

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(2005-2006)**

FOURTEENTH LOK SABHA

REQUESTS FOR DROPPING OF ASSURANCES

(Presented to Lok Sabha on _____ 2006)



LOK SABHA SECRETARIAT
NEW DELHI

April 2006/ Vaisakha, 1928 (Saka)

REPORT

CHAPTER – I

REQUEST FOR DROPPING OF ASSURANCES (NOT ACCEPTED)

(i) THEFT OF CABLES

1.1 On 16 March 2005, Shri Rakesh Singh, M.P., addressed the following Unstarred Question No.2009 to the Minister of Communications and Information Technology:-

- “(a) whether the public sector telephone company MTNL has lodged a complaint of telephone cable snapping/theft with the ministry;**
- (b) if so, the details thereof;**
- (c) whether the Government has inquired into the matter and;**
- (d) if so, the details thereof?”**

1.2 In reply, the Minister of State in the Ministry of Communications and Information Technology (Dr. Shakeel Ahmad) stated as follows:-

- “(a) Yes Sir.**
- (b) There has been spurt in theft of underground cable of MTNL, Delhi during the last few months. 50 cases of cable theft have been registered in Delhi. The matter has been taken up by MTNL, Delhi with Police Commissioner, Delhi, Lt. Governor Delhi as well as this Ministry.**
- (c) & (d) The matter has been referred to Ministry of Home Affairs for necessary action in this regard.”**

1.3 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Communications and Information Technology within three months of the date of the reply *i.e.* by 15 June 2005.

1.4 The Ministry of Communications and Information Technology vide O.M.No.18-15/2005-SU-II dated 3 January 2006 with the approval of the Minister

of State for Communications and Information Technology have requested for dropping of the assurance on the grounds that there are 50 theft cases reported so far. All these cases are presently being investigated by the police and investigation process is likely to take a long period of time before final settlements can be made.

1.5 In view of the above, the Ministry requested that the assurance may kindly be dropped from the list of assurances.

1.6 The Committee note that a question was asked on 16 March 2005 regarding theft of cables. The question sought information regarding lodging of complaint by MTNL regarding cable snapping/theft and the investigation of the matter by the Government. In reply, it was *inter-alia* stated by the Government that there has been a spurt in the theft of underground cable of MTNL and 50 such cases have been registered in Delhi and the matter has been referred to the Ministry of Home Affairs for necessary action. The reply was construed as an assurance. The Committee, however, were requested to drop the assurance on the ground that the said 50 cases of theft reported so far were being investigated by the police and the process is likely to take a long period before final settlements can be made. The Committee considered this request at their sitting held on 12 April 2006 and decided not to drop the assurance.

1.7 The Committee note with serious concern that as many as 50 cases of cable theft have been reported so far which are being presently investigated by the police. The Committee are of the opinion that apart from investigation of the cases by police, there is an urgent need to take preventive steps by the Ministry to stop recurrence of such cases. The Committee, therefore, recommend that the Ministry should analyse the reasons for theft of cables and take necessary steps immediately to stop recurrence of such events. The Committee would like to be apprised of the steps taken by the Ministry in this regard. The Committee desire

that a status report be furnished to them highlighting the number of persons arrested so far and also the present status of the investigation.

[ii] RESERVATION OF SCs/STs IN PUBLIC SECTOR/PRIVATE SECTOR COMPANIES

1.8 On 27 April 2005, Shri Ramdas Athawale, MP asked the following Ustarred Question No. 4790 regarding Reservation of SCs/STs in Public Sectors/Private Company to the Prime Minister:-

- “(a) whether the Government proposes to provide reservation for scheduled castes and scheduled tribes in those public sector companies and private companies where the Government hold is for namesake, only;**
- (b) if so, the details thereof;**
- (c) if not, the reasons therefore;**
- (d) the requests received by the Government from the hon. Members of Parliament in this regard during the last three years, till date; and**
- (e) the action taken or proposed to be taken by the Government in this regard?”**

1.9 In reply to the above question, the Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Ministry of Parliamentary Affairs. (Shri Suresh Pachouri) stated as follows:-

“(a), (b) & (c): While disinvesting the public sector undertakings, the Government enters into transaction agreements, viz. share holder agreement/share purchase agreement with the prospective strategic partner. Protection of the interests of the employees is an integral part of these agreements and appropriate provisions are made in these agreements. The strategic partner, through recitals in these agreements, recognizes that the Government in relation to its employment policies follows certain principles for the benefit of the members of the scheduled castes/scheduled tribes, physically handicapped persons and other socially disadvantaged categories of the society. The strategic partner also undertakes that it shall use its

best efforts to cause the company to provide adequate job opportunities for such persons. Further, in the event of any reduction in the strength of the employees of the company, the strategic partner is expected to make efforts to ensure that the physically handicapped persons, scheduled castes/scheduled tribes are retrenched at the end.

(d): Representations have been received from some Members of parliament requesting introduction of reservation in private sector and disinvested public sector undertakings.

(e): As given in reply to parts (a), (b) and (c)."

1.10 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Personnel, Public Grievances and Pensions within three months of the date of reply i.e. by 26 July 2005, but it was not fulfilled.

1.11 The Ministry of Personnel, Public Grievances and Pensions vide their O.M. No. 41016/9/2005-Estt.(Res.) dated 20 October 2005, requested for dropping of the assurance on the grounds that the Department had furnished factual information in respect of part (d) of the question to the effect that "Representations have been received from some Members of Parliament requesting introduction of reservation in private sector and disinvested public sector undertakings". No assurance was given or commitment made in regard to the representations received.

1.12 The Ministry requested the Committee on Government Assurances, Lok Sabha not to treat the reply as an assurance.

1.13 The Committee note that a question was asked on 27 April 2005 regarding proposal of the Government to provide reservation for Scheduled Castes and Scheduled Tribes in those Public Sector Companies and Private Sector Companies where the Government hold is for namesake only, the requests received by the Government from the members of Parliament in this connection and also the action taken/proposed to be taken by the Government in the matter. In reply, it was *inter-alia* stated that while disinvesting the Public Sector Undertakings the Government enters into transaction agreements and the interests of the employees is protected through these agreements by making appropriate provisions in them. It was also stated that representations have been received from some Members of Parliament for introduction of reservation in Private Sector and disinvested Public Sector Undertakings. This reply was construed as an assurance. However, the Ministry requested the Committee to drop the assurance on the ground that only factual information was furnished that representations have been received from some Members of Parliament for introduction of reservation in Private Sector and disinvested Public Sector Undertakings and no assurance was given or commitment was made in regard to the representation received. This request of the Ministry was considered by the Committee at their sitting held on 12 April 2006 and the Committee decided not to drop the assurance.

1.14 The Committee note that it has been specifically mentioned in the reply that representations have been received from some members of Parliament for introduction of reservation in Private Sector and disinvested Public Sector Companies. However, the Committee has not been apprised of the action taken or proposed to be taken by the Ministry on those representations while requesting for dropping the assurance. As such, the Committee desire to know the fate of the representations of the Members of Parliament at the earliest. The Committee also note with concern that the matter of reservation has been agitating the entire country. The Committee, therefore, urge that the Government should come out with a policy in this regard as soon as possible. The Committee would like to be apprised of the steps taken by the Government.

[iii] FAKE PASSPORTS

1.15 On 11 May 2005, Shri Srichand Kripalani, M.P., addressed the following Unstarred Question No.6800 to the Minister of External Affairs:-

- “(a) Whether several cases of fake passports have come to the notice of the Government;**
- (b) if so, whether the Government has conducted any inquiry in this regard; and**
- (c) if so, the number of persons and fake companies found involved therein alongwith the State-wise details thereof?”**

1.16 In reply, the Minister of State in the Ministry of External Affairs (Shri E. Ahamed) stated as follows:-

- “(a) There have been some cases of forgeries and photo-substitutions in the passports.**
- (b) & (c) Necessary action in this regard is taken by investigating and state police authorities. Several cases of arrests have been reported recently.”**

1.17 The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of External Affairs within three months of the date of the reply *i.e.* by 10 August 2005. However the assurance has not been fulfilled so far.

1.18 The Ministry of External Affairs vide D.O.No.VI/125/15/05 dated 19 July 2005 requested for dropping of the assurance on the grounds that the answer at clause (b) and (c) which stated that “Necessary action in this regard is taken by investigating and state police authorities. Several cases of arrests have been reported recently” were categorical statements and did not intend to give an assurance in the matter. The answer meant that investigating and police authorities take action in the cases of fake passport and because of the action by them several arrests in these types of cases are made.

1.19 In view of the above, the Ministry requested that the answer may please be treated as final and not be considered as an assurance and accordingly may be dropped.

1.20 A question was asked on 11 May 2005 regarding fake passports. Information regarding cases of fake passports, details of inquiry conducted by Government, if any, and the number of persons and fake companies found involved, was sought. In reply, it was stated by the Government that some cases of forgeries and photo-substitutions in the passports came to notice and necessary action was being taken by investigating and state police authorities. It was also stated that several cases of arrests had also been reported. Since the reply was construed as an assurance, the Ministry requested the Committee to drop the assurance on the ground that categorical statements were made in the reply and there was no intention to give an assurance. This request of the Ministry was considered by the Committee at their sitting held on 12 April 2006 and the Committee decided not to drop the assurance. The Committee note that cases of forgeries and substitution of the photographs in the passports is a serious matter. The reply was construed as an assurance because it relates to national security and also because part (c) of the question in which the number of persons and fake companies found involved therein along with the state-wise details thereof was asked, has not been replied. The Committee are of the view that the cases of forgeries and substitution of the photographs in the passports should be looked into immediately and all out efforts should be made to stop recurrence of such cases and also to fulfill the pending

assurance at the earliest. The Committee would like to be apprised of the steps taken by the Government in this regard.

[iv] VACANCIES IN CBI

1.21 On 23 March 2005, S/Shri Mansukhbai D. Vasava and Kashiram Rana, MPs asked the following Starred Question No. 281 to the Prime Minister:-

- “(a) whether there are a number of vacancies at different levels in the Central Bureau of Investigation which have adversely affected its efficient working;**
- (b) if so, the facts thereof; and**
- (c) the steps being taken by the Government to increase the efficiency of CBI?”**

1.22 In reply, the Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Ministry of Parliamentary Affairs (Shri Suresh Pachouri) stated as follows: -

“(a) to (c): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (c) of Lok Sabha Starred Question No. 281 for 23.3..2005 regarding Vacancies in CBI.

(a) to (c): In the Central Bureau of Investigation (CBI) as on January 1, 2005 against a sanctioned strength of 5891, there were 4811 employees in position with 1080 vacant posts at various levels. With effective use and deployment of existing personnel, the vacancies have not affected the performance of the CBI adversely. To improve the efficiency of CBI government has taken various measures, which *inter alia* include modernization, improvement in training infrastructure, housing and improving conditions of work and employment of the staff of the CBI.”

1.23 Shri Mansukhbai D. Vasava while raising a supplementary question stated that corruption has been gradually eating into the vitals of the country. Stamp scams, cases of corruption in banks were increasing day-by-day and CBI is the main agency of the Government machinery to control them. Today, many doubts are being raised about CBI that it is not working properly. On the one hand, there

is lack of staff in the CBI while, on the other hand, our country ranks 83rd in the world today in the matter of corruption due to lack of efficient staff. In this situation, he wanted to know the steps taken by the Government to fill up the posts which were vacant.

1.24 In reply, the Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Ministry of Parliamentary Affairs *inter-alia* stated that the vacancies have remained between 900 to 1100 during the last 5 to 7 years. But as far as performance is concerned, definitely it is affected due to vacant posts but if we look at the indicator, the number of cases investigated is more than the total registered cases. It results in over burden but the Government would try to take steps to fill up the vacancies at various and to provide other facilities to them.

1.25 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Personnel, Public Grievances and Pensions within three months of the date of reply i.e. 22 June 2005, but the Ministry could not fulfill the assurance.

1.26 The Ministry of Personnel, Public Grievances and Pensions vide their D.O. No. 235/17/2005-AVD.II dated 26 October 2005 requested for dropping of the said assurance on grounds that the occurring and filling of vacancies and improvement in service conditions is an ongoing process and accordingly, MOS(PP) had stated that in order to fill all vacancies, Government will make all attempts and provide certain additional facilities to the CBI personnel. The question was answered directly (to the question asked) and any other formulation used for replying to the question would have resulted in the same reply. It has already been submitted before the Committee on Government Assurances that while replying to the Question, it was neither intended to give any Assurance nor hide any information and the facts were reported.

1.27 The process of occurring and filling of vacancies and improvement in service conditions is an ongoing process. For instance, Government had acquired 48 flats from DDA for CBI Officer's residential accommodation. A proposal to provide incentive of Special Pay of 25% of basic+ DA has been referred to the Ministry of Finance. It has been the endeavour of the Ministry to improve conditions of CBI personnel. Therefore, it is felt that a general statement given while replying to a Parliament Question No.281 on 23.3.2005 may not be treated as an assurance whose fulfillment is an on going process.

1.28 The Ministry therefore, requested the Committee on Government Assurances to drop the assurance and the Ministry also stated that it had the approval of MOS(PP).

1.29 A question was asked on 23 March 2005 regarding vacancies in CBI. In reply it was stated that in the Central Bureau of Investigation there were 4811 employees in position with 1080 vacant posts at various levels against the sanctioned strength of 5891 as on 01 January 2005. It was also stated that with effective use and deployment in existing personnel, the vacancies have not affected the performance of CBI adversely and the Government have also taken steps to improve the efficiency of CBI. However in reply to a supplementary question it was stated that the vacancies have remained between 900 to 1100 during the last 5 to 7 years and as a result, the performance is definitely affected and it results in overburden but steps would be taken by the Government to fill up the vacancies and also to provide other facilities. This reply was construed as an assurance and the Ministry requested the Committee to drop the assurance on the ground that the Ministry neither intended to give any assurance nor hide any information and the facts were reported. It was also stated that occurring and filling of vacancies and improvement in service conditions is an ongoing process. This request of the Ministry was considered by the Committee at their sitting held on 12 April 2006. The Committee note that in reply to the main question it was stated that with effective use and deployment of existing personnel, the vacancies have not affected the performance of the CBI adversely. However, in reply to the supplementary question it was stated that the performance is definitely affected due to vacant posts.

Moreover, the Ministry has admitted that vacant posts results in overburdening. Evidently, the Ministry's reply contains inherent contradictions and the Committee are not inclined to accede to the request of the Ministry for dropping the assurance. They, therefore, would like to be apprised of the steps taken for filling up of vacancies and effecting improvement in service conditions, as was assured during the course of reply to the supplementary question.

CHAPTER – II
REQUEST FOR DROPPING OF ASSURANCES (ACCEPTED)

[i] CHILD MARRIAGE

2.1 On 15 March 2005 Shri Arjun Sethi, M.P., addressed the following Unstarred Question No.1789 to the Minister of Human Resource Development:-

- “(a) whether the National Commission for Women proposes to extend their activities in rural areas especially to examine cases of child marriage which are increasing;**
- (b) if so, the details thereof; and**
- (c) the reaction of the government thereto?”**

2.2 In reply, the Minister of state in the Ministry of Human Resource Development (Shrimati Kanti Singh) stated as follows:-

- “(a)&(b) During 2002-03 and 2003-04, the National Commission for Women launched Bal Vivah Virodh Abhiyan and in 2004-05 the Commission has asked the State Governments to take steps to curb child marriages. The Commission has also recently asked the State Governments of Rajasthan, Madhya Pradesh, Jharkhand and Uttar Pradesh, where child marriages have been reported around Akshaya Teej, to take earnest steps to create awareness against child marriage and to take strong administrative action to prevent child marriages. The Department of Women and Child Development has also written to State Governments to take steps to stop child marriages.**
- (c) The Government has taken several steps to eliminate child marriages from the country. Such as,**

- (i) State Governments have been asked for strict implementation of Child Marriage (Restraint) Act, 1929;**
- (ii) State Governments have been asked to take necessary measures to prevent child marriages in their States;**
- (iii) The proposal for amendment to the Child Marriage (Restraint) Act, 1929 is presently under consideration of a Parliamentary Standing Committee;**
- (iv) NHRC is also taking steps at its level to address the issue;**
- (v) A strong media campaign is being launched by the Department of Women and Child Development especially to target prevention of child marriages in the forthcoming festival season of Akshaya Teej."**

2.3 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Human Resource Development within three months of the date of the reply by *i.e.* 14 June, 2005. However the assurance was not fulfilled and the Ministry sought extension of time upto 15 December 2005.

2.4 The Ministry of Human Resource Development vide O.M.F.No.2-5/2005-CW dated 5 December 2005 with the approval of the Minister of State for Human Resource Development requested for dropping of the assurance on the grounds that the Child Marriage Prevention Bill, 2004 was introduced in the Rajya Sabha on 20 December 2004 and the Bill was still under consideration of a Parliamentary Standing Committee attached to the Ministry of Law.

2.5 In view of the above, the Ministry requested that the assurance may kindly be dropped.

2.6 The Committee note that a question was asked on 15 March 2005 regarding child marriage. The question sought information regarding proposal of the National Commission for Women (NCW) to extend their activities in the rural areas, especially to examine the increased cases of child marriage and their details and also the reaction of the Government thereto. In reply it was *inter-alia* stated by the Government that NCW has taken steps to curb child marriages, which included directions to State Governments to take earnest efforts for creating awareness of stopping/preventing child marriages where child marriages were reported. It was also stated that State Governments have been asked for strict implementation of Child Marriage (Restraint) Act, 1929. Proposal for amendment to the Child Marriage (Restraint) Act, 1929, etc. was under consideration of the Parliamentary Standing Committee. This reply was construed as an assurance. However, the Committee was requested to drop the assurance on the ground that Child Marriage Prevention Bill, 2004 has been introduced in the Rajya Sabha. The Committee considered the request of the Ministry at their sitting held on 12 April 2006 and having been satisfied with the reasons forwarded by the Ministry decided to drop the assurance. They, however, desired that the Government should expedite the passing of the Bill and also write to the States where child marriages are prevalent to take strong administrative action to prevent child marriages.

[ii] CLEANING BUREAUCRATIC STABLE

2.7 On 3 August 2005, S/Shri E. Ponnuswamy and Badiga Ramakrishna, MPs addressed the following USQ No. 1627 to the Prime Minister:-

- “(a) whether the Government plans to enforce a new law to keep its officials in line and clean bureaucratic stable as reported in ‘The Indian Express’ dated June 26, 2005;**
- (b) if so, the facts of the matter reported therein;**
- (c) the details of plan drawn up in this regard; and**
- (d) the time by which it is likely to be done?”**

2.8 In reply, the Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Ministry of Parliamentary Affairs.(Shri Suresh Pachouri) stated as follows:-

“(a) to (b): Preliminary discussions are being held to assess the feasibility of enacting a comprehensive Public Service Act covering all aspects of functioning of the Civil Services.

(c) to (d): In view of the above, do not arise.”

2.9 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Personnel, Public Grievances & Pensions within three months of the date of reply i.e. by 2 October 2005 but the Ministry could not fulfill the assurance.

2.10 The Ministry of Personnel, Public Grievances & Pensions vide their O.M. No. H-11016/10/2005-RC. dated 17 October 2005 requested for dropping of the said assurance on grounds that it may be noted that for Part (d) of the Question which specifically sought to know the time by which the new law was likely to be enforced, the reply given was that it did not arise in view of the reply given to parts (a) & (b). Thus, when the reply given to the Question as a whole is considered, the partial reply given to parts (a) & (b) of the Question should not be treated as Assurance.

2.11 In view of the above position, the Ministry requested the Committee on Government Assurances not to treat the reply given to parts (a) & (b) of the Question as an Assurance. It has also been stated that it has the approval of MOS(PP).

2.12 The Committee note that a question was asked on 03 August 2005 regarding cleaning bureaucratic stable. In reply it was *inter-alia* stated by the Government that preliminary discussions are being held to assess the feasibility of enacting a comprehensive Public Service Act covering all aspects of functioning of the Civil Services. This reply was treated as an assurance. However, the Ministry requested the Committee for dropping of the assurance on the ground that Part (d) of the question which specifically sought to know the time by which the new law was likely to be enforced. It was replied that it did not arise in view of the reply given to parts (a) & (b). The Ministry further stated that when the reply given to the question as a whole is considered, the partial reply given to parts (a) & (b) of the question should not be treated as an assurance. The Committee at their sitting held on 12 April 2006 considered the request of the Ministry and having been satisfied by the reasons advanced by the Ministry decided to drop the assurance.

[iii] CONSTRUCTION OF OVERBRIDGES DURING 10TH PLAN

2.13 On 17 March 2005, S/Shri Haribhau Rathod and Shrimati (Saw.) Kalpana Ramesh Narhire, MPs addressed the following USQ No. 2261 to the Minister of Railways:-

- “(a) the number of overbridges planned to be constructed in the country during the Tenth Five Year Plan;**
- (b) the number of overbridges already constructed out of them;**
- (c) the details of the status of each railway bridge under construction or for which the survey is underway in various parts of Maharashtra as on date;**
- (d) whether work on every overbridge is being carried out as per the time schedule;**
- (e) if not, the reasons therefor; and**
- (f) the time by which all works are likely to be completed?”**

2.14 In reply , the Minister of State in the Ministry of Railways (Shri R. Velu) stated as follows:-

“(a) & (b): Works for construction of Road Over/Under bridges (ROB/RUBs) are planned on annual basis and not on the basis of five year plan. However, during the first three years of 10th Five year plan, the works sanctioned and completed are as under:

Year	Sanctioned	Completed
2002-03	47	17
2003-04	53	22
2004-05	23	08 (upto Jan'05)

In addition 23 works have been included in the Railway budget 2005-06.

(c) to (f): Railways construct Road Over/Under Bridges on cost sharing basis in lieu of busy level crossings where traffic density is more than 1 lakh Train Vehicle Units (TVUs). In the State of Maharashtra, there are 19 works of ROB/RUBs already sanctioned on cost sharing basis which are at different stages of planning and execution. Railways construct bridge proper (across the tracks) and approaches by State Government/Road Authority. All efforts are made by the Railway to complete their portion of work alongwith approaches by State Government. Detailed position of 19 works in state of Maharashtra is given in the Statement attached.

STATEMENT REFERRED TO IN REPLY TO PARTS (c) to (f) OF THE UNSTARRED QUESTION NO. 2261 BY SHRI HARIBHAU RATHOD AND SHRIMATI (SAW) KALPANA RAMESH NARHIRE TO BE ANSWERED IN LOK SABHA ON 17.3.2005 REGARDING CONSTRUCTION OF OVER BRIDGES DURING 10th PLAN.

(c) to (f): Status of Road Over/Under bridges on Cost sharing Basis in the State of Maharashtra.

S. No	Name of work	Year of Sanction	Status
1	Badalpur-ROB in lieu of Level Crossing (LC) No. 10/B Kms. 66/19-20	1995-96	Railway portion of work completed in Feb. 2004.
2	Kandivili-Malad-ROB in lieu of LC No.31	1996-97	Work is in progress 3 piers and 4 girders have already been cast. Clearance for Defence land has also been obtained and work on that portion is also in progress.
3	Santacruz-Vile Parle-ROB in lieu of LC No.21	1996-97	Mumbai Municipal Corporation has not resolved issue of rehabilitation of encroachment in approach portion due to which work could not be taken up.
4	Niphad-ROB in lieu of LC No. 99-B at Kms. 218/8-9	1996-97	Detailed Estimate is under examination
5	Chunabhatti-ROB in lieu of LC No. 1-A at Km. 13/12-13	1997-98	Proposals sponsored by Municipal Corporation of Greater Mumbai (MCGM). General Arrangement Drawing (GAD) could not be prepared because approach alignment is not finalized by MCGM.
6	Sewri-ROB in lieu of LC No. 7-HB-1 at Km. 7/3-4	1997-98	Public Works Department (PWD) has not yet finalized alignment for approaches. Issue of transfer of land is also yet to be resolved.
7	Vikhroli ROB in lieu of LC No. 14 C at Km. 22/11-12	1997-98	General Arrangement Drawing (GAD) has been received from MCGM which is under examination.
8	Virar-ROB in lieu of LC No.40	1999-00	Virar Municipal Corporation is starting the approaches work, tender for Railway portion has to be discharged and reinvited.
9	Hinganghat-ROB in lieu of LC No. 13/A at Km 790/34-36	2000-01	General Arrangement Drawing is yet to be approved by Chief Engineer/PWD
10	Ramawadi-ROB in lieu of LC No. 55-B at Km. 456/0-1	2001-02	GAD approved. Contract awarded by Maharashtra State Road Development Corporation (MSRDC). Work is in progress.

11	Kurduwadi-ROB in lieu of LC No. 38 A at Km 375/3-4	2001-02	GAD approved. Work is being done on Build, Operate & Transfer basis. PWD Solapur has been reminded to complete initial formalities.
12	Jeur-ROB in lieu of LC No. 33A at Km. 342/3-4	2001-02	Estimate of approaches submitted by State Govt. Sanction of detailed estimate received and the same is accepted by PWD.
13	Navade Road-ROB in Lieu of LC No. 12A at Km. 65/4-5 on Diva-Panvel Sec.	2001-02	Railway portion work completed in March 2004. Work on approaches by Municipal council is in progress.
14	Pachora ROB in lieu of LC No. 131/A at Km. 371/23-25	2002-03	GAD approved. Estimate is under preparation.
15	Kalyan-ROB at in lieu of LC No.1/A at Km. 54/18-19	2003-04	Advance copy of GAD received from Mumbai division on 6.11.03 and is under scrutiny.
16	Nagar Devla-ROB in lieu of LC No. 127/A at Km. 353/23-25.	2003-04	GAD is under preparation.
17	Kalyan-ROB in lieu of LC No.47A at Km. 57/16	2003-04	GAD is under preparation.
18	Jogeshwri South-ROB at LC No.24	2004-05	New work proposed in WP 2004-05
19	Jogeshwri North-ROB at LC No.24	2004-05	New work proposed in WP 2004-05

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2.15 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Railways within three months of the date of reply i.e. by 16 June 2005 but the Ministry could not fulfill the assurance within the stipulated time.

2.16 The Ministry of Railways vide their O.M. No. 2002/CEI/PQR/3 Pt. dated 11 November 2005 have requested for dropping of the said assurance on the grounds that in the absence of specific portion having been treated as an Assurance it is understood that the phrases used in the reply, 'Work is in progress', GAD is under preparation' and also 'work on approaches by Municipal Council is in progress' as well as, 'detailed estimate is under examination' have been treated as Assurances. These are general phrases as work on approaches is executed by the State Govt. or local authorities and Railway have no control upon them. Similarly, examination of Detailed Estimate and preparation of General Arrangement Drawing etc. are the preliminary functions taken in the direction of execution/sanction of a cost sharing work of ROB/RUB which is a long process. Hence, use of these phrases should not be treated as Assurances.

2.17 The Ministry therefore requested the Committee on Government Assurances to drop the assurance and grant extension of time upto 16 March 2006. The Ministry also stated that it has the approval of Minister of State in the Ministry of Railways.

2.18 The Committee note that a question was asked on 17 March 2005 regarding construction of overbridges during the 10th Plan. The question *inter-alia* sought information on the number of over bridges planned, constructed and status of each railway bridge. In reply, it was *inter-alia* stated by the Government that the works for construction of road over/under bridges are planned on annual basis and not on the basis of Five Year Plan and all efforts were being made by the Railways to complete their portion of work alongwith approaches by State Government. The reply was construed as an assurance. The Ministry, however, requested for dropping the assurance on the ground that the Railways have no control upon them. The Ministry further stated that the examination of detailed estimate and preparation of general arrangement, drawing, etc. are preliminary functions taken in the direction of execution/sanction cost, sharing work of ROB/RUB which is a long process and time consuming. The Committee at their sitting held on 12 April 2006 considered the request of the Ministry. The Committee did not agree with the contention of the Ministry of Railways for dropping of the assurance on the ground that completion of projects was not entirely under the control of the Union Government. In their opinion, there could be several projects where more than one Department/Agency was involved and, therefore, the said argument was not valid. However, having considered the details in the present case,

the Committee decided to drop the assurance. The Committee desire that a status report of all the projects be furnished to them.

[iv] PROPOSAL TO REUNITE DIVIDED FAMILIES OF INDIA AND PAKISTAN

2.19 On 23 March 2005, S/Shri Sarvey Sathyanarayana, Badiga Ramakrishna, Kisanbhai V. Patel, Braja Kisore Tripathy and Shri D. Vittal Rao, MPs asked the following Unstarred Question No. 3126 regarding proposal to reunite divided families of India and Pakistan to Minister of External Affairs:-

- “(a) whether a proposal by India for demarcation of five points along LoC to facilitate the reunion of divided families has been rejected by Pakistan as reported in the Hindu dated January 25, 2005.**
- (b) if so, the details in this regard;**
- (c) whether talks have been held with Pakistan in this regard; and**
- (d) if so, the outcome thereof?”**

2.20 In reply to the above question, the Minister of State in the Ministry of External Affairs (Rao Inderjit Singh) stated as follow:-

“(a) to (d): During the foreign Secretary level talks held in Islamabad in December 27-28 2004, India had proposed to designate a few places along the International Border and the LoC where the relatives on both sides could come and meet. The places suggested were Poonch, Mendhar, Suchetgarh, Uri and Tangdhar in Neelam Valley.

Response of Pakistan is awaited.”

2.21 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of External Affairs within three months of the date of reply i.e. by 22 June 2005. As the Ministry could not fulfil the assurance within the stipulated time, they had sought extension of time upto 31 March 2006.

2.22 The Ministry of External Affairs vide their O.M. No. J/I/125/47/2005 dated 18 October 2005, requested for dropping of the assurance on the grounds that during the Foreign Secretary level talks held in Islamabad in December 27-28 2004, India had proposed to designate a few places along the International Border

and the LoC where the relatives on both sides could come and meet. The places suggested were Poonch, Mendhar, Suchetgarh, Uri and Tangdhar in Neelam Valley. During the visit of President Musharraf to new Delhi in April 2005, Prime Minister Man Mohan Singh and President Musharraf agreed to pursue further measures to enhance interaction and cooperation across the LOC which included agreed meeting points for divided families.

2.23 It would be unrealistic to expect that there could be any prescribed time frame for Pakistan's response.

2.24 In the light of the above facts, the Ministry requested the Committee on Government Assurances to drop the assurance.

2.25 The Committee note that a question was asked on 23 March 2005 regarding proposal to reunite divided families of India and Pakistan. The question sought information regarding rejection of the Indian proposal for demarcation of five points along LOC to facilitate reunion of divided families by Pakistan and its details. In reply, it was stated by the Government that during the Foreign Secretary level talks, India proposed to designate a few places along the International Borders and LOC where the relatives of both sides can meet. It was also stated that the response of Pakistan was awaited. Since the reply was construed as an assurance a request was made to the Committee for dropping the same *inter-alia* on the grounds that during the visit of President of Pakistan in April 2005 it has been agreed to pursue further measures to enhance interaction and cooperation across the LOC including agreed meeting points for divided families and it would be unrealistic to expect that there could be any prescribed time frame for Pakistan's response. This request of the Ministry was considered by the Committee at their sitting held on 12 April 2006 and having been satisfied by the reasons forwarded by the Ministry decided to drop the assurance.

[v] ROAD AND RAIL CONNECTIVITY TO VARIOUS PORTS

2.26 On 20 April 2005, Shri Navjot Singh Sidhu, M.P., addressed the following Unstarred Question No.4010 to the Minister of Shipping, Road Transport and Highways:-

“(a) whether the Government proposes to strengthen road and rail connectivity to various ports to ensure quick evacuation of cargoes etc;

(b) if so, the details thereof?”

2.27 In reply, the Minister of Shipping, Road Transport and Highways (Shri T.R. Ballu) stated as follows:-

“(a) & (b) Augmentation of road and rail connectivity to the Ports is an ongoing process depending on the traffic requirements. The details of road and rail connectivity projects are given in the Annexure.”

2.28 The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Shipping, Road Transport and Highways within three months of the date of the reply *i.e.* by 19 July 2005. However the assurance has not been fulfilled so far.

2.29 The Ministry of Shipping, Road Transport and Highways vide O.M.No.PO/H-11016/2/2005-DO(PO) dated 2 November 2005 have requested for dropping of the assurance on the grounds that the augmentation of infrastructure connecting the ports is a continuous process rather than one specific project. As of now all Major Ports are connected to the hinterland through road and rail network. Depending upon the requirements of traffic, the existing infrastructure is augmented/modified as and when required. This exercise is pursued on a continuous basis.

2.30 In view of the above, the Ministry requested that the reply should not be treated as an assurance and may kindly be deleted from the list of assurances.

ANNEXURE

ROAD CONNECTIVITY TO MAJOR PORTS

S. No.	Name of Port	Scope of Work	Likely completion date
1.	Kandla NH-8A (Samakhyali Gandhidham Road Project Pkg.-I)	Four laning of km 306-324	Completed
	NH-8A (Samakhyali Gandhidham Road Project Pkg.-II)	Four laning of km 324-346	Completed
	NH-8A (Samakhyali Gandhidham Road Project Pkg.-III)	Four laning of km 346-362.160	Completed
2.	Mumbai	A) 700 M port road at Wadala across salt pans to truck terminus road at a cost of Rs 30 Crores. Port to contribute Rs.15 crores and balance by State Government B) Anik Panjarpole Link-New road connecting the truck terminas road to the Eastern Express way. Total cost Rs140 crores and port's share @ 25%. Balance is to be borne by State Government	A) Land acquisition is in progress B) Proposal to be completed by 2007.
3.	Jawaharlal Nehru Port	Phase-I Four laning of NH-4B from km 5/000 to km 26/987 and km 0/000 to km 4/440 and	April, 2005

four laning of NH-4 from km 106/000
to km 109/500

Phase-II

Four laning of SH-54 from km 6.400 - 14.550 May, 2007
and construction of four lane Aamra Marg
including six lane major bridge across
Panvel Creek (Belapur-Gavanphata - 6.202 km)
in Maharashtra State

- | | | | |
|--------|--------------------|--|---|
| 4. | Mormugao | Four laning of NH-17B from Verna
Junction on NH-17 to Mormugao Port | 13.km completed during
June, 2004. |
| 5. | New Mangalore | Four laning of NH-17 (Suratkal-Nantur
section), NH-48 (Padil-Bantwal section) &
a bypass from Nantur junction on NH-17 to
Padil junction on NH-48 | Work is yet to be
allotted.
The anticipated
completion
time is 30 months from
date
of commencement. |
| 6. | Cochin | Four laning of NH-47 from km 348/382
to km 358/750 | August, 2006 |
| 7. | Tuticorin | Four laning of NH-7A from km 4/000
to km 51/200 | August, 2006 |
| 8.& 9. | Chennai and Ennore | Chennai - Ennore Port Connectivity Project-
Chennai Ennore Expressway including sea
protection work, TPP Road, Inner Ring Road, | October, 2005 for Sea
Protection work along
Ennore Expressway only; |

		Manali Oil Refinery Road	likely completion for the entire project- December, 2007
10.	Vishakapatnam	Vishakhapatnam Port connectivity	December, 2005
11.	Paradip	Four laning of NH-5A from km 0/0 to km 77/0	February, 2007
12.	Kolkata Port	Four laning of km 0/500 to km 52/700 of Kolaghat-Haldia section of NH-41 in the State of West Bengal	June, 2006

RAIL CONNECTIVITY TO MAJOR PORTS

1. Mumbai Port : Connected to Indian Railways at Raoli Junction, Wadala. Feasibility study is being conducted for construction of 5.5 kms new line dedicated from Wadala to Kurla.
2. Jawaharlal Nehru Port : Connected to Panvel by a single line Railway track. Doubling of this track at a cost of Rs 60 crores is in progress and likely to be completion by December, 2005.
3. Cochin Port : Connected to Southern Railway. Rail link to Vallarapadam is to be executed in time with commissioning of the terminal, by 2008, through establishment of Special Purpose Vehicle after approval of the appropriate authorities.

4. New Mangalore Port : Hassan-Mangalore Railway Development Co.Ltd, a Special Purpose Vehicle has been formed to undertake gauge conversion of the Hassan-Mangalore line.
5. Paradip Port : Port is connected to the Howrah-Chennai Trunk line by a single line section with Cuttack, which is being doubled. The work on Haridaspur-Paradip rail link is yet to commence. The work has been entrusted to Rail Vikas Nigam Limited(RVNL). Work on Jakhapur-ansapani rail link is in progress and is likely to be completed by December, 2005. Second Mahanadi Bridge is also under construction to be completed by end 2007. Doubling of Cuttack-Paradip line to be completed by Sept., 2005.
6. Kandla Port : There is dual gauge rail connectivity upto the Port gates. Gandhidham-Palanpur gauge conversion is under progress through Kutch Railway Company Ltd. Port has signed MOU with Ministry of Railways for conversion of existing Samakhiali-Palanpur line.
7. Ennore Port : Feasibility study has been conducted for rail connectivity between Ennore Port and main line of railways. Proposal for Rail link between Puttur-Attipattu to facilitate iron-ore traffic from Bellari Hospet to Ennore Port is under consideration.
8. Visakhapatnam Port : Proposal for doubling of Rayagada-Titlagarh-Raipur line and electrification of Vizayanagram-Raipur line is being considered.
9. Tuticorin Port : Port is connected by BG with major cities like Tirunelveli in the west, Nagercoil and Trivendram in the south and Mudurai, Trichi, Chennai and Bangalore in the north.

- 10.Kolkota Port :
- Kolkata Dock System(KDS) : KDS is connected to main trunk line at Dankuni via Dankuni-Sealdah-Majerhat link.
- Haldia Dock Complex(HDC) : HDC is connected to South Eastern Railway via Panskura. Railways have undertaken doubling of Panskura-Rajgoda section in the first phase. Doubling of Rajgoda-Durgachak line is to be undertaken in the next phase.
11. Mormugao Port : Port is connected to the South Western Railway and the Konkan Railway Network. A new line between Kulem-Gunji to eliminate bottle-neck for rail operation at Braganza Ghat section is being considered.
- 12.Chennai Port : Port is well connected with railway network and as per port the existing connectivity is adequate as substantial volume of coal has been shifted to Ennore and iron-ore handling will be transferred to Ennore in 2008.

2.31 A question was asked on 20 April 2005 regarding road and rail connectivity to various Ports. In reply, it was *inter-alia* stated that augmentation of road and rail connectivity to the Ports is an ongoing process depending on the traffic requirements. They, however, gave details of the road and rail connectivity Ports. This reply was construed as an assurance. The Ministry, however, requested for dropping of the assurance on the ground that the augmentation of infrastructure connecting the Ports is a continuous process rather than one specific project and all Major Ports are connected to the hinterland through road and rail network. According to them depending upon the requirements of traffic, the existing infrastructure is augmented/modified as and when required. This exercise is pursued on a continuing basis. The Committee considered the request of the Ministry at their sitting held on 12 April 2006 and having been satisfied by the reasons advanced by the Ministry, decided to drop the assurance.

[vi] ROBs in PUNJAB

2.32 On 18 August 2005, Sardar Sukhdev Singh Libra, M.P., addressed the following Unstarred Question No.3567 to the Minister of Railways:-

- “(a) whether proposals for construction of railway over bridges at Lalheri Road Phatak near railway station Khanna and Brahmin Majra near Sirhind railway station in Punjab are pending with the Railways;**
- (b) if so, the present status of these projects; and**
- (c) the time by which these proposals are likely to be approved ?”**

2.33 In reply, the Minister of State in the Ministry of Railways (Shri R. Velu) stated as follows:-

- “(a) to (c): The works of Road over bridges at Lalheri Road Phatak near Railway Station Khanna in lieu of Level Crossing (LC) No. 155B at Km. 332/17-19 and Brahmin Majra near Sirhind Railway Station in lieu of LC No.145B at Km.314/13-15 in Punjab are sanctioned works of 2003-04. These works are to be executed on cost sharing basis i.e. Railway will execute work on bridge proper across the tracks and State Government will execute work of approaches. The detailed Estimates for approaches and General Arrangement Drawing (GAD) in both cases are awaited from State Government. Railways will make all efforts to complete its portion of work alongwith work on approaches by State Government.”**

2.34 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Railways within three months of the date of the reply *i.e.* by 17 November 2005.

2.35 The Ministry of Railways vide O.M.No.2000/CE.I/PQL/12 dated 17 January 2006 with the approval of the Minister of State in the Ministry of Railways have requested for dropping of the assurance on the grounds that the prima-facie the vocabulary used in reply does not constitute an assurance as the construction of

Road over/under bridges passes through many phases viz. approval of General Arrangement Drawing, finalization of design & drawing, receipt of estimated cost of approaches from State Government concerned, approval of combined estimate by both Railways and State Government ascertaining longitudinal & latitudinal sections, soil investigation etc. All these activities have to be undertaken prior to physical execution of work and for these phases Agencies have also to be fixed. It is a long process. Even State Government faces difficulties in approval of General Arrangement Drawing and preparation of Detailed Estimate for approaches and take much time. Hence, the reply given with such vocabulary should not be taken as an assurance.

2.36 In view of the above, the Ministry requested that the assurance may kindly be dropped from the list of assurances. The Ministry also requested for extension of time for six months beyond the expiry period of three months i.e. after 18 November 2005.

2.37 The Committee note that a question was asked regarding ROBs in Punjab. In reply it was *inter-alia* stated that the works of road over bridges in Punjab are sanctioned works of 2003-04 and these works are to be executed on cost sharing basis i.e. Railways will execute work on the bridge proper across the tracks and State Government will execute work of approaches. It was also stated that the Railways will complete their portion of work alongwith work on approaches by State Government. The reply was construed as an assurance but the Ministry requested for dropping of the same on the grounds that prima-facie the vocabulary used in reply does not constitute an assurance as the construction of Road over/under bridges passes through many phases, viz. approval of General Arrangement Drawing, finalization of design & drawing, receipt of estimated cost of approaches from State Government, ascertaining longitudinal & latitudinal sections, soil investigation, etc. All these activities have to be undertaken prior to physical execution of work and for these phases Agencies have also to be fixed. It is a long process and State Government faces difficulties in approval of General Arrangement Drawing and preparation of Detailed Estimate for approaches and take much time. The Committee at their sitting held on 12 April 2006 considered the request of the Ministry and having satisfied with the reasons advanced by the Ministry acceded to the request of the Ministry to drop the assurance.

MINUTES
EIGHTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2005-2006) held on 12 April 2006 in Committee Room 'E', Parliament House Annexe, New Delhi.

The Committee sat from 1100 hours to 1200 hours on Wednesday 12 April 2006.

PRESENT

Chairman

Shri Harin Pathak

Members

2. Shri. J.M. Aaroon Rashid
3. Shri Anandrao Vithoba Adsul
4. Shri Rasheed Masood
5. Shri Kailash Meghwal
6. Shri A. Venkatesh Naik
7. Shri M. Shivanna
8. Shri Aruna Kumar Vundavalli

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri T.K. Mukherjee - Director
3. Shri B.S. Dahiya - Under Secretary

2. At the outset, the Chairman welcomed the Members to the sitting of the Committee and apprised them about the agenda of the sitting. Thereafter, the Committee considered the following ten memoranda containing requests received from various Ministries for dropping of pending assurances:-

Memorandum No.69**Request for dropping of assurance given on 15 March 2005 in reply to USQ No. 1789 regarding 'Child Marriage.'**

The Committee considered the above Memorandum and noted that the Child Marriage Prevention Bill, 2004 has already been introduced in the Rajya Sabha on 20 December 2004 and the Bill is still under consideration of a Parliamentary Standing Committee attached to the Ministry of Law. The Committee observed that prevention of child marriage is a state subject. The Union Government issues guidelines from time to time. The Committee, therefore, decided to drop the assurance. They however desired that the Government may be requested to expedite the passing of the Bill and write to the States where Child marriages are prevalent to take strong administrative action to prevent child marriage.

Memorandum No.70**Request for dropping of assurance given on 16 March 2005 in reply to USQ No. 2009 regarding 'Theft of Cables.'**

The Committee considered the above Memorandum and noted that 50 cases of theft of Cables have been reported, which are being presently investigated by the police. The Committee were not convinced with reasoning of the Ministry that the assurance should be dropped since the investigation process is likely to take a long period before final settlements can be made and accordingly decided not to drop the assurance. The Committee, however desired that a Report

should be furnished to them highlighting the number of persons arrested so far and also the present status of the investigation.

Memorandum No.71 **Request for dropping of assurance given on 3 August 2005 in reply to USQ No. 1627 regarding 'Cleaning bureaucratic Stable.'**

The Committee considered the above Memorandum and having convinced with the reasons put forward by the Ministry, decided to drop the assurance.

Memorandum No.72 **Request for dropping of assurance given on 17 March 2005 in reply to USQ No. 2261 regarding 'Construction of Overbridges during 10th Plan.'**

The Committee considered the above Memorandum and noted that several projects regarding construction of overbridges during 10th Plan were under progress. The Committee did not agree with the contention of the Ministry of Railways for dropping of the assurance on the ground that completion of the Project was not entirely under the control of the Union Government. In their opinion, there could be several Projects where more than one Department/Agency was involved and, therefore, the said argument was not valid. However, having considered the details in the present case, the Committee decided to drop the assurance. The Committee, however desired that such replies should not be construed as assurances. They also desired that a status report of all the projects be furnished to them.

Memorandum No.73 **Request for dropping of assurance given on 27 April 2005 in reply to USQ No. 4790 regarding 'Reservation of SCs/STs in Public Sectors/Private Company.'**

The Committee considered the above Memorandum and noted that the matter of reservation of SC/STs candidates is a debatable issue. The matter is agitating the entire country and the Government should come out with a policy in this regard. The Committee also noted that the Ministry has not commented upon the representations received from some Members of Parliament, requesting introduction of reservation in private sector and disinvested public sector undertakings. The Committee, therefore, decided not to drop the assurance and desired to be apprised of the action taken by the Ministry on the said representations.

Memorandum No.74

Request for dropping of assurance given on 23 March 2005 in reply to USQ No. 3126 regarding 'Proposal to reunite divided families of India and Pakistan.'

The Committee considered the above Memorandum and having convinced with the reasons forwarded by the Ministry for dropping of assurance, decided to drop the assurance.

Memorandum No.75

Request for dropping of assurance given on 20 April 2005 in reply to USQ No. 4010 regarding 'Road and Rail connectivity of various ports.'

The Committee considered the above Memorandum and noted that the augmentation of infrastructure connecting the ports is a continuous process rather than one specific project and depending upon the requirements of traffic, the existing infrastructure is augmented/modified as and when required. The Committee, therefore, decided to drop the assurance.

Memorandum No.76**Request for dropping of assurance given on 11 May 2005 in reply to USQ No. 6800 regarding 'Fake Passports.'**

The Committee considered the above Memorandum and noted that the assurance relates to "Fake Passports" and the Ministry has admitted that some cases of forgeries and photo-substitutions in the passports have taken place. The Committee also noted that Part (C) of the question, in which the number of persons and fake companies found involved therein along with the State-wise details thereof was asked, has not been replied. The Committee were of the view that the issue relates to National Security. The Committee therefore decided not to drop the assurance.

Memorandum No.77**Request for dropping of assurance given on 23 March 2005 in reply to SQ No. 281 regarding 'Vacancies in CBI.'**

The Committee considered the above Memorandum and noted that in CBI as on 1 January, 2005 against the sanctioned strength of 5891 there were 4811 employees in position with 1080 vacant posts at various levels and vacancies have remained between 900 to 1100 during the last 5 to 7 years. Moreover the Ministry have admitted that it results in over burden and they would try to take steps to fill up the vacancies at various levels and to provide other facilities to the employees. The Committee, therefore, decided to be apprised of the steps taken for filling up of vacancies and improvement in service conditions. The Committee accordingly decided not to drop the assurance.

Memorandum No.78

Request for dropping of assurance given on 18 August 2005 in reply to USQ No. 3567 regarding 'ROBs in Punjab.'

The Committee considered the above Memorandum and having convinced with the reasons forwarded by the Ministry for dropping of assurance, decided to drop the assurance.

The Committee then adjourned.