

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(2004-2005)**

FOURTEENTH LOK SABHA

FIRST REPORT

(REQUEST FOR DROPPING OF ASSURANCES)

(Presented to Lok Sabha on 10 Dec., 2004)



LOK SABHA SECRETARIAT
NEW DELHI

December 2004/Agrahayana, 1926 (Saka)

CONTENTS

[Composition of the Committee \(2004-2005\)](#)

[Introduction](#)

[Chapter I](#) Request for dropping of Assurances (Not Accepted)

- [\(i\)](#) Unstarred Question Nos. 856, 876 & 6566 dated 27th July, 2000, 23rd November, 2000 & 09th May, 2002 regarding Diesel Scam & Report of HSD Unearthed by CBI respectively.
- [\(ii\)](#) Unstarred Question Nos. 7585 and 4698 dated 16th May, 2002 and 19th December, 2002 regarding CBI raids on ONGC Officials and CBI cases against GAIL Officials respectively.
- [\(iii\)](#) Unstarred Question No.737 dated 22nd November, 2002 regarding Fake Trusts.
- [\(iv\)](#) Unstarred Question No.4957 dated 20th December, 2002 regarding Cartel Formation by Big Cement Producers.
- [\(v\)](#) Unstarred Question No.178 dated 19th February, 2003 regarding Amendment to Prevention of Food Adulteration Act, 1954.

[Chapter II](#) Request for dropping of Assurances (Accepted)

- [\(i\)](#) Starred Question No.125 dated 04th August, 1993 regarding District Industry Centres.
- [\(ii\)](#) Unstarred Question No.3686 dated 16th April, 2002 regarding Vacant Posts.
- [\(iii\)](#) Unstarred Question No.2538 dated 04th December, 2002 regarding Polio Treatment Facilities.
- [\(iv\)](#) Unstarred Question No.3294 dated 10th December, 2002 regarding Relics of Subhas Chandra Bose.
- [\(v\)](#) Unstarred Question No.222 dated 19th February, 2003 regarding Human Resource Policy.
- [\(vi\)](#) Unstarred Question No.3206 dated 12th March, 2003 regarding Protest by Officers of BSNL.

APPENDICES

- [I](#) Minutes of the Sitting of the Committee held on 15.01.2002.
- [II](#) Minutes of the Sitting of the Committee held on 04.12.2003.
- [III](#) Minutes of the Sitting of the Committee held on 22.01.2004.
- [IV](#) Minutes of the Sitting of the Committee held on 28.10.2004

**COMPOSITION OF THE COMMITTEE ON
GOVERNMENT ASSURANCES***
(2004-2005)

CHAIRMAN

Shri Harin Pathak

MEMBERS

2. Shri Yogi Adityanath
3. Shri Anandrao Vithoba Adsul
4. Shri J.M. Aaroon Rashid
5. Shri Biren Singh Engti
6. Shri Ramesh Jigajinagi
7. Shri Sunil Khan
8. Shri Rasheed Masood
9. Shri Kailash Meghwal
10. Shri A. Venkatesh Naik
11. Shri M. Shivanna
12. Shri Ajit Singh
13. Shri V. Aruna Kumar
14. Shri Kailash Nath Singh Yadav
15. Shri Mohan Jena**

SECRETARIAT

- | | | | |
|----|---------------------|---|----------------------|
| 1. | Shri P.D.T. Achary | - | Additional Secretary |
| 2. | Shri S.K. Sharma | - | Joint Secretary |
| 3. | Shri K. Chakraborty | - | Director |
| 4. | Shri K. Jena | - | Assistant Director |

* The Committee was constituted on August 7, 2004 *vide* Para No.337 of Lok Sabha Bulletin Part-II dated 7th August, 2004.

** Nominated to the Committee by the Speaker w.e.f. August 23, 2004
Vide Para No.415 of Lok Sabha Bulletin Part-II dated 23rd August, 2004.

INTRODUCTION

I, the Chairman of the Committee on government Assurances, having been authorized by the Committee to submit the Report on their behalf, present this First report of the Committee on Government Assurances.

The Committee (2004-2005) was constituted on August 07,2004.

The Committee (2003-2004) at their sittings held on 4.12.2003 and 22.1.2004 *inter-alia* considered Memoranda Nos. 17,18, 19, 20, 21, 23, 24 and 28, 29, 30, 31, 32 containing requests received from the Ministries/departments of the Government of India for dropping of pending assurances.

At their sitting held on October28, 2004, the Committee (2004-2005)j considered and adopted their First Report. The Minutes of the aforesaid sittings of the Committee form part of this Report. (Appendix)

The conclusion/observations of the Committees are also contained in this Report.

NEW DELHI;
28 October, 2004

06 Kartika, 1926 (Saka)

HARIN PATHAK
Chairman,
Committee on government Assurances.

REPORT

CHAPTER – I

(i) DIESEL SCAM & REPORT OF HSD UNEARTHED BY CBI

1.1 On July 27, 2000 S/Shri Dilipkumar Mansukhlal Gandhi, Uttamrao Dhikale, Vilas Muttemwar, MPs addressed the following Unstarred Question No.856 to the Minister of Petroleum & Natural Gas:-

- “(a) whether the Central Bureau of Investigation in Madhya Pradesh and Maharashtra have revealed a wide network of racketeers who took delivery of huge quantities of subsidized diesel from Gujarat and other States;**
- (b) if so, whether 23 companies were raided in Indore, Bhopal, Ujjain, Dhar and other places in M.P. and also in Maharashtra;**
- (c) whether the investigation agency has found that the oil companies had failed to detect that their retail outlets were getting supplies from outside sources;**
- (d) if so, the details of the outcome of these raids; and**
- (e) the action that has been taken against those found guilty?”**

1.2 In reply, the then Minister of State in the Ministry of Petroleum and Natural Gas (Shri Santosh Kumar Gangwar) stated as follows:-

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

1.3 The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Petroleum and Natural Gas within three months of the date of the reply i.e. by October 26, 2000.

1.4 On November 23, 2000, S/Shri R.S. Patil and Dilipkumar Mansukhlal Gandhi, MPs addressed the following Unstarred Question No.876 giving reference to Unstarred Question No.856 dated July 27, 2000 to the Minister of Petroleum and Natural Gas:

“(a) whether requisite information has been collected;

(b) if so, the details thereof; and

(c) if not, the reasons for the delay?”

1.5 In reply, the then Minister of State in the Ministry of Petroleum and Natural Gas (Shri Santosh Kumar Gangwar) stated as follows:-

“(a) to (c):- Central Bureau of Investigation (CBI) has registered a case on 23rd May, 2000 at Gandhinagar, Gujarat. The investigation is in progress.”

1.6 The reply to the above question was also treated as an assurance and was required to be fulfilled by the Ministry of Petroleum and Natural Gas within three months of the date of the reply i.e. by February 22, 2001.

1.7 On May 09, 2002, S/Shri Shankersinh Vaghela, Raguvansh Prasad Singh & Kanti Singh, MPs addressed the following Unstarred Question No.6566 to the Minister of Petroleum & Natural Gas:-

“(a) whether the attention of the Government has been drawn to a news item captioned `High-speed diesel scam may touch Rs.1,000 crores mark` as reported in the `Times of India` dated November 26, 2001;

(b) if so, whether the matter has been investigated by the Union Government; and

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

1.8 In reply, the then Minister of State in the Ministry of Petroleum & Natural Gas and Minister of State in the Ministry of Parliamentary Affairs (SHRI SANTOSH KUMAR GANGWAR) stated as follows:-

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

1.9 Reply to parts (a) to (c) of the above question was also treated as an assurance and was required to be fulfilled by the Ministry of Petroleum & Natural Gas within three months of the date of the reply i.e. by August 08, 2002.

1.10 The Ministry of Parliamentary Affairs *vide* their U.O. No.IX/Petrol (12) USQ 6566-LS/02 dated 08th September, 2003 forwarded a request of the Ministry of Petroleum & Natural Gas to drop the assurance on the following grounds:-

“All the three Assurances relate to Case No.RC 12(A)2000-GNR registered on 23.05.2000 by CBI. The CBI had informed that the case involves 59 firms, 4 Oil Companies, Sales Tax Department, Mediators, Transporters and Petrol Pump owners of three States *viz.* Gujarat, Madhya Pradesh and Maharashtra and is under active field investigation. The Central Bureau of Investigation, Policy & Co-ordination Division had again informed that the investigation of the above case is still in progress.

It may kindly be noted that the case was registered by CBI in May, 2000 and even after the lapse of more than 3 years, the CBI is yet to conclude the investigation. It is uncertain as to how long CBI would take to finalize its investigation. Even after the completion of the CBI inquiry the cases are likely to be taken up in the court, which is also a long process. In view of the above, this Ministry feels that no purpose would be served by keeping the above assurance pending.

In view of the position explained above, it may not be possible to fulfill the Assurances in the immediate future. It is, therefore, requested that the Committee on Government

Assurances, Lok Sabha may be requested to drop the above assurances."

1.11 The Committee note that three questions were asked regarding unearthing of a wide network of racketeers who took delivery of subsidized diesel in Gujarat and other States. The first question was asked on 7th July, 2000 and in its reply the Government gave an assurance that the requisite information would be furnished after its collection. The second question was asked on 23rd November, 2000, in which the information desired in the earlier question dated 27th July, 2000, was sought and in their reply the Ministry had stated that a case had been registered by CBI on 23rd May, 2000 at Gandhinagar, Gujarat, which was in progress. The third question was asked on 9th May, 2002 on the subject regarding high speed diesel scam and in reply thereto the Government had again given an assurance promising that the information will be furnished after the same has been collected. The Committee further note that after giving the second assurance on the question, the Ministry had requested that both the assurances may be dropped on the grounds that the investigation by CBI and subsequent judicial proceedings are time consuming. The Committee considered their request at the sitting held on 15th January, 2002. However, the Committee did not accede to the request of the Ministry for dropping of the assurances. The Committee presented their Eleventh Report to the

House on 18th December, 2002 in which they had *inter-alia* recommended that since the outcome of the CBI investigations were pending, the Oil Companies working under the Ministry of Petroleum & Natural Gas should examine the shortcomings and weaknesses of their day-to-day administration and evolve a mechanism to strengthen the monitoring system so as to avoid recurrence of such irregularities incurring huge loss to the exchequer. The Ministry of Parliamentary Affairs *vide* their communication dated 08th September, 2003 forwarded a request of the Ministry of Petroleum & Natural Gas once again to drop the assurances given on the subject so far. The Committee considered their request afresh at the sitting held on 4th December, 2003, but decided not to drop the assurances.

1.12 The Committee note that the case involves as many as 59 firms and oil companies, Sales Tax Department, mediators, transporters and petrol pump owners of three States namely Gujarat, Madhya Pradesh and Maharashtra. Moreover, since there is an apprehension that the high speed diesel scam may touch Rs.1,000 crores mark, the Committee feel that investigation by CBI should be completed and the delay involved should be accounted for in clear-cut terms

1.13 The Committee would, therefore, like to know the action taken by the Government/Oil companies in pursuance of the recommendation of the Committee which was presented to the House on 18th December, 2002. The Committee would also like to know the present position of

the CBI enquiry in the matter and time schedule drawn by them for expeditious completion of the enquiry.

(ii) CBI RAIDS ON ONGC OFFICIALS

1.14 On May 16, 2002, Shrimati Shyama Singh, S/Shri G.Ganga Reddy & K. Yerrannaidu, MPs addressed the following Unstarred Question No.7585 to the Minister of Petroleum & Natural Gas:-

- “(a) whether attention of the Government has been drawn to the newsitem captioned `CBI unearths ONGC scam worth Rs.5 crore` as reported in the Asian Age dated December, 12, 2001; and**
- (b) if so, the details of officials of ONGC involved and the action contemplated by the Government against them?”**

1.15 In reply, the then Minister of State in the Ministry of Petroleum & Natural Gas and Minister of State in the Ministry of Parliamentary Affairs (SHRI SANTOSH KUMAR GANGWAR) stated as follows:-

“(a): The subject news item appeared in the `Asian Age` on 20th December, 2001.

(b): A case has been registered by Central Bureau of Investigation(CBI) on 24.8.2001 against senior officers of ONGC and a company M/s. Jay Bee Energy Services, Guwahati on allegations of abuse of official position and criminal conspiracy in award of a contract. Investigation by the CBI has not been concluded as yet.”

1.16 Reply to part (b) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Petroleum & Natural Gas within three months of the date of the reply i.e. by August 15, 2002.

1.17 On December 19, 2002, Shri A.F. Golam Osmani & Shrimati Shyama Singh, MPs addressed the following Unstarred Question No.4698 to the Minister of Petroleum & Natural Gas:-

- “(a) whether CBI has registered case against senior officials of GAIL including former officials who have conspired to give a private oil company undue benefit at the exchequer’s loss;**
- (b) if so, the facts and details thereof; and**
- (c) the action Government propose to take against the officials of GAIL who have been found in favouring to a private company and causes losses to the exchequer?”**

1.18 In reply, the then Minister of State in the Ministry of Petroleum & Natural Gas and Minister of State in the Ministry of Parliamentary Affairs (SHRI SANTOSH KUMAR GANGWAR) stated as follows:-

“(a) to (c) : CBI has registered a case No.63 (A)/2002-DLI dated 14th November, 2002 under section 120 B of IPC read with section 13(2) and 13(1)(d) of the Prevention of Corruption Act, 1988 against some officials and former officials of GAIL.

As the matter is still under investigation, no action by the Government against the accused officials is contemplated at this stage.”

1.19 Reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Petroleum & Natural Gas within three months of the date of the reply i.e. by March 18, 2003.

1.20 The Ministry of Parliamentary Affairs *vide* their U.O. Nos. IX/Petro(26)USQ 7585 – LS/2002 and XI/Petro (7) USQ 4698-LS/2002 dated 25th September, 2003, forwarded the requests of the Ministry of Petroleum & Natural Gas to drop the two assurances on the following grounds:-

“The matter has been examined in detail in the Ministry. The process of investigation by the CBI in the RC is a long drawn process and may take considerable time. We understand that there is no time limit fixed by CBI for completion of investigation of such cases. Cognizance of the issue has already been taken and investigation is under process. Ministry would after examining CBI’s investigation take appropriate action. Considering that action on the issue has been initiated and will be taken to the logical end, Ministry of Parliamentary Affairs is requested to place the matter before the Committee on Government Assurances for dropping the aforesaid Assurance.”

1.21 The Committee note that a question was asked on 16th May, 2002 to know about the unearthing of a scam by CBI in ONGC, the involvement of Officials of ONGC therein and the action taken against guilty Officers. In reply, the Government stated that a case was registered by CBI on 24th August, 2001 against the senior Officers of ONGC and also against a private company for abuse of official position and criminal conspiracy in awarding of a contract. It was also stated that investigations by the CBI were in progress. The Committee further note that another question was asked on 19th December, 2002 regarding registration of a case by CBI against senior officials of GAIL including former officials who have conspired to give undue benefit to a private oil company at the exchequer’s loss. It was *inter-alia* stated by the Government that a case was registered by CBI on 14th November, 2002 under section 120 B of IPC read with section 13 (2) and 13(1)(d) of the Prevention of Corruption Act, 1988. Since the reply given to both the above said questions were construed as assurance, the Ministry

requested the Committee for dropping of these two assurances stating inter-alia that the matter has been examined in detail and the process of investigation by CBI being a long drawn process, may take considerable time. It was stated that the Ministry would take appropriate action only after examining the CBI's investigation.

1.22 The request of the Ministry for dropping of the aforesaid assurances was considered by the Committee at their sitting held on 04th December, 2003 and 22nd January 2004. The Committee were of the view that since the CBI had filed a case, that too against the senior officers of the ONGC/GAIL for abuse of official position and involvement in criminal conspiracy in awarding of the contract, it became all the more important for the Committee to know as to who was guilty. It was also necessary to unearth the loopholes in the system of awarding of contract and the resultant remedial measures called for. The Committee accordingly decided not to drop both the assurances. The Committee express their deep anguish over the mal-practices and corruption prevalent in ONGC and GAIL. The Committee do not concur with the view of the Ministry that action would be initiated against the guilty only after CBI's investigation. The Ministry of their own should have initiated such steps which could eradicate corruption by taking timely punitive measures. The Committee are perturbed to notice the callous and indifferent attitude of the Ministry and fail to understand why required steps are not forthcoming. The Committee, therefore, strongly

recommend that it is high time that the Ministry should examine at their end, the procedure involved for awarding of contracts for and also the powers delegated to its senior officers in this regard. They should carry out necessary changes/amendments in the procedure so that recurrence of such incidents could be avoided in future. The Committee should be kept informed about the action taken in pursuance of their recommendation.

[iii] FAKE TRUSTS

1.23 On November 22, 2002, Col.(Retd.) Sona Ram Choudhary & Shri Ramjee Manjhi, MPs addressed the following Unstarred Question No.737 to the Minister of Finance & Company Affairs:-

- “(a) whether the attention of the Government has been drawn to the news item captioned `I-T Officer runs fake trust` appearing in the `Hindustan Times` dated 18th September, 2002;**
- (b) if so, the facts of the matter reported therein;**
- (c) whether any inquiry has been conducted in this matter;**
- (d) if so, the outcome thereof; and**
- (e) the action taken against the persons found guilty?”**

1.24 In reply, the then Minister of State in the Ministry of Finance & Company Affairs (SHRI GINGEE N. RAMACHANDRAN) stated as follows:-

- “(a): Yes, Sir.**

(b): The CBI has registered a case RC 43(A)/2002 against an officer of the level of Director General of Income Tax and two other private individuals regarding issue of tax clearance certificate. Subsequently, a search was conducted at the official and residential premises of the officer by the CBI. Report from the CBI is yet to be received.

(c) & (d): The CBI is conducting investigations, which are in progress.

(e): The officer has already been transferred to a different station and action, if necessary, will be taken after the investigation report of the CBI is received."

1.25 Reply to parts (c), (d) & (e) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Finance & Company Affairs within three months of the date of the reply i.e. by February 21, 2003.

1.26 The Ministry of Parliamentary Affairs *vide* their U.O. No.XIII/XI/Finance (6) USQ 737-LS/02 dated 23rd September, 2003 have forwarded a request of the Ministry of Finance & Company Affairs to drop the assurance on the following grounds:-

"the investigation report from the CBI is yet to be received and CBI may take long time for completion of investigation/enquiry report. Thereafter, litigation is likely to follow. Thus, fulfillment of this Assurance will take a considerably long time.

It is, therefore, requested that the Committee on Government Assurances (Lok Sabha) may kindly be moved to drop/delete this Assurance."

1.27 The Committee note that a question was asked on November 22, 2002 to know as to whether the attention of the Government has been drawn to the news item appearing in 'The Hindustan Times' dated 18th

September, 2002 regarding running of fake trust by an Income Tax Officer and the action taken thereon. In reply, it was inter-alia stated by the Government that a case against an officer of the rank of Director General of Income Tax and two other private individuals regarding issue of tax clearance certificate was registered by CBI and the investigations were in progress and the CBI report was awaited. However, the officer had already been transferred to a different station. Since this reply was construed as an assurance, the Ministry in their communication dated 23rd September, 2003 had requested the Committee for dropping of the assurance on the grounds that investigation by the CBI would take long time and it would be followed by litigation. But the Committee did not accede to the request of the Ministry at their sitting held on 22nd January, 2004. The Committee are of the view that prolonged investigation of a case by CBI alone would not be an adequate ground to drop the assurance. The Committee note with concern that an officer of the level of Director General of Income Tax is involved in the running of a fake trust which shows how badly the income tax department is suffering from the evils of corruption. Hence, it becomes necessary to pursue the assurance till it has been fulfilled. The Committee desire that the Ministry should advise the CBI to complete their investigation expeditiously and report. The Committee also desire that the Ministry should oversee the functioning of all its Departments and keep a watch

on officials so that the possibility of recurrence of such events in future is fully eradicated.

[iv] CARTEL FORMATION BY CEMENT PRODUCERS

1.28 On December 20, 2002, Shrimati Nivedita Mane and Shri C.N. Singh, MPs addressed the following Unstarred Question No.4957 to the Minister of Finance & Company Affairs:-

- “(a) whether the big cement producers have formed a Cartel;**
- (b) if so, the details thereof and its impact on the prices of cement in the market;**
- (c) whether the Monopoly and Restricted Trade Practices Commission has not taken any action to liquidate the above Cartel;**
- (d) if so, the reasons therefor; and**
- (e) the steps being taken by the Government to protect the small and medium cement producers and also the consumers?”**

1.29 In reply, the Minister of Finance & Company Affairs (Shri Jaswant Singh) stated as follows:-

“(a) to (e) The MRTP Commission, which is a quasi-judicial body, has received complaints alleging formation of a cartel by cement manufactures. The matter is *sub-judice* before the Commission.”

1.30 Reply to parts (a) to (e) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Finance & Company Affairs within a period of three months of the date of the reply i.e. by March 19, 2003.

1.31 The Ministry of Parliamentary Affairs *vide* their O.M. No.XIII-XI/Fin (58) USQ 4957-LS/02 dated 22nd June, 2003 have forwarded a request of the Ministry of Finance & Company Affairs to drop the assurance on the following grounds:-

“the MRTP Commission is a quasi-judicial authority to whom people are free to approach for filing complaints, cases etc. By its very nature, MRTP will always have cases “pending” in the sense that some cases will be disposed off, while others will remain instituted. It is a continuous process which will carry on as long as the court, or the quasi-judicial forum, is in existence.

In a court of law, the number of cases can never be nil. Therefore, if such pendency is taken as an Assurance, perhaps the Assurance can never be fulfilled.

In view of the circumstances mentioned above, the Ministry of Parliamentary Affairs are requested to approach the Hon'ble Committee on Government Assurances, Lok Sabha for extension of time till the decision of the Committee on the request for deletion of the Assurance is known.”

1.32 The Committee note that a question was asked on 20th December, 2002 regarding formation of a cartel by big cement producers, its impact on the prices of cement, action taken by the Monopolies and Restrictive Trade Practices Commission (MRTP) thereon, along with the steps taken by the Government to protect the interest of cement producers/consumers. In its reply, the Government stated that the matter was sub-judice before the MRTP. This reply was treated as an assurance. But the Ministry had requested the Committee on 22nd June, 2003 to drop the assurance on the ground that MRTP Commission is a quasi-judicial authority which will always have cases pending. The

request of the Ministry was considered by the Committee at their sitting held on 22nd January, 2004. However, the Committee was not in favour of dropping the assurance. The Committee feel that the interests of the consumers and small cement producers is paramount and need to be saved at all costs. The Committee would like to know whether the Ministry has initiated remedial steps in this regard or not. The Committee would also like to know when it will be possible for MRTP Commission to consider this case. In view of the importance of the subject where the interest of the consumers and small cement producers is involved, an expeditious conclusion of the case would go a long way in benefiting the people. The Committee also desire that the Ministry should initiate concrete steps to control the prices of the cement. The Committee would like to know the price escalation registered after the formation of the said cartel and to what extent the same has adversely affected the interest of the consumers and people at large.

[v] AMENDMENT TO PREVENTION OF FOOD ADULTERATION ACT, 1954

1.33 On February 19, 2003, Shri Ramjee Manjhi, MP addressed the following Unstarred Question No.178 to the Minister of Health & Family Welfare:-

- “(a) whether an amendment to the Prevention of Food Adulteration Act is under the active consideration of the Government;**
- (b) if so, the details thereof; and**

(c) the time by which it is likely to be amended and the reasons for bringing about amendments in the act?"

1.34 In reply, the Minister of Health & Family Welfare (SHRIMATI SUSHMA SWARAJ) stated as follows:-

"(a) Yes, Sir.

(b) The amendments are under consideration and have not been finalized as yet.

(c) Amendment of the Act is a long drawn process. This process has been initiated. No timeframe can be laid for the new law. Action has been initiated to review the Prevention of Food Adulteration Act, 1954 for considering necessary amendments to the Act, keeping in view the representations/suggestions received in this regard from various organizations and committees."

1.35 Reply to part (b) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Health & Family Welfare within three months of the date of the reply i.e. by May 19, 2003.

1.36 The Ministry of Parliamentary Affairs *vide* their U.O. No.XIII-XII/Health (1) USQ 178-LS/03 dated 21st August, 2003 have forwarded a request of the Ministry Health & Family Welfare to drop the assurance on the following grounds:-

"As the finalization of review and amendment of various provisions of the Prevention of Food Adulteration Act, 1954 is likely to take some time, Lok Sabha Secretariat is requested to kindly drop the assurance."

1.37 The Committee note that a question was asked on 19th February, 2003 to know whether Amendment to Prevention of Food Adulteration Act, 1954 was under consideration of the Government and the time by which the same amendment will be carried out. The Government *inter-*

alia stated in the reply that the amendment to the said Act was under its consideration but could not be finalized and no time frame could be laid keeping in view the representations/ suggestions received from various organizations and committees. This reply was treated as an assurance. But the Ministry in their communication dated 21st August, 2003 has desired to get it deleted on the ground that the finalization of review and amendment of various provisions of the said Act would take considerable time.

1.38 The Committee considered the request of the Ministry at their sitting held on 4th December, 2003, but did not agree to drop the assurance. The Committee observe that amendment to the Prevention of Food Adulteration Act is an important issue and cannot be let up merely on tenuous grounds such as delay caused in the finalization of review and amendment of various provisions of the said Act. The Committee strongly recommend that the Ministry should pursue the matter vigorously keeping in view the instances of food adulteration in the country. The Act should be made more and more comprehensive and stringent so as to minimize the cases of adulteration of food items and also to bring the culprits to book. Apart from this, the Committee would like to know as to what steps have been initiated by the Ministry on the representations/suggestions received from various organizations/committees so far and also the steps taken/proposed for

effecting amendment to the Act expeditiously so that cases of food adulteration can be minimized in our country.

CHAPTER – II

[i] DISTRICT INDUSTRY CENTRES

2.1 On August 04, 1993, S/Shri Rajendra Agnihotri and Rajnath Sonkar Shastri, MPs addressed the following Starred Question No. 125 to the Prime Minister:-

- “(a) the number of District Industry Centres set up for the development of backward areas in the country State-wise;**
- (b) the number of ‘no industry’ districts in the States of Uttar Pradesh and Madhya Pradesh;**
- (c) the reasons for their remaining as ‘no industry’ districts so far;**
- (d) the details of the programmes launched for development of industries in these districts during the last two years; and**
- (e) the progress achieved as a result thereof ?”**

2.2 In reply, the Minister of State in the Ministry of Industry (Department of Small Scale Industries and Rural Industries) (Shri M. Arunachalam) laid a statement on the Table of the House.

“(a) The State-wise distribution of District industry Centres in centrally declared backward districts is given at Annexure-1.

(b) Since the year 1983, 11 districts in Uttar Pradesh and 18 districts in Madhya Pradesh have been identified as no industry districts.

(c) The general reasons for industrial backwardness in these areas are lack of adequate industrial and social infrastructure trained manpower and entrepreneurship etc. In an effort to set up large and medium industries in these

areas of Uttar Pradesh and Madhya Pradesh, 528 Letters of Intent and Industrial Licenses have been issued. After the announcement of the New Industrial Policy during the two years, 53 Letters of Intent and Industrial Licence approvals have been issued and 371 Industrial Entrepreneurs Memoranda have been filed in these no-industry districts of Uttar Pradesh and Madhya Pradesh.

(d)&(e):State Governments are primarily responsible for the industrial development of their States. Central Government has not launched any new scheme for development of no-industry districts in the last two years. However, Central Government have been implementing Growth Centres Scheme for development of backward areas. The number of Growth Centres that are being developed in Uttar Pradesh and Madhya Pradesh are 8 and 6 respectively. Of these, 5 Growth Centres are in no-industry districts of these States. Besides for 8 hill district of Uttar Pradesh which also includes 4 no industry districts, a Transport Subsidy Scheme is in operation."

2.3 During Supplementary discussion, Shri Rajnath Sonkar Shastri, MP inter-alia wanted to know about the meeting which the Hon'ble Prime Minister had wished to convene to discuss the problem with the members of Eastern UP about setting up of industries.

2.4 In reply, the then Minister of State in the Ministry of Industry (Department of Small Scale Industries & Rural Industries) stated (Shri M. Arunachalam):-

"I would like to inform the hon. Members that we will have a separate meeting for the East Uttar Pradesh Members of Parliament."

2.5 The above reply to the supplementary question was treated as an assurance and was required to be fulfilled by the Ministry of Industry within three months of the date of the reply i.e. by November 3, 1993.

2.6 The Ministry of Parliamentary Affairs vide their U.O. No.VII/Industry(14) SQ.125-LS/93 dated November 26, 1999 (Photocopy) forwarded a request for dropping of the above mentioned assurance on the following grounds:-

"The Assurance could not be fulfilled as the proposed meeting of the MPs of Eastern UP could not be organised due to various reasons like dissolution of Lok Sabha, resignation of Minister and changes in Government at the Central and State levels. As the Assurance was pending since a long time the Honorable Industry Minister directed that suitable action be taken for dropping the Assurance.

The emphasis of the Assurance was on industrial development of Eastern U.P. In this context, it may be mentioned that Government has taken several steps from time to time for industrial development of Eastern U.P. Government has set up various field level offices to look after the interest of these areas exclusively such as SISI, Allahabad and Branch SISI, Varanasi in Eastern U.P. by the office of the Development Commissioner (SSI), the Khadi and Village Industries Commission's Offices at Varanasi, Institute of Carpet Technology in District Bhadohi by the Ministry of Textiles, specialized SISI bank branches by the nationalized banks, field offices of the National Small Industries Corporation (NSIC) at Allahabad. Besides, the Central Government has been operating major Central Government Schemes viz., Prime Minister's Rozgar Yojana for providing self employment to educated unemployed youth of these areas and the Integrated Infrastructure Development Scheme for providing infrastructural facilities for setting up SSI units in rural/backward areas of Eastern U.P. In addition, a number of public sector undertakings and heavy industries have also set up their establishments/activities which are instrumental in the development of these areas.

The details of various measures stated above are give in the Annexure-II. In addition to the above measures, Government has taken the following policy initiatives for the growth of SSIs for the country as a whole which will also help industrial growth in Eastern U.P.

- 1. The excise exemption for small scale units which was Rs. 30 lakhs since 1988 was increased to Rs. 50 lakhs in the Union Budget 1998-99.**
- 2. The package for tiny sector announced by the Government on 12th August, 1998 for promotion of tiny enterprises include (i) earmarking of 40 % of plots for tiny units under IID Scheme; (ii) earmarking of 40% assistance by NSIC for tiny units and (iii) earmarking of 60 % credit under refinance scheme of SIDBI for tiny sector.**
- 3. The scope of the National Equity Funds Scheme of SIDBI has been enlarged to cover expansion, modernization, diversification and technology upgradation which were not permitted earlier.**
- 4. The scope of the Technology Development and Modernization Fund Scheme of Small Industries Development Bank of India (SIDBI) has been expanded to cover non-exporting SSIs/ ancillary units graduating out of SSI sector.**
- 5. Investment ceiling in plant and machinery for SSI units has been raised from Rs. 60 lakhs to Rs. 300 lakhs and for tiny units from Rs. 5 lakhs to Rs. 25 lakhs to make them more competitive.**
- 6. Enhancement of ceiling on loan amount of composite loan scheme to Rs. 5 lakhs would ensure timely availability of term loan and working capital to smaller SSI units.**
- 7. New Schemes have been introduced by SIDBI to enhance the export capabilities of SSI units, by way of marketing assistance, acquisition of ISO-9000 certification, factoring services and bills rediscounting against inland supply of bills.**

Fresh Initiatives announced in the Union Budget 1999-2000

A National programme for rural industrialization (NPRI) has been announced with a mission to set up 100 rural clusters every year to give boost to rural industrialization.

Inability to provide adequate security to banks and low recovery are often cited as major constraint in flow of

investment credit to SSI units. To alleviate this problem, Honorable Finance Minister announced that a new credit insurance scheme will be launched.

For SSI units the working capital limit is determined by the banks on the basis of simple calculation of 20% of their annual turnover. The turnover limit for this purpose has been enhanced from Rs. 4 crore to Rs. 5 crore.

To increase the outreach of banks to the tiny sector, lending by the banks to Non Banking Financial Companies (NBFCs) or other financial intermediaries for purpose of on lending to the tiny sector is being included within the definition of priority sector for bank lending.

To augment the flow of credit for food and agro processing industries, lending by banks to this sector will be treated as priority sector lending.

The above initiatives already taken indicate that the Government is deeply committed to the industrial development and Eastern U.P has been adequately benefited from these measures. As industrial development is ongoing process, it would be the Government's endeavour to promote industrial development of these areas on a continuing basis in the years ahead.

In view of the foregoing, it is requested that the above mentioned Assurance may kindly be dropped from the list of Assurances."

2.7 The Committee note that a question was asked on 08th August, 1993 regarding District Industry Centres set up in the country for the development of backward areas and the details of the districts in Madhya Pradesh and Uttar Pradesh where there is no District Industry Centres along with the details of the steps taken to set up the said Centers there. In reply, it was *inter-alia* stated that since the year 1983,

11 districts in Uttar Pradesh and 18 districts in Madhya Pradesh were identified as no industry districts and 528 letters of intent & Industrial Licenses were issued to set up industries in these regions. In fact, the State Governments are primarily responsible for the industrial development of their respective States and the Union Government has not launched any new scheme in this regard but implemented growth centers scheme for development of backward areas, under which 8 Centres in Uttar Pradesh and 6 Centres in Madhya Pradesh were being developed.

2.8 While requesting for the dropping of the assurance the Committee were *inter-alia* informed that a number of steps for the industrial development of Eastern Uttar Pradesh were initiated, such as setting up of various field level offices, operation of several schemes by the Union Government and a host of other measures. The request of the Ministry for dropping of the assurance was considered by the Committee at their sitting held on 04th December, 2003. Since the Committee were convinced by the steps initiated by the Government and the assurance was fulfilled, the Committee decided to drop the assurance.

[ii] Vacant Posts

2.9 On April 16, 2002, Shri Amar Roypradhan, MP addressed the following Unstarred Question No.3686 to the Minister of Home Affairs:-

“(a) the category-wise names of posts lying vacant in his Ministry/Departments and subordinate Offices under

his Ministry, as on 31.12.2001/31.03.2002, along with the date since when these are lying vacant;

(b) the reasons for keeping these posts as vacant; and

(c) the time by which these are likely to be filled up?"

2.10 In reply, the Minister of State in the Ministry of Home Affairs (SHRI I.D. SWAMI) stated as follows:-

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

2.11 Reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Home Affairs within three months of the date of the reply i.e. by July 15, 2002.

2.12 The Ministry of Parliamentary Affairs *vide* their U.O Note No.XIII-IX/Home (10) USQ 3686-LS/02 dated 12th August, 2003 have forwarded a request of the Ministry of Home Affairs to drop the assurance on the following grounds:-

"that collection/compilation of the requisite information has been a very time-consuming and cumbersome process, in view of the fact that it involved offices located throughout the length and breadth of the country, particularly in respect of organizations such as the Central Para-Military organizations, RGI, Department of Official Language etc. Moreover, since the information has been sought as on 31.12.2001/31.03.2002, it would have undergone many changes in the meantime and hence would have lost the relevance with the passage of time. The information being compiled may, therefore, no longer be valid and may not serve any useful/worthwhile purpose. Further, the vacancy position indicated by the Offices may not hold good as on date since many of the posts might have already been filled by the respective offices. A sample analysis of the information furnished so far by the various organizations in reply to Question raised by the Hon'ble Member reflects the following position:-

(a)(i)	Category-wise names of posts lying vacant in the Ministries/Departments and subordinate offices under the Ministry of Home Affairs as on 31.12.2001/31.03.2002.	A very large number of posts of various designations, further falling under Groups A,B,C & D, are lying vacant as on 31.12.01/31.03.02. For example, the SSB organization itself has furnished a list of 69 types of posts falling under different Groups.
(a)(ii)	Date since when these are lying vacant.	This itself will be a very voluminous information if we have to indicate the date in respect of each post, in view of the fact that the types/number of posts lying vacant are very large.
(b)	Reasons for keeping these posts as vacant.	<p>There are a plethora of reasons for this, some of which are as follows:-</p> <ul style="list-style-type: none"> • promotion • retirement • voluntary retirement • repatriation of deputationist to parent department • resignation • death • non-finalization/non-revision of RRs • non-availability of suitable candidates • non-availability of candidates against reserved categories • no response to advertisements/ circulars • restructuring of the organization • creation of new posts • delay in verification of character & antecedents • non-availability of ACRs for holding the meeting of the

		<p>DPC</p> <ul style="list-style-type: none"> • want of MOF's approval for relaxation of the ban orders • delay in conduct of examinations/interviews/ declaration of results by UPSC/SSC/other recruiting agencies • non-completion of exercise laid down in DOPT's O.M. dated 16.05.2001 relating to "Optimization of direct recruitment in civilian posts." • Court/CAT cases, etc. etc.
(c)	<p>Time by which these are likely to be filled up.</p>	<p>Some of the posts which were lying vacant as on 31.12.01/31.03.2002 would have been filled up by now and as such Part (c) of the Question would have become partly obsolete as far as these posts are concerned. Moreover, filling up of the posts which are still lying vacant, being, <i>inter-alia</i>, dependent upon factors like the timely conduct of examinations/interviews/ declaration of results by UPSC/SSC/ other recruiting agencies, it may not be practical to indicate any definite time frame for filling up of these posts. Other crucial factors such as non-finalization/non-revision of RRs, non-availability of candidates against reserved categories, delay in verification of character & antecedents, Court/CAT cases, etc., also have a bearing on the filling up of these posts.</p>

The whole exercise may thus turn out to be an effort in vain. The time, energy and labour being put-in in the

collection/compilation of the above information will not be commensurate with the resultant output.

Under such circumstances, this Ministry is of the view that it will not be feasible to fulfill the above mentioned Assurance and as such the Committee on Government Assurances (Lok Sabha) may kindly be requested for deletion/dropping of the said Assurance.”

2.13 The Committee note that a question was asked on 16th April 2002 regarding the posts lying vacant in the Ministry of Home Affairs as on 31st December, 2001 and 31st March 2002 along with the reasons for the same and the time by which such posts would be filled. The Government stated that the information was being collected and would be laid on the

Table of the House and later it requested the Committee to drop the assurance stating *inter-alia* that the collection/compilation of the desired information was a time consuming process. Moreover, the question was asked to procure information as on 31st December, 2001 and 31st March, 2002, which was just not possible to furnish because the time, energy and labour being put in for collection/compilation of information would not commensurate with the resultant output.

2.14 The Committee considered the request of the Ministry at their sitting held on 04th December, 2003 and acceded to the request of the Ministry to drop the assurance since they were convinced with the reasons advanced by the Ministry.

[iii] POLIO TREATMENT FACILITIES

2.15 On December 04, 2002, Shri A. Narendra, MP addressed the following Unstarred Question No.2538 to the Minister of Health & Family Welfare:-

- “(a) whether adequate facilities are available in all States to treat the polio patients;**
- (b) if so, the details thereof;**
- (c) whether any irregularities have come to the notice of the Government in implementing pulse polio programme such as misappropriation/under utilization of funds provided by the Union Government;**
- (d) if so, the details thereof, State-wise; and**
- (e) the steps taken/proposed to be taken by the Government to curb such irregularities and to achieve the targets set for the scheme?”**

2.16 In reply, the Minister of State in the Ministry of Health & Family Welfare (SHRI A. RAJA) stated as follows:-

“(a) to (e): Treatment facilities are available at tertiary level hospitals of States/UTs for treatment of Polio Patients.

The vaccine is given to the States in kind. Funds towards operational expenses for conducting Pulse Polio Immunization rounds are given to the States/UTs on the basis of approved financial norms for various Components. Whenever instances of irregularities in the implementation of Pulse Polio Immunization come to notice, the State government are advised to take necessary action in the matter. One case of alleged financial irregularity by some officials of Rajasthan government is presently under investigation by the Central Bureau of Investigation.”

2.17 Reply to parts (a) to (e) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Health & Family Welfare within three months of the date of the reply i.e. by March 03, 2003.

2.18 The Ministry of Parliamentary Affairs *vide* their U.O. No.XIII/XI/ Health Family (25) USQ 2538-LS/02 dated 26th June, 2003 have forwarded a request of the Ministry of Health & Family Welfare to drop the assurance on the following grounds:-

“The subject matter of the Assurance is under CBI investigation in a case of alleged financial irregularity in Pulse Polio Immunization funds by some officials of the Rajasthan Government. CBI informed in September, 2002 that the case was in final stage of investigation which was likely to be completed soon. In this connection, it is stated that after completion of investigations, CBI would (i) either close the case in case allegations are not proved or (ii) file a challan against the guilty in a competent court of law and in

that eventuality the process of law shall take its own course. Thus, actions in this case are to be taken by CBI as per law. In view of these facts, the Government of India has no role to play in relation to the CBI case referred to in the statement construed as Assurance and no useful purpose would be served by keeping the Assurance alive.

In view of the above facts, it is requested that this Assurance may kindly be dropped.”

2.19 The Committee note that a question was asked on 04th December, 2002 regarding availability of facilities for treating the Polio patients in all the States and also regarding any irregularities noticed in the implementation of the Pulse Polio Programme. The Government replied that at tertiary level hospitals of States/UTs treatment facilities for Polio patients were available. States/UTs were providing vaccines, funds for conducting Pulse Polio Immunization on the basis of approved financial norms and the State Governments were re-advised to take action on irregularities if noticed. A case, of financial irregularity, noticed in Rajasthan was being investigated by CBI.

2.20 While requesting for the deletion of the Assurance, the Committee were informed that as on September 2002 the CBI inquiry was in its final stage and the investigation would be completed soon. Further, the Committee also note that action in the case are to be taken by CBI as per law and the Government has no role to play. Having satisfied by the facts and the progress of the case, the Committee decided to drop the assurance at their sitting held on 04th December, 2003.

[iv] RELICS OF SUBHAS CHANDRA BOSE

2.21 On December 10, 2002, Shrimati Renuka Chowdhury, MP addressed the following Unstarred Question No.3294 to the Deputy Prime Minister:-

- “(a) whether any new clues regarding noble relics of Netaji Subhash Chandra Bose lying abroad have come to light recently;**
- (b) if so, the steps being taken to bring these back to India;**
- (c) whether his ministry propose to institute any scholarships/awards in his memory; and**
- (d) if so, the details thereof?”**

2.22 In reply, the then Minister of State in the Ministry of Home Affairs (Shri Ch. Vidyasagar Rao) stated as follows:-

“(a) & (b): Justice Mukherjee Commission of Inquiry appointed by the Government of India to inquire into the alleged disappearance of Netaji Subhash Chandra Bose, has recently visited Renkoji temple, in Tokyo, Japan and its report is awaited.

(c): There is no such proposal under consideration.

(d): Does not arise”

2.23 Reply to parts (a) & (b) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Home Affairs within three months of the date of the reply i.e. by March 09, 2003.

2.24 The Ministry of Parliamentary Affairs *vide* their O.M. No.XIII-XI/Home (11) USQ 3294-LS/02 dated 22nd June, 2003 forwarded the request of the Ministry of Home Affairs to drop the assurance on the following grounds:-

“the Justice Mukherjee Commission of Inquiry set up on 14.05.1999 to inquire into all facts and circumstances relating to the disappearance of Netaji Subhas Chandra Bose in 1945 has since been allowed extension from time to time to submit its report and the last extension is up to 14.11.2003 and it is not definite that the Commission will submit its report by the extended time viz., 14.11.2003. under these circumstances it is not feasible to fulfil the instant assurance till the Commission submits its report.

In this connection, it may also be mentioned that an assurance given in Rajya Sabha Unstarred Question No.5142 dated 15.04.2002 regarding graphic description of last days of Netaji has since been deleted/dropped by the Committee on Government Assurances Rajya Sabha *vide* letter No.RS-1/195/470/2002-Com III dated 28.04.2003.

Keeping in view of the above as well as genuine and practical difficulties for fulfilling the instant assurance, Ministry of Parliamentary Affairs is accordingly requested that the instant assurance may please be deleted as the same can be fulfilled only after the Commission submits its Report.”

2.25 The Committee note that a question was asked on 10th of December, 2002 regarding relics of Netaji Subhash Chandra Bose lying abroad. In reply, the Government stated that the report of the Justice Mukherjee Commission, enquiring into the matter was still awaited and the Government requested the Committee to drop the assurance *inter-alia* on the grounds that the said Commission could not give its report even after several extensions.

2.26 The Committee note that the Commission enquiring into the matter was constituted in the year 1999 and was given extensions from time to time and the last extension was upto 14th November 2003, but it

could not finalize and present the report even after the lapse of more than four years and a visit to Renkoji Temple in Tokyo, Japan. The Committee, therefore, acceded to the request of the Ministry to drop the assurance at their sitting held on 04th December, 2003. They desire that the recommendation of the Mukherjee Commission report be implemented and the Committee should be kept informed about the action taken in pursuance thereof.

[v] HUMAN RESOURCE POLICY

2.27 On February 19, 2003, Shri Aditya Nath Yogi, MP addressed the following Unstarred Question No.222 to the Minister of Communications & Information Technology:-

- “(a) whether the Bharat Sanchar Nigam Limited is considering to prepare Human Resource Policy for its officials;**
- (b) if so, the details thereof; and**
- (c) the main objectives and salient features of the policy and by when the said policy will be implemented?”**

2.28 In reply, the then Minister of State in the Ministry of Communications & Information Technology (SHRIMATI SUMITRA MAHAJAN) stated as follows:-

“(a): Yes, Sir.

(b) Bharat Sanchar Nigam Limited (BSNL) has appointed M/S KPMG a Management Consultancy firm to assist it in development and implementation of HR strategies in following Human Resource areas:

- 1) Personnel Policy**

- 2) **Manpower Planning**
- 3) **Norms for staffing**
- 4) **Incentive/ performances appraisal**
- 5) **Conduct & Disciplinary Rules**

(c) The main objectives of the HR Policy will be to strengthen HR Functions in BSNL so as to enhance the competency and efficiency of its Human Resource and make it more productive. The Consultant is to submit the final report shortly. The report and its recommendations will be considered and implemented as per decision to be taken by BSNL Management."

2.29 Reply to part (c) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Communications & Information Technology within three months of the date of the reply i.e. by May 18, 2003.

2.30 The Ministry of Parliamentary Affairs *vide* their U.O. No.XIII-XII/Communications (4) USQ 222-LS/03 dated 30th July, 2003 have forwarded a request of the Ministry of Communications & Information Technology to drop the assurance on the following grounds:-

"The Question pertains to Human Resource Policy of Bharat Sanchar Nigam Limited (BSNL). BSNL has appointed M/s KPMG – a management consultancy firm to assist it in development and implementation of Human Resources (HR) strategies. These relate to different HR areas such as Personnel policy, Manpower planning, Staffing norms, incentives/performance appraisals, conduct and disciplinary rules. The consultant has made numerous recommendations in their report.

Recommendations relating to "Staff norms for new services" and "HR integration across different disciplines" have already been implemented. However, it may be appreciated that the review and transformation of HR practices in such a big organization has to be done gradually and spread over a time and requires consideration of several factors. The BSNL management is examining and considering suitability *vis-à-*

***vis* cost benefit analysis and its side effects of the recommendations and accordingly take decisions about the magnitude, pace and style of implementation of the same with a view to ensuring that the business of the company continues to run smoothly and implementation of the new policies do not cause upheaval in the organization. Given the magnitude of the task, it is to be done in stages and in controlled manner and therefore the time frame for fulfillment of the implementation of the consultant's recommendations is difficult to assess.**

In view of the circumstances explained above, it is requested that the Committee on Government Assurances may kindly consider deletion of the assurance."

2.31 The Committee note that a question was asked on 19th February, 2003 regarding the main objectives and salient features of Human Resource Policy by Bharat Sanchar Nigam Limited(BSNL) for its officials. The Government replied that such a policy was under its consideration and a Management Consultancy firm was also appointed for development of Human Resource strategies in the areas like Personnel Policy, Manpower Planning etc.

2.32 The Ministry while requesting the Committee for dropping of the assurance, inter-alia informed that review and transformation of Human Resource practices in a big organization like BSNL certainly requires sufficient time and careful consideration. The Committee at their sitting held on 22nd January, 2004 considered the Ministry's request and found

that it is an administrative matter of the Ministry and hence decided to drop the assurance.

[vi] PROTEST BY OFFICERS OF BSNL

2.33 On March 12, 2003, S/Shri Satyavrat Chaturvedi & Sunder Lal Tiwari, MPs addressed the following Unstarred Question No.3206 to the Minister of Communications & Information Technology:-

- “(a) whether the officers of the BSNL had registered their protest by observing silence at Rajghat in December, 2002; and**
- (b) if so, the demands put forth by them and the action being taken by the Government in this regard?”**

2.34 In reply, the Minister of State in the Ministry of Communications & Information Technology (SHRIMATI SUMITRA MAHAJAN) stated as follows:-

“(a): Yes, Sir.

(b): Their demands inter-alia includes extension of five year limit for deemed deputation, continuous recruitment to `Indian Telecom Service` cadre through Union Public Service Commission, cadre review of Indian Telecom Service, upgradation of Bharat Sanchar Nigam Limited Board & financial viability of Bharat Sanchar Nigam Limited.

The demands of the Officers of BSNL are under the consideration in consultation with the concerned Departments/Ministries. To ensure the financial viability of Bharat Sanchar Nigam Limited, the Government has agreed to provide certain package of measures viz., moratorium on repayment of principal and interest upto 31.3.2004 on government loans, exemption from payment of dividend on preference share capital upto 31.3.2004. BSNL will also enjoy 50% and 25% waiver on dividend due on equity for the years 2002-03 and 2003-04 respectively. Payment of license fee and spectrum charges by Bharat Sanchar Nigam

Limited will be set off against reimbursements upto 31.3.2003 of losses incurred on account of rural telephony operations or other socially desirable projects.”

2.35 Reply to part (b) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Communications & Information Technology within three months of the date of the reply i.e. by June 11, 2003.

2.36 The Ministry of Parliamentary Affairs *vide* their U.O. No.XIII-XII/Communication (19) USQ 3206-LS/03 dated 3rd October, 2003 have forwarded a request of the Ministry of Communications & Information Technology to drop the assurance on the following grounds:-

“that the demands of the Officers, which turned into an assurance, *inter-alia* include extension of deemed deputation status by further five years, continuous recruitment to Indian Telecom service cadre through Union Public Service Commission and financial viability of Bharat Sanchar Nigam Limited, etc.

All the demands are being pursued on a war footing basis. The issue of continuous recruitment in JTS of ITS Gr.`A` stands resolved following inclusion of the cadre by the UPSC for the Engineering Service Exam.-2003. The issue of Cadre Review of ITS Officers has been taken up by Hon`ble MOS(C&IT) with the Hon`ble Deputy Prime Minister. So far as Financial Viability of BSNL is concerned, Government has already given some financial package in the form of relief measures and also considering other packages to reimburse its uneconomic activities such as Rural Telephony etc.

Therefore, majority of the main demands have been fulfilled and rest of the demands by virtue of being policy matters by nature, are likely to take some more time. Till such time it may not be advisable to keep the assurance pending. Since, the Department is going through a transitional phase and absorption process of Gr.`A` & `B` Officers is yet to take place it is not feasible to fulfill the Assurance at this stage.

Since, it is not feasible to fulfill the above assurance in the light of above circumstances/reasons, Ministry of Parliamentary Affairs is requested to move to the Committee of Government Assurances (Lok Sabha) to delete the assurance."

other packages to reimburse the uneconomic activities such as rural telephony, etc. Most of the demands have been fulfilled and rest of the demands by virtue of policy matters, may take some more time. Therefore, the Ministry requested the Committee to drop the assurance which was acceded to by the Committee at their sitting held on 22nd January, 2004. The Committee agreed with the viewpoint of the Ministry and also found the matter to be of administrative nature.

(HARIN PATHAK)

CHAIRMAN

COMMITTEE ON GOVERNMENT ASSURANCES

**MINUTES
THIRTEENTH SITTING**

Minutes of the Thirteenth sitting of the Committee on Government Assurances held on January 15, 2002 in Committee Room No.62, First Floor, Parliament House, New Delhi.

The Committee met from 1230 hours to 1315 hours on Tuesday, January 15, 2002.

PRESENT

Dr. S. Venugopal - Chairman

MEMBERS

1. Shri Padam Sen Choudhry
2. Shri Priya Ranjan Dasmunsi
3. Shri Brahma Nand Mandal
4. Shri Dharam Raj Singh Patel
5. Shri Chandra Vijay Singh
6. Shri Manoj Sinha
7. Rajkumari Ratna Singh

SECRETARIAT

1. Shri M. Rajagopalan Nair - Joint Secretary
2. Shri A.K. Singh - Deputy Secretary
3. Ms. J.C. Namchyo - Assistant Director

The Committee considered the following Memoranda regarding dropping of assurances:-

XXX	XXX	XXX	XXX
XXX	XXX	XXX	XXX

Memorandum No.35 Request for dropping of assurance given on July 27 & November 23, 2000 in reply to USQ No.856 & 876 regarding Diesel Scam.

The Committee considered the abovementioned Memorandum. The Committee did not agree to the request of the Ministry of Petroleum & Natural Gas for dropping the above assurance as the matter relates to the scam which is under investigation.

The Committee then adjourned.

**MINUTES
NINTH SITTING**

Minutes of the Ninth sitting of the Committee on Government Assurances held on December 4, 2003 at 1500 hours in Committee Room No. 'C' Parliament House Annexe, New Delhi.

The Committee met on Thursday, December 4, 2003 from 1500 hours to 1600 hours.

PRESENT

Dr. S. Venugopal - Chairman

MEMBERS

2. Shri Ramakant Angle
3. Adv. Uttamrao Dhikale
4. Shri Rupchand Pal
5. Shri Kishan Singh Sangwan

SECRETARIAT

1. Shri R. C. Gupta - Director
2. Ms. J. C. Namchy - Under Secretary

2. At the outset, the Committee Considered and adopted their fifteenth Report without any amendment. The Committee authorized the Chairman to present the report during the current winter session. Thereafter, the Committee took up for consideration Memoranda Nos. 17 to 26 regarding dropping of Assurances:-

Memorandum No. 17 Request for dropping of assurance given on August 4, 1993 in reply to SQ No. 125 regarding District Industry Centres.

The committee took up for consideration the aforesaid request for dropping of the assurance in pursuance of the communication received from the Ministry of Industry. Since the Assurance had been implemented, the Committee acceded to the request of the Ministry.

Memorandum No. 18 Request for dropping of assurances given on July 27, November 23, 2000 and May 9, 2002 in reply to USQ Nos. 876 and 6566 regarding Diesel Scam and Racket of HSD unearthed by CBI.

The committee noted that the Ministry had earlier also approached the Committee for dropping of the assurance, which was not agreed to. The Committee again did not agree to drop the assurance since the CBI was still examining the cases.

Memorandum No. 19 Request for dropping of assurance given on February 19, 2003 in reply to USQ No. 178 regarding Amendment to Prevention of Food Adulteration Act.

The Committee considered the grounds advanced by the Ministry of Health and Family Welfare but decided not to drop the assurance just because that the finalization of review and amendment of various provisions of the prevention of Food Adulteration Act, 1954 will take some time.

Memorandum No. 20 Request for dropping of assurance given on April 16, 2002 in reply to USQ No. 3686 regarding Vacant Posts.

The Committee acceded to the request of the Ministry of Home Affairs for dropping of the assurance.

Memorandum No. 21 Request for dropping of assurance given on May 16, 2002 in reply to USQ No. 7585 regarding CBI Raids on ONGC Officials.

The Committee considered the above mentioned memorandum and are not convinced by the reasons forwarded by the Ministry of Petroleum and natural Gas that the inquiry by CBI is a long drawn process. The Committee did not agree for dropping of the assurance.

Memorandum No. 23 Request for dropping of assurance given on December 4, 2002 in reply to USQ No. 2538 regarding Polio Treatment Facilities.

The Committee acceded to the request of the Ministry of Health and Family Welfare and decided to drop the assurance.

Memorandum No. 24 Request for dropping of assurance given on December 10, 2002 in reply to USQ No. 3294 regarding Relics of Subhas Chandra Bose.

The request of the Ministry of Home Affairs for dropping of the above assurance was acceded to by the Committee.

The Committee then adjourned.

**MINUTES
FOURTEENTH SITTING**

Minutes of the Fourteenth sitting of Committee on Government Assurances held on January 22, 2004 at 1200 hours in Committee Room '53', First Floor, Parliament House, New Delhi.

The Committee met from 1200 hours to 1300 hours on Thursday, January 22, 2004.

PRESENT

Shri E.M. Sudarsana Natchiappan - in the Chair

MEMBERS

2. Shri Padam Sen Choudhary
3. Shri Priya Ranjan Dasmunsi
4. Adv. Uttamrao Dhikale
5. Shri Kishan Singh Sangwan
6. Shri Tarlochan Singh Tur

SECRETARIAT

1. Shri S.K. Sharma - Joint Secretary
2. Shri K. Chakraborty - Director
3. Ms. J.C. Namchyo - Under Secretary

2. In the absence of the Chairman (Dr. S. Venugopal) Shri E.M. Sudarsana Natchiappan, MP was chosen to chair the sitting in terms of Rule 258(3) of the Rules of Procedure & Conduct of Business in Lok Sabha.

At the outset, the Chairman wished a happy and prosperous new year to all. Thereafter, the Committee was briefly apprised of the work done by it during 13th Lok Sabha.

Thereafter, the Committee took up the following Memoranda for dropping of the assurances in pursuance of the requests received from different Ministries:-

Memorandum No.28 Request for dropping of assurance given on November 22, 2002 in reply to Unstarred Question No.737 regarding Fake Trusts.

The Committee considered the above-mentioned memorandum and decided not to drop the assurance just because the CBI would take long time for completing an inquiry. The Committee desired that the Ministry should advise the CBI to complete its investigation expeditiously.

Memorandum No.29 Request for dropping of assurance given on December 19, 2002 in reply to USQ No.4698 regarding CBI Cases Against GAIL Officials.

The Committee decided not to drop the assurance since it involved a case being investigated by CBI against Officials and former Officials of GAIL. The Committee desired that the Ministry should request the CBI to expedite the enquiry.

Memorandum No.30 Request for dropping of assurance given on December 20, 2002 in reply to Unstarred Question No.4957 regarding Cartel Formation by Big Cement Producers.

The Committee considered the above memorandum and decided not to drop the assurance even though the matter is being investigated by MRTP Commission. The

Committee also decided to give extension of time as desired by the Ministry for the fulfillment of the assurance.

Memoranda No.31 & 32 Request for dropping of assurances given on February 19, 2003 & March 12, 2003 in reply to Unstarred Question Nos.222 & 3206 regarding Human Resource Policy & Protest by Officers of BSNL, respectively.

The Committee considered the above said memoranda and decided to drop both the assurances as these related to administrative matters of the Ministry of Communications & Information Technology.

The Committee then adjourned.

ANNEXURE-IV

MINUTES FOURTH SITTING

Minutes of the Fourth sitting of the Committee on Government Assurances held on October 28, 2004, at 1100 hours in Committee Room '53' Parliament House, New Delhi.

The Committee sat on Thursday, October 28, 2004 from 1100 hours to 1215 hours.

PRESENT

Shri Anandrao Vithoba Adsul - in the Chair

MEMBERS

2. Shri Sunil Khan
3. Shri Shri Kailash Meghwal
4. Shri A. Venkatesh Naik
5. Shri M. Shivanna
6. Shri V. Aruna Kumar
7. Shri Kailash Nath Singh Yadav
8. Shri Mohan Jena

SECRETARIAT

1. Shri K. Chakraborty - Director
2. Shri K. Jena - Assistant Director

2. As the Chairman, Shri Harin Pathak could not attend the meeting on account of certain unforeseen circumstances, Shri Anandrao Vithoba Adsul, MP was

chosen to chair the sitting in terms of Rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. At the outset, the Chairman welcomed the Members and apprised them briefly about the salient features of the Report. Thereafter, the Committee considered the draft Report regarding dropping of assurances and adopted the same. The Committee also authorized the Chairman to present the Report in the ensuing winter session.

The Committee then adjourned.