was received from the National Federation of Postal Employees intimating therein that none of the recommendations of the Committee had been implemented by the Government.

1.16 In pursuance of the aforesaid representation, the Secretary, Ministry of Communications (Deptt. of Post) (Shri R.U.S. Prasad) was called by the Chairman at his chamber on October 31, 1996 to enquire from him about the extent of fulfilment of the above demands, the reasons for delay and the time by which the same will be fulfilled.

1.17 The Committee have been informed *vide* O.M. No. 12-7/95-SR dated 5.11.96 by the Ministry of Communications (Department of Post) that a meeting was held with the representatives of NFPE and FNPO and a meeting of two Federations with the Secretary is scheduled in the first half of November 1996 with a view to implementing the assurance.

1.18 The Committee have also been apprised about the position relating to items of demand as under:—

Sl. No.	Demand	Present Position
1.	Upgradation of 10% of Higher Selection Grade-II (HSG-II) Posts to HSG-I.	The proposal for upgradation of 10% of HSG-II posts to HSG-I posts as demanded by the Staff side was taken up with the Ministry of Finance for their approval. But Ministry of Finance had agreed for upgradation of only 3% of the posts from HSG-II to HSG-I grade (from Rs. 1600-2660/- to Rs. 2000-3200/-). Accordingly, 208 posts of BCR HSG-II to HSG-I grade were upgraded <i>vide</i> our order No. 22-1/89-P.E.I. (Vol. II) dt. 6.11.95. Now the proposal is again being taken up with the Ministry of Finance for upgradation of total 10% of BCR HSG-II to HSG-I through our Internal Finance.
2.	Introduction of a system of contributory Provident Fund for the Extra Departmental Agents with subscribers contribution and matching contribution by Government.	The scheme for introduction of a system of contributory Provident Fund for Extra Departmental Agents with subscribers' contribution and matching contribution by Government was considered in consultation with the Ministry of Finance, but it could not be accepted. The Ministry of Finance held the view that contributory Provident Fund is applicable to non-pensionable servants of Govt. belonging to any of the services under the control of the President. Since ED Agents are not Govt. employees and get monthly allowances with freedom to employment gainfully elsewhere also, such a scheme could not be extended to them. However, this has been included in the terms of reference of the ED Committee appointed on 31st March, 1995. Their recommendations are awaited.

Sl. Demand No.	Present Position
3. Relief to extra departmental officials who are put off duty and who are subsequently reinstated	The question of granting relief to extra-departmental agents who are put off duty and who are subsequently reinstated was also examined and as a result orders for paying 50% of the allowances for put off duty period as one time ex-gratia amount subject to a maximum of Rs. 500/- were issued on 28.4.94. Meanwhile Supreme Court has struck down Rule 9(3) of P&T ED Agents (Conduct & Service) Rules 1964. Action to reframe rule 9(3) is already being taken and case stands referred to Ministry of Law.
4. Revision of the Biennial Cadre Review pay scale of postmen cadre to Rs. 1200-1800/-	The item regarding revision of Biennial cadre review pay scale for the postmen cadre to Rs. 1200-1800/- has been referred to the 5th Pay Commission as this item comes under their purview. Their recommendations are awaited.
5. Sanction of justified posts and filling up the existing and future vacancies.	Review of the establishment and filling up the existing and future vacancies is continued as ongoing process and proposals received from different circles are examined on merits. The consolidated proposal for creation of additional posts of postmen is being taken up with Ministry of Finance.

1.19 So far as filling up of vacancies is concerned LV instructions have been issued to all the CPMsG to take effective and urgent steps to fill up the vacancies in RMS and Post Offices. Similar instructions have been repeated again to the circles on 30th July, 1996 directing them to hold DPCs for promotion to next higher rank and to also initiate recruitment in respect of cadres to which recruitment is due and vacant posts exists. Special instructions have been issued in regard to filling up of the vacancies reserved for SCs/STs and arising in the normal course, as well as to eliminate the backlog of SC/ST vacancies for special recruitment of 1995 and 1996. It may be stated that so far as special recruitment drive is concerned, out of total 1129 identified vacancies, 816 have already been filled.

1.20 So far as general aspect regarding vacancies is concerned, perhaps above steps would meet the requirement. Since the Federations have not pointed out any specific instance of alarming vacancy position in any circle, at this stage it would not be possible to pin point a particular circle.

1.21 As regards grant of leave to EDAs, Savor Committee on ED system had recommended increase in the wages of ED Agents at the rate

of 16.6% in lieu of leave. This recommendation was not accepted by the Government due to financial implications involved in accepting the same. In T.A. No. 9/08(OJC No. 1783/84) filed by Shri Anna Malick and others Vs. Union of India and others one of the prayers made was to declare that ED Agents are entitled to salary with allowance while on leave and should be granted leave at par with regular Government Employees. The CAT Cuttack in its judgement pronounced that Government shall consider providing for leave to ED Agents keeping in view the number of hours of work, wages paid and other aspects and make provision in this behalf in the rules governing their service conditions. The Government filed an SLP against this judgement in the Supreme Court, which dismissed the same. After further examination of the issue in the light of the Supreme Court Judgement the item has been referred to Justice Talwar Committee on Postal ED system for consideration and making a recommendation to the Government.

1.22 As regards other demands included in charter of demands and not covered above, it is stated that they were also considered in consultation with 3 Federations/3 Non-federated Associations in a series of meetings. First such meeting took place on 25.3.94 followed by 9 more meetings. The areas to which these demands relate and the present position/comments in respect of each item are given below:—

Demand

Present Position

Privatisation, Mechanisation and Computerisation

(a) Strict adherence to clause 7(d) of strike settlement dt. 12.7.87

It requires consultation with staff side on any scheme of automation/computerisation. Discussions on these items held on 24.2.95 with staff side.

1.23 Staff Unions have opposed the scheme on the grounds of staff redundancy, malpractice in appointment of LPA, diversion of postal traffic, etc. It was decided in 1987 with the approval of the then MOS(C) that:—

- (i) No new LPAs will be appointed
- (ii) LPAs located at a distance of 2 kms or more from a Post Office (1.5 km. in cities with a population of 20 lakhs or more) may be allowed to continue until the expiry of their 3 years or until a Post Office is opened in the area, whichever is earlier.
- (iii) In other cases, licenses may be terminated or dealt with as (ii) above depending on merits of each case.

1.24 In 1989, it was decided to allow the LPAs whose licences were due for expiry to operate the agency until further orders. Hence some LPAs are still continuing. In 1987, the number of LPAs was 810 and it came

down to 302 by March, 1989. At present, there are 144 Licensed Postal Agents operating in the country.

1.25 Both the schemes, the Licensed Stamp Vendors and the Licensed Postal Agency are quite useful in terms of provision of extended postal facilities to the public. The large number of Licensed Stamp Vendors indicates that the scheme is serving the desired purpose. The Licensed Postal Agency which provides for additional services, *i.e.* booking of registered articles and clearance of letter box could also have been equally popular but for the opposition from the Staff Unions because of which the scheme was held in abeyance.

Privatisation of mail conveyance displacing Mail Motor Services

The staff side was informed that there is no policy to wind up Mail Motor Services nor any existing departmental unit has been closed nor any new unit added. Proposals for departmental MMS at Gurgaon and Faridabad in Haryana Circle have been initiated at 'Plan' Scheme. However, small MMS Unit viable financially or technically might have to be closed with necessary shifting of staff to major MMS Centres. In addition at some places for augmenting existing services pending departmental augmentation or on short term basis contract services may have to be provided.

Employing non-Postal employees including retired personnel for performing postal and RMS work.

Orders were issued for engaging only pensioners as short duty staff.

Present Position/Comments

1. Licensed Stamp Vendor (LSV)

This scheme was initially introduced for headquarter towns of respective Heads of Circles, in 1969, but since 1983, it is extended to all areas. The scheme allows any individual firm or society to take an agency for sale of stamps and stationery. Some restrictions imposed at the time of introducing the scheme regarding amount and volume of sale and denomination of stamps were

later removed and the amount of commission was also raised, when the scheme was reviewed in 1994. In 1995, the scope of the scheme was extended to make STD/ISD/PCO booth holders eligible for the scheme.

Under LSV Scheme, the agent is allowed to sell postage stamps and stationery only and the rate of commission currently allowed is 5% of the total sale. Licensed Stamp Vendors are, at present, operating in the country.

The rationale behind the scheme was to decongest PO counter and expand the work of availability of postal stamps and stationery. To plug the loop holes which had crept into the system the whole scheme was reviewed. As a result of which—

- i. The distance between the nearest post office and place of functioning of LSV has been increased from 150 meters to half an Km.
- ii. The LSV has to function from designated premises.
- iii. Security deposit has been prescribed.
- iv. 25% stationery component per purchase of stamps and stationery from the Post Office by the LSV has been introduced.

2. Licensed Postal Agency (LPA)

This scheme was introduced in August 6, 1985 to reduce operational expenditure in urban areas and also to provide basic postal services extensively covering areas where a post office was not justified. The tasks entrusted to licensed Postal Agent were:—

- (i) Sale of postage stamps and stationery.

(ii) Booking of registered articles.

(iii) Clearance of letter boxes.

Casual and part-time employees.

(i) Coverage of the orders on temporary status to the casual labourers working for less than 8 hours a day.

(ii) Problems of part-time employees.

(i) & (ii):—

After the judgement of Hon'ble Supreme Court in 1987 to regularise the services of the casual workers of the Department, the Estt. Section then called for the number of such full time as well as part time workers then working in the Deptt. of Post. But, this proposal for creation of posts of Group 'C' and 'D' cadres in order to regularise their service could not take place because recruitment rules in this regard provides these Group 'D' Post to ED employees. Therefore, temporary status to these casual workers was granted by the staff Branch. The possibility for creation of multi functional posts in order to absorb the casual workers in the Department of Post was also explored. At that time All Heads of Circles were asked to give the figures of such workers and jobs by clubbing their duties where work of more than one type is to be performed throughout the year but, each type of work does not justify a separate regular post. Almost all the circles had indicated in their report that it would become difficult to club such posts, because of their nature of duties and hours of duties e.g. the Chowkidars would be engaged in the night, whereas sweepers would be engaged before opening of the post offices and mailers would be engaged either in the early morning or in the evening etc.

(i) Restructuring Inspectors/Assistant Superintendents Cadres.

The staff side wanted Time Bound Promotion for Inspectors/ASPOs/ ASRMs on the pattern of Jr. Account Officer in Department of Telecom. who get Time Bound Promotion, after completion of 3 years to Group 'B'. The matter is under consideration.

(ii) Restoration of Mail Overseers and Orderlies to IPOs/ ASPOs.

It is not possible to restore the Post of Mail Overseers and Orderlies because matching savings found by abolishing these posts were utilised for giving enhanced allowances to EDAs.

(iii) Raising the scale of pay of Senior Accountants of the Postal Offices to Rs. 1640-2900. The accounts cadre is a common cadre in all the Ministries. No decision can be taken by our Deptt. in isolation. If the pay scale of senior Accountant is revised by C&AG, the same could be implemented in our Department also.

1.26 The Committee have also been informed that a proposal for the creation of 2217 posts of postmen and 148 posts of sorting postmen was under process for a reference to be made to the Ministry of Finance. It has further been informed that information in regard to ED officials who benefitted from the Departments' decision to pay 50% of the allowance for the put off duty period is being collected from circles.

1.27 The Committee note that the proposal for upgradation of 10% Higher Selection Grade II posts to Higher Selection Grade I is again being sent to the Ministry of Finance for consideration. The Committee also note that proposal for creation of additional posts for postmen and sorting postmen is also being taken up with the Ministry of Finance for consideration. The Committee are of the view that in both the cases the Ministry of Finance would take a positive view and accordingly genuine demands of postal employees will be met without much delay. The Committee may be apprised of the position.

1.28 The Committee note that Contributory Provident Fund scheme for extra Departmental Agents and grant of leave to EDAs are being considered by the Justice Talwar Committee on postal ED system. The Committee are of the view that Government will ask the Talwar Committee to expedite submission of its report so that Government could act accordingly.

1.29 In regard to relief to Extra Departmental Agents, who are put off duty and who are subsequently reinstated, the Committee have been informed that the Supreme Court had struck down Rule 9(3) P&T ED Agents (Conduct & Service) Rules 1964 and action to reframe the rule is being taken up with the Ministry of Law. The Committee may be apprised of the progress made in this regard as also the number of ED agents who benefitted from the Department decision to pay 50% of the allowance for the put off duty period.

1.30 The Committee are informed that the law regarding revision of Biennial cadre review pay scale for postmen cadre has been referred to the 5th Pay Commission. The Committee feel the Government will respond promptly as soon as the 5th Pay Commission Report is received in this regard.

1.31 The Committee also note that other demands included in the charter of demands are being considered in consultation with 3 federations/3 Non-federated Associations and another meeting was scheduled in the first half of

November, 1996. The Committee feel that the Government will decide expeditiously all the pending demands mentioned in the assurance given and work towards fulfilment of this assurance.

(3) INDUSTRIALLY BACKWARD DISTRICTS

1.32 On July 27, 1994, Shri Datta Meghe, MP addressed the following Unstarred Question No. 509 to the Prime Minister:—

- “(a) the criteria for selecting industrially backward districts in a State;
- (b) the facilities being made available to such districts;
- (c) the names of such districts and the names of the districts proposed to be declared as industrially backward in Maharashtra; and
- (d) the facilities being given to those districts which have already been declared as industrially backward districts?”

1.33 In reply, the then Minister of State in the Ministry of Industry (Smt. Krishna Sahi) stated as follows:—

- “(a) The Central Government had identified industrially backward districts based on a set of criteria which *inter-alia* included per capita production of food grains, ratio of population to agricultural workers, the per capita industrial output, share of factory employment in total employment etc. in the early 70s.
- (b) For industrialisation of these backward districts, a Central Investment Subsidy Scheme was in operation from 1971 to 30th September, 1988.

The Finance Act, 1993 has introduced a Five Year Tax Holiday for new industrial undertakings set up in specified backward districts.

- (c) & (d) The backward districts that would qualify for the income tax holiday are being identified by a group set up for the purpose by the Ministry of Finance.”

1.34 The reply given at (c) & (d) was treated as assurance and was required to be fulfilled within three months of the date of reply i.e. by October 26, 1994.

1.35 As the assurance remained unfulfilled, the Committee on Government Assurances (1996-97) decided to take oral evidence of the representative of the Ministry of Industry. The Ministry of Industry, however, pleaded that the question pertained to the Ministry of Finance and the former had obtained information from the latter while replying to the question. To clear the doubt in regard to the assurance, the Committee called the representatives of both the Ministries, namely, Industry and Finance on November, 15, 1996. However, the Ministry of Finance accepted the transfer of the assurance vide D.O. No. 1/9/94-DBA-11 Dated November 14, 1996 from the Secretary, Ministry of Industry. The

Secretary, Ministry of Industry was exempted from personal appearance before the Committee for evidence. However, that Ministry was represented by the Joint Secretary (Smt. Pratibha Karan).

1.36 During evidence, the Committee desired to know the progress made by the group set up to identify the backward districts that would qualify for income tax holiday.

1.37 In reply, the representative of the Ministry of Finance explained that an Internal Group comprising the then Additional Secretary, Department of Revenue as Chairman and 5 other members was set up to consider all aspects relating to the subject matter. The report of the Group was submitted in October, 1994 but was not accepted by the Government.

1.38 When asked how many districts had been identified in that report, the representative replied that 114 districts were identified in that report. It was further stated that the Government of Maharashtra and the Government of Gujarat has sent representations that instead of districts, talukas should be the criterion for determining the backwardness. The Government accordingly, referred the matter to another Group headed by another Additional Secretary, Department of Revenue. That group comprised the Economic Advisor in the Ministry of Finance alongwith other two members. That Group submitted its report in March 1996 and recommended 53 districts to be notified as backward districts. The representative of the Ministry of Finance further stated that the Minister of Finance considered the reports submitted by both the Groups and the Ministry of Finance are going to send an amended proposal to the Cabinet in which neither 53 nor 114 districts are mentioned. The representative of the Ministry of Finance was of the view that notification in regard to the subject matter would be out before the end of January 31, 1997. The Committee were also informed that 10 assurances on the subject were pending and requested for extension of time upto January 31, 1997 so that by that time the list would be out.

1.39 The representative of the Ministry of Finance stated that once the list was out, the industries could come up in those districts and already existing industries would be eligible for tax holiday.

1.40 When asked whether the decision would be implemented with retrospective effect, the representative of the Ministry of Finance replied:

"These provisions obtain with effect from October 1, 1994. This notification will also come into effect from October 1, 1994. Whatever the Parliament has approved from that date it will come into effect."

1.41 The Committee desired to know whether the categorisation of backward districts was done as 'No Industries District', 'Most Backward District' and 'Less Backward District' and whether the districts, so categorised, would be given 25 per cent subsidy, 15 per cent subsidy and

10 per cent subsidy respectively. The Committee further enquired whether those districts have been included in the list.

1.42 In reply, the representative stated that all North Eastern States, Himachal Pradesh, Jammu & Kashmir and the Union Territories have been categorised as Backward States and in addition to that, the districts would be notified.

1.43 When the Committee mentioned that there are certain districts which have already been notified and whether 'No Industry District' would be given 25 per cent subsidy, the representative of the Ministry of Finance replied that already a provision exists under another section of IT Act and that matter would be taken care of by the Ministry of Industry. It was further clarified that under that provision, when any industry is established and when it starts functioning under these specified districts for the first five years, they will pay no tax at all and for another next five years, those industries would get a deduction of 25 per cent for non-government assesseees and government assesseees respectively from their taxable profits.

1.44 Thereafter the Committee desired to know from the representative of the Ministry of the Industry about the subsidy, which was being given to the backward districts. The representative explained that the Ministry of Industry were implementing two schemes-namely, (1) Growth Centre Scheme and (2) Transport Subsidy Scheme. The growth centre scheme, came into existence in 1988 and growth centre is supposed to be set up at a cost ranging from Rs. 25 crore to Rs. 30 crore. It was further explained that it is a Centrally Sponsored Scheme under which the Central Government contributes Rs. 10 crore. It was also stated that State Government & Financial Institutions were supposed to contribute Rs. 5 crore each and the remaining Rs. 10 crore is to come from the market borrowings. The representative added that out of 70 Growth Centres identified by the Planning Commission, 49 Growth Centres have been approved so far. But according to her, in the initial year, the scheme was constrained because of several factors. The financial agencies appraising these projects were not contributing their shares, though one of the conditions stipulated was that the financial agencies must contribute their shares before the Central Government releases its share. The financial agencies never came forward. She further stated that after the matter was taken up with the Ministry of Finance, the condition was delinked and only in 1994-95 the scheme really took off and the Government was able to release Rs. 80 crore under the Scheme.

1.45 Asked whether there was any outstanding amount to be released, the representative explained that the implementation of this Scheme was quite upto-date and there was no case pending with the State Government.

1.46 When specifically asked how many centres were remaining now to get approval and whether there was any Special Scheme for the North Eastern States, the representative of the Ministry of Industry stated the

proposal for Growth Centre in Chariduar, Assam, was cleared and they were sending it before the apex Committee. The representative also stated that the Ministry of Industry have written to all the Chief Secretaries to finalise the projects so that they could accord approval.

1.47 Asked to elaborate the criteria involved, the representative stated that it took into consideration several aspect like population, the backwardness of the area, the potentiality of the area, its proximity to the district headquarters, availability of power, water supply, etc.

1.48 When enquired about the support the Central Government receives from various State Government agencies like the Electricity Board or the Industries Department for the development of these Growth Centres, the representative of the Ministry of industry explained that normally, it was the State Industrial Development Corporation, which takes up the development of Growth Centres. Besides, the Central Growth Centres, the development of several other growth Centres was also taken up by the State Government. The representative stated that when the project report was submitted, the Ministry of Industry see to it that relevant inputs are provided by the State agencies. She also clarified that everything cannot be taken up either by the Central Government or by the financial agencies.

1.49 The Committee pointed out that in the Export Processing Zones, the land and other facilities to prospective entrepreneurs are provided and desired to know whether terms and conditions like extending co-operation to the labour front, would be considered while allotting plots to the entrepreneurs, the representative of the Ministry of Industry stated that she would definitely put it across while reviewing the matter with the State Government.

1.50 The Committee also pointed out that the Subsidy being given to the industrial growth centres was mainly to help the backward areas, but from 1988, Central Investment Subsidy has been stopped and substituted by Growth Centre Scheme. The Committee desired to know whether there was any possibility whereby Central Investment Scheme would continue till Growth Centres are established in the backward areas.

1.51 The Committe were informed that in some States in the North Eastern region, project reports have been finalised by financial agencies. The representative also mentioned that the Ministry of Industry are trying to provide a major push to the finalisation of the project reports, because reintroduction of CIS (Central Investigation Subsidy) is a policy matter and the Planning Commission and many agencies are involved in it. The Committee were also informed that the State Governments have also a responsibility and they must play an active role because the Ministry of Industry have to keep working on the project report. The financial institutions, take long time to appraise the project and that the financial institutions have not participated financially in the scheme.

1.52 The Committee pointed out that in such eventuality, the Government should make sufficient provision and that the Central Government are liable to pay the subsidy to the State Government as promised, the representative of the Ministry of Industry replied:

“That scheme is over. It lapsed in 1988.”

1.53 The Committee pointed out that the Central Government are liable to remit money to the State Governments and asked whether outstanding money was given. To this, the representative stated that after the Subsidy Scheme was over, some units had gone to the Supreme Court. In December 1995, the Supreme Court laid down certain criteria saying that if the application, complete in all respects, is received by the Union before 30 September 1988, such cases must be considered. The Committee have also been informed that the Ministry of Industry have moved their Internal Finance Division to make requisite Budget Provision.

1.54 The Committee note that the assurance was given in 1994 by the Ministry of Industry, although the subject matter pertained to the Ministry of Finance. The Committee have been informed that there are 10 assurances on the subject matter in the name of Ministry of Finance. The Committee observe that the Ministry of Finance was reluctant to accept transfer of this assurance from the Ministry of Industry till the Committee directed the Ministries to appear before it and explain the position.

1.55 The initial reluctance on the part of the Ministry of Finance is strange as the task of identifying the backward districts and formulating the criteria was entrusted to the Finance Ministry and it had appointed two Committees for this purpose. The issue of identifying the backward districts is very important in the context of the development of the backward areas in the country and therefore, the Ministry of Finance and the Ministry of Industry should have jointly tried to speed up the implementation of the assurance given to Parliament. Instead, each Ministry tried to shift the responsibility to the other. This reflects poorly on the co-ordinated functioning of different Ministries of the Government.

1.56 The Committee further observe that there shall be close co-ordination and co-operation amongst Ministries concerned, especially, at a time when the subject is the concern of several Ministries. The Committee are of the view that in such cases, the nodal Ministry should be responsible for timely fulfilment of the assurance and initiate necessary action for avoiding delays in close co-ordination with other Ministry.

1.57 The Committee note that two different internal groups had separately identified 114 and 53 districts as industrially backward districts. The Committee further note that the Ministry of Finance were going to send an amended proposal to the Cabinet and notification on the subject would be out before the end of January 1997. The Committee are of the view that the Ministry of Finance would issue the notification by January 31, 1997

positively, as promised by the representative of that Ministry, so that action for implementation of assurance would be completed.

1.58 The Committee note that the Central investment subsidy scheme ceased to exist in 1988 and the Growth Centre Scheme came into existence in 1988, which emphasised the development of infrastructure, rather than using subsidy. Under this scheme growth centre would be set up with a total cost of Rs. 30 crores out of which the Centre would contribute Rs. 10 crores the State Rs. 5 crores and the financial institutions Rs. 5 crores. The rest was to be raised through market borrowings. The Committee have been informed that the financial institutions did not come forward to contribute their share and the Central Government had laid down a condition that unless the Financial institution contribute their share, the Centre would not release its share. The Committee are amazed that till 1994-95, the Central Government did not release its share, because the financial institutions did not come forward to contribute their share. Thus, a good seven years have passed without anything happening in regard to this important scheme. The Committee are unable to understand, why such a condition was laid down by the Central Government in the first place and then waited for long seven years to delink that condition. All this time the scheme was languishing resulting in no worthwhile industrial growth in the backward areas of the country. This shows extreme callousness on the part of the Government in dealing with a very crucial problem of industrial development of the backward areas. The Committee take serious note of it.

1.59 The Committee also note that the question about paying the outstanding amount of subsidy to the States till the scheme subsidy was abolished in 1988 is also very important. The Central Government is committed to pay this amount to the States. The Committee find that the Government was not very forthcoming on this issue. The matter was taken to the Supreme Court by some units and the Supreme Court laid down the criterion according to which all applications received by the Union before 30 September, 1988, which are complete in all respects, should be considered for payment.

1.60 The Committee note that financial institutions are governed by the Ministry of Finance. This would amount to whatever, is given by the right hand is taken away by the left hand. Enormous time has been consumed on a stipulated condition which Government could have easily overcome by yielding a little. The Committee observe that the Government are duty bound to fulfil the commitment and whatever subsidy was prescribed has to be given to States without further delay.

1.61 The Committee direct the Government to implement this assurance fully by this time and report back to the Committee at the earliest.

4. WELFARE OF WOMEN AND CHILDREN

1.62 On August 5, 1991, Shri Rajveer Singh, MP addressed the following Unstarred Question No. 293 to the Minister of Human Resource Development:—

- (a) "the new schemes under consideration of the Government for the Welfare of Women and Children during the year 1991;
- (b) whether the Government propose to provide special relief to the housewives under the self-employment scheme; and
- (c) if so, the details thereof?"

1.63 In reply, the then Minister of Human Resource Development (Shri Arjun Singh) stated as follows:—

- "(a) to (c) The Government is considering some new initiatives for the development of women and children. These include integrated programmes for the development of women, the establishment of a National Credit Fund for Women and the setting up of the office of the Commissioner for Women's Rights which will benefit all categories of eligible women including house-wives. The Integrated Child Development Scheme is being extended to cover adolescent girls in selected blocks."

1.64 The above reply was treated as assurance and was required to be implemented within three months of the date of reply i.e. by November 4, 1991.

1.65 As the assurance remained unfulfilled, the Committee on Government Assurances (1996-97) took oral evidence of the representative of the Ministry of Human Resource Development (Deptt. of Women & Child Development) on November 15, 1996.

1.66 The Committee were informed that an integrated project called "Indira Mahila Yojana" for development of women was launched in 200 blocks in various States of the Country from 20 August, 1995. During evidence, the Secretary, Department of Women and Child Development explained that the concept of "Indira Mahila Yojana" was to carve out a plan for women at the district level with resources for all the development sectors to be earmarked for women. It was further stated that the plan is based on the felt needs of the women. The survey is carried out according to the criteria of the risk of becoming poor not only because of poverty due to income but poverty due to lack of access to certain things like drinking water, sanitation, two meals a day, good house, illiteracy and unemployment in the family, drug addiction and being the member of SC or ST Community who are mostly poor. The Committee were further informed that after the survey is carried out homogenous groups of women comprising 200 or less women at Anganwadi level are formed. The group

is then told about the programmes that are available and how to have access to these facilities.

1.67 The Secretary further stated that simultaneously thrift has been promoted, amongst them and 'Rashtriya Mahila Kosh' (National Credit Fund for Women) has been set up in 1993 to give loans to Non Government Organisations who in turn give it to the individuals. The Committee were also informed that 'Rashtriya Mahila Kosh' has been catering to 130 NGOs covering 1,34,000 women in the country short term loan of Rs. 2000 to 3000 is given by the 'Rashtriya Mahila Kosh' to NGOs at eight per cent interest and the latter lend to individuals at 12 per cent. The Committee were also informed that a beneficiary can borrow up to Rs. 9000/-.

1.68 Asked whether it would be possible to have a unification in the matter of interest charged, so that the beneficiary could enjoy some benefit by being charged at the lowest possible rate of interest, the Secretary mentioned that NGOs have been advised to lend money to the individuals at the rate of 12 per cent. The Secretary explained that when it lends to a group, the rate of interest charged is between 12 per cent and 18 per cent to cover some overhead expenses.

1.69 The Committee were also informed that Rs. 30 crores for the project was given as one time money during the structural adjustment programme as a revolving fund.

1.70 When enquired whether the amount was sufficient to meet the requirements, the Committee were informed in negative. The Secretary explained that they have targetted to reach atleast one million groups and require a large amount of money.

1.71 The Committee were also informed that the Central Government have their own system of monitoring agency to watch the functioning of these NGOs. 'Rashtriya Mahila Kosh' Officers go for inspection and some retired officers have also been designated to visit those NGOs and report. The Committee were also informed that recovery of loan, given to women groups, was excellent.

1.72 On being asked whether the Government have come across any irregularity in regard to working of Rashtriya Mahila Kosh, the Secretary stated that there was no case of misappropriation. However, in Thiruvananthapuram, Kerala an organisation of fishermen, (Trivandrum District Fishermen Federation) (TDFF) was sanctioned loan by Rashtriya Mahila Kosh, which has not been repaid. Through OM No. 11016/1(9)/91-VC dated 9 December, 1996 of Ministry of Human Resource Development (Department of W & CD), it has further been stated that the TDFF had applied to RMK for the first time on 21st October, 1993 for a loan of Rs. 21.28 lakhs. After completion of necessary formalities, a loan of Rs. 21.00 lakhs was sanctioned to them on 30.12.93. This comprised S.T. loan of Rs. 16.50 lakhs and M.T. loan of Rs. 4.50 lakhs. The necessary

documents, viz. Agreement Deed, Guarantee Deed and Demand Promote were duly executed with TDFP. The above sanctioned amount was disbursed to TDFP in two instalments on 24.1.1994 and 11.3.1994.

1.73 TDFP applied for a repeat loan of Rs. 40.00 lakhs on 27.8.1994. After consideration of the application on amount of Rs. 34.00 lakhs, i.e. Short term loan of Rs. 25.00 lakhs and Medium-term loan of Rs. 9.00 lakhs, were sanctioned to TDFP on 30th Sept., 1994. Out of this sanction, the first instalment of Rs. 17 lakhs was released (S.T. Rs. 12.5 lakhs and M.T. Rs 4.5 lakhs) on 21st December, 1994. Thus, a total amount of Rs. 38.00 lakhs was disbursed to TDFP upto 21st December, 1994.

1.74 It has also been stated that the above said amount was to be repaid by TDFP as per repayment schedule sent to them at the time of disbursements. The TDFP was making payments upto December, 1995 and the last repayment was made on 2nd January, 1996. Out of loan of Rs. 38.00 lakhs disbursed to them TDFP repaid back an amount 22.77 lakhs, leaving a balance of Rs. 15.23 lakhs (principal) and Rs. 2,86,937 (interest) accrued upto September 1996.

Thus, the default by TDFP is as under:—

(1) Total loan disbursed to TDFP	Rs. 38.00 lakhs
(2) Repayments made by TDFP to RMK	Rs. 22.77 lakhs
(3) Balance due/overdue	Rs. 15.23 lakhs
(4) Interest accrued upto 3.9.1996	Rs. 2.87 lakhs
(5) Total due/overdue (i.e. 3+4)	Rs. 18.10 lakhs

1.75 The Committee have further been informed that a notice was sent to the organisation on 26 October, 1996 for recovery of due. As a result, a demand draft for Rs. 3.00 lakhs has been received by 'Rashtriya Mahila Kosh' on 2 December, 1996 and the organisation has promised to make further repayment in due course.

1.76 When pointed out that ICDS is being extended to cover adolescent girls and what was the latest position in this regard, the Secretary stated that in 500 blocks they have undertaken the programme. The adolescent girls are being given basic education on many matters. The Committee were also informed that in the Ninth Plan period, the programme would cover all the girls.

1.77 When it was pointed out that the assurance was given by the Government in 1991 and the programme would continue indefinitely, the Secretary stated:

"There are two parts to it. Technically, we can prescribe a date and close it. But at the ground level, it will be a continuous process."

1.78 When the Committee desired to know why so much delay had taken place in implementing all the projects when the assurance was given in 1991, the Secretary, Ministry of Human Resource Development (Deptt.

of Women and Child development) replied that the reason was that it was not that one Department decides. Whatever concept is framed, it is taken to the Planning Commission. After the Planning Commission has concurred, wherever, it has to be approved by the Expenditure Finance Committee or by the Cabinet, depending upon the cost of the programme. Thereafter all other Departments concerned are consulted. Sometimes, resources are not available and the Ministry might be advised to postpone the programme to next year. The Secretary, further stated that despite all odds, they could universalise the ICDS Programmes, launch Indira Mahila Yojana and conceptualise it.

1.79 When pointed out that the Committee are concerned with the results, the Secretary, Department of Women and Child Development stated that she would convey the Committee's direction to the concerned Ministries to take decision within the Eighth plan period.

1.80 As regard 'Commissioner for Women's Rights', the Secretary stated that they are waiting for the clearance of Expenditure Finance Commission (EFC). The Secretary also stated that with the setting up of 'Commissioner' for Women's Right, Special Officer as Commissioner in the States, as also at National level would be appointed to particularly monitor crimes against women and build up a network at the district level through a Committee system or through a Special Officer system so that there could be quick disposal of cases and better investigations.

1.81 When the Committee pointed out that already the National Commission for Women already exists and that NCW would support the proposal except for the meagre infrastructure that is being provided, the Secretary of the Department of Women and Child Development stated that there is no opposition, but there is a proposal to integrate the Women's Rights Commission and the National Commission for Women. One member of the NCW would be a Member of Women's Right Commission, the Secretary added.

1.82 On being asked, why it was delayed so much, the Secretary stated that there had been a lot of conceptualisation on the matter. During the last one year, she added that a lot of meetings were held even with the Home Ministry, which was questioning the need for a separate commission. The Committee were informed that the Department of Women and Child Labour apprised the Home Ministry that police was not acting adequately and some forum to monitor was needed to see how the police as well as the courts looked into the investigation of the cases of crime against women.

1.83 Asked whether it would not be overlapping on the normal law and order machinery, if the commission is provided with DIG and other officers, the Secretary stated that it would not be so.

1.84 When asked whether any such committee at district level has been formed, the Secretary stated that such a Committee has been formed in Rajasthan in the context of crimes against women.

1.85 The Committee note that assurance given in 1991 has now been partially fulfilled with the launching of Indira Mahila Yojana for development of Women in August 20, 1995 and creation of Rashtriya Mahila Kosh in 1993 to give loans to NGOs. The Committee appreciate the work being done under Indira Mahila Yojana and Rashtriya Mahila Kosh. The Committee however note that the Rashtriya Mahila Kosh has not been able to recover full loan sanctioned to Thiruvananthapuram District Fishermen Federation (TDFF). The Committee appreciate the efforts made by Rashtriya Mahila Kosh for recovery of loan. They may however be apprised about the progress in recovery of loan from this federation.

1.86 The Committee note that the Rashtriya Mahila Kosh has been catering to 130 NGOs covering 1,34,000 Women in the country with a sum of Rs. 30 crores given as one time money. The Committee note that the Rashtriya Mahila Kosh have targetted to reach atleast one million group and needed more money. The Committee desire that the Government would provide more money for the project.

1.87 The Committee note that the ICDS has been extended only to 500 blocks in the country. The Committee desire that efforts to cover adolescent girls under ICDS in the country be made at the earliest so that the assurance is implemented without further delay.

1.88 The Committee note that the Government have decided to integrate both the Commissioner for Women's Rights and Women's Rights Commission. The Committee also note that police is not adequate and some forum to monitor is needed to see how the police as well as the courts looked into the investigation of the cases of crime against women. The Committee, however are not happy with the Government for taking such a long time in deciding the matter. The Committee are of the view that the Government would finalise the matter within the Eighth Plan period.

1.89 The Committee express their displeasure in shifting responsibility from one Ministry to other Ministry and desire that concerted efforts should be made to expedite implementation of the assurance. The Committee are concerned with the results and direct that the concerned Ministries should be informed accordingly.

5. CENTRAL LEGISLATION ON LANDLESS AGRICULTURAL WORKERS

1.90 On March 14, 1990 Shri Ram Sajiwan, MP addressed the following unstarred question No. 373 to Minister of Labour:—

- “(a) Whether Government have accepted in principle the need to bring forward a Central Legislation on Landless Agricultural Workers; and

(b) if so, the steps being taken in this regard?"

1.91 In reply, the then Minister of Labour and Welfare (Shri Ram Vilas Paswan) stated as follows:—

“(a) Central legislation for Agricultural Workers was one of the recommendations made at the National Seminar on Agricultural Workers held recently;

(b) This is under consideration.”

1.92 The reply given at (b) was treated as assurance and was required to be implemented within three months of the date of reply *i.e.*, by June 13, 1990.

1.93 As the assurance remained unfulfilled, the Committee on Government Assurances (1996-97) took oral evidence of the representative of the Ministry of Labour on November 15, 1996.

1.94 During evidence, the Committee desired to know about the progress made in respect of the preparation of a draft Bill regarding Landless Agricultural Labourers and the salient features contained therein.

1.95 In reply, the Secretary in the Ministry of Labour explained that draft Bill is under the scrutiny of Legislative Department and the Department of Legal Affairs. The representative from the Ministry of Labour added that Union Labour Minister had called an all-party meeting on 21st August, 1996. The salient features of the proposed legislation were placed before the representatives of various political parties at the meeting and they had unanimously, and whole heartedly endorsed the proposal.

1.96 The salient features of the proposed legislation, as indicated by the Secretary, are as follows:—

- “(i) It provides for a machinery for registration of the agricultural labour with a view to securing and documenting an authentic enumeration.
- (ii) It provides for a mechanism for timely, peaceful and amicable settlement of disputes between the landlords and the agricultural workers in relation to terms and conditions of services of employment; and
- (iii) It Provides for an enabling provision for constitution of a welfare fund by way of levy of cess for agricultural workers with a view to provide certain welfare amenities and facilities, such as housing, medical aid, education for children of agricultural workers, group insurance, maternity benefits etc.”

1.97 The Committee were informed that during the winter session 1996, the Bill is likely to be introduced. However, the matter is pending with Ministry of Law, as there was a constitutional hitch. (*Vide* Ministry of Labour, OM NO. H-11016/2/90-RW, dated 6th December, 1996.)

1.98 On being asked by the Committee about the areas where maximum flexibility would be incorporated in respect of States in the event of consensus with regard to the rights and privileges of the labourers, the Secretary mentioned that both the Union Government and State Governments have been empowered to enact legislation. It was also informed that matters relating to labour is in 'Concurrent List' of the distribution of powers and certain important aspects relating to conditions of employment and service of agricultural workers largely fall on the States. The Secretary also stated that as per the recommendations of the Minimum Wages Act, most of the State Governments and Union Territories have fixed or revised the minimum wages for agricultural workers and hours of work have also been laid down which should not exceed eight hours, with the provision of break and weekly off. The Secretary informed that Kerala and Tripura already have the law on the subject. It was stated that since 1975, extensive consultations were held with the State Governments and Union Territories through a number of *fora*, such as standing Labour Committee, Indian Labour Conference and Labour Minister's conference for a Central Legislation on the subject. However, States have different opinions on the issue. Some States are of the view that 'Minimum Wages Act' has taken care of minimum wages and the hours of work. Other States feel that conditions in all the States are not uniform. Some of them fall in the irrigated belts and some of them fall in the non-irrigated belts and varying geographical conditions prevail in different States and they have already several laws for agricultural workers but these are not fully implemented. In spite of these varying perceptions, the Secretary indicated that it will be their endeavour to enact a Central legislation, as the Minimum Wages Act do not cover all the aspects of conditions of employment and services affecting the working and living conditions of agricultural workers. It was also stated by the Secretary that Central legislation on agricultural workers envisage the provisions for the enumeration of workers, their welfare, amenities and other facilities.

1.99 When asked by the Committee to clarify regarding the constitution of a Welfare Fund by levy of cess, the Secretary stated that the fund will be by way of cess contributed by landlord. When asked whether it will be fixed at State or National level, the Secretary clarified that the law is expected to be a simple piece of legislation. Asked whether it will be implemented at national level, the Secretary stated:

"For that Committee will be constituted it will be left to the legislature."

1.100 The Committee were also informed during evidence that levy of cess for constitution of a 'Welfare Fund' is a subject matter, which falls within the purview of the States.

1.101 The Secretary indicated that there had been varying perceptions amongst the States with respect to welfare implementation programme, but

no where in the country, there is an 'Employment Guarantee Programme'. It was further added that workers in search of better employment migrate from one place to another.

1.102 The Committee enquired about the points which were discussed during the All Party meeting held earlier in the forenoon. The Committee felt that the Act would include broad provision and some of the sections of the act will be implemented after the State Government issue notification from time to time.

1.103 When the Committee pointed out that Government had taken long time in bringing the legislation, the Secretary informed the Committee that after obtaining the mandate at the All Party Meeting held on 21 August, 1996, a Cabinet note of 100 pages containing *inter-alia*, the resume of consultation with various Ministries and State Governments, has been prepared. As regard the question of levy of cess, the matter was placed before the representatives of political parties to seek their alternative suggestions and ideas. When asked by the Committee whether it would be mandatory on the part of States to implement the legislation after it is enacted, the Secretary elaborated about three alternatives *viz.*, (i) Uniform Legislation for all the States; (ii) Drafting of the Bill after incorporating all the proposals for Cabinet's approval and then circulation of the Bill to the States for adoption as a model; and (iii) Dropping of the Bill. He further expressed that experience shows that adoption of model law by States did not come upto their expectations, as except Haryana, all other States, more or less, were against the Central legislation.

1.104 The Committee note that while answering Lok Sabha Unstarred Question No. 373 on 14th March, 1990, the House was informed that Central legislation on landless agricultural workers was one of the recommendations made at a National Seminar on agricultural workers and the recommendation was under consideration of the Government. About six years have passed since then, but the bill is yet to be received. The Committee further note that much time has been spent in sorting out the matter with different concerned agencies.

1.105 The Committee also note that the Cabinet at their meeting held on 25 September, 1996 have desired that the bill should be drafted and placed before it.

1.106 The Committee are of the view that the Government have taken an unduly long time to frame the legislation. While appreciating the procedural aspects involved, the Committee recommend that the Government should now be ready with the draft bill, and Central Legislation on landless Agricultural workers should soon be introduced in Parliament. The Committee hope that Legislation will make adequate provisions for the health, education and welfare of children of the agricultural workers.

6. CHILD LABOUR

1.107 On December 9, 1994 Shri Basudeb Acharia M.P. addressed the following Unstarred Question No. 576 to Minister of Labour:—

- “(a) Whether the Government propose to amend the Child Labour (Prohibition and Regulation) Act, 1986 in order to plug the loopholes in the present Act; and
(b) if so, the details thereof?”

1.108 In reply the then Minister of State in the Ministry of Labour (Shri P.A. Sangma) stated as follows:—

- “(a) & (b): A proposal to amend the Child Labour (Prohibition and Regulation) Act, 1986 is under active consideration of Government to make the provisions of the Act more stringent.”

1.109 On December 23, 1994, Kumari Frida Topno and Sarvashri Manikrao Hodlya Gavit, Bolla Bulli Ramaiah, M.V.V.S. Murthi, Bapu Hari Chaure, Parasram Bhardwaj, Shiv Sharan Verma and Chinmayanand Swami addressed Unstarred Question No. 2560 on the same subject to the Minister of Labour:—

- “(a) whether the Government have conducted any survey on employment of child labour in small scale industries like carpet, cracker, leather and handloom industries;
(b) if so, the details thereof, State-wise;
(c) the steps taken by the Government for education, training and welfare of the child labour;
(d) whether there has been any intensified action programme against child labour to be achieved with a specified time frame; and
(e) if so, the details thereof?”

1.110 In reply, the then Minister of State in the Ministry of Labour (Shri P.A. Sangma) stated as follows:—

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

1.111 The replies given to the questions were treated as assurances and were required to be fulfilled within three months of the dates of replies *i.e.*, by March 8, 1995 and March 22, 1995, respectively.

1.112 As the assurances remained unfulfilled, the Committee on Government Assurances (1996-97) took oral evidence of representative of Ministry of Labour on November 15, 1996.

1.113 The Committee desired to know the position about both the questions instead of going into generic things. The Committee also drew the attention of the Secretary that India has also given an assurance to the

U.N. about the follow up action of the Child Summit, promising that the same will be vigorously pursued. The Secretary elaborated the history of Acts pertaining to Child-Labour. In this regard, he mentioned about the first law on Child Labour i.e., 'Pledging of Children Act, 1933' under which the services of no child could be pledged to outsiders without the tacit consent of parents but due to the poverty and helplessness, this Act could not succeed. He said that in 1938, Employment of Children Act, was enacted, which was again a very restrictive piece of legislation concerning both prohibition and regulation of child labour in employment/service. This piece of legislation was replaced by child labour (Prohibition and Regulation) Act, 1986 which is presently in force. It was stated by the Secretary that present legislation is about prohibition and the legislation which prevents employment of children in hazardous occupations as mentioned in the appendix to the act. It was further added by Secretary that there are seven hazardous occupations like transportation of passenger goods, cinder packing, children working in catering establishment of Railways, (where movement of vendor is involved from one platform to another), work relating to construction of railway stations, port areas, work relating to selling of fire crackers in shops with temporary licences, etc.

1.114 The Secretary also informed the Committee that in addition to the above mentioned hazardous occupations, there are 18 processes, where child labour is prohibited, like Beedi-making, carpet weaving, packing of cement bags, dyeing, manufacturing of matches, mica cutting, soap making, wool cleaning, manufacturing of slate pencils industries, where toxic metals like lead, benzene etc., are used. He added that Child Labour is also prohibited in units like printing, cashewnut deseeding, soldering in electronic industries. According to the Secretary, the law in force is tolerant of child labour, prohibiting the same only in certain specific hazardous industries. When asked by the Committee, why quarries have not been included in the hazardous/prohibited industries, the Secretary stated that authoritative and authentic data about the working of exact number of children in quarry is not available with them. Besides, he added that quarrying comes under the Mines Act, where employment of children below the age of 14 years has been prohibited.

1.115 On being asked by the Committee about the hurdles in implementing the Child Labour Act, in spite of several laws in operation, the Secretary stated that there were several hurdles faced by the Government. Firstly, the object of the law is to fight against employment of children in hazardous industries. However, regulations are made in respect of welfare activities. This dichotomy has posed a great problem and India has become the object of criticisms in international fora. Secondly, no accurate data are available about actual number of working children. Thirdly, the protection of the children from employment is the responsibility of the State. Except some industries like mining, quarries

and railways, the enforcement of rules comes under the sphere of State Governments.

1.116 The Committee were informed that earlier several suggestions were received for bringing about amendments to Child Labour (Prohibition Regulation). Act, but these were more in the nature of tinkering with the law rather than bringing anything radical in nature. It was the CMP, which finally changed the attitude of those, who sought amendment in the Act. The Secretary thereafter dwelt upon the Common Minimum Programme, which speaks in terms of total elimination of child labour in all industries, occupations and processes giving new thinking to go in for a legislation for the total elimination of child labour, universal enrolment and participation of children in school systems — a conjunctive approach bringing within its purview several Ministries. He added that unless and until the Government have succeeded in providing a mechanism, which helps in the participation of children in schools and lead to their becoming a productive adult, mere enacting a legislation to prohibit employment of children will not produce any commendable results. At this, the Committee observed that a specific assurance has been given in the House with respect to the rehabilitation of children. It has been mentioned in the report of Ministry of Labour that new programme of rehabilitation was launched in August, 1994. Under the programme, a total of 20 lakh children are sought to be brought out of hazardous industries and put in special schools to enable them to become productive members of the society. The Committee desired to know the specific steps taken by the Government in implementing the assurance apart from launching various other programmes pertaining to child welfare. At this, the Secretary project announced by then Prime Minister on 15th August, 1994, 'Collectors Conference' was organised involving about 100 districts, where only translation of that announcement into practice was taken up. On being asked by the committee about the number of children, who will be given assistance and the number of schools to be opened and proposed to be opened under the programme, the Secretary replied that two million children working in hazardous employment will be put in special schools for rehabilitation and approximately 2500 special schools are to be opened. When asked by the Committee regarding the suggestion, which the Ministry has received in respect of revising the list of hazardous industries, the Secretary said that they have received some suggestions but the present thinking is to eliminate child-labour for those children, who are upto the age of 14 years. When asked by the Committee why the Act has not been implemented effectively in carpet industry, the Secretary gave reference to the 'District Child Labour Project Societies', headed by District Collectors, which have been formed in 76 districts to identify such projects, where welfare schemes for child labour are to be adopted. When asked by the Committee about the involvement of NGOs, Secretary informed that the matter is within the purview of District Child Labour Project Societies. There has been a move to mobilise NGOs in the

fields so that they can contribute to various aspects of the projects, like conducting of surveys, generation of awareness amongst parents of working children, opening of schools, imparting vocational training etc., so that children acquire certain skills, when they grow up, facilitating their entry into the mainstream of the society.

1.117 On being asked about the international fora which found fault with India with respect to the child labour, the Secretary lamented that International Labour Organisation is critical about our tolerance of the same as it prohibits child labour only in few hazardous processes, otherwise the law permits employment of child labour. Secondly, criticism is in respect of bonded labour as it has been their false motion that children who are working, have been reduced to the state of bonded labour. The Secretary further added that every working child is not bonded, as eighty five per cent of total working children, are working alongwith their parents, thirteen million children are working on agricultural land and in several allied and household occupations. The Committee were informed that 300 projects are required for rehabilitation of all working children, but due to various constraints, only 28 projects are in progress.

1.118 When asked by the Committee about the steps proposed to be taken for the eradication of poverty of parents by providing them job so that they do not send their children for doing labour, the Secretary said that in addition to parental poverty, two factors viz, illiteracy and unemployment are also responsible for sending children to work and not to school. It was therefore, stated that coordination of various Ministries and department is essential. In this regard, he emphasized the need for creation of a literate environment, as was done in Vietnam and Thailand, since it would help in sending the children to school despite poverty. as regards parental poverty, which is one of the contributory factors for perpetration of child labour, the Secretary stressed that the role of Ministry of Rural Areas and Employment becomes very crucial in this regard. If parental poverty is eliminated. then children will be free to join schools. The magnitude of unemployment amongst adults is so severe that a concerted attack against poverty is necessary. It was therefore, reiterated that for the elimination of child labour and parental poverty, the co-operation of Ministry of Rural Areas & Employment, Ministry of Human Resource Development and Ministry of Urban Affairs is imperative.

1.119 The Secretary further stated that after launching the mid-day meal programme, the enrolment of children has gone up in the schools. There is still problem with those parents, who do not send their children to schools, though preferential treatment is given in poverty alleviation programme to those who are below poverty line and whose children work.

1.120 When enquired about the survey made by the Ministry of Labour to know the extent of implementation of Child Labour Act, the Secretary

informed the Committee that Rs. 1,90,000/- has been sanctioned to undertake survey in 76 districts and survey has been completed in 65 per cent of such districts. When asked by the Committee about the number of Children, who have been brought out of hazardous jobs, the Secretary added that about 1.25 lakh children have been brought out of hazardous jobs and promised to give a detailed report on this point in due course, as it is subject to sanction by the Ministry of Finance.

1.121 The Committee were informed by the Secretary that with a view to give a boost to the elimination of child labour, a 15 page printed document has been issued to all the 'District Child Labour Societies' indicating what they should do. The matter has also been discussed in all zonal Labour Conference. Further, Chief Secretaries of States have been asked to treat the matter as National issue in which the participation of all concerned is imperative.

1.122 Finally, the Committee desired to know the names of States, which are cooperating on the issue so that the matter can be taken up by the Committee with the States concerned. At this, the Secretary assured the Committee that detailed note will be furnished in due course.

1.123 The Committee note that in spite of various laws on the Prohibition of Child Labour in hazardous industrial processes, the Government have failed to implement them vigorously. The Committee feel that all the State Governments should cooperate in implementing the Child Labour (Prohibition and Regulation) Act effectively.

1.124 The Committee desire that concrete steps should be taken by the Government for bringing children out of hazardous industries and put them in special schools to enable them to become productive members of the society and the programmes, which have been launched for the aforesaid purpose, should be augmented.

1.125 From the evidence and documents given to the Committee, it is observed that in certain industries, there have been instances of employment of Child Labour. The Committee note that all legislations now in force are mainly regulatory in nature so far Child Labour is concerned, and not prohibitory. The Committee recommend that Government should frame a comprehensive legislation for eradication of Child Labour in hazardous industries. The Committee further recommend that all lacunae in the laws should be removed. The Committee direct the Government to take a serious view wherever there is a violation of the law against the Child Labour and deal strictly with those who are found guilty. The Government should ensure adequate security for those, children wherever they are legally eking out their livelihood.

1.126 Under no circumstances, the Committee feel that children should be allowed to work under hazardous conditions.

1.127 Government should draw a comprehensive scheme to eradicate poverty, as poverty is the primary cause of the existence of Child Labour in the country.

CHAPTER II

A. REQUEST FOR DROPPING OF ASSURANCES

(Not accepted and pending)

(1) RANGARAJAN COMMITTEE REPORT

2.1 On August 18, 1993 Sarvashri Mohan Rawale, Anantrao Deshmukh and Manoranjan Bhakta, MPs addressed the following Unstarred Question No. 3422 to the Prime Minister:—

- “(a) whether the Rangarajan Committee on disinvestment of shares of Public Sector Undertakings has since submitted its report to the Government;
- (b) if so, the salient features of the recommendations made by the Committee; and
- (c) the reaction of the Government thereto?”

2.2 In reply, the then Minister of State in the Ministry of Industry (Shrimati Krishna Sahi) stated as follows:—

- “(a), (b)&(c): The Rangarajan Committee on disinvestment of PSU shares has since submitted its report to the Government which is under examination. The Committee has recommended, *inter-alia* about the percentage of disinvestment to be done for industries under reserved and non reserved categories, the preparatory steps to be taken by the Government, target clientele to whom shares should be sold, valuation of shares etc.”

2.3 On February 23, 1994, Shrimati Dipika H. Topiwala, M.P. addressed the following Starred Question No. 27 on the same subject to the Prime Minister:—

- “(a) Whether the Government propose to set up a Standing Committee on disinvestment of Public Sector Undertakings recommended by the Rangarajan Committee;
- (b) if so, the time by which the Committee is likely to be set up;
- (c) whether the Government have finalised the terms and conditions of the Committee; and
- (d) if so, the details, thereof;”

2.4 In reply, the then Minister of State in the Ministry of Industry (Shrimati Krishna Sahi) stated as follows:—

- “(a) to (d): The report of the Rangarajan Committee is under examination of the Government”.

2.5 Replies to both the Questions were treated as assurances and were required to be implemented by the Ministry of Industry within three months of the date of reply given by the Minister *i.e.* by November 17, 1993 and May 22, 1994 respectively.

2.6 The Ministry of Parliamentary Affairs *vide* their U.O. Note No. VII/2nd (ii) USQ — 3422—LS/93 dated 9.1.1996 had forwarded a communication of the Ministry of Industry (Department of Public Enterprises) for consideration by the Committee:—

“This department had taken up the matter with Ministry of Finance in regard to liquidation of the assurances. They have informed that Government’s decision on the recommendations of the Rangarajan Committee has not yet been finalised. Under the circumstances, Department of Public Enterprises is not in a position to liquidate these assurances.”

2.7 The Committee considered the note received from the Ministry of Industry at their sitting held on October 1, 1996 but did not agree to drop the subject matter as the entire matter was dependent on the recommendations of Rangarajan Committee on Disinvestment of Public Undertakings share which have not yet been finalised.

2.8 The Committee note that the Report of Rangarajan Committee on disinvestment of Public Undertakings Shares was under examination by the Government when the replies to USQ No. 3422 & SQ No. 27 on the subject were given on August 18, 1993 and February 23, 1994 respectively. The Committee are, however, surprised that the Government have not yet been able to finalise examination of the Rangarajan Committee Report.

2.9 The Committee note that the replies to aforesaid questions were given on August 18, 1993 and February 23, 1994 respectively. In the reply given to SQ No. 27, Government have only informed that the Report of the Rangarajan Committee is still under examination. The Committee are constrained to state that much time has been taken by the Ministry of Finance for finalisation of the Report. The Committee are concerned by the move for liquidation of the assurances initiated by the Ministry of Industry, which had not spelt out adequately reasons for their inability to fulfil the assurances.

2.10 The Committee will like to know about the salient features of the recommendations of the Rangarajan Committee, particularly the percentage of disinvestment to be done for industries under reserved and non-reserved categories, the preparatory steps to be taken by the Government, target clientele to whom shares should be sold, valuation of shares, etc. The Committee will also like to know whether the Government had decided to

set up a Standing Committee on Disinvestment of P.S.U., and if so, the details thereof. The Committee recommend that the Ministry should finalise the report at the earliest and furnish all the relevant details to the Ministry of Industry to enable them to fulfil the assurance without further loss of time. The Committee would like to hear in this regard from both the Ministries at an early date.

(2) COMPENSATION TO ROBBERY VICTIMS

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

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

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

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

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

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

“(i) Under Section 17 (b) of the Railway Claims Tribunal Act, 1987, the next of kin of the dead or injured or the authorised agent is required to file the claim with the Railway Claims Tribunal within one year from the date of accident. An application can be entertained even after one year, if the applicant satisfy the Tribunal that he had sufficient cause for not making the application within such period. This incident happened on 21.6.1995. The claimant may, therefore, file claims even after 20.6.1996.

(ii) After filing of the claims, cases are adjudicated by Railway Claims Tribunal based on evidence and facts, whcih may take longer time to decide cases.

(iii) Railway Claims Tribunal is a judicial body and Ministry of Railways cannot give any direction to them to expedite disposal of cases.

(iv) The cases at times are delayed for judgements by the Tribunal for:—

- (a) non-attendance of applicants or by their counsels;
- (b) Adjournment sought by applicants/counsels in producing their witnesses or evidence; and
- (c) dispute in determination of legal heirship of the deceased and adjournments sought to get the certificates from the Civil Court.”

2.15 The Committee considered the request of the Ministry of Railways at their sitting held on October 1, 1996, but were unable to see any cogent reasons for dropping of the assurance. The Chairman personally addressed a letter to the Minister of Railways with a view to knowing the number of claimants till date and the latest position of claimants for compensation of Railway robbery incident, which took place in Purushottam Express on 21 June, 1995 *vide* [D.O.P. No. 12/1(1)/96—Q (CGA) dated 30 October, 1996.]

2.16 The Committee note that claims were still being filed in August, 1995 when Government was asked about the amount of compensation paid to affected people in the incident of robbery, which took place in Purushottam Express on 21 June, 1995 near Gaya Station in Bihar. The Committee, however, do not understand why the Government, instead of simply furnishing the details of compensation amount paid to the affected people, came with a request for dropping of the assurance. The Committee want the Government to furnish urgently the number of claimants who filed for compensation till date as desired also in the letter addressed by the Chairman to the Railway Minister *vide* D.O.No. 12/1(1)/96-Q(CG A) dated 30 October, 1996. The Committee would like the Government to make payment to victims of railway incident expeditiously and also extend all facilities to them for filing of claims and completion of other formalities required in this regard. The Government shall report back to the Committee about further necessary action taken by them in this regard.

(3) LIBRARY OF INDIAN COUNCIL OF WORLD AFFAIRS

2.17 On August 14, 1995 Shri Anna Joshi, MP addressed the following Unstarred Question No. 1869 to the Minister of External Affairs:—

- “(a) whether the condition of world re-known library of Indian Council of World Affairs is deteriorating day-by-day:
- (b) if so, whether the Government propose to take any remedial steps to save the library; and
- (c) if so, the details thereof;”

2.18 In reply, the then Minister of State in the Ministry of External Affairs (Shri R.L. Bhatia) stated as follows:—

“(a), (b) & (c): For quite some time, complaints have been received from Members of Parliament regarding deterioration in the condition of the library of Indian Council of World Affairs (ICWA), loss of precious books from the library, etc. The ICWA is an autonomous body registered under the Registration of Societies Act and as such the Ministry of External Affairs has no control over its functioning. However, with a view to improving the all round functioning of the ICWA, the Ministry has been proposing to the President of ICWA to request the governing body of the Council to pass a resolution for the

constitution of a high powered Committee. The President of the ICWA was approached again recently and the Ministry is awaiting his response."

2.19 The above reply was treated as an assurance and was required to be implemented by the Ministry of External Affairs within three months of the date of reply given by the Minister *i.e.* by November 13, 1995.

2.20 The Ministry of Parliamentary Affairs *vide* their U.O. No. XIV/EA(6) USQ—1869—LS/95 dated October 31, 1995 have forwarded a request of the Ministry of External Affairs for dropping of the assurance on the following grounds:—

"It is somewhat difficult to understand as to how a part of the reply given *i.e.*, "President of the ICWA was approached again recently and the Ministry is awaiting his response", can be treated as an Assurance because the reply did not say that the matter was under consideration or that the information was being collected or that within a specified time the reply from the President would be received which would result in improving the condition of the library of the ICWA. Since part (b) of the question had asked about remedial steps proposed to be undertaken by the Government, the reply of this Ministry was to inform the Hon'ble Member that the Government was already in touch with the President of the ICWA.

In view of the explanation provided above, it is requested that the reply of the Ministry of External Affairs should not be treated as an Assurance because this Ministry is not in a position to ensure that the reply of the President of the ICWA will be received within a specified time-frame. As already stated in the earlier part of the reply, the ICWA is an autonomous body registered under the Registration of Societies Act and as such the Ministry of External Affairs has no control over its functioning. To that extent, the President of the ICWA may or may not favour this Ministry with a response to the communication addressed to him. Accordingly, it will not be prudent to consider the reply of this Ministry as an Assurance."

2.21 The Committee considered the request of the Ministry at their sitting held on October 25, 1996 and did not agree to the view of the Ministry of External Affairs that "President of the ICWA was approached again recently and the Ministry is awaiting his response", should not be treated as an assurance and be dropped. The Committee, however, decided that a communication be sent to the Foreign Secretary requesting him to pursue the matter vigorously with ICWA and communicate the measures taken for information of the Committee.

2.22 The Committee observe that MPs have made complaints regarding deterioration in the condition of the library of Indian Council of World Affairs (ICWA) and loss of precious books from the library, etc. The Committee also note that the Ministry of External Affairs had been

proposing to the President of ICWA to request the Governing Body of the Council to pass a resolution for the constitution of a High Powered Committee to improve all round functioning of the ICWA.

2.23 Strangely, the Ministry has taken a position that it has not control over the Council, as it is a body registered under the Registration of Societies Act and is autonomous in nature. But the Committee find that the Union Government provides for grants-in aid to this Council in the Budget every year and the Parliament sanctions the money. The Committee, therefore, do not accept the position taken by the Ministry in so far as the Government's control over the council is concerned. The Committee are of the view that immediate necessary, remedial measures need to be taken to restore the prestige of this esteemed library.

2.24 The Committee would like the Ministry of external Affairs to apprise the Committee of the remedial steps taken to save the library at the earliest.

B. REQUEST FOR DROPPING OF ASSURANCES (*Accepted*)

(1) *IRBM Technology*

2.25 On May 4, 1994, Dr. Laxminarayan Pandey M.P. addressed the following Unstarred Question No. 6102 to the Prime Minister:—

“(a) whether project targets for the development of ‘Intermediate Range Ballistic Missiles’ (IRBM) have been accomplished with the recent successful test firing of Agni;

(b) whether the Government propose to carry forward the IRBM technology for the development of Inter Continental Ballistic Missiles (ICBM);

(c) if so, the details thereof;

(d) Whether the Government propose to develop and bid for a share in the expanding commercial satellites market; and

(e) if so, the details thereof and funds earmarked therefor?”

2.26 In reply, the then Minister of State in the Ministry of defence (Shri Mallikarjun) stated as follows:—

“(a) The Agni is not an Intermediate Range Ballistic Missile, but only a technology demonstration vehicle to establish re-entry technology;

(b) & (c) Government are examining the situation consequent to the successful Test Flights of Agni;

(d) Yes, Sir;

(e) Government has set up Antrix Corporation under the Department of Space to look after, among other things, the commercial exploitation of space products and services. Government has provided some seed money initially as share capital to help the corporation to start the activities.”

(II) Induction of Agni

2.27 on May 4, 1994, S/Shri Vijay Naval Patil and R. Anbarasu, M.Ps also addressed the following Unstarred Question No. 6150 to the Prime Minister:—

- “(a) the main specification of the “Agni” Missile and the expenditure incurred thereon so far;
- (b) Whether the Government propose to induct it in the Army;
- (c) if so, the details thereof and the time by which a final decision in this regard is likely to be taken; and
- (d) if not, the reasons therefor?”

2.28 In reply, the then Minister of State in the Ministry of Defence (Shri Mallikarjun) stated as follows:—

- “(a) Agni is not a missile system. It is a technology demonstration vehicle to establish manoeuvrable trajectory, re-entry and guidance technologies. About Rs. 55 crores have been spent on this project.
- (b) to (d): Government are examining the situation consequent to the successful test flight of Agni.”

2.29 Above replies were treated as assurances and were required to be implemented by the Ministry of Defence within three months of the date of replies given by the Minister *i.e.* by August 3, 1994.

2.30 The Ministry of Parliamentary Affairs *vide* their UO. Note Nos. IX/D(2)USQ—6102—LS/94 and IX-D(3)USQ—6150—LS/95 dated 9.1.1996 have forwarded the requests of the Ministry of Defence for dropping of the aforesaid assurances on the same grounds:—

“.....Agni Project envisaged development and demonstration of re-entry and related technologies. With the third flight test of technology of demonstrator vehicle, the projects AGNI was successfully completed. The enormous data generated from the flight tests was analysed. It has been concluded that development of competence in the area of re-entry and related technologies has given the country an option to develop, if required at a later date, a missile capable of delivering conventional warhead at longer ranges with adequate accuracy. However, the decision for undertaking development of such a missile system, if required by the Armed Forces, can be taken only at appropriate time and cannot be taken in pre-determined short term.”

2.31 The Committee considered the request of the Ministry of Defence at their sitting held on October 25, 1996 and decided not to pursue the matter further.

NEW DELHI;
December 12, 1996

Agrahayana 21, 1918 (Saka)

E. AHAMED
Chairman,
Committee on Government Assurances.

APPENDIX-I
MINUTES
FIRST SITTING

*Minutes of the Sitting of the Committee on Government Assurances held on
October 1, 1996 in Committee Room 'B', Parliament House Annexe,
New Delhi.*

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

PRESENT

Shri E. Ahamed — Chairman

MEMBERS

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

SECRETARIAT

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

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

3. Members were informed that prior to 1st December, 1953, there was no institutional arrangement to pursue assurances, promises, undertakings given by the Minister on the floor of the House. With the creation of the Committee by Speaker on 1st December, 1953, the problems have greatly been eased, as the Members were no longer required to follow-up the implementation of assurances in their individual capacity. Further, it has helped considerably in the effective and expeditious implementation of pending assurances. The Chairman also informed the Members that assurances do not lapse either on the dissolution of the Lok Sabha or expiry of the term of the Lok Sabha. These are continued to be pursued by Lok Sabha Secretariat as well as by Ministry of Parliamentary Affairs

till the Government have forwarded the implementation Report on each such pending assurances. He added that out of 9022, 2827 and 8567 assurances culled out during Eighth, Ninth and Tenth Lok Sabha respectively, the Committee would have to pursue 1439 pending assurances during its term. In his concluding note, the Chairman hoped that the Members would work together in a spirit of mutual co-operation and coordination and take an active interest in the working of the Committee despite their busy schedule. The members assured the Chairman full co-operation in the functioning of the Committee.

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

1. National Policy on Displaced Tribals and their Rehabilitation (USQ Nos. 238/24.2.88, 8539/8.5.89, 806/27.9.91, 3308/19.8.91, 1704/2.12.91 and 583/27.2.92).
2. Central Legislation on Landless Agricultural Workers (USQ No. 373/14.3.90).
3. Welfare Programme for Women and Children (SQ No. 293/5.8.91).
4. Women Employees Reservation (USQ No. 4819/28.8.91).
5. Deaths in Police Custody (USQ No. 6385/5.5.94).
6. Industrially Backward Districts (USQ No. 509/27.7.94).
7. Child Labour (USQ Nos. 576/9.12.94 and 2560/23.12.94).
8. Child Marriage (USQ No. 4171/3.5.95).
9. Welfare and Upliftment of Minorities (USQ Nos. 6153/18.5.95 and 6265/18.5.95)
10. Rehabilitation of Oustees (USQ No. 4505/4.5.95).
11. Demands for Ex-servicemen (USQ No. 429/15.3.95).

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

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

“(i) Under Section (b) of the Railway Claims Tribunal Act, 1987, the next of kin of the dead or injured or the authorised agent is required to file the claim with the Railway Claims Tribunal within one year from the date of accident. An application can be entertained even after one year, if the applicant satisfy the Tribunal that he had sufficient cause for not making the application within such period. This incident happened on 21.6.95. The Claimant may, therefore, file claims even after 20.6.96.

(ii) After filing of the claims, cases are adjudicated by Railway Tribunal based on evidence and facts, which may take longer time to decide cases.

(iii) Railway Claims Tribunal is a judicial body and Ministry of Railways cannot give any direction to them to expedite disposal of cases.

(iv) The cases at times are delayed for judgements by the Tribunal for:

- (a) Non-attendance of applicants or by their counsels;
- (b) Adjournment sought by applicants/counsels in producing their witnesses or evidence; and
- (c) Dispute in determination of legal heirship of the deceased and adjournments sought to get the certificates from the Civil Court.”

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

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

The Committee then adjourned.

APPENDIX-II
MINUTES
SECOND SITTING

Minutes of the Sitting of the Committee on Government Assurances held on October 25, 1996 in Chairman's Chamber (Room No. 143), Third Floor, Parliament House, New Delhi.

The Committee met on Friday, October 25, 1996 from 15.00 hours to 16.00 hours.

PRESENT

Shri E. Ahamed —*Chairman*

MEMBERS

2. Shri Rajendra Agnihotri
3. Shri Illiyas Azmi
4. Shri Dileep Singh Bhuria
5. Shrimati Bhavana Chikhalia
6. Shri Paban Singh Ghatowar
7. Shri Sanat Mehta
8. Shri Hannan Mollah
9. Dr. C. Silvera

SECRETARIAT

- | | |
|------------------------|----------------------------|
| 1. Smt. Reva Nayyar | — <i>Joint Secretary</i> |
| 2. Shri P.D.T. Achary | — <i>Director</i> |
| 3. Shri K. Chakraborty | — <i>Under Secretary</i> |
| 4. Km. J.C. Namchyo | — <i>Committee Officer</i> |

2. At the outset, the Committee took up for consideration Memoranda Nos. 3 and 4 regarding dropping of assurances.

- MEMORANDUM No. 3:** (i) Request for dropping of assurance given on May 4, 1994 in reply to USQ No. 6102 regarding R.B.M. Technology.
- (ii) Request for dropping of assurance given on May 4, 1996 in reply to USQ No. 6150 regarding induction of AGNI

3. The Committee took up for consideration the request for dropping of aforesaid assurances in pursuance of the communications received from the Ministry of Parliamentary Affairs *vide* their U.O. Note No. IX/U(2)USQ 6102 LS/94 and IX-D(3) USQ-6150-LS/95 dated 9.1.1996. The Ministry of

Parliamentary Affairs forwarded the requests of the Ministry of Defence for dropping of the aforesaid assurances on the following grounds:—

“..Agni Project envisaged development and demonstration of re-entry and related technologies. With the third flight test of technology of demonstrator vehicle, the project AGNI was successfully completed. The enormous data generated from the flight tests was analysed. It has been concluded that development of competence in the area of re-entry and related technologies has given the country an option to develop, if required at a later date, a missile capable of delivering conventional warhead at longer ranges with adequate accuracy. However, the decision for undertaking development of such a missile system, if required by the Armed Forces, can be taken only at appropriate time and cannot be taken in pre-determined short term.”

4. The Committee were of the view that the above assurances may not be pursued further in view of the cogent reasons indicated by the Ministry of Defence.

MEMORANDUM No. 4: Request for dropping of assurance given on August 14, 1995 in reply to USQ No. 1869 regarding Library of Indian Council of World Affairs.

The Ministry of Parliamentary Affairs *vide* their O.M. No. XIV-EA (USQ-1869-LS/95 dated 31-10-95 had forwarded a request from the Ministry of External Affairs for dropping of the aforesaid assurance primarily, because ICWA being an autonomous body registered under the Registration of Societies Act, Ministry of External Affairs have no control over its functioning.

The Committee noted that complaints have been received from several Members in the past regarding deterioration in the condition of Library of Indian Council of World Affairs (I.C.W.A.). The Committee also noted that the Ministry of External Affairs has been proposing to the President of ICWA to request the Governing Body of the Council to pass a resolution for the constitution of a High Powered Committee. However, nothing was heard in this regard by the Ministry of External Affairs from the President, ICWA. The Committee did not agree to the view of the Ministry of External Affairs that a part of reply given *i.e.* “President of the ICWA was approached again recently and the Ministry is awaiting his response,” should not be treated as an assurance. The Committee further noted that ICWA receives financial assistance from the Union Government and there is a regular budgetary provision for grant-in-aid in favour of this organisation. It was felt that the deteriorating condition of the Library of

ICWA called for immediate necessary remedial measures. The Chairman was, therefore, of the view that there should be communication from the Secretariat to the Secretary, Ministry of External Affairs, asking them to pursue the matter vigorously with ICWA and communicate the ameliorative measures taken for information of the Committee.

The Committee, thereafter, took up the list of points for finalisation for discussion with the representatives of the seven Ministries viz. :—

- (i) Defence—regarding Demands for Ex-Servicemen (USQ No. 429/15.3.95)
- (ii) Home Affairs—regarding Deaths in Police Custody (USQ No. 6385/5.5.94)
- (iii) Human Resource Development—regarding Welfare Programme for Women and Children (SQ No. 293/5.8.91)
- (iv) Labour—regarding Central Legislation on Landless Agricultural Workers (USQ No. 373/14.3.90) and Child Labour (USQ No. 576/9.12.94)
- (v) Law & Justice—regarding Child Marriage (USQ No. 4171/3.5.95)
- (vi) Personnel, Public Grievances & Pensions—regarding Women Employees Reservation (USQ No. 4819/28.8.91)
- (vii) Welfare—regarding National Policy on Displaced Tribals and their Rehabilitation (USQ Nos. 238/24.2.88, 8539/8.5.89, 806/27.9.91 3308/19.8.91, 1704/2.12.91 and 583/27.2.92), Welfare and Upliftment of Minorities (USQ No. 6153/18.5.95 and 6265/18.5.95 and Rehabilitation of Oustees (USQ No. 4505/4.5.95).

The list of points were approved by the Committee and it was decided that the representatives of the following Ministries should be called for evidence on 15th November, 1996:—

- (i) Ministry of Labour: regarding assurances arising out of the replies given to USQ No. 373 on March 14, 1990 pertaining to Central Legislation on Landless Agricultural Workers and USQ Nos. 576 and 2560 regarding Child Labour replied on December 9, 1994 and December 23, 1994 respectively.
- (ii) Ministry of Human Resource Development: (Deptt. of Women and Child Development) regarding assurance arising out of the reply given to SQ No. 293 on August 5, 1996 regarding Welfare of Women and Children.

The Committee were informed that there is a dispute between the Ministry of Industry and the Ministry of Finance over the implementation of the assurance given in pursuance of the reply given to Unstarred Question No. 509 on 27.7.94 concerning industrially backward districts. Though the assurance was originally given by the Ministry of Industry, however, they have not fulfilled the same so far. The Ministry of Industry,

vide their letter No. 1(9)/94—DIA—II dt. February 1, 1995 had requested the Ministry of Finance (Deptt. of Revenue) to fulfill the assurance, as according to them the matter falls within the purview of Ministry of Finance. In this regard, the Committee desired that the representatives of both the Ministries should also be invited on 15th November, 1996 to clarify their position before the Committee and to decide about the nodal Ministry responsible for implementation of the assurance.

The Committee then adjourned.

APPENDIX-III
MINUTES
THIRD SITTING

Minutes of the sitting of the Committee on Government Assurances held on November 15, 1996 in Committee Room No. 'E' Parliament House Annexe, New Delhi

The Committee met on Friday, November 15, 1996 from 11.00 A.M. to 11.45 A.M.

PRESENT

Shri E. Ahamed —*Chairman*

MEMBERS

2. Shri Mukhtar Anoes
3. Shri Dileep Singh Bhuria
4. Dr. C. Silvera

SECRETARIAT

1. Smt. Reva Nayyar — *Joint Secretary*
2. Shri P.D.T. Achary — *Director*
3. Shri K. Chakraborty— *Under Secretary*

MINISTRY OF FINANCE

1. Shri S.N. Shende, Member, CBDT
2. Shri K.D. Gupta, Joint Secretary

MINISTRY OF INDUSTRY

1. Smt. Pratibha Karan, Joint Secretary
2. Shri Vineet Ohra, Director

2. The Committee took oral evidence of the representatives of the Ministry of Industry and the Ministry of Finance in connection with non-implementation of an assurance given in reply to USQ No. 5091 on July 27, 1994 about Industrially backward Districts by the Minister of Industry.

3. At the outset, the Chairman allowed the Secretary, Ministry of Industry (Shri N. Mohanty) from personally deposing before the Committee as the Ministry of Finance had accepted transfer of the assurance from the Ministry of Industry. The Ministry of Industry, was, however, represented by the Joint Secretary, Smt. Pratibha Karan.

4. The Committee, thereafter, enquired from the representative of the Ministry of Finance about the progress made by the group set up to identify the backward districts that would qualify for income tax holiday.

5. In reply, the representative of the Ministry of Finance (Shri K.D. Gupta) explained that an Internal Group comprising of the then Additional Secretary, Department of Revenue as Chairman and 5 other members had been set up to consider all aspects relating to the subject matter. The report submitted by that group in October 1994 had identified 114 districts as backward districts, but it was not accepted by the Government the representative added. The Government, thereafter, referred the matter to another group headed by another Additional Secretary, Department of Revenue. The Economic Advisor in the Ministry of Finance and two other Members were the constituents of that group. The Committee were informed that 53 districts were recommended by that group to be notified as backward districts in its report submitted in March, 1996. The representative also stated that the Minister of Finance considered both the reports submitted by these Groups, but did not include the number of districts identified by these groups in the amended proposal being sent to the Cabinet. The Committee were also informed that 10 assurances on the subject were pending and the representative requested for extension of time upto January 31, 1997 for fulfilment of these assurances.

6. The representative of the Ministry of Finance further stated that once the list was out, the industries could come up in those districts and already existing industries would be eligible for tax holiday.

7. When asked whether the decision would be implemented with retrospective effect, the representative of the Ministry of Finance replied that the notification will come into effect from October 1, 1994.

8. To a query as to whether the categorisation of backward districts was done as 'No Industries District', 'Most Backward District' and 'Less Backward District' and whether the district so categorised would be given 25 percent subsidy respectively and whether those districts have been included in the list, the representative stated that all North-Eastern States, Himachal Pradesh, Jammu & Kashmir and the Union Territories have been categorised as backward States and in addition to that, these districts would be notified.

9. When the Committee mentioned that there are certain districts which have already been notified and whether 'No Industry District', would be given 25 per cent subsidy, the representative of the Ministry of Finance replied that already a provision exists under another Section of II Act and that matter would be taken care of by the Ministry of Industry. It was

further clarified that under the provision, when any industry is established and when it starts functioning under these specified districts for the first five years, they will pay no tax at all and for another next five years, those industries would get a deduction of 25 per cent for non-government assesseees and government assesseees respectively from their taxable profits.

10. Thereafter, the Committee were informed that the Ministry of Industry were implementing two schemes-namely, (1) Growth Centre Scheme and (2) Transport Subsidy Scheme.

11. The Committee were also informed that the growth centre scheme came into existence in 1988 and it was a centrally sponsored scheme under which the Central Government contributes Rs. 10 crore. It was also stated that State Government and Financial Institutions were supposed to contribute Rs. 5 crore each and the remaining Rs. 10 crore was to come from the market borrowings.

12. Out of 70 Growth Centres identified by the Planning Commission, 49 Growth Centres have been approved so far, the representative added. But in the initial year the scheme was constrained because of several factors. The Committee were also informed that the financial agencies appraising these projects were not contributing their share, as one of the conditions stipulated was that the financial agencies must contribute their share before the Central Government releases its share. It was also stated that the condition was delinked and only in 1994-95, the scheme really took off and the Government was able to release Rs. 80 crore under the scheme.

13. Asked whether there was any outstanding amount to be released, the representative explained that the implementation of this scheme was quite up-to-date and there was no case pending with the State Government.

14. When specifically asked how many centres were remaining now to get approval and whether there was any Special Scheme for the North Eastern States, the representative of the Ministry of Industry stated that Proposal for Growth Centre in Chariduar, Assam was cleared and they were sending it before the apex Committee. The representative also stated that the Ministry of Industry have written to all the Chief Secretaries to finalise the projects so that they could accord approval.

15. When enquired about the support the Central Government receives from various State Government agencies like the Electricity Board or the Industries Department for the development of these Growth Centres, the representative of the Ministry of Industry explained that normally it was the State Industrial Development Cooperation which takes up the development of Growth Centres. Besides, the Central Growth Centres, the development of several other growth centres was also taken up by the State Government.

16. The Committee pointed out that in the Export Processing Zones, the land and other facilities to prospective entrepreneurs are provided. The

Committee desired to know whether terms and conditions like extending co-operation on the labour front would be considered while allotting plots to the entrepreneurs. The representative of the Ministry of Industry stated that she would definitely put it across while reviewing the matter with the State Government.

17. The Committee also pointed out that the subsidy given to the industrial growth centres was mainly to help the backward areas, but from 1988, Central Investment Subsidy had been stopped and substituted by Growth Centre Scheme. The Committee asked whether there was any possibility whereby Central Investment Scheme would continue till growth centres are established in the backward areas.

18. The Committee were informed that the Central Investment Subsidy ceased to exist in 1988 and is substituted by Growth Centre Scheme. It was also informed that in some States in the North Eastern region, project reports have not been finalised by financial agencies. The representative also mentioned that the Ministry of Industry are trying to provide a major push to the finalisation of the project reports because reintroduction of CIS (Central Investment Subsidy) is a policy matter and the Planning Commission and many agencies are involved in it. The Committee were also informed that the State Government have also a responsibility and they must play an active role because the Ministry of Industry have to keep working on the project report. The financial institutions, take long time to appraise the project and that the financial institutions have not participated financially in the scheme.

19. The Committee pointed out that in such eventuality, the Government should make sufficient provision and that the Central Government are liable to pay the subsidy to the State Govt. as promised the representative of the Ministry replied:

"That scheme is over. It lapsed in 1988."

20. Thereafter, the Committee pointed out that the Central Government are liable to remit money to the State Governments and asked whether any outstanding money was given. To this, the representative stated that after the Subsidy Scheme was over, some units had gone to the Supreme Court and in December 1995, the Supreme Court laid down certain criteria saying that if the application complete in all respects, is received by the Union before 30 September, 1988, such cases must be considered. The Committee were informed that the Ministry of Industry have moved their Internal Finance Division to make requisite Budget Provision in this regard.

The Committee then adjourned.

APPENDIX - IV

MINUTES

FOURTH SITTING

Minutes of the sitting of the Committee on Government Assurances held on November 15, 1996 in Committee Room No. 'E' Parliament House Annexe, New Delhi

The Committee met on Friday, November 15, 1996 from 12.00 Noon to 12.50 P.M.

PRESENT

Shri E. Ahamed — *Chairman*

MEMBERS

2. Shri Dileep Sing Bhuria
3. Dr. C. Silvera
4. Shri L. Balaraman

SECRETARIAT

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

MINISTRY OF H.R.D. (DEPARTMENT OF WOMEN & CHILD DEVELOPMENT)

Dr. (Smt.) Sarla Gopalan — *Secretary*

The Committee on Government Assurances (1996-97) took oral evidence of the representative of the Ministry of Human Resource Development (Department of Women & Child Development) in connection with non-implementation of an assurance given in reply to USQ No. 293 on August, 1991 about Welfare of Women and Children.

During evidence, the Committee were informed that an integrated project called 'Indira Mahila Yojana' for development of women was launched in 200 blocks in various States of the Country from 20 August, 1995. The Secretary, Department of Women and Child Development explained that the concept of 'Indira Mahila Yojana' was to carve out a plan based on the felt needs of the women at the district level with resources for all development sectors to be earmarked for women. The Secretary further stated that for this purpose, the survey is carried out

according to the criteria of the risk of becoming poor, not only because of poverty due to income, but poverty due to lack of access to certain things like drinking water, sanitation, two meals a day, good house, illiteracy and unemployment in the family, drug addiction and being the member of SC or ST Community, who are mostly poor. The Committee were also informed that after the survey is carried out, homogeneous groups of women comprising 200 or less at Anganwadi level, are formed. The group is then told about the programmes that are available and how to have access to these facilities.

The Secretary also stated that simultaneously, thrift has been promoted amongst them and Govt. has set up the Rashtriya Mahila Kosh (National Credit Fund for Women) in 1993 to give loans to Non Government Organisations, who in turn give it to the individuals. The Committee were also informed that Rashtriya Mahila Kosh has been catering to 130 NGOs covering 1,34,000 women in the country. Short term loan of Rs. 2000 to 3000 is given by the Rashtriya Mahila Kosh to NGOs at eight per cent interest and the latter lend to individuals at 12 per cent. The Committee were also informed that a beneficiary can borrow up to Rs. 9000/-.

The Committee were further informed that Rs. 30 crores for the project was given as one time money during the structural adjustment programme as a revolving fund.

When enquired whether the amount was sufficient to meet the requirements, the Committee were informed in negative. The secretary explained that they have targetted to reach one million groups and require a large amount of money.

The Committee were also informed that the Central Government have their own system of monitoring agency to watch the functioning of these NGOs. Rashtriya Mahila Kosh Officers go for inspection and some retired officers have also been designated to visit those NGOs and report. The Committee were also apprised that recovery of loan given to women groups was excellent.

On being asked whether the Government have come across any irregularity in regard to working of 'Rashtriya Mahila Kosh', the Secretary stated that there was no case of misappropriation. However, in Trivandrum, Kerala, an organisation of fishermen, (Trivandrum, District Fishermen Federation (TDFF) was sanctioned loan by 'Rashtriya Mahila Kosh' which has not been fully repaid.

In regard to extension of ICDS to cover adolescent girls, the Secretary stated that in 500 blocks, the adolescent girls are being given basic education on many matters. During evidence, the Committee were also informed that in the Ninth Plan Period, the programme would cover all the girls.

The Committee pointed out that the assurance was given by the Government in 1991 and whether the programme would continue indefinitely, the Secretary stated that technically a date could be prescribed and the programme would be closed. But at the ground level, it would be a continuous process.

On being asked as to why so much delay had taken place in implementing all the projects while the assurance was given in 1991, the Secretary, Ministry of Human Resource Development (Department of Women and Child Development) replied that the reason was that it was not that one Department decides whatever concept is framed, but other departments had to be consulted for its concurrence.

When it was pointed out that the Committee are concerned with the results, the Secretary, Department of Women and Child, Development stated that she would convey the Committee's direction to the concerned Ministries to take decision within the Eighth Plan Period. The Committee were informed that there is no opposition, but there is a proposal to integrate the Women's Right Commission and the National Commission for Women and that one member of the NCW would be a member of Women's Right Commission.

The Committee were further informed that the reason for delay was that there had been a lot of conceptualisation on the matter. During the last one year, she added that a number of meetings were held, even with the Home Ministry, which was questioning the need for a separate commission. The Home Ministry were told that police was not acting adequately and some forum to monitor was needed to see how the police as well as the courts looked into the investigation of the cases of crime against women.

The Committee were also informed that it would not be overlapping on the normal law and order machinery if the commission is provided with DIG and other officers.

The Committee were further apprised that Committee at district level had been formed in Rajasthan in the context of crimes against women.

The Committee then adjourned.

APPENDIX-V
MINUTES
FIFTH SITTING

Minutes of the sitting of the Committee on Government Assurances held on November 15, 1996 in Committee Room 'E', Parliament House Annexe, New Delhi

The Committee met on Friday, November 15, 1996 from 15.30 hours to 16.45 hours.

PRESENT

Shri E. Ahamed—*Chairman*

MEMBERS

2. Shri L. Balaraman
3. Dr. Ramkrishna Kusmaria
4. Shri Hannan Mollah
5. Dr. C. Silvera

SECRETARIAT

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

MINISTRY OF LABOUR

Dr. L. Mishra — *Secretary*

2. The Committee took oral evidence of the representative of the Ministry of Labour in connection with the non-implementation of the following three assurances.:

- (i) Assurance given on March 14, 1990 in reply to Unstarred Question No. 373 regarding Central Legislation on Landless Agricultural Workers.
- (ii) Assurance given on December 9, 1990 in reply to Unstarred Question No. 576 regarding 'The Child Labour (Prohibition and Regulation) Act.'
- (iii) Assurance given on December 23, 1994 in reply to Unstarred Question No. 2560 regarding Child Labour.

3. Firstly, the Committee took up the assurance pertaining to Central Legislation on Landless Agricultural Workers. The Committee, desired to

know about the progress made in respect of the preparation of, Draft Bill regarding Landless Agricultural Workers and the salient features contained therein.

4. In reply of the Secretary in the Ministry of Labour said that Draft Bill is under the scrutiny of Legislative Department and the Department of Legal Affairs. The representative from the Ministry of Labour added that Union Labour Minister had called an all-party meeting on 21st August, 1996. The salient features of the proposed legislation were placed before the representatives of various political parties at the meeting and they had unanimously, and whole heartedly endorsed the proposal.

5. The salient features of the proposed legislation, as indicated by the Secretary are as follows:—

- (i) It provides for a machinery for registration of the agricultural labour with a view to securing and documenting an authentic enumeration.
- (ii) It provides for a mechanism for timely, peaceful and amicable settlement of disputes between the landlords and the agricultural workers in relation to terms and conditions of services of employment.
- (iii) It provides for an enabling provision for constitution of a welfare fund by way of levy of cess for agricultural workers with a view to provide certain welfare amenities and facilities, such as housing, medical aid, education for children of agricultural workers, group insurance, maternity benefits etc.”

6. The Committee were informed that during the winter session 1996, the Bill is likely to be introduced.

7. On being asked by the Committee about the areas where maximum flexibility would be incorporated in respect of States in the event of consensus with respect to the rights and privileges of the labourers, the Secretary mentioned that both the Union Government and State Governments have been empowered to enact legislation. It was also informed that matters relating to labour is in ‘Concurrent List’ of the distribution of powers and certain important aspects relating to conditions of employment and service of agricultural workers largely fall on the States. The Secretary also stated that as per the recommendations of the Minimum Wages Act, most of the State Governments and Union Territories have fixed or revised the minimum wages for agricultural workers and hours of work have also been laid down which should not exceed eight hours, with the provision of break and weekly off. The Secretary informed that Kerala and Tripura already have the law on the subject. It was stated that since 1975, extensive consultations were held with the State Governments and Union Territories through a number of fora such as Standing Labour Committee, Indian Labour Conference and Labour Ministers’ Conference for a need for a Central Legislation on the

subject. However, States have different opinions on the issue. Some States are of the view that 'Minimum Wages Act' has taken care of minimum wages and the hours of work. Other States feel that conditions in all the States are not uniform. Some of them fall in the irrigated belts and some of them fall in the non-irrigated belts. Varying geographical conditions prevail in different States and they have already various laws applicable to agricultural workers which do not stand fully implemented. In spite of these varying perceptions, the Secretary indicated that it will be their endeavour to enact a Central Legislation, as the Minimum Wages Act does not cover all the aspects of conditions of employment and services affecting the working and living conditions of agricultural workers. It was also stated by the Secretary that Central Legislation on agricultural workers envisage the provisions for the enumeration of workers, their welfare, amenities and other facilities.

8. When asked by the Committee to clarify regarding the constitution of a Welfare Fund for levy of cess, the Secretary stated that the fund will be by way of cess contributed by landlord. When asked whether it will be fixed at State or National level, the Secretary clarified that the law is expected to be a simple piece of legislation. Asked whether it will be implemented at national level, the Secretary stated:

"For that Committee will be constituted. It will be left to the Legislature."

9. The Committee were also informed during evidence that levy of cess for constitution of a "Welfare Fund" is a subject matter, which falls within the purview of the States.

10. The Secretary indicated that there have been varying perceptions amongst the States in respect of the welfare implementation programme and nowhere in the country there is an 'Employment Guarantee Programme'. It was further added that workers in search of better employment migrate from one place to another.

11. The Committee enquired about the points which were discussed during the All Party meeting held earlier in the forenoon. The Committee felt that the act would include broad provision and some of the sections of the act will be implemented after the State Government issue notification from time to time.

12. When the Committee pointed out that Government had taken long time in bringing the legislation, the Secretary informed the Committee that after obtaining the mandate at the All Party meeting held on 21 August, 1996, a Cabinet note of 100 pages containing *inter-alia*, the resume of consultation with various Ministries and State Governments, has been prepared. As regards the question of levy of cess, the matter was placed before the representatives of political parties to seek their alternative suggestions and ideas. When asked by the Committee whether it would be mandatory on the part of States to implement the legislation after it is enacted, the Secretary elaborated about three alternatives *viz.* (i) Uniform

Legislation for all the States; (ii) Drafting of the Bill after incorporating all the proposals for Cabinet's approval and then circulation of the bill to the States for adoption as a model; and (iii) Dropping of the Bill. He further expressed the view that it had been their experience that adoption of model law by States did not come upto their expectations, as except Haryana, all the States more or less were against the Central Legislation.

13. The Committee thereafter took up the assurances pertaining to Child Labour. As both the questions are on same subject, the Committee took up both the issues simultaneously.

14. At the outset, the Committee desired to know the general picture about both the questions instead of going into generic things. The Committee drew the attention of the Secretary that the India has also given an assurance to the U.N. about the follow up action of the child summit promising that the same will be vigorously pursued. The Secretary elaborated the history of acts pertaining to Child-Labour. In this regard, he mentioned about the first law on Child Labour *i.e.* 'Pledging of Children Act, 1933 under which the services of no child can be pledged to outsiders without the tacit consent of parents but due to the poverty and helplessness this act could not succeed. He said that in 1938. Employment of Children Act, was enacted which was again a very restrictive piece of legislation concerning both prohibition and regulation of child labour in employment/service. This piece of legislation was replaced by Child Labour (Prohibition and Regulation) Act, 1986, which is presently in force. It was stated by the Secretary that present legislation is about prohibition and legislation which prevents employment of children in hazardous occupations as mentioned in the appendix to the act. It was further added by Secretary that there are seven hazardous occupations like transportation of passenger goods, cinder picking, children working in catering establishment of Railways, work relating to construction of railway stations, port areas, work relating to selling of fire crackers in shops with temporary licences, etc.

15. The Secretary also informed the Committee that in addition to the above mentioned hazardous occupations, there are 18 processes, where child labour is prohibited like Beedi-making, carpet weaving, packing of cement bags, dyeing, manufacturing of matches, mica cutting, soap making, wool cleaning, manufacturing of slate pencil industries where toxic metals like lead, benzene etc. are used. He added that Child Labour is also prohibited in units like printing, cashewnut deseeding, soldering in electronic industries. According to the Secretary, the law in force is tolerant of child labour prohibiting the same only in certain specific hazardous industries. When asked by the Committee, why quarries have not been included in the hazardous/prohibited industries, the Secretary stated that authoritative and authentic data about the working of exact number of children in quarry is not available with

them. Besides, he added that quarrying comes under the Mines Act, where employment of children below the age of 14 years has been prohibited.

16. On being asked by the Committee about the hurdles in implementing the Child Labour Act, in spite of several laws in operation, the Secretary stated that there were several hurdles faced by the Government. Firstly, the object of the law is to fight against employment of children in hazardous industries. However, regulations are made in respect of welfare activities. This dichotomy has posed a great problem and India has become the object of criticisms in international fora. Secondly, no accurate data are available about actual number of working children. Thirdly, the protection of the children from employment is the responsibility of the State. Except some industries like mining, quarries and railways, the enforcement of rules come under the sphere of State Governments.

17. The Committee were informed that earlier several suggestions were received for bringing about amendments to Child Labour (Prohibition Regulation) Act, but these were more in the nature of tinkering with the law rather than bringing anything radical in nature. It was the CMP which finally changed the attitude of those who sought amendment in the Act. The Secretary thereafter dwelt upon the common Minimum programme, which speaks in terms of total elimination of child labour in all industries, occupations and processes giving new thinking to go in for a legislation for the total elimination of child labour, universal enrolment and participation of children in school systems—a conjunctive approach bringing within its purview several Ministries. He added that unless and until the Government have succeeded in providing a mechanism, which helps in the participation of children in schools and lead to their becoming a productive adult, mere enacting a legislation to prohibit employment of children will not produce any commendable results. At this, the Committee observed that a specific assurance has been given in the House with respect to the rehabilitation of children, and it has been mentioned in the report of Ministry of Labour that new programme of rehabilitation was launched in August, 1994, and under the programme, a total of 20 lakh children are sought to be brought out of hazardous industries and put in special schools to enable them to become productive members of the society. The Committee desired to know the specific steps taken by the Government in implementing the assurance apart from launching various other programmes pertaining to child welfare. At this, the Secretary mentioned that in pursuance of National child labour project announced by then Prime Minister on 15th August, 1994, 'Collectors Conference' was organised involving about 100 districts, where only translation of that announcement into practice was taken up. On being asked by the Committee about the number of children, who will be given assistance and the number of schools to be opened and proposed to be opened under the programme, the Secretary replied that two million children working in hazardous employment will be put in special schools for rehabilitation and approximately 2500 special

schools are to be opened. When asked by the Committee regarding the suggestion, which the Ministry has received in respect of revising the list of hazardous industries, the Secretary said that they have received some suggestions but the present thinking is to eliminate child-labour for those children, who are upto the age of 14 years. When asked by the Committee why the Act has not been implemented effectively in carpet industry, the Secretary gave reference to the 'District Child Labour Project Societies', headed by district collectors which have been formed in 76 districts to identify such projects, where welfare schemes for child labour are to be adopted. When asked by the Committee about the involvement of NGOs, Secretary informed that matter is within the purview of District Child Labour Project Societies. There has been a move to mobilise NGOs in the field so that they can contribute to various aspects of the projects, like conducting of surveys, generation of awareness amongst parents of working children, opening of schools, imparting vocational training etc., so that children acquire certain skills, when they grow up, facilitating their entry into the main stream of the society.

18. On being asked about the international fora which found fault with India with respect to the child labour, the Secretary lamented that International Labour Organisation is critical about our tolerance of the same as it prohibits child labour only in few hazardous processes, otherwise the law permits employment of child labour. Secondly, criticism is in respect of bonded labour as it has been their false notion that children, who are working, have been reduced to the state of bounded labour. The Secretary further added that every working child is not bonded, as eighty five per cent of total working children are working along with their parents, thirteen million children are working on agricultural land and in several allied and household occupations. The Committee were informed that 300 projects are required for rehabilitation of all working children, but due to various constraints, only 28 projects are in progress.

19. When asked by the Committee about the steps proposed to be taken for the eradication of poverty of parents by providing them job so that they do not send their children for doing labour, the Secretary said that in addition to parental poverty, two factors *viz*, illiteracy and unemployment are also responsible for sending children to work and not to school. It was, therefore, stated that coordination of various Ministries and department is essential. In this regard, he emphasized for the creation of a literate environment as was done in Vietnam and Thailand, since it would help to send children to school despite poverty. As regards parental poverty, which is one of the contributory factors for perpetration of child labour, the Secretary stressed that the role of Ministry of Rural Areas and Employment become very crucial in this regard. If parental poverty is eliminated, then children will be free to join schools. The magnitude of unemployment amongst adults is so severe that a concerted attack against poverty is necessary. It was therefore, reiterated that for the elimination of

child labour and parental poverty, the co-operation of Ministry of Rural Areas & Employment, Ministry of Human Resource Development and Ministry of Urban Affairs is imperative.

20. The Secretary further stated that after launching the mid-day meal programme, the enrolment of children has gone up in the schools. There is still problem with those parents who do not send their children to schools, though preferential treatment is given in poverty alleviation programme to those who are below poverty line and whose children work.

21. When enquired by the Committee about the survey made by the Ministry of Labour to know the extent of implementation of Child Labour Act, the Secretary added that Rs. 1,90,000/- has been sanctioned to undertake survey in 76 districts and survey has been completed in 65 per cent of such districts. When asked by the Committee about the number of Children, who have been brought out of hazardous jobs, the Secretary added that about 1.25 lakh children have been brought out of hazardous jobs and promised to give a detailed report on this point in due course as it is subject to sanction by the Ministry of Finance.

22. The Committee were informed by the Secretary that to give a boost to the elimination of child labour, a 15 page printed document has been issued to all the 'District Child Labour Societies' as to what they should do. The matter has also been discussed in all zonal Labour Conferences. Further, Chief Secretaries of States have been asked to treat the matter as National issue in which the participation of all concerned is imperative.

23. Finally, the Committee desired to know the names of States, which are cooperating on the issue so that the matter can be taken up by the Committee with the States concerned. At this, the Secretary assured to furnish detailed note.

The Committee then adjourned.

APPENDIX VI
MINUTES
SIXTH SITTING

Minutes of the Sitting of the Committee on Government Assurances held on December 12, 1996 In Party Meeting Room (Room No. 139), First Floor, Parliament House Annexe, New Delhi

The Committee met on Thursday, December 12, 1996 from 15.00 hours to 16.30 hours.

PRESENT

Shri E. Ahamed —Chairman

MEMBERS

2. Shri Illiyas Azmi
3. Shri Dileep Singh Bhuria
4. Shri Paban Singh Ghatowar
5. Dr. Ramkrishna Kusmaria

SECRETARIAT

1. Shri P.D.T. Achary — *Director*
2. Shri K. Chakraborty — *Under Secretary*
3. Km. J.C. Namchy — *Committee Officer*

2. The Committee considered their draft 1st Report and adopted the same. The Committee authorised the Chairman to present the report during the current Winter Session of Parliament.

3. The Committee also decided to undertake a Study Tour to Mumbai, Bangalore, Thiruvananthapuram and Chennai w.e.f. 6 January, 1997 to 11 January, 1997.

The Committee then adjourned.

ANNEXURE-I

Statement showing the position of pending assurances of Eighth Lok Sabha pending implementation as on 13 September, 1996

Session	No. of Assurances culled out	No. of Assurances implemented/dropped	No. of Assurances outstanding
1st Session	19	19	—
2nd Session	430	430	—
3rd Session	323	323	—
4th Session	357	356	1
5th Session	774	773	1
6th Session	478	478	—
7th Session	477	475	2
8th Session (Part I)	784	782	2
8th Session (Part II)	593	589	4
9th Session	775	770	5
10th Session	1208	1200	8
11th Session	571	568	3
12th Session	541	539	2
13th Session	1140	1123	17
14th Session	552	546	6
Total:	9022	8971	51

ANNEXURE-II

Statement showing the position of assurances of Ninth Lok Sabha pending implementation as on 13 September, 1996

Session	No. of Assurances culled out	No. of Assurances implemented/dropped	No. of Assurances outstanding
1st Session, 1989	93	90	03
2nd Session, 1990	1538	1510	28
3rd Session, 1990	732	724	08
4th Session, 1990	Nil	—	—
5th Session, 1990	Nil	—	—
6th Session, 1990	240	234	06
7th Session, 1991	224	217	07
Total :	2827	2775	52

ANNEXURE-III

Statement showing the position of pending assurances of Tenth Lok Sabha pending implementation as on 13 September, 1996

Session	No. of Assurances culled out	No. of Assurances implemented/dropped	No. of Assurances outstanding
1st Session, 1991	867	831	36
2nd Session, 1991	603	574	29
3rd Session, 1992	1123	1065	58
4th Session, 1992	596	550	46
5th Session, 1992	448	415	33
6th Session, 1993	900	833	67
7th Session, 1993	491	428	63
8th Session, 1993	364	323	41
9th Session, 1994	660	551	109
10th Session, 1994	25	23	2
11th Session, 1994	503	417	86
12th Session, 1994	290	221	69
13th Session, 1995	729	526	203
14th Session, 1995	371	237	134
15th Session, 1995	414	190	224
16th Session, 1996	183	47	136
Total:	8567	7327	1336

ANNEXURE-IV
Yearwise Details of Cases of Alleged Custodial Deaths Registered in Jammu and Kashmir State.

Year	Total Cases Registered	Allegation Against (Force Wise Details)			Disposal of Cases Registered				
		Army	PNs	Police	Chal-lenged	Untra-uced	Not Admitted	Magis-terial Inqury in Progress	Under Investi-gation
1991	42	17	22	3	5	24	3	1	9
1992	59	25	34	—	7	36	1	—	15
1993	71	37	28	6	4	39	5	1	22
Total	172	79	84	9	16	99	9	2	46

**NATIONAL FEDERATION OF POSTAL
EMPLOYEES
UD-7, P&T QUARTERS, DEV NAGAR,
NEW DELHI-110005**

No. PF-91

Dated 13.9.96

To

**Shri P.A. Sangma,
Hon'ble Speaker,
11th Lok Sabha,
Parliament House,
New Delhi-110001.**

**Sub:— Non implementation of the Recommendation of the
Parliament Assurance Committee.**

Dear Sir,

The National Federation of Postal Employees in its letter No. PP-2 dated 14-11-95 addressed to Shri Sukh Ram the then Hon'ble Minister Communication, Government of India and copy endorsed to Shri Basudeb Acharya, Chairman of 10th Lok Sabha Assurance Committee requested to implement assurances given over the floor of the Parliament.

The Chairman of the Parliament Assurance Committee issued notices to the Department of Post and also to the Unions/Federation vide their notice No. 12/6/1/95-Q/CGA dated 1-1-96 alongwith the Parliament Starred Question No: 676 dated 28.2.94.

The representative of the Federation gave oral evidence on 8-1-96 and the representatives of the Department of Post also gave oral evidence on 21-12-95.

The report of the Assurance Committee was submitted on 27-2-96 to the Lok Sabha, a copy alongwith its enclosures are enclosed for ready reference.

As none of the recommendations of the Committee has yet been implemented and as the Postal Employees are very much agitated it is expected that you will kindly intervene into the matter and cause suitable

instructions to the concerned authorities to implement the recommendations and ensure redressal of the grievances of the Postal Employees.

With regards,

Yours Faithfully,
Sd/-
(K. Adinarayana)
Secretary General

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