

**COMMITTEE ON
GOVERNMENT ASSURANCES
(1987-88)**

(EIGHTH LOK SABHA)

TWELFTH REPORT

Presented on 12 May, 1988



**LOK SABHA SECRETARIAT
NEW DELHI**

May 11, 1988/Vaisakha 21, 1910 (Saka)

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CORRIGENDA TO TWELFTH REPORT

- (1) Page (iii), from bottom line 2: for 'Depu' read 'Deputy'
- (2) Page (v), line 1: for 'assurance' read 'assurances'
- (3) Page (v), para 3, line 1: for 'sittings' read 'sitting'
- (4) Page 1, para 2, line 1: after 'assurances' delete ',,'
- (5) Page 2, para 7, line 2: for 'Committees' read 'Committee'
- (6) Page 2, para 7, line 4: for 'USO' read 'USQ'
- (7) Page 2, para 7, lines 6-7: for 'The draft' read
"The reply 'the draftpreparation'
- (8) Page 3, para 11, line 1: after 'laid' delete 'on the'
- (9) Page 5, para 18: for 'comunicated' read 'communicated'
- (10) Page 5, para 18: after 'however' insert ','
- (11) Page 5, para 20, line 1: for 'investigation'
read 'investigating'
- (12) Page 6, line 2: for 'high' read 'higher'
- (13) Page 6, para 22(a), line 3: for 'in secticides'
read 'insecticides'
- (14) Page 10, para 37, line 2: for 'have' read 'gave'

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***COMPOSITION OF THE COMMITTEE ON GOVERNMENT
ASSURANCES**

(1987-88)

Prof. Narain Chand Parashar—Chairman

2. **Shri L. Balaraman**
3. **Shri Sitaram J. Gavali**
4. **Shri Abdul Rashid Kabuli**
5. **Shri Bapulal Malviya**
6. **Shri Sanat Kumar Mandal**
7. **Shri Murlidhar Mane**
- **8. **Shri P. Namgyal**
9. **Shri V. Krishna Rao**
10. **Shri Bhola Raut**
11. **Shri Prabhu Lal Rawat**
12. **Shrimati Shanti Devi**
13. **Shri Kamla Prasad Singh**
14. **Shrimati Usha Thakkar**
15. **Shri Mahavir Prasad Yadav**

SECRETARIAT

Shri C. K. Jain—Chief (Questions)

Shri Raghbir Singh—Senior Examiner of Questions

*The Committee was nominated by the Speaker *w.e.f.* June 12, 1987 *vide* para No. 1686 of Lok Sabha Bulletin, Part-II dated 12 June, 1987.

**Ceased to be Member of the Committee consequent upon his appointment as Deputy Minister in the Ministry of Surface Transport *w.e.f.* 15-2-1988.

INTRODUCTION

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

2. The Committee (1987-88) were constituted on June 12, 1987.

3. The Committee (1986-87) at their sittings held on 26 May, 1987, considered eight requests from the Ministries for dropping of assurances and their decisions are contained in this Report. At their thirteenth sitting held on May 11, 1988, the Committee (1987-88) considered and adopted this draft Twelfth Report.

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

5. The conclusions/observations of the Committee are contained in the succeeding chapters.

NEW DELHI;
May 11, 1988

PROF. NARAIN CHAND PARASHAR,
Chairman,

Vaisakha 21, 1910 (Saka)

Committee on Government Assurances.

CHAPTER I

REVIEW OF PENDING ASSURANCES OF SEVENTH AND EIGHTH LOK SABHA

During the Seventh Lok Sabha, 7,231 assurances were culled out from Lok Sabha Debates for implementation by Government. Of these, 7,221 assurances have since been implemented leaving a balance of 10 assurances to be implemented.

2. During the First to Ninth Sessions of Eighth Lok Sabha, 4,930 assurances were culled out. Out of them, 3,864 assurances have since been implemented, thus leaving a balance of 1,066 assurances, pending implementation.

3. The above figures take into account the latest statements of implemented assurances laid on the Table of Lok Sabha by the Minister of Parliamentary Affairs on 21 April, 1968.

CHAPTER II

REQUEST FOR DROPPING OF ASSURANCES

(1)

4. On 24 July, 1986, the following Unstarred Question (No. 952) given notice of by Shri Yashwantrao Gadakh Patil, M.P., was addressed to the Minister of Water Resources:

- “(a) whether Government have finalised the draft of the National Water Policy; and
- (b) if so, the details thereof?”

5. The Minister of Water Resources (Shri B. Shankaranand) gave the following reply:

- (a) and (b): “The draft of the National Water Policy Document is under preparation.”

6. The above reply to question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply i.e. by 23 October, 1986.

7. On 21 October, 1986, the Ministry of Water Resources approached the Committees on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VI/WR(2) USO. 952-LS/86 dated 21 October, 1986, to drop the assurance on the grounds indicated below:—

“The draft of the National Water Policy document is under preparation refers to the very process of the policy formulation, the draft of which is being prepared by the Group of Ministers appointed by the Prime Minister as the Chairman of the National Water Resources Council. This policy paper is to be placed before the Council. The Council will hold a meeting alongwith other Members who are the Chief Ministers of the States and Union Territories of the country at the convenience of the Prime Minister. It is very difficult to say that the policy will be formulated by any stipulated time. It may be stated here that after the water policy is formulated and approved by the Government, it will be placed before both the Houses of the Parliament.”

8. The Committee considered the request of the Ministry of Water Resources for dropping of the assurance at their sitting held on 26 May, 1987 and decided not to accede to the request of the Ministry of Water Resources for dropping of the assurance. They desired that the Ministry should implement the assurance and in the meantime make a request for extension of time.

9. The decision of the Committee was communicated to the Ministry on 20 July, 1987. Subsequently, the Ministry twice renewed their request for dropping of the assurance. In the first request, the Ministry sought extension upto 24 July, 1987 on the ground "pending a decision on the request of this Ministry for deleting this case from the list of pending assurances, extension of time for the period upto 24 July, 1987 may kindly be granted for implementation of this assurance". Through the second request, the Ministry asked the time limit upto 18-8-1987 on the ground "deletion request was pending before CGA. Implementation Report has since been received."

10. On 12 November, 1987, a statement was laid on the Table of the House stating "The draft of the National Water Policy has been prepared and it will be considered in the next meeting of the National Water Resources Council".

11. Finally, the Minister of Water Resources laid on the National Water Policy on the Table of the House on 18 November, 1987.

12. The Committee note with satisfaction that the National Water Policy has since been laid on the Table of the House by Government on 18 November, 1987. However, they must express their unhappiness on the frivolous request of the Ministry for the dropping of the assurance.

(ii)

13. On 29 July, 1986, the following Unstarred Question (No. 1724) given notice of by Dr. G. Vijaya Rama Rao, M.P., was addressed to the Minister of Communications:

- "(a) whether it is a fact that there have been massive raids against high officials of Posts and Telegraphs Department which have revealed huge amount of movable and immovable properties in their names and the names of their family members;
- (b) if so, the details thereof; and
- (c) the action taken/proposed by the Government?"

14. The Minister of Communications (Shri Ram Niwas Mirdha) gave the following reply:—

(a) to (b): "Various branches of C.B.I. carried out 26 searches at the residential and office premises of 10 junior and middle level gazetted officers (6 in Senior Time Scale and 1 in Junior Time Scale of Group A and 3 in Group B) of the Departments of Posts and Telecommunications during the period, 1st of January, 1986 to 30th June, 1986. The following movable and immovable assets were discovered during the course of these searches:—

| | |
|---|-----------------|
| (i) Cash, Bank balances, FDRs and NSCs | Rs. 46,440.00 |
| (ii) Movable assets like jewellery, VCRs and other costly items | Rs. 2,60,734.00 |
| (iii) Immovable assets | Rs. 1,30,000.00 |

Besides, some incriminating documents pertaining to financial transactions etc. were seized during the course of searches referred to above are under scrutiny. These searches were carried out in connection with the investigation of 9 cases alleging possession of assets disproportionate to the known sources of income, showing special favour, forgery, cheating, criminal misconduct etc., by various branches of C.B.I.

(c) The cases are under further investigation."

15. Reply to part (c) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of the reply i.e., by 28 October, 1986.

16. On 22 October, 1986, the Ministry of Communications approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs vide their U.O. Note No. VI/C(11) USQ. 1724-LS/86 dated 22 October, 1986, to drop the assurance on the grounds indicated below:—

"Reply given to USQ. No. 1724 on 29-7-86 in the Lok Sabha was based on the information furnished by the CBI. This Department does not have any additional information in this regard. Any further development in the matter is entirely dependent upon the steps taken by the CBI towards completion of the investigation. The entire process is a time consuming one. On the receipt of the report and

recommendations of the CBI in due course, the Department of Posts and Department of Telecommunications would take appropriate action, finalisation of which may also take a long time."

17. The Committee considered the request of the Ministry of Communications for dropping of the assurance at their sitting held on 26 May, 1987, and decided not to accede to the request of the Ministry for dropping the assurance and desired that the Ministry should take steps for expeditious implementation of the assurance. In the meantime they advised the Ministry to seek extension of time.

18. The above decision of the Committee was communicated to the Ministry on 20 July, 1987.

19. The Ministry sought further extension of time upto 31 March, 1988 and again upto 31 March, 1989 on the following grounds:—

"At the time of making the request we hoped to finalise all cases within the stipulated time limit. However in most of the cases CBI is yet to complete their enquiry. In other cases the advice of the CVC is awaited. Since prosecution in the Court of Law or initiation of departmental proceedings take considerable time, this Ministry will not be able to finalise all the cases in the extended time limit upto 31 March, 1989."

20. While conceding that the investigation agencies do take their time in conducting the investigations, the cases under investigation are required to be finalised and cannot be allowed to remain pending ad infinite. The present investigations relate to Government officials and as such obviously their scope is not to be very wide in the very nature. Also, it is in the interest of both the Department as well as the officials involved that investigations should be quickly finalised and whatever the outcome, the final decision of the Government taken. Keeping in view this general principle, the Committee do not appreciate the pleas of the Ministry that "any further development in the matter is entirely depending upon the steps taken by the CBI towards the completion of the investigation. The entire process is a time consuming one. On the receipt of the report and recommendations of the CBI in due course, the Department of Posts and Department of Telecommunications would take appropriate action, finalisation of which may also take a long time". This reflects an attitude of helplessness as well as laxity. The Committee cannot but deplore it and would expect the ministry to show a

sense of urgency in this matter. The Ministry should take up the matter at an appropriately high level to have the CBI investigations quickly completed and thereafter finalise their own decision with the least loss of time. The ministry should lay down a time limit and seek accordingly permission of this Committee for extension for time to implement the assurance.

(iii)

21. On 4 August, 1986, the following Unstarred Question (No. 2353) given notice of by Shri C. Sambu, M.P., was addressed to the Minister of Agriculture:

“(a) whether Agricultural Research Department have conducted any trials to control white fly by using chemicals; and

(b) if so, the action taken to supply such chemicals to the cotton growing farmers of Andhra Pradesh?”

22. The Minister of State in the Ministry of Agriculture (Shri Yogendra Makwana) gave the following reply:—

“(a) Yes, Sir. Indian Council of Agricultural Research and Agricultural Universities in cotton growing States have conducted detailed in secticidal trials against white fly;

(b) Among the effective chemicals, Monocrotophos, phosalone, Ethion and Endesulfan are available in enough quantity in the country including Andhra Pradesh. The Acephate has recently been registered. The registration of another effective insecticide namely, Triazophos is under consideration of the Central Insecticide Registration Committee.”

23. Reply to part (b) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply i.e. by 3 November, 1986.

24. On 21 November, 1986, the Ministry of Agriculture approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs vide their U.O. Note No. VI/Agri(18)USQ. 2353/86 dated 21 November, 1986, to drop the assurance on the grounds indicated below:—

“That the reply to part (b) of the question was complete in itself. However, the additional information was given by stating further that the registration of another effective insecticide namely, Triazophose is under consideration of the Central Insecticide Registration Committee.”

25. The Committee considered the request of the Ministry of Agriculture for dropping the assurance at their sitting held on 26 May, 1986, and decided not to accede to the request of the Ministry of Agriculture for dropping the assurance. They desired that the Ministry should implement the assurance early and in the meantime make a request for extension of time. The decision of the Committee was communicated to the Ministry on 20 July, 1987.

26. The Ministry of Agriculture fulfilled the assurance by laying a statement on 26 August, 1987. In the statement, the Ministry have stated:

“The case of registration under Section 9(3) of Triazophos Technical (60 per cent LC) and its 40 per cent EC formulation in favour of M/s Hoescht India Limited was considered by the Central Insecticide Registration Committee in its 84th meeting held on 19-8-1986. Since the insecticide is not stable above the temperature of 220 C and it decomposes to highly toxic compound which may be more hazardous, the Registration Committee, did not favour the grant of Registration to the firm.”

27. The Committee note the implementation of the assurance.

28. The Committee would like to add that the reply of the Minister to the question clearly made an assurance to the House. Still the Ministry chose to approach the Committee for dropping of the assurance. The Ministry would do better in future by not questioning the decision of the Committee and instead make quick and sincere efforts to implement the assurance.

(iv)

29. On 8 August, 1986, the following Unstarred Question (No. 3234) given notice of by Shri Lakshman Mallick, M.P., was addressed to the Minister of Commerce:

- “(a) whether Government have announced its policy regarding the procedure for providing facilities to domestic industries to protect them from competition arising out of subsidised imports;
- (b) if so, whether some representations have been received in this regard;
- (c) if so, the details thereof; and
- (d) the reaction of Government thereto?”

30. The then Minister of State in the Ministry of Commerce (Shri Brahma Dutt) gave the following reply:—

“(a) Yes, Sir.

(b) to (d) No petition regarding subsidised imports has been received. We have however, received some petitions alleging dumping of certain products which are being examined.”

31. Reply to parts (b) to (d) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply i.e. by 7 November, 1986

32. On 13 November, 1986, the Ministry of Commerce approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VI/Com. (8)USQ. 3234-LS/86 dated 13 November, 1986, to drop the assurance on the grounds indicated below:—

“The Lok Sabha Unstarred Question No. 3234 answered on 8th August, 1986 called for information regarding petitions received for protection from competition arising out of *subsidised imports*. A product is deemed to be subsidised when the Government of the exporting country pays or bestows any bounty or grant in respect of the exported product. We received no such petition regarding subsidised imports. Accordingly in answer to the Parliament Question it was stated that “no petition regarding subsidised imports has been received.” We, however, provided *additional information* that we have received some petitions alleging dumping of certain products and that these are being examined. Dumping is different from subsidy in as much as whereas the later involves payment of bounty or grant from the Government of the exporting country, the former is a situation where generally exporter sells at higher prices in the domestic market and at lower prices in the country to which the product is exported. Since the additional information does not relate to the Question asked and further no assurance was given in the reply that the position regarding the petitions relating to dumped imports will be supplied later, in our view there is no assurance given in respect of this question.”

33. The Committee considered the request of the Ministry of Commerce for dropping the assurance at their sitting held on 26 May,

1987 and decided not to accede to the request of the Ministry of Commerce for dropping the assurance. They desired that the Ministry should implement the assurance early and in the meantime make a request for extension of time. The decision of the Committee was communicated to the Ministry accordingly.

34. On 11 December, 1987, Government laid on the Table of the House a statement in implementation of the aforesaid assurance. In the implementation statement, the position was explained as follows:—

“Following the bringing into effect of the countervailing and anti-dumping duty laws in September, 1985 four petitions alleging dumping of pentaerythritol, silver paste, silver powder suspension and viscose gear spinning metering pumps were received. The brief facts are given below:—

1. M/s. Kanoria Chemicals and Industries Ltd., New Delhi requested for change in the method of levying import duty for pentaerythritol from ad valorem to specific rate of duty. (2 & 3) M/s. Jyoti Electronics, Bombay and M/s. Arora Mathey Ltd., Calcutta sought rationalisation of import duty and ban or restriction on import of silver paste/silver product suspension. 4. M/s. Micro-Precision Pumps and Gears Ltd., Baroda complained that viscose gear spinning metering pumps are being dumped into India.

In the first three cases mentioned above, it was found that although the petitions were purported to have been made against dumping, in fact, they only contained requests for bringing about changes in the tariff structure and import policy. Since these requests were not related to the practice of dumping, anti-dumping action was not initiated under the Customs Tariff Act, 1975. The petitioners were informed accordingly. In the fourth case, as the petition did not contain prima facie evidence of dumping or injury to the domestic industry by dumped imports, the petitioner was asked to furnish evidence so as to enable further consideration of the matter. Even though adequate opportunity was given, the firm did not adduce any evidence. Therefore, the case has been closed under intimation to the petitioner.”

35. The Committee note the implementation of the assurance. In future, the Ministry should not try to sit in judgement over the decision of the Committee whether or not a particular assurance be

treated as an assurance. Once a reply is treated as an assurance, the Ministry must implement it.

(v)

36. On 17 July, 1986, the following Unstarred Question (No. 122) given notice of by Shrimati Jayanti Patnaik, M.P., was addressed to the Minister of Transport:

- (a) whether there is any proposal to create a separate National Highway Authority for Orissa, West Bengal and some other Eastern States;
- (b) if so, the reasons therefor;
- (c) whether the proposed National Highway Authority will take up the construction and maintenance of National Highways; and
- (d) the details of the main functions of such Authority?"

37. The Minister of State in the Ministry of Transport (Shri Rajesh Pilot) have the following reply:—

- (a) to (d): "There is no proposal to create a separate National Highway Authority for Orissa, West Bengal and some other eastern States. However, Government has under consideration a proposal to set up a National Highway Authority for the management of all the National Highways in the country. No final decision has been taken as yet."

38. The above reply to the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply i.e. by 16 October, 1986.

39. On 15 December, 1986, the Ministry of Surface Transport approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VI/T(4) USQ.122-LS/86 dated 15 December, 1986, to drop the assurance on the grounds indicated below:—

- "The question primarily relates to the creation of a separate National Highway Authority for Orissa, West Bengal and some other eastern States. From the answer, it is quite clear that no such proposal is under consideration of the Government. However, it was added in the answer, that the Government has under consideration a proposal to

set up a National Highway Authority in the country. This proposal is still in its preliminary stages and it is not known as when and what decision on it is likely to be arrived at. Moreover, this addition in the answer is not directly related to the Question asked by the Hon'ble Member."

40. The Committee considered the request of the Ministry for dropping of the assurance at their sitting held on 26 May, 1987. It was decided not to accede to the request of the Ministry and the Committee desired that the Ministry should implement the assurance. In the meantime, the Ministry might make a request for extension for time. The decision of the Committee was communicated to the Ministry accordingly. Since then the Ministry has been making requests for extension for time. The last request was made on 16 March, 1988. While making this request to the Committee to agree to the request for extension for time upto 29 June, 1988, the Ministry submitted as follows:—

"....the proposal of setting up of National Highway Authority for construction and maintenance of National Highways is still under finalisation. The proposal has already been considered by the Committee of Secretaries and Group of Ministers. It has now been submitted to the Cabinet Secretariat as directed by the Group of Ministers and may, therefore, take some more time before final decision is arrived at."

41. The Committee must express their deep displeasure on the delay in implementation of the assurance. It seems that in the view of the Ministry, two years time is not enough to arrive at a final decision, otherwise an important matter like this should not have been allowed to hang fire so long. The Committee now do hope that it should be possible for the Government to implement the assurance before the end of June, 1988 upto which the extension has been requested by the Ministry. Incidentally, the Committee would like to add that the Ministry had initially tried to interpret the answer of the Minister to suggest that no assurance was given by him and it was only some kind of additional information which was supplied in the reply to the Question. It is not correct.

The Ministry must not in future advance such frivolous excuses which merely expose their attempt to wriggle out of their obligation to the Parliament.

(vi)

On 5 August, 1986, the following Unstarred Question (No. 2592) given notice of by Shri Srikantha Datta Narasimharaja Wadiyar, M.P. was addressed to the Minister of Industry:—

- “(a) whether an Industrial Sheds Project has been implemented in Karnataka with the Netherlands assistance;
- (b) if so, the cost of the project;
- (c) the aims of the project and the number of districts covered under the project so far;
- (d) whether Government have a proposal to further extend the project; and
- (e) if so, the target set for the construction of industrial projects in Karnataka by the end of the Seventh Plan?”

43. The Minister of State for Industrial Development in the Ministry of Industry (Shri M. Arunachalam) gave the following reply:—

- “(a) Yes, Sir.
- (b) The cost of the project is Rs. 18 crores.
- (c) The aim of the project is to provide entrepreneurs with work-sheds, necessary infrastructure and training in order to improve their earning capacity. Thirteen districts are covered under the project.
- (d) A proposal is under consideration of the State Government of Karnataka.
- (e) the target by the end of the Seventh Plan is yet to be finalised by the Government of Karnataka”.

44. Reply to part (d) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply i.e. by 4 November, 1986.

45. On 18 December, 1986, the Ministry of Industry approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs vide their U.O. Note No. VI/Ind. (14) USQ. 2592-LS/86 dated 18 December, 1986, to drop the assurance on the grounds indicated below:—

“In the first phase of the Dutch Assistance Programme, which will be over shortly, an amount of Rs. 18 crores has been

spent for the above purpose. The Governments of Karnataka and the Netherlands propose to cover additional numbers of artisans under this programme in a second phase. Necessary proposals have been received from the concerned Government Undertakings. These are being finalised.

As the second phase of the programme like the first phase has to be implemented with financial assistance of the Government of the Netherlands, it is not possible at this stage to say when exactly the proposals regarding the second phase will be finalised and implementation taken up. As it would be appreciated, they have to be approved by the Government of India and the Government of Karnataka. We have been doing our best to see that the proposals pertaining to the second phase of this programme are finalised and approval of the Union Government and the Government of the Netherlands obtained, at the earliest.

46. The Committee considered the request of the Ministry of Industry for dropping the assurance at their sitting held on 26 May, 1987, and decided not to accede to the request of the Ministry of Industry for dropping the assurance. They desired that the Ministry should implement the assurance early and in the meantime make a request for extension for time. The decision of the Committee was communicated to the Ministry accordingly.

47. The assurance was fulfilled by the Ministry through a statement laid on the Table of Lok Sabha on 12 November, 1987. In the statement, the Ministry stated as follows:—

“The Karnataka Government has intimated that the first phase of the “Industrial Sheds Project” being implemented by them in collaboration with the Government of Netherlands would come to close by 30-9-1987. The Government of Karnataka and the representatives of the Netherlands Government have agreed in principle to start an “Interim Phase” from 1-10-1987.

The “Interim Phase” may be of a duration ranging between six months to two years and is estimated to cost about Rs. 3.5 crores. During this phase, missing links and drawbacks experienced in the first phase are likely to be overcome. Study and analysis of the implementation of the programme in the first phase would also be taken up during

the "Interim Phase". Only after evaluating the achievements of the first phase the Government of Karnataka may be in a position to take further action in the matter."

48. The Committee note the implementation of the assurance. However, implementation statement clearly indicates that the request made by the Ministry on 18 December, 1986 for the dropping of the assurance was not necessary. The Ministry should, therefore, bear in mind for future that when an assurance is capable of implementation, they should not make a request for its dropping.

(vii)

49. On 28 November, 1985, the following Starred Question (No. 150) given notice of by Shri A. Charles, M.P., was addressed to the Minister of Human Resource Development:—

- "(a) the ceiling fixed on the annual income of teachers for the award of National Merit scholarships to their children and the year in which the above ceiling was fixed;
- (b) whether there is any proposal before Government to raise or abolish the above ceiling in view of the substantial increase in the pay scale of teachers in the recent years and also because the scholarships are given to the children of teachers taking into consideration the merits of the students rather than the income of their parents; and
- (c) if so, the reaction of Government thereto ?"

50. The Minister of Human Resource Development (Shri P. V. Narasimha Rao) gave the following reply:—

"(a) and (b). The erstwhile Ministry of Education had been operating a scheme of National Scholarships for Children of School Teachers from the year 1961-62 to 1978-79. The purpose of this scheme was to enable meritorious children of primary and secondary school teachers to pursue higher studies from post-matriculation stage. This was a merit-cum-means scheme under which scholarships were awarded to meritorious children whose parental income was not more than Rs. 6000 per annum. The scheme was transferred to State Governments from 1979-80. Since then the scheme is being operated and administered directly by the State Governments/Union Territories and no funds have been provided by the Central Government in

its budget for the scheme from that year. Since it is being implemented by State/Union Territories, no proposals are received by the Central Government in regard to this scheme.

(c) Does not arise."

51. During the supplementaries on the question, Shri A. Charles, M.P. raised a point that "the ceiling of Rs. 6000 was fixed years back and a substantive increase in the pay scale had been given to the teachers in all the States. The ceiling of Rs. 6,000 was not at all sufficient and no child was getting any scholarship under the scheme." The Member also pointed out that 'A few months back I had pointed out some anomalous position in this to the Education Ministry and had got a written reply that that anomaly and certain other aspects were being examined in the Education Ministry of Central Government.' He further enquired whether re-examination was still going on and the Ministry would give some broad guidelines at least to enhance the limit of the income of the parents in awarding the scholarships.

52. In reply, the Minister of Human Resource Development (Shri P. V. Narasimha Rao) stated as follows:—

".....The question refers to a scheme which was earlier being administered by the Central Government, but was transferred in 1979 to the State Governments. There is another scheme which is properly called National Merit Scholarship Scheme, which is still being administered by the Central Government and in respect of which also the question of enhancement of Rs. 6,000 ceiling has been raised and that is under consideration in the Ministry."

53. The above reply to the points raised on the Question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply i.e. by 27 February, 1986.

54. On 19 February, 1987, the Ministry of Human Resource Development approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs vide their U.O. Note No. IV/HRD(2) SQ 150-LS/85, dated 19 February, 1987, to drop the assurance on the grounds indicated below:—

".....This department has gone through the main answer to the question and the proceedings of the Lok Sabha relating to supplementaries thereto carefully. The statement "the

question of enhancement of Rs. 6000/- ceiling has been raised and that is under consideration in the Ministry" was made by Human Resource Minister (HRM) in respect of another scheme viz. National Merit Scholarship which is being operated by this Department, as an elaboration of his reply to a supplementary. It did not, in any way, pertain to the scheme to which the main question related because that scheme in question is no more being administered or operated by the Central Government. It is in fact being administered by the State Governments themselves as was indicated by the Minister in his reply to the question. The above statement, therefore, should not constitute as an assurance by HRM for considering the question of enhancing the ceiling limit under a scheme which is not being administered and controlled by this department. However, the feelings of the Members of Parliament about enhancement of ceiling of Rs. 6000/- have already been communicated to the State Governments/Union Territories as stated by HRM in response to another supplementary to the same question."

55. The Committee considered the request of the Ministry of Human Resource Development for dropping the assurance at their sitting held on 26 May, 1987, and decided not to accede to the request of the Ministry for dropping the assurance.

56. The Committee noted that the Ministry had implemented the assurance by laying a statement in the Lok Sabha on 21 April, 1988. In the statement, the Ministry stated as follows:

"The Cabinet has revised the income limit from Rs. 6000/- p.a. to Rs. 25,000/- p.a. in respect of the National Scholarships Schemes which are being implemented directly through the Department of Education, Government of India in their meeting held on 18th January, 1988.

The scheme of scholarships for the children of Primary and Secondary school teachers since is being operated directly by the State Governments/Union Territory Administrations after 1978-79 from their own funds. It is now for them to adopt the revised income ceiling for this scheme as well. The decision of the Central Government about revision of the income ceiling to Rs. 25,000/- p.a. for their schemes has already been communicated to the State Governments/Union Territory Administrations."

57. The Committee note that the Ministry have since implemented the assurance. However, they would like to draw the attention of the Ministry to their observations made earlier in this Report in respect of assurances which were initially sought to be dropped by the concerned Ministries but later on were implemented when the Committee did not agree to their requests to the dropping of the assurance.

(viii)

58. On 17 April, 1984, the following Unstarred Question (No. 7893) given notice of by Shri Dharam Bir Sinha, M.P., was addressed to the Minister of Labour and Rehabilitation:—

- “(a) whether the existing labour laws for the well being of construction workers provide adequate safeguards against workers being exposed to health hazards; and
- (b) if not, whether Government propose to amend these laws to make them fool-proof and deterrent for the recalcitrant employers?”

59. The then Minister of State in the Ministry of Labour and Rehabilitation (Shri Dharam Vir) gave the following reply:—

- (a) and (b): “For safeguarding the interests of the workers in the building and construction industry, it has been decided to enact a separate comprehensive legislation for regulating their service conditions, health and safety. A Bill in this respect is expected to be introduced in the Parliament soon.”

60. The above reply to the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply i.e. by 16 July, 1984.

61. The Committee on Government Assurances (1985-86) considered the request of the Ministry of Labour for dropping the assurance at their sitting held on 27 January, 1986, on the following plea:—

“The Bill for safeguarding the interests of the workers and promoting of their health and safety in the building and construction industry has not been finalised so far. The Legislative Department of the Ministry of Law who were requested to finalise the same have returned the same after Lok Sabha Election and have advised that the fresh

approval of the new Cabinet may be obtained. The drill involved in further processing of the Bill may still take long time depending upon the time taken by the Legislative Department of the Ministry of Law for its finalisation. It may be recapitulated that the Ministry had no intention to give assurance to Lok Sabha in respect of USQ No. 7893 dated 17-4-1984. The time taken for finalising the Bill by the Legislative Department of the Ministry of Law, Justice and Company Affairs is more than a year in the present case."

62. After considering the matter in all respects, the Committee recommended as follows in para 10 of their Sixth Report, presented to Lok Sabha on 13 August, 1986:—

"In spite of the fact that the need as well as the urgency of an enactment to regulate the service conditions and promote the health and safety of the workers engaged in the building and construction industry are widely acknowledged and Government themselves had decided as far back as April, 1984 to bring forward the desired legislation in this regard, any concrete step is yet to be taken by the Government. It is indeed regrettable that the matter should have been delayed so much for no valid reason. The Committee would urge upon the Government to bring forward the necessary legislation without further loss of time and thereby implement the assurance given to the House more than a couple of years ago."

63. On 20 February, 1987, the then Minister of State in the Ministry of Labour (Shri P. A. Sangma) wrote *vide* his D.O. Letter No. H-11016/13/84-LW to the Chairman, Committee on Government Assurances that the assurance be dropped on the following grounds:—

"..... We are actively pursuing the matter since many years but due to various difficulties have not been able to finalise it as early as we expected. The process may take considerable time as the matter is very sensitive and complex. It is still difficult to say exactly how long it may take us to introduce the bill in view of various complex issues involved."

64. The Committee considered the above request at their sitting held on 26 May, 1987, and decided not to accede to it. They desired that the Ministry should implement the assurance early and in the

meantime make a request for extension for time. The decision of the Committee was communicated to the Ministry accordingly.

65. Later on the Ministry of Labour sought extension of time upto 30 April, 1988 (Vide their U.O. Note No. XIV/LR (20) USQ-7893-LS/84 dated February 1, 1988) on the ground that the finalisation of the proposal was likely to take some more time.

66. The Committee cannot but deprecate the inordinate delay in the implementation of this assurance. The Minister's reply given on 17 April, 1984 gave a clear indication that Government recognised fully the need to safeguard the interest of the workers in the building and construction industry and that Government had decided to enact a separate comprehensive legislation for regulating their service conditions, health and safety. It was also stated that a bill for the purpose would be introduced in the Parliament soon. This explicit statement of the Government was perfectly in conformity with their objective of achieving an egalitarian society. The reasons for which it is now not possible for the Government to bring forward the promised legislation are not quite clear to the Committee. In the circumstances, the only conclusion that the Committee can draw is that the implementation of this assurance is pending merely owing to red tapism in the Government. Therefore, the Committee would urge upon the Government to expedite their approval to the draft of the proposed legislation and ensure that it is introduced in Parliament without further loss of time.

CHAPTER III

POSITION OF PENDING ASSURANCES PERTAINING TO SEVENTH AND EIGHTH LOK SABHA

67. A statement showing the position of assurances pertaining to Seventh and Eighth Lok Sabha pending implementation by the Government as on 21 April, 1988, is given in Appendix.

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

NEW DELHI;

May 11 1988

Vaisakhi 21, 1910 (Saka)

PROF. NARAIN CHAND PARASHAR,

Chairman,

*Committee on Government
Assurances*

MINUTES

FOURTEENTH SITTING

**Minutes of the Committee on Government Assurances held on
Tuesday, 26 May, 1987 in Committee Room No. 'C',
Parliament House Annexe, New Delhi.**

The Committee met on Tuesday, 26 May, 1987 from 15.00 hours
to 15.40 hours.

PRESENT

Prof. Narain Chand Parashar—*Chairman*

MEMBERS

2. Shri Tador Bala Goud
3. Shri Jitendra Prasada
4. Shri Rahim Khan
5. Shri Channaiah Odeyar
6. Shri Keshorao Pardhi
7. Shri Ram Pujan Patel
8. Shri K. N. Pradhan
9. Shri Jagannath Prasad

SECRETARIAT

1. Shri C. K. Jain—*Chief (Questions)*
2. Shri D. M. Chanan—*Chief Legislative Committee Officer*
3. Shri Raghbir Singh—*Senior Examiner of Questions*

2. The Committee took up for consideration Memoranda Nos.
63, 70, 71, 72, 73, 74, 75 and 76.

Memorandum No. 69: Request for dropping of assurance given on 24
July, 1986 in reply to Unstarred Question
No. 952 regarding national water policy.

3. The Committee considered the following request of the
Ministry of Water Resources through the Ministry of Parliamentary

Affairs vide their U.O. Note No. VI/WR(2) USQ-952-LS/86 dated 21 October, 1986, for dropping the assurance on the following grounds:—

“The reply ‘The draft of the National Water Policy document is under preparation’ refers to the very process of the policy formulation, the draft of which is being prepared by the Group of Ministers appointed by the Prime Minister as the Chairman of the National Water Resources Council. This policy papers is to be placed before the Council. The Council will hold a meeting alongwith other Members who are the Chief Ministers of the States and Union Territories of the country at the convenience of the Prime Minister. It is very difficult to say that the policy will be formulated by any stipulated time. It may be stated here that after the water policy is formulated and approved by the Government, it will be placed before both the Houses of the Parliament.”

3.1 After considering the matter in all aspects, the Committee decided not to agree with the request of the Ministry for the dropping of the assurance. The Committee desired that the Ministry should strive for early implementation of the assurance and in the meantime submit a request for extension of time.

Memorandum No. 70: Request for dropping of assurance given on 29 July, 1986, in reply to Unstarred Question No. 1724 regarding raids against high officials of Post and Telegraphs Department.

4. The Committee considered the following request of the Ministry of Communications received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VI/C(11) USQ. 1724-LS/86, dated 22 October, 1986, for dropping the assurance on the following grounds:—

“Reply given to USQ No. 1724 on 29-7-1986 in the Lok Sabha was based on the information furnished by the CBI. This Department does not have any additional information in this regard. Any further development in the matter is entirely dependent upon the steps taken by the CBI towards completion of the investigation. The entire process is a time consuming one. On the receipt of the report and recommendations of the CBI in due course, the Department of Posts and Department of Telecommunications would take appropriate action, finalisation of which may also take a long time.”

4.1. The Committee were not impressed by the plea made by the Ministry for the dropping of the assurance. They desired that the Ministry should instead take steps for expeditious finalisation of the enquiry by the CBI and to implement the assurance at the earliest. In the meantime they advised the Ministry to seek extension of time for liquidating the assurance.

Memorandum No. 71: Request for dropping of assurance given on 4 August, 1986, in reply to Unstarred Question No. 2353 regarding trials by Agricultural Research Department to control white fly.

5. The Committee considered the following request of the Ministry of Agriculture received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VI/Agri. (18) USQ.-2353/86 dated 21 November, 1986, for dropping the assurance on the following grounds:—

“That the reply given to part (b) of the question was complete in itself. However, the additional information was given by stating further that the registration of another effective insecticide namely, Triazophose is under consideration of the Central Insecticide Registration Committee.”

5.1 The Committee did not agree to the request of the Ministry to drop the assurance and desired that the Ministry should submit a report for extension of time as required for implementation of the assurance. The Committee further observed that it was for them and for the Ministry to decide whether or not a reply should be treated as an assurance.

Memorandum No. 72: Request for dropping of assurance given on 8 August, 1986, in reply to Unstarred Question No. 3234 regarding protection of domestic industries from subsidised import.

6. The Committee considered the following request of the Ministry of Commerce received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VI/Com. (8) USQ.-LS/86 dated 13 November, 1987, for dropping the assurance on the following grounds:—

“The Lok Sabha Unstarred Question No. 3234 answered on 8th August, 1986 called for information regarding petitions received for protection from competition arising out of subsidised imports. A product is deemed to be subsidised when the Government of the exporting country parts or bestows any bounty or grant in respect of the exported

product. We received no such petition regarding subsidised imports. Accordingly in answer to the Parliament Question it was stated that "no petition regarding subsidised imports has been received." We, however, provided additional information that we have received some petitions alleging dumping of certain products and that these are being examined. Dumping is different from subsidy in as much as whereas the latter involves payment of bounty or grant from the Government of the exporting country, the former is a situation where generally exporter sells at higher prices in the domestic market and at lower prices in the country to which the product is exported. Since the additional information does not relate to the Question asked and further no assurance was given in the reply that the position regarding the petitions relating to dumped imports will be supplied later, in our view there is no assurance given in respect of this question."

6.1 The Committee did not find the reasons adduced by the Ministry for the dropping of the assurance as convincing and hence did not agree to the dropping of the assurance. The Ministry should make a report for extension of time as might be considered minimum to implement the assurance. The Committee further observed that the Ministry should note in the instant case as well as for their future guidance that the Executive being accountable to the House, it is always incumbent on the Ministry to furnish to the House full and latest information in their possession on a matter raised in a question and if such a reply was treated as an assurance, it should be implemented at the earliest possible time.

Memorandum No. 73: Request for dropping of assurance given on 17 July, 1986, in reply to Unstarred Question No 122 regarding proposal for a separate National Highway Authority.

7. The Committee considered the following request of the Ministry of Transport received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VI/T(4)/USQ. 122-LS-86 dated 15 December, 1986, for dropping the assurance on the following grounds:—

"The question primarily relates to the creation of a separate National Highway Authority for Orissa, West Bengal and some other eastern States. From the answer, it is quite clear that no such proposal is under consideration of the Government. However, it was added in the answer, that

the Government has under consideration a proposal to set up a National Highway Authority in the country. This proposal is still in its preliminary stages and it is not known as when and what decision on it is likely to be arrived at. Moreover, this addition in the answer is not directly related to the Question asked by the Hon'ble Member."

7.1 The Committee did not agree to the dropping of the assurance as sought by the Ministry. In reply to the question the Ministry had stated that "there is no proposal to create a separate National Highway Authority for Orissa, West Bengal and some other eastern States." However, the House was informed that Government had under consideration a proposal to set up a National Highway Authority for the management of the National Highways in the country." Orissa and other eastern States being as such a part of the country, the full reply given was relevant and was correctly treated as an assurance. The Committee desired that assurance should be implemented at the earliest. In the meanwhile the Ministry should apply for extension of time.

Memorandum No. 74: Request for dropping of assurance given on 5 August, 1986, in reply to Unstarred Question No. 2592 regarding industrial shed project with Netherland's assistance in Karnataka.

8. The Committee considered the following request of the Ministry of Industry received through the Ministry of Parliamentary Affairs vide their U.O. Note No. VI/Ind. (14) USQ. 2592-LS/86 dated 18 December, 1986 for dropping the assurance on the following grounds:—

"In the first phase of the Dutch Assistance programme, which will be over shortly, an amount of Rs. 18 crores has been spent for the above purpose. The Government of Karnataka and Netherland propose to cover additional numbers of artisans under this programme in a second phase. Necessary proposals have been received from the concerned Government Undertakings. They are being finalised.

As the second phase of the programme like the first phase has to be implemented with financial assistance of the Government of Netherland, it is not possible at this stage to say when exactly, the proposals regarding the second

phase will be finalised and implementation taken up. As it would be appreciated, they have to be approved by the Government of India and the Government of Karnataka. We have been doing our best to see that the proposals pertaining to the second phase of this programme are finalised and the approval of the Union Government and the Government of Netherland obtained, at the earliest."

8.1 The Committee did not find any justifiable reason for the dropping of the assurance as requested by the Ministry of Industry. Rather in their opinion the assurance should be implemented expeditiously. In case the Ministry had any difficulty they could apply for extension of time.

Memorandum No. 75: Request for dropping of assurance given on 28 November, 1985 in reply to Starred Question No. 150 regarding income ceiling for national merit scholarships to teachers' children.

9. The Committee considered the following request of the Ministry of Human Resource Development received through the Ministry of Parliamentary Affairs vide their U.O. Note No. IV/HRD(2) SQ. 150-LS/85 dated 19 February, 1987, for dropping the assurance on the following grounds:—

".....This department has gone through the main answer to the question and the proceedings of the Lok Sabha relating to supplementaries thereto carefully. The statement "the question of enhancement of Rs. 6000/- ceiling has been raised and that is under consideration in the Ministry" was made by Human Resource Minister (HRM) in respect of another scheme viz., National Merit scholarship which is being operated by this Department, as an elaboration of his reply to a supplementary. It did not, in any way, pertain to the scheme to which the main question related because that scheme in question is no more being administered or operated by the Central Government. It is in fact being administered by the State Governments themselves as was indicated by the Minister in his reply to the question. The above statement, therefore, should not constitute as any assurance by HRM for considering the question of enhancing the ceiling limit under a scheme which is not being administered and controlled by this department. However, the feelings of the Members of Parliament about enhancement of ceiling of Rs. 6000/- have already been communicated to the State

Government/Union Territories as stated by HRM in response to another supplementary to the same question."

9.1 The Committee did not accede to the request of the Ministry of Human Resource Development for the dropping of the assurance. The reply of the Minister to a supplementary which arose out of the main question clearly constituted an assurance and in view of the Committee it should be implemented by expediting the decision of the Government in regard to the enhancement of the ceiling of Rs. 6000/- under the National Merit Scholarship Scheme. If required, the Ministry might submit a request for extension of time.

Memorandum No. 76: Request for dropping of assurances given on 17 April, 1984 in reply to Unstarred Question No. 7893 regarding amendment of Labour Laws to protect the workers.

10. The Committee considered the following second request of the Ministry of Labour received *vide* D.O. Letter No. H-11016|13|84-LW dated 20 February, 1987 from the Minister of Labour for dropping the assurance on the following grounds:—

".....We are actively pursuing the matter since many years but due to various difficulties, have not been able to finalise it as early as we expected. The process may take considerable time as the matter is very sensitive and complex. It is still difficult to say exactly how long it may take use to introduce the bill in view of various complex issues involved."

11. The Committee carefully considered the request of the Minister of State for Labour for the dropping of the assurance. The Committee felt that the matter being of wide public importance required finalisation on priority basis. In view of this, the Committee decided not to drop this assurance. The Ministry might be advised to apply for extension of time.

12. This being the last sitting of the Committee during their present term, the Chairman in his valedictory observations thanked all the members of the Committee for their active interest and valuable contribution to the work of the Committee. He also thanked the Secretary-General of Lok Sabha for his valued advice tendered from time to time and to the officers and staff of the Committee for their assistance. The members and the Chief Examiner of Questions reciprocated the sentiments expressed by the Chairman and thanked him for his able stewardship.

13. The Committee then adjourned.

MINUTES

THIRTEENTH SITTING

Minutes of the Committee on Government Assurances held on 11 May, 1968 in Committee Room 'C' Parliament House Annexe, New Delhi.

The Committee met on Wednesday, 11 May, 1968 from 15.30 hrs. to 16.00 hrs.

PRESENT

Prof. Narain Chand Parashar—*Chairman*

MEMBERS

2. Shri L. Balaraman
3. Shri Sitaram J. Gavali
4. Shri Abdul Rashid Kabuli
5. Shri Bapulal Malviya
6. Shri Bhola Raut
7. Shrimati Shanti Devi
8. Shri Kamla Prasad Singh
9. Shrimati Usha Thakkar
10. Shri Mahabir Prasad Yadav

SECRETARIAT

Shri C. K. Jain—*Chief (Questions)*

Shri S. C. Gupta—*Chief Examiner of Questions*

Shri Raghbir Singh—*Senior Examiner of Questions*

2. The Committee took up for consideration the draft Twelfth Report and adopted the same. The Committee authorised the Chairman to present the report to the House during the current Session.

The Committee then adjourned.

APPENDIX I

(Vide Para No. 67 of Report)

Statements showing the position of the assurances of Seventh Lok Sabha pending implementation as on 21 April, 1988

| Session | No. of assurances called out | No. of assurances implemen- ted/ dropped | No. of assurances out stand- ing |
|---|---------------------------------------|--|---|
| First Session, 1980 | 26 | 26 | .. |
| Second Session, 1980 | 196 | 196 | .. |
| Third Session, 1980 | 548 | 548 | .. |
| Fourth Session, 1980 | 333 | 333 | .. |
| Fifth Session, 1981 | 793 | 793 | .. |
| Sixth Session, 1981 | 373 | 372 | 1 |
| Seventh Session, 1981 | 418 | 418 | .. |
| Eighth Session, 1982 | 798 | 798 | .. |
| Ninth Session, 1982 | 429 | 429 | .. |
| Tenth Session 1982 | 315 | 315 | .. |
| Eleventh Session, 1983 | 861 | 860 | 1 |
| Twelfth Session, 1983 | 433 | 433 | .. |
| Thirteenth Session, 1983 | 424 | 424 | .. |
| Fourteenth Session, 1984 | 956 | 950 | 6 |
| Fifteenth Session, 1984 | 928 | 928 | 2 |
| Total assurances outstanding | 7231 | 7221 | 10 |

APPENDIX II

(Vide Para No. 67 of Report)

Statement showing the position of assurances of Eighth Lok Sabha pending implementation as on 21 April, 1988

| Session | No. of assurances culled out | No. of assurances implemented/dropped | No. of assurances outstanding |
|--|------------------------------|---------------------------------------|-------------------------------|
| First, Session, 1985 | 19 | 19 | .. |
| Second Session, 1985 | 426 | 423 | 3 |
| Third Session, 1985 | 323 | 320 | 3 |
| Fourth Session, 1985 | 355 | 343 | 12 |
| Fifth Session, 1986 | 777 | 718 | 59 |
| Sixth Session, 1986 | 475 | 428 | 47 |
| Seventh Session, 1986 | 428 | 384 | 44 |
| Eighth Session, 1987 | 777 | 625 | 152 |
| Eighth Session (Second Part), 1987 | 578 | 359 | 219 |
| Ninth Session, 1987 | 772 | 245 | 527 |
| Total | 4930 | 3864 | 1066 |