

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

FOURTEENTH LOK SABHA

TWELFTH REPORT

REQUESTS FOR DROPPING OF ASSURANCES

(Presented to Lok Sabha on)



LOK SABHA SECRETARIAT
NEW DELHI

May 2006/ Vaisakha, 1928 (Saka)

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2005-2006)

Shri Harin Pathak - CHAIRMAN

MEMBERS

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

SECRETARIAT

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

* **The Committee was constituted on 7 August 2005 vide Para No.1484 of Lok Sabha Bulletin Part-II dated 5 August 2005.**

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 Twelfth Report of the Committee on Government Assurances.

2. The Committee (2005-2006) was constituted on 7 August 2005.
3. The Committee (2005-2006) at their sitting held on 25 April 2006 considered Memoranda Nos. 79, 80, 81, 82, 83, 84, 85, 86, 87, and 88 containing requests received from the Ministries/Departments of the Government of India for dropping of pending assurances.
4. At their sitting held on 31 May 2006, the Committee (2005-2006) considered and adopted their Twelfth Report.
5. The Minutes of the aforesaid sittings of the Committee form part of this report. (Appendix)
6. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in bold letters in the Report.

NEW DELHI;

31 May 2006

10 Jyaistha 1928 (Saka)

(HARIN PATHAK)

CHAIRMAN

COMMITTEE ON GOVERNMENT ASSURANCES

REPORT

CHAPTER – I

REQUESTS FOR DROPPING OF ASSURANCES (NOT ACCEPTED)

(i) ELECTRIFICATION OF MUGHALSARAI-ZAFRABAD RAIL ROUTE

1.1 On 08 March 2001, Shri, Shankar Prasad Jaiswal, MP addressed the following Unstarred Question No. 1707, to the Minister of Railways:-

- “(a) whether the Government had approved the electrification of Mughalsarai—Zafarabad rail route via Varanasi during 2000-2001;**
- (b) if so, the total amount allocated for the implementation of the said scheme so far;**
- (c) whether the electrification work of the said route has been started;**
- (d) if so, the progress achieved so far in this regard;**
- (e) if not, the reasons for delay; and**
- (f) the time by which electrifications work is likely to be started and completed?”**

1.2 In reply, the then Minister of State in the Ministry of Railways (Shri Digvijay Singh) stated as follows:-

- “(a) Yes, Sir.**
- (b) The total amount allocated so far is Rs.0.25 crores.**
- (c) No. Sir.**
- (d) Does not arise.**
- (e) & (f): The project was approved subject to procedural clearances. The clearance from Planning Commission is still awaited.”**

1.3 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 08th June, 2001. As the Ministry failed to fulfill the assurance within the stipulated time, they had sought extension of time on several occasions.

1.4 The Ministry of Railways vide their O.M. No.2001/RE/QLS/4 dated 15 February 2006 requested for dropping of the said assurance on the ground that the Electrification project of Mughalsarai-Zafarabad section as Phase-I of the entire route i.e. Mughalsarai-Lucknow-Moradabad section, was forwarded to the Planning Commission on 28.04.2000 for clearance, but clearance was not granted by them for want of additional information. The proposal could not be pursued further due to setting up of a Committee for fixing norms for Railway Electrification. The recommendations made by the Committee were reviewed by Railway Board and based thereon a proposal for electrification of Mughalsarai-Lucknow-Moradabad was resubmitted to the Planning Commission, with Moradabad-Utraitia to be taken up under Phase-I instead of Mughalsarai-Zafarabad earlier envisaged. It was also stated that Phase-I – Moradabad-Utraitia project was included in Railway Budget 2005-2006.

1.6 As per the present planning, the electrification of Mughalsarai-Zafarabad section will be taken up under Phase-II, which also includes the single line portion of Mughalsarai-Moradabad route i.e. after completion of doubling of over 220 Kms. on Utraitia-Zafarabad section. Even after the proposal for electrification of Mughalsarai-Lucknow-Moradabad is approved by the Planning Commission, it would take at least 4-5 years to electrify Mughalsarai-Zafarabad section for which the assurance is pending for fulfillment.

1.6 The Ministry also stated that Zafarabad-Mughalsarai section for which the assurance was pending, is a part of Utraitia-Mughalsarai electrification project (Phase-II). The proposal was recommended by Expanded Board for Railways and is likely to be included in Budget 2006-07. The time of completion of the project is about three years after inclusion in the Budget subject to availability of funds.

1.7 In view of the above, the Ministry requested the Committee on Government Assurance, Lok Sabha to drop the assurance. The Ministry stated that it will not be possible to fulfill the assurance even in the next five years.

1.8 The Committee note that a question was asked on 08 March 2001 regarding electrification of Mughalsarai-Zafrabad rail route. The question sought information regarding approval of the Government for the electrification project, the amount allocated for it, the progress achieved in the completion of the project alongwith the reasons for delay, if any and the likely time of its completion. An affirmative reply was given by the Government and the total amount allocated was stated to be Rs.0.25 crore. It was also stated that the project was approved subject to procedural clearances and the clearance from Planning Commission was still awaited. This reply was treated as an assurance and a request was made to the Committee to drop the assurance on the ground that the clearance to the proposal of electrification of Mughalsaria-Zafrabad rail route was not granted by the Planning Commission and it could not be pursued further due to setting up of a Committee for fixing norms for Railway Electrification. The proposal was resubmitted to the Planning Commission in view of the Committee's recommendations. It was also stated that even after the approval of the project by the Planning Commission, at least 4-5 years would be required to electrify Mughalsarai-Zafrabad section. The Committee considered their request at their sitting held on 25 April 2006 and decided not to drop the assurance.

1.9 The Committee note that the proposal for electrification of Mughalsarai-Zafrabad rail route was approved by the Government in the

year 2000-2001 itself and an amount of Rs.0.25 crore was also allocated. However the proposal was not approved by the Planning Commission and it was resubmitted for approval in the light of recommendations of a Committee set up for fixing norms for Railway Electrification. According to the Ministry of Railways, as per the present Planning, the electrification of Mughalsarai-Zafrabad section will be taken up under phase-II which also includes the single line portion of Mughalsarai-Moradabad route i.e. after completion of doubling of over 220 kms. on Utratia-Zafrabad section. Even after the proposal for electrification of Mughalsarai-Lucknow-Moradabad is approved by the Planning Commission, it would take at least 4-5 years to electrify the Mughalsarai-Zafrabad section. The Zafrabad-Mughalsarai section is a part of Utratia-Mughalsarai electrification project (phase-II). The proposal was recommended by Expanded Board for Railways and is likely to be included in Budget 2006-2007. The time of completion of the project is about three years after inclusion in the Budget subject to availability of funds. The Committee are of the view that mere delay in the completion of the project cannot be a ground for dropping such an important assurance which will benefit innumerable passengers traveling on Mughalsarai-Zafrabad rail route. The Committee therefore desire that utmost priority should be accorded to the project for its timely completion. The Committee would like to be apprised of the present status of the project as well as the long pending assurance.

[ii] REHABILITATION OF SCAVENGERS

1.10 On 20 December 2002, Smt. Margaret Alva, MP addressed the following USQ No.4940 to the Minister of Social Justice and Empowerment:-

- “(a) whether the Government have made any survey of the number of scavengers in the country, State-wise;**
- (b) whether there is any reduction in the number of scavengers after the introduction of preventive measures taken by the Government;**
- (c) if so, the details thereof, Statewise;**
- (d) whether the Government of Karnataka has requested the government to increase the cost of rehabilitation amount per person, so that their problem is solved permanently; and**
- (e) if so, the reaction of the Union Government therein?”**

1.11 In reply, the then Minister of State of the Ministry of Social Justice and Empowerment (Shri S.B. Mookherjee) stated as follows:-

“(a), (b) & (c) Yes, Sir. As per the information furnished by State Governments/UT Administrations, the number of identified scavengers is 6,76,009. Against which, 4,08,644 scavengers have been rehabilitated under the National Scheme of Liberation and Rehabilitation of Scavengers and their Dependents (NSLRS). A statement showing State-wise number of identified scavengers and beneficiaries covered under NSLRS is enclosed.

(d) & (e) Yes, Sir. The suggestion of the Government of Karnataka is under consideration.”

1.12 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Social Justice and Empowerment within three months of the date of reply i.e. by 19 March 2003 but the Ministry could not fulfill the assurance.

1.13 The Scheme of NSLRS was in the meantime transferred to the Ministry of Urban Development and Poverty Alleviation.

1.14 The Ministry of Urban Development sought extensions of time upto 30 September 2004 only. No extension of time was requested by the Ministry beyond 30 September 2004.

1.15 The Ministry of Urban Development and Poverty Alleviation vide their O.M. No. 11017/4/2003-PHE-I dated 7th March 2006 requested to drop the assurance on the grounds that the present Assurance is linked with a comprehensive revision of the policy guidelines of the National Scheme of Liberation & Rehabilitation of Scavengers (NSLRS). Revision of policy guidelines would involve detailed consultation with State Governments, Planning Commission and other Ministers, particularly Ministry of Finance and Ministry of Social Justice & Empowerment (SJ & E). During the process of revision, the suggestion made by the Government of Karnataka would be given due consideration.

1.16 Accordingly, the Ministry of Urban Development and Poverty Alleviation requested to drop the assurance.

1.17 A question was asked on 20 December 2002 regarding Rehabilitation of Scavengers. The question sought information *inter-alia* regarding making any survey by the Government on the number of scavengers in the country (state-wise) and the request of the Government of Karnataka to increase the cost of rehabilitation amount per person. In reply it was stated by the Government that according to the information received from various State Governments/Union Territories Administrations there were 6,76,009 identified scavengers out of which 4,08,644 scavengers had been rehabilitated under the National Scheme of Liberation and Rehabilitation of Scavengers and their dependents (NSLRS). It was also stated that the request of the Government of Karnataka was under consideration. This reply was treated as an assurance. As the assurance is yet to be filled, the Ministry requested the Committee to drop it on the ground that it related to a comprehensive revision of policy guidelines of the NSLRS, which involves detailed consultation with various Ministries particularly Ministry of Finance and Planning Commission as well. It was also stated that the request of the Government of Karnataka would be given due consideration. This request of the Ministry was considered by the Committee at their sitting held on 25 April 2006 and the Committee decided not to drop the assurance. The Committee are of the considered view that rehabilitation of as many as 2,67,365 scavengers is a vital issue of national importance which is directly related to the

downtrodden sections of the society. The Committee, therefore, urge the Ministry to initiate the necessary process of revision of NSLRS in consultation with the concerned Ministries on a priority basis and fulfill this long pending assurance under a time bound programme. They would like to be apprised of the progress made in the matter.

[iii] LALITPUR TO SINGRAULI RAIL LINE

1.18 On 22 July 2004, Shri Ganesh Singh, MP addressed the following Unstarred Question No. 2204 to the Minister of Railways :-

- “(a) whether railway line from Lalitpur to Singrauli has been sanctioned and the work on this line has already been started;**
- (b) if so, the details thereof and progress made thereon; and**
- (c) the time by which the work on the railway line is likely to be completed?”**

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

“(a) & (b): The work of Lalitpur-Satna-Rewa-Singrauli & Mahoba-Khajuraho new broad gauge rail line has been included in the Budget 1997-98. The detailed estimate for Lalitpur-Khajuraho and Mahoba-Khajuraho sections has been sanctioned. Land acquisition is in progress. Out of 99.6 lakh cubic metre of earthwork, 14.83 lakh cubic metre has been completed. 2 major bridges out of 25, and 39 minor bridges out of 151 have been completed. The work on 20 major bridges and 28 minor bridges is in progress. The final location survey in balance length is in progress.

(c): No target has yet been fixed.”

1.20 The reply to the above question 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 21 October 2005 but could not be fulfilled within the stipulated time.

1.21 The Ministry of Railways vide O.M.No.2004/W-II/NCR/PQL/18 dated 03 November 2004 requested to drop the assurance on the grounds that Final Location Survey is the first activity of the project followed by preparation of plans and estimates, land acquisition etc. As such, till the project is finally completed from the stage of sanction which may take years, some or other activity will

always be in progress. If the progress of any activity is taken as an assurance, then almost all replies relating to progress of projects may become an assurance.

1.22 In view of the above, the Ministry requested that the above-mentioned assurance may be dropped.

1.23 A question was asked on 22 July 2004 regarding sanctioning of the railway line from Lalitpur to Singrauli, the progress made thereon and the likely time of its completion. In reply it was *inter-alia* stated that work of Lalitpur-Satna-Rewa-Singrauli and Mahoba-Khajuraho new broad gauge rail line was included in the Budget 1997-98 and the detailed estimate were also sanctioned. It was also stated that land acquisition was in progress and work on 20 major and 28 minor bridges was in progress and no target was fixed. This reply was treated as an assurance and a request was made to the Committee to drop it on the ground that final location survey is the first activity of the project followed by preparation of plans, estimates, land acquisition etc. which may take years. It was also stated that if the progress of any activity is taken as an assurance then almost all replies relating to the progress of projects may become assurance. This request was considered by the Committee at their sitting held on 25 April 2006 and the Committee decided not to drop the assurance. The Committee note that the work of the Lalitpur-Satna-Rewa-Singrauli and Mahoba-Khajuraho new broad gauge rail line was included in the Budget 1997-1998 itself and the detailed estimates were also already sanctioned. As such the Committee are curious to know the present status of the project. The Committee also note that no target has been fixed by the Government for the completion of the project. The Committee, therefore, urge the Government to take up the matter in a time bound programme.

1.24 In the present case, while making their request for dropping of the assurance, the Ministry of Railways have stated that "if the progress of any activity is taken as assurance, then almost all replies relating to progress of projects may become an assurance". The Committee do not agree with their contention and are rather unhappy over the manner in which this argument has been sought by the Ministry to be made as a ground for dropping the assurance. The Committee would seek the clarification from the Ministry on this separately. Meanwhile the Committee would like to be apprised of the present position of the projects and the likely time by which the assurance would be fulfilled.

CHAPTER – II
REQUESTS FOR DROPPING OF ASSURANCES (ACCEPTED)

[i] CASES UNDER VIGILANCE OF SUPER BAZAR

2.1 On 09 December 1999, Shri Sheesh Ram Singh Ravi, MP addressed the following Unstarred Question No.1579 to the Minister of Consumer Affairs and Public Distribution:-

- “(a) the vigilance cases that have occurred during 1999 in Super Bazar; and**
- (b) the action taken thereon?”**

2.2 In reply, the then Minister of State in the Ministry of Consumer Affairs and Public Distribution (Shri V. Sreenivasa Prasad) stated as follows:-

- “(a) 18 vigilance cases have occurred during 1999 so far in Super Bazar.**
- (b) Out of 18 cases, two cases have been finalized and penalty imposed as per Super Bazar Service & Conduct Rules. Investigation proceedings in rest of the cases are in progress.”**

2.3 On 04 May 2000, Shri Prabhunath Singh, MP addressed the following Unstarred Question No.5992 to the Minister of Consumer Affairs and Public Distribution:-

- “(a) whether proceedings for major disciplinary proceedings against the Dy. G.M. in Super Bazar on corruption charges have been pending for a number of years;**
- (b) if so, the details thereof;**
- (c) whether despite financial constraints NCCF is arranging supply of items through manufacturers/ distributors/ dealers when the suppliers make supplies direct to the Government departments concerned on credit and NCCF does not maintain any stocks on their shelves; and**

(d) the steps the Government propose to take to root out the corruption and dispose of the cases speedily?"

2.4 In reply, the then Minister of State in the Ministry of Consumer Affairs and Public Distribution (Shri V. Sreenivasa Prasad) stated as follows:-

"(a) & (b): Major penalty proceedings against Shri Vijay Kumar, DGM, in three cases on corruption charges are in progress:

(i) Charge sheet was issued on 22.1.96. Inquiry has been completed and further action is being taken on the report of the Inquiry Officer.

(ii) Charge sheet was issued on 13.5.98. The inquiry is in progress.

(iii) Charge sheet was issued on 8.4.2000. Charged Officer has been given time to accept/deny the charges against him.

(c) NCCF is arranging supplies to the Government Departments after procuring from manufacturers/ distributors/ dealers on most competitive terms which Govt. Departments may not be able to obtain directly. There is no necessity to maintain buffer stock in anticipation of supply orders from the Government Departments.

(d) There is a full fledged Vigilance Cell which looks into complaints of any nature and initiates action where necessary."

2.5 On 24 November 2000, S/Shri Prabhunath Singh and C.N. Singh, M.Ps. addressed the following Unstarred Question No.1039 to the Minister of Consumer Affairs, Food and Public Distribution:-

"Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to refer to reply given to USQ No.5992 on 4 May, 2000 and state:

- (a) the progress made so far in each case against DGM, Super Bazar;**
- (b) the action initiated against the DGM;**
- (c) whether some cases of corruption in National Cooperative Consumers` Federation of India Ltd. (NCCF) have been brought to the notice of the Government;**
- (d) if so, the details thereof and the action the Government propose to take to break the nexus between suppliers and officials of NCCF;**
- (e) whether it is the policy of NCCF not to allow suppliers to make supplies of branded items who are not in possession of authorization certificates from manufacturers and also not to sell these items at MRP;**
- (f) if so, the reasons therefor;**
- (g) whether there is any proposal to withdraw the Government order authorizing NCCF to make suppliers to the Government departments of items of stationery and others; and**
- (h) if so, the details thereof and the reasons therefor?"**

2.6 In reply, the then Minister of State in the Ministry of Consumer Affairs, Food and Public Distribution (Shri V. Sreenivasa Prasad) stated as follows:-

- "(a) & (b): In one case, after completion of the enquiry, it has been decided to impose the penalty of recovery of loss suffered by Super Bazar. In two other cases, enquiry is in progress.**
- (c) Yes, sir.**
- (d) At the close of quarter ending 30th September, 2000, three cases were under investigation by the Vigilance Cell of NCCF and two cases were under investigation by the CBI. In six cases, major penalty proceedings were initiated against**

various officials of the NCCF by its Vigilance Cell, out of which three cases have since been finalized. However, there is no material available that brings out any nexus between suppliers and officials of NCCF.

(e) & (f) NCCF now purchases all major branded items from the manufacturers/distributors/dealers registered with NCCF. The distributors/dealers registered with NCCF have proper authorization to deal in/supply the concerned branded items. NCCF supplies a large number of items to the Government Deptts, out of which a few could be sold at MRP even though NCCF`s policy is to supply goods at reasonable and competitive rates, NCCF`s rates are for supply of goods at destinations with facility to avail credit period up to 30 days.

(g) No, sir.

(h) Does not arise."

2.7 On 08 December 2000, Dr. Bali Ram, MP addressed the following Unstarred Question No.3180 to the Minister of Consumer Affairs, Food and Public Distribution:-

- "(a) the number of cases of corruption came to light in the Super Bazars during the last three years;**
- (b) the action taken in each case, separately;**
- (c) the number of cases investigated by the CBI and the vigilance department respectively;**
- (d) the action taken or proposed against the erring officers/employees; and**
- (e) the time by which the action is likely to be taken against those involved in corruption?"**

2.8 In reply, the then Minister of State in the Ministry of Consumer Affairs and Public Distribution (Shri V. Sreenivasa Prasad) stated as follows:-

"(a): During this period, 67 cases have come to light.

- (b): Details of action taken in each case is given at Annexure `A` Column 5.**
- (c): Investigation in 3 cases has been completed by CBI. In addition, 9 cases are under investigation. 55 cases have been investigated by Vigilance Department of Super Bazar.**
- (d): Details of action taken in each case is given at Annexure `A` Column 5.**
- (e): The information is given in Column 6 of Annexure `A`."**

2.9 The replies to the above questions were treated as assurances and were required to be fulfilled by the Ministry of Consumer Affairs, Food and Public Distribution within three months of the date of their replies but the assurances have not been fulfilled within the stipulated time.

2.10 The Ministry of Consumer Affairs, Food and Public Distribution vide O.M. No.H-11016/3/99-Vig. dated 15 February 2006 requested to drop the assurances on the grounds that the assurance was pending for non-finalization of two cases. In one case pertaining to Shri H.S.S. Rao, Manager, it is intimated that after completion of the case and orders have been issued accordingly. A part implementation of the assurance has been sent to Ministry of Parliamentary Affairs vide OM of even number dated 15 February 2006. The assurance in respect of this case stands fulfilled. In respect of the second case, the penalty for recovery from Shri Vijay Kumar was imposed vide orders dated 16 February 2004 and 24 September 2004 by the competent authority in Super Bazar. However, the recovery was to be made from his gratuity amount, Shri Vijay Kumar moved the Gratuity Authority for releasing full amount of gratuity due to him. The Gratuity Authority passed order in favour of Shri Vijay Kumar which has been stayed by the High Court and the case, as such, is subjudice. Since no vigilance action is pending against Shri Vijay Kumar barring recovering of the dues which would be decided after Hon'ble High Court's decision, the case of Shri Vijay Kumar may be treated as closed.

2.11 The Ministry further stated that all cases of the assurance except the case of Shri Vijay Kumar, Ex-DGM have been fulfilled. As regards the case of Shri Vijay Kumar, the assurance can not be kept pending on the aforesaid reasons, so long for want of Hon'ble High Court's decision.

2.12 The Ministry has not sought any extension of time to fulfill the assurance beyond December, 2005 in respect of USQ No.1579 dated 09 December 1999, USQ No.5992 dated 04 May 2000, USQ No.1039 dated 24 November 2000.

2.13 In view of the above, the Ministry requested the Committee to drop the assurances.

2.14 The Committee note that four questions were asked from December 1999 to December 2000 regarding vigilance cases in Super Bazar. The replies given to these questions were construed as assurances. However, the Ministry of Consumer Affairs and Public Distribution requested the Committee to drop all the four pending assurances on the grounds that the assurances were pending for non-finalization of two cases. In the first case, after its completion, orders were issued accordingly and assurance of this case stands fulfilled. In respect of the second case, the penalty for recovery was imposed vide orders dated 16 February 2004 and 24 September 2004 by the Competent Authority in Super Bazar. The Gratuity Authority passed order in favour of concerned officer which was stayed by the High Court and the case, as such, was subjudice. Since no vigilance action was pending, the Ministry requested that the case may be treated as closed. This request of the Ministry was considered by the Committee at their sitting held on 25 April 2006. Since action has almost been completed in the matter, the Committee acceded to the request of the Ministry to drop the assurances.

[ii] MINISTER'S VISIT ABROAD

2.15 On 26 April 2000, Shri Uttamrao Deorao Patil, M.P., addressed the following Unstarred Question No.4851 to the Minister of External Affairs:-

- “(a) the Union Ministers who undertook foreign tours during 1999-2000;**
- (b) the amount spent thereon; and**
- (c) the achievements made during these visits Ministry-wise?”**

2.16 In reply, the then Minister of State in the Ministry of External Affairs (Shri Ajit Kumar Panja) stated as follows:-

- “(a) – (c) The information is being collected and will be laid on the Table of the House.”**

2.17 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 25 July 2000. However the assurance was not implemented and the Ministry sought extension of time upto 30 March 2006.

2.18 The Ministry of External Affairs vide D.O.No.AA/125/Parl/49/2000 dated 03 April 2006 have requested for dropping of the assurance on the grounds that the information is still awaited from two Ministries/Departments of Government of India despite 12 reminders and a few Ministries have not been able to provide expenditure details and therefore, the Implementation Report has been submitted partially. The Ministry have further stated that the Question is omnibus in nature and the time gap is approximately 6 years.

2.19 In view of the above, the Ministry requested that the partial fulfillment report being laid on the Table of the House be considered as final and accordingly the assurance may be dropped.

2.20 The Committee note that a question was asked on 26 April 2000 regarding Minister's Visit abroad. In reply it was stated that the information would be laid on the Table of the House after its collection. This reply was treated as an assurance. However, the Ministry requested to drop the same on the ground that the information was still awaited from two Ministries/Departments of Government of India despite 12 reminders and a few Ministries were not able to provide expenditure details and therefore, the Implementation Report was submitted partially. The Committee at their sitting held on 25 April 2006 considered the request of the Ministry. The Committee noted that audited and factual data in respect of 134 Minister's visits abroad was furnished by the Ministry. They, therefore acceded to the request of the Ministry for dropping of the assurance.

[iii] FISHING HARBOUR AT POOMPUHAR, NAGAPATTINAM

2.21 On 27 November 2000, Shri Mani Shankar Aiyar, M.P., addressed the following Unstarred Question No.1185 to the Minister of Agriculture:-

- “(a) whether there was a proposal under consideration of the Central Fisheries Research Institute (Bangalore) to establish a Fishing Harbour at Poompuhar in Nagapattinam district;**
- (b) if so, the present status of the proposal; and**
- (c) the steps being taken to expedite the approval and implementation of the proposal?”**

2.22 In reply, the then Minister of State in the Ministry of Agriculture (Dr. Debendra Pradhan) stated as follows:-

- “(a): Yes, Sir. A proposal is being processed by the Central Institute of Coastal Engineering for Fishery, Bangalore.**
- (b) & (c): Based on the directions issued by the Ministry of Agriculture, the Central Institute of Coastal Engineering for Fishery, Bangalore carried out engineering and economic investigations at the proposed site for development of a minor fishing harbour at Poompuhar. After analysing the field data and other engineering aspects the institute prepared an interim report and submitted to the Government of Tamil Nadu for preparation of detailed cost estimate based on current schedule of rates of the State Government. The detailed cost estimate is awaited from the State Government, on receipt of which, further steps would be initiated by the Central Institute at Bangalore.”**

2.23 The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Agriculture within three months of the date of the reply *i.e.* by 26 February 2001. However the assurance is yet to be fulfilled. The Ministry has sought extension of time upto 31 August 2006 or till the dropping of the assurance.

2.24 The Ministry of Agriculture vide O.M.No.33018-11/2000-FY(H) dated 22 February 2006 and subsequent endorsement dated 10 March, 2006 requested for dropping of the assurance on the grounds that the fishing harbour facilities have been developed under the Centrally Sponsored Scheme being implemented by this Ministry on 50:50 cost sharing basis between Government of India and respective State Governments. The Government of Tamil Nadu has been requested since September 2001 to carryout detailed hydraulic model studies through a reputed expert agencies for assessing the techno-economic viability of the above said fishing harbour proposal. In spite of several requests at official level as well as a D.O. from Hon'ble Minister of State for Agriculture to the Hon'ble Chief Minister, the Government of Tamil Nadu is yet to undertake necessary model studies and as such the technical viability of the proposal has not yet been established. Under these circumstances, this Ministry is not in a position to move further on the above said proposal.

2.25 In view of the above, the Ministry requested that the reply to the above said question does not constitute an assurance and may be deleted from the list of pending assurance.

2.26 The Committee note that a question was asked on 27 November 2000 regarding Fishing Harbour at Poompuhar, Nagapattinam. In reply it was *inter-alia* stated that a proposal was being processed by the Central Institute of Coastal Engineering for Fishery, Bangalore and the Institute has carried out engineering and economic investigations at the proposed site for development of a minor fishing harbour at Poompuhar. The reply was construed as an assurance. The Ministry, however, requested for dropping the assurance on the ground that the fishing harbour facilities have been developed under the Centrally Sponsored Scheme being implemented by the Ministry on 50:50 cost sharing basis between Government of India and respective State Governments. In spite of several requests at official level as well as a D.O. from Hon'ble Minister of State for Agriculture to Hon'ble Chief Minister, the Government of Tamil Nadu is yet to undertake necessary model studies and as such the technical viability of the proposal has not yet been established. Under these circumstances the Ministry is not in a position to move further on the above said proposal. The Committee at their sitting held on 25 April 2006 considered the request of the Ministry and having been satisfied by the reasons advanced by the Ministry decided to drop the assurance.

[iv] INFRASTRUCTURE STATUS TO OIL INDUSTRY/LNG POLICY

2.27 On 10 August 2000, Shri Vilas Baburao Muttemwar, MP addressed the following USQ No. 3041 to the Minister of Petroleum and Natural Gas:-

- “(a) Whether the oil industry has sought the infrastructure status for all the Liquefied Natural Gas import terminal projects in the country;**
- (b) if so, whether there is an urgent need for the effective fiscal policy to encourage investments in the oil sector;**
- (b) if so, whether the Government has so far granted the infrastructure status only to those LNG projects which were coupled with the power projects; and**
- (c) if so, the time by which the Government are likely to provide infrastructure status to the remaining LNG terminal?”**

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

- “(a)to (d): The Group of Secretary-level Officers constituted by the Government to examine all aspects of LNG Sector has recommended amongst others, that infrastructure status be accorded to LNG import terminal projects. The recommendations of the Group of Officers have been submitted to the Committee of Secretaries.”**

2.29 The above reply 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 reply i.e. by 9 November 2000 but the Ministry could not fulfil the assurance.

2.30 On 10 August 2000, Dr. Raghuvansh Prasad Singh, MP addressed the following USQ No. 3042 to the Minister of Petroleum and Natural Gas:-

- “(a) Whether the Government have constituted any high power committee for LNG policy;**
- (b) if so, the details thereof;**
- (c) whether the said committee has submitted its report;**
- (d) if so, the details thereof; and**
- (e) the action taken by the Government on the recommendations of the Committee?”**

2.31 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): The Government has set up a Group of Secretary-level Officers to examine all the issues involved in the Liquefied Natural Gas (LNG) sector with a view to arriving at an integrated LNG policy for the country. The Group of Officers has given its recommendations on various aspects including Regulation, LNG Shipping and fiscal regime etc. The recommendations have been submitted to the Committee of Secretaries.”**

2.32 The above reply 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 reply i.e. by 9 November 2000 but the Ministry could not fulfil the assurance.

2.33 On 02 August 2001, S/Shri Yemparala Venkateshwara Rao and Jaswant Singh Yadav, MPs addressed the following SQ No. 171 to the Minister of Petroleum and Natural Gas:-

- “(a) whether the Government have prepared Liquefied Natural Gas Policy;**
- (b) if so, the details thereof;**
- (c) the time by which it is likely to be implemented and the countries from which LNG is likely to be imported;**

- (d) **whether the Government has now proposed that regulator will not fix any ceiling on import price of LNG;**
- (e) **whether his Ministry and Department of Economic affairs have worked out the demand and supply position of LNG for the next 10 years while freezing location and sizes of all future LNG terminals; and**
- (f) **if so, the details thereof?"**

2.34 In reply, the then Minister of Petroleum and Natural Gas (Shri Ram Naik) stated as follows:-

"(a) to (f): On consideration of the recommendations of Group of Officers, the Committee of Secretaries in its meeting held on October 11, 2000 recommended formulation of an Integrated Liquefied Natural Gas (LNG) Policy covering various aspects including Regulation, LNG shipping and fiscal regime. A proposal in this behalf is under active consideration of the Government."

2.35 The above reply 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 reply i.e. by 1 November 2001 but the Ministry could not fulfill the assurance.

2.36 On 09 May 2002, Shri Anandrao Vithoba Adsul, MP addressed the following USQ No. 6625 to the Minister of Petroleum and Natural Gas:-

- "(a) whether the Finance Ministry has proposed the tax concessions embodied in the proposed integrated liquefied natural gas policy;**
- (b) if so, whether his Ministry is in favour of providing a ten year tax holiday for all LNG importers since heavy capital investment is required for these projects;**
- (c) if so, whether his Ministry has also proposed a tonnage tax of zero to one per cent on LNG**

shipping in place of the existing corporate tax regime; and

(d) if so, the details thereof?"

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

"(a) to (d): On consideration of the recommendations of Group of Officers, the Committee of Secretaries in its meeting held on October 11, 2000 recommended formulation of an Integrated Liquefied Natural Gas (LNG) Policy covering various aspects including Regulation, LNG shipping and fiscal regime. A proposal in this behalf is under active consideration of the Government."

2.38 The above reply 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 reply i.e. by 8 August 2002 but the Ministry could not fulfill the assurance.

2.39 On 13 March 2003, Shri Sultan Salahuddin Owaisi, MP addressed the following USQ No. 3450 to the Minister of Petroleum and Natural Gas:-

"(a) whether IOCL and GAIL who were deputed to make the regassified LNG import by Petronet have refused to sign the Gas Sole Project Agreement (GSPA) with Petronet;

(b) if so, the reasons and details thereof;

(c) whether Qatar has agreed to bring down the prices at which Petronet sell LNG on the reciprocal basis;

(d) if so, the details thereof and to what extent this step is likely to affect the LNG project

(d) whether all the users of LNG are demanding lower prices of LNG in the country; and

(e) if so, the details thereof and steps taken or being taken by the Government in this regard?"

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

“(a) & (b): No, Sir. GAIL (India) Limited, Indian Oil Corporation Limited and Bharat Petroleum Corporation Limited have signed Heads of Agreement for Gas Sale & Purchase Agreement (GSPA) with Petronet LNG Limited (PLL). The draft GSPA has also been finalized and initiated.

(c) & (d): No, Sir.

(e) & (f): Yes, Sir. The major consumers of LNG will be Power and Fertilizer Sectors who have represented that the delivered price of LNG should be affordable to these sectors. It may be mentioned that Government does not regulate LNG prices which will be sold at market determined prices by the companies concerned. However, in order to make the prices of LNG affordable, various fiscal concessions have been proposed in the Integrated LNG Policy for consideration of the Government. No decision has been taken in this regard.”

2.41 The above reply 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 reply i.e. by 12 June 2002 but the assurance is yet to be fulfilled.

2.42 The Ministry of Petroleum and Natural Gas vide their O.M. No. L-12018/6/00-GP(Vol.III) dated 19 January 2006 have requested to drop the above said five assurances on the grounds that the Ministry had proposed to formulate an integrated LNG Policy which consisted of the following three parts:

- (i) A regulatory framework for LNG sector
- (ii) Policy relating to LNG Shipping Fiscal concessions
- (iii) Fiscal concessions

2.43 The proposals pertaining to an integrated LNG Policy were considered by the Cabinet in the meeting held on 27.11.2001; and the Cabinet decided to defer the item. The main observation raised in the Cabinet meeting related to the LNG Shipping Policy proposals. Subsequently, it was decided to drop the proposals

relating to LNG shipping from the proposed LNG Policy note. The Ministry of Shipping was informed to take this up separately.

2.44 Initially, it was considered to have a separate gas regulatory mechanism, however, the Ministry of Petroleum & Natural Gas later decided to set up a single regulatory framework for petroleum and natural gas downstream sector which included natural gas/LNG also and introduced the Petroleum Regulatory Board Bill, 2002 in the Parliament. The Bill contains provisions for regulating the natural gas/LNG sector also.

2.45 Therefore, with the dropping of the LNG Shipping policy proposals and regulatory proposals from the Integrated LNG Policy, proposals only on the fiscal issues remained.

2.46 The Integrated LNG Policy proposals, containing mainly the fiscal incentives, again came up before the Cabinet on 19.2.2003. This item was again deferred in view of the ensuing Annual Budget 2003-04 with the observation that the proposals being mainly fiscal in nature, be taken up to be addressed in the coming Budget.

2.47 In the Annual Budget 2003-04, only reduction in customs duty on capital goods for LNG terminals from 25% to 5% was declared.

2.48 This Ministry again sent proposals to the Cabinet, which came up for their consideration on 29 April 2003. The Cabinet deferred the matter again with the observation that since the proposals mainly related to fiscal concessions, MOP & NG may take up the matter with the Ministry of Finance. As per the direction of the Cabinet, the Minister (P&NG) took up the issue with Finance Minister. The matter was also deliberated in meetings taken by the Additional Secretary, Ministry of Finance, Department of Economic Affairs and Secretary (P&NG) Finally, the Finance Minister suggested that fiscal concessions for LNG sector should form part of the budget exercise.

2.49 The proposals were taken up with Ministry of Finance at the time of budget formulation for 2004-2005. However, Ministry of Finance did not include them in the budget.

2.50 It would be seen from the above that the original Integrated Policy, which Ministry of Petroleum and Natural Gas had proposed, has virtually been dropped. Further, it is submitted that 05 (five) number of assurances have been given in reply to Lok Sabha on the LNG Policy. It would be appreciated that this Ministry does not propose to bring out an Integrated LNG Policy which was initially proposed.

2.51 In view of the above, the Ministry of Petroleum and Natural Gas requested the Committee on Government Assurances, Lok Sabha to drop the five assurances.

2.52 The Committee note that five questions were asked from August 2000 to March 2003 regarding Infrastructure status to oil industry/LNG policy. The questions sought information regarding infrastructure status to oil industry/LNG policy. In reply it was inter-alia stated that on consideration of the recommendations of group of officers, the Committee of Secretaries in its meeting held on 11 October 2000 recommended formulation of an Integrated Liquefied Natural Gas (LNG) Policy covering various aspects including regulation, LNG Shipping and fiscal regime. A proposal in this behalf is under active consideration of the Government. The replies given to these questions were construed as assurances. However, the Ministry of Petroleum and Natural Gas requested the Committee to drop all the five pending assurances on the grounds that the proposals were taken up with the Ministry of Finance at the time of budget formation from 2004-2005 but the proposals was not included in the budget by the Ministry of Finance as such the original Integrated Policy had virtually been dropped. This request of the Ministry was considered by the Committee at their sitting held on 25 April 2006. The Committee note that the original Integrated Policy proposed by the Ministry of Petroleum and Natural Gas has virtually been dropped in the Petroleum Regulatory Board Bill 2000 introduced in Parliament and hence proposals only on the fiscal issued remained. According to the Ministry the matter was taken up at the Cabinet meeting held on 29 April 2003. The proposals were also taken up with

Ministry of Finance at the time of Budget formulation for 2004-2005. However, Ministry of Finance did not include them in the Budget. After considering the reasons advanced by the Ministry, the Committee acceded to their request for dropping of the assurances.

[v] ACQUISITION OF LAND IN BARAMULLA

2.53 On 18 December 2003, Shri Abdul Rashid Shaheen, MP addressed the following Unstarred Question No. 2404 to the Minister of Defence :-

- “(a) the area of land acquired in Baramulla district by the Government for defence purposes during the last three years; and**
- (b) Whether it is a fact that no compensation or rent has been paid for this land;**
- (c) if so, the reasons therefor; and**
- (d) the steps taken by the Government in this regard?”**

2.54 In reply, the Minister of Defence (Shri George Fernandes) stated as follows:-

- “(a) to (d): During the last three years, on receipt of awards from the Collector, Government sanction was issued in March 2000 for payment of compensation of Rs. 5,33,64,107/- for acquisition of 1227 Kanals and 141/2 Marlas of land and cost of structures and trees on the said land, in four villages in District Baramulla. Out of the above amount, a sum of Rs. 2,10,05,071/- had been deposited with Deputy Commissioner, Baramulla, in March 1993, as `on account` payment. The remaining amount of Rs. 3,23,59,036/- was also deposited with Deputy Commissioner, Baramulla on 31.3.2000 for disbursement to ex-land owners. Thus the acquisition cost of the land was deposited in full by the Ministry of Defence in 1993 and 2000. Thereafter, disbursements were to be made by the Deputy Commissioner.**

However, against the compensation sanctioned by Ministry of Defence, some ex land owners had sought appointment of Arbitrator and the State Government has appointed District and Session Judge Baramulla as Arbitrator for determination of compensation. Arbitration award is awaited.”

2.55 The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Defence within three months of the date of the reply i.e. by March 17th, 2004 but could not be fulfilled within the stipulated time.

2.56 The Ministry of Defence vide O.M.No.14017/3/2004/D(Lands) dated 8th June, 2004 requested to drop the assurance on the grounds that the Government of India had deposited through DEO concerned a sum of Rs.5,33,64,107/- as acquisition compensation for acquisition of 1227 kanals and 14-1/2 marlas of land with concerned Deputy Commissioner in 1993 and 2000. The disbursement of this amount to ex-landowners was to be made by the concerned Deputy Commissioner.

2.57 However, on the request from ex-landowners, the State Government of J&K has appointed District and Session Judge Baramulla as Arbitrator for determination of compensation. The Arbitration proceedings are ongoing. But the validity period of Arbitrator has expired and the Hon'ble Court has taken up the matter with State Government for extension of the period of Arbitrator. The Arbitration proceedings are legal proceedings against which either or both sides have a right to appeal. At present, no issue for payment of compensation is pending in Ministry. Any such issue will arise only after arbitration proceedings are finalized by the Arbitrator.

2.58 In view of the above, the Ministry requested that the above-mentioned assurance may be dropped.

2.59 A question was asked on 18 December 2003 regarding acquisition of land in Baramulla. The question sought information on the area of land acquired in Baramulla by the Government for defence purposes in the last three years and the compensation or rent paid, for acquiring the land. In reply it was *inter-alia* stated that the State Government has appointed District Session Judge, Baramulla as Arbitrator for determination of compensation and the Arbitration Award was awaited. This reply was construed as an assurance. However, a request was made to the Committee to drop the assurance on the ground that Government of India has already deposited a certain sum as compensation for acquisition of land and on the request of ex-landowners, an Arbitrator was also appointed by the Government of Jammu and Kashmir and also no issue for payment of compensation was pending in the Ministry. The Committee considered this request of the Ministry at their sitting held on 25 April 2006 and having been satisfied with the reasons advanced by the Ministry, decided to drop the assurance.

[vi] INVESTMENT IN FOREIGN COUNTRIES BY INDIAN COMPANIES

2.60 On 16 December 2004, S/Shri Narendra Kumar Kushawaha and Munshi Ram, MPs addressed the following USQ No.2556 to the Minister of Railways:-

- “(a) whether Indian Public Sector companies would execute the projects of Railways in Iran;**
- (b) if so, whether the said construction works would be undertaken with the investment of our public sector companies;**
- (c) if so, whether public sector companies of Iran would also invest in the said projects; and**
- (d) if so, the details of percentage share of both countries separately?”**

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

- “(a): Yes, Sir. Two Public Sector Undertakings under the Ministry of Railways namely RITES Ltd. and IRCON International Ltd. are in discussion with Iranian Authorities for execution of Railway projects in Iran**
- (b): The Investment of our Public Sector companies in these projects is yet to be crystallised.**
- (c) & (d): Participation of public sector companies of Iran to invest in the projects will depend on their financial interest or directives of Government of Iran to them. No percentage share of both the countries in any project has yet been crystallised.”**

2.62 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 15 March 2005 but the Ministry could not fulfill the assurance.

2.63 The Ministry of Railways *vide* their O.M. No. 2004/PL/24/LS/42 dated 01 March 2006 requested to drop the assurance on the grounds that the investment of Indian companies in the Railway projects in Iran is only subject to the decision of Government of Iran to undertake the Railway projects and there is no involvement of Indian Railways or its Public Sector Undertakings in this decision making.

2.64 Accordingly, the Ministry of Railways requested to drop the assurance and sought extension of time upto 15 September 2006.

2.65 A question was asked on 16 December 2004 regarding investment in Foreign Countries by Indian Companies. The question sought information regarding execution of Railway projects in Iran by the Indian Public Sector Companies and its details. In reply the Government *inter-alia* stated that the Public Sector Undertakings were negotiating with Iranian Authorities for execution of Railway projects in Iran. Since this reply was treated as an assurance the Committee was requested to drop it on the ground that investment of Indian Companies in Railway projects is subject to the decision of Government of Iran. The Committee considered this request of the Ministry at their sitting held on 25 April 2006 and decided to drop the assurance. The Committee note that investment of Indian Companies in the Railway projects in Iran is only subject to the decision of Government of Iran. However, the Committee desire that a status report highlighting the present status of the said negotiation with Iranian Authorities and the response of the Government of Iran be furnished.

[vii] EXTENSION OF METRO RAIL PROJECT

2.66 On 1 March 2005, Shri Sajjan Kumar, MP addressed the following Unstarred Question No.136 to the Minister of Urban Development:-

- “(a) whether the Government proposes to extend Metro Rail Project upto National and International Airports to provide transportation facilities to the sports persons and sports loving persons during the Commonwealth Games, 2010; and**
- (f) if so, the areas through which metro rail will pass and the likely date of implementation of this project?”**

2.67 In reply, the then Minister of Parliamentary Affairs and Urban Development (Shri Gulam Nabi Azad) stated as follows:-

- “(a) & (b): Delhi Metro Rail Corporation Ltd.(DMRC) has recently been engaged by the Airports Authority of India to prepare a Detailed Project Report (DPR) for Metro rail connection to Domestic/International Airports. Investigations and studies for the DPR have begun. Details concerning the areas and the likely date of implementation will be known after the DPR is ready.”**

2.68 The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Urban Development within three months of the date of reply i.e. by 31 May 2005 but the Ministry has not yet fulfilled the assurance.

2.69 The Ministry of Urban Development vide their O.M. No. H-11016/2/2005-MRTS dated July 2005 stated that a perusal of the standard list of expressions constituting Parliament Assurances indicates that the reply given on the floor of the House could not have been treated as an assurance.

2.70 Accordingly, the Ministry requested to the Committee on Government Assurances, Lok Sabha not to consider the reply as an assurance.

2.71 A question was asked on 01 March 2005 regarding extension of Metro Rail Project. The question sought information on the proposal of the Government to extend Metro Rail Project to National/Internationals Airports to provide transportation facilities to the sports persons during the Common Wealth Games, 2010 and its details. In reply, it was *inter-alia* stated that Airports Authority of India had engaged Delhi Metro Rail Corporation Ltd. for preparing a Detailed Project Report (DPR) for Metro rail connectivity with Domestic/International Airports. Since the reply was construed as an assurance, a request was made to the Committee to drop the same on the ground that the reply given on the floor of the House may not be treated as an assurance. The Committee at their sitting held on 25 April 2006 considered this request and having been satisfied with the reasons furnished by the Ministry decided to drop the assurance.

NEW DELHI;

31 May 2006

10 Jyaistha 1928 (Saka)

(HARIN PATHAK)

CHAIRMAN

COMMITTEE ON GOVERNMENT ASSURANCES

MINUTES **NINTH SITTING**

Minutes of the sitting of the Committee on Government Assurances (2005-2006) held on 25 April 2006 in Committee Room 'B', Parliament House Annexe, New Delhi.

The Committee sat from 1100 hours to 1200 hours on Tuesday 25 April 2006.

PRESENT

Chairman

Shri Harin Pathak

Members

2. Shri Anandrao Vithoba Adsul
3. Shri Biren Singh Engti
4. Shri Mohan Jena
5. Shri Sunil Khan
6. Shri Rasheed Masood
7. Shri Kailash Meghwal

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 draft Eleventh Report regarding dropping of assurances. After some discussion, the Committee adopted the report and authorized the Chairman to present the same to the House.

3. Thereafter the Committee considered the following ten memoranda containing requests received from various Ministries for dropping of pending assurances:-

Memorandum No.79 Request for dropping of assurances given in reply to (i) USQ No.1579 dated 09 December 1999 (ii) USQ No.5992 dated 04 May 2000 (iii) USQ No.1039 dated 24 November 2000 and (iv) USQ No.3180 dated 08 December 2000 regarding 'Cases under vigilance of Super Bazar'.

The Committee considered the above Memorandum and noted that the assurance was pending for non-finalization of two cases. In the first case orders were issued after its completion and the assurance in respect of this case was fulfilled. However, in the second case the recovery was to be made from the gratuity of the concerned officer and the order passed by Gratuity Authority in favour of the said officer was stayed by High Court. Thus the case was subjudice. The Committee, therefore keeping in view the fact that the action has almost been taken, decided to drop the assurance.

Memorandum No.80 Request for dropping of assurance given on 26 April 2000 in reply to USQ No.4851 regarding 'Minister's Visit Abroad'.

The Committee considered the above Memorandum and noted that audited and factual data in respect of 134 Minister's visits abroad was furnished. Moreover, the information was still awaited from two Ministries/Departments of Government of India despite 12 reminders and a few Ministries were not able to provide expenditure details. As such, the Committee decided to accede to the request of the Ministry to treat the partial implementation of the assurance as final and dropped the assurance.

Memorandum No.81 Request for dropping of assurance given on 27 November 2000 in reply to USQ No.1185 regarding 'Fishing Harbour at Poompuhar, Nagapattinam'.

The Committee considered the above Memorandum and noted that fishing harbour facilities had been developed under the centrally sponsored scheme on 50:50 cost sharing basis between Government of India and State Governments and inspite of several requests at official level as well as a D.O. from Hon'ble Minister of State for Agriculture to the Hon'ble Chief Minister, the Government of Tamil Nadu had yet to undertake necessary model studies and as such the technical viability of the proposal has not yet established. As a result, the Ministry was not in a position to move further on the said proposal. The Committee, therefore, decided to drop the assurance.

Memorandum No.82 Request for dropping of assurances given in reply to (i) USQ No.3041 dated 10 August 2000 (ii) USQ No.3042 dated 10 August 2000 (iii) SQ No.171 dated 02 August 2001 (iv) USQ No.6625 dated 09 May 2002 and (v) USQ No.3450 dated 13 March 2003 regarding 'Infrastructure status to oil industry/LNG policy'.

The Committee considered the above Memorandum and noted that the whole LNG policy is based on the budgetary support. The proposals were taken up with the Ministry of Finance at the time of budget formulation for 2004-2005. However, the Ministry of Finance did not include them in the budget. As such, the original Integrated Policy, which the Ministry of Petroleum and Natural Gas had proposed, has virtually been dropped. Accordingly, the Committee decided to drop all the five assurance relating to LNG Policy.

Memorandum No.83 Request for dropping of assurance given on 08 March 2001 in reply to USQ No. 1707 regarding 'Electrification of Mughalsarai-Zafrabad rail route'.

The Committee considered the above Memorandum and noted that an amount of Rs.0.25 crores had been allocated to the Ministry of Railways for electrification of Mughalsarai-Zafarabad rail route via Varanasi during 2000-2001. The Committee also noted that the clearance was not granted to the proposal for electrification of Mughalsarai-Zafarabad section as Phase-I of the entire route i.e. Mughalsarai-Lucknow-Moradabad section and the proposal could not be pursued further due to setting up of a Committee for fixing norms for Railway Electrification. Moreover, even after the proposal for electrification of Mughalsarai-Lucknow-Moradabad is approved by the Planning Commission, it would take at least 4-5 years to electrify Mughalsarai-Zafarabad section for which the assurance is pending for fulfillment. However, the Committee were of the view that delay in the finalization of the project will not suffice dropping of the assurance and the project should be completed as has been assured by the Minister of Railways to the representatives of the people. The Committee, therefore, decided not to drop the assurance.

Memorandum No.84 Request for dropping of assurance given on 20 December 2002 in reply to USQ No.4940 regarding 'Rehabilitation of Scavengers'.

The Committee considered the above Memorandum and noted that out of the 6,76,009 identified scavengers only 4,08,644 have been rehabilitated under the National Scheme of Liberation and Rehabilitation of Scavengers and their

Dependents (NSLRS). The Committee also noted that the assurance is linked with a comprehensive revision of the policy guidelines of the NSLRS. However, the Committee were of the view that the remaining 2,67,365 scavengers should also be rehabilitated and the task should be completed as it is a national issue and related to the down trodden section of the society. Accordingly, the Committee decided not to drop the assurance.

Memorandum No.85 Request for dropping of assurance given on 18 December 2003 in reply to USQ No.2404 regarding 'Acquisition of land in Baramulla'.

The Committee considered the above Memorandum and noted that the State Government of Jammu and Kashmir has appointed District and Session Judge Baramulla as Arbitrator for determination of compensation and at present no issue for payment of compensation is pending in Ministry. The Committee, therefore, decided to drop the assurance.

Memorandum No.86 Request for dropping of assurance given on 22 July 2004 in reply to USQ No.2204 regarding 'Lalitpur to Singrauli rail line'.

The Committee considered the above Memorandum and noted that the work of the Lalitpur-Satna-Rewa-Singrauli & Mahoba-Khajuraho new broad gauge rail line was included in the Budget 1997-1998 itself and the detailed estimates were also already sanctioned. The Committee therefore desire to know the present status of the projects. The Committee took exception to the statement made by the Ministry, "If the progress of any activity is taken as an Assurance, then almost all replies relating to progress of projects may become an Assurance", and making it a ground for dropping the assurance. They also decided to seek

necessary clarifications from the Ministry of Railways. The Committee, accordingly decided not to drop the assurance.

Memorandum No.87 Request for dropping of assurance given on 16 December 2004 in reply to USQ No. 2556 regarding 'Investment in Foreign Countries by Indian Companies'.

The Committee considered the above Memorandum and noted that two Public Sector Undertakings were negotiating the matter with Iranian Authorities for execution of Railway projects in Iran. The Committee also noted that investment of Indian companies in the Railway projects in Iran is only subject to the decision of Government of Iran. The Committee accordingly decided to drop the assurance. However, the Committee desired that a Status Report highlighting the present status of the said negotiation with Iranian Authorities and the response of Government of Iran should be furnished to them.

Memorandum No.88 Request for dropping of assurance given on 01 March 2005 in reply to USQ No.136 regarding 'Extension of Metro Rail Project'.

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.

MINUTES

TENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2005-2006) held on 31 May 2006 in Committee Room No. 53, Parliament House, New Delhi.

The Committee sat from 1100 hours to 1200 hours on Wednesday 31 May 2006.

PRESENT

Chairman

Shri Harin Pathak

Members

- 2. Shri. J.M. Aaroon Rashid**
- 3. Shri Anandrao Vithoba Adsul**
- 4. Shri Ajit Singh**
- 5. Shri Mohan Jena**
- 6. Shri Sunil Khan**
- 7. Shri Rasheed Masood**
- 8. Shri Kailash Meghwal**
- 9. Shri A. Venkatesh Naik**
- 10. Shri M. Shivanna**

Secretariat

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

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 Draft Twelfth Report regarding requests for dropping of assurances and after discussion adopted the same without any amendment. The Committee authorized the Chairman to finalise the report and to present the same to the House. Thereafter, the Committee considered the following ten memoranda containing requests received from various Ministries for dropping of pending assurances:-

Memorandum No.89 Request for dropping of assurances given in reply to various USQs tabled from 25 February 2000 to 24 April 2003 regarding "White Paper on Public Enterprises".

The Committee considered the above Memorandum and noted that the Department of Disinvestment under the Ministry of Finance have circulated a draft White Paper on "Disinvestment of Central Public Sector Enterprises", which would cover the entire gamut of Disinvestment Policy etc. in respect of Central Public Sector Enterprises. The entire issue in this regard would be dealt most appropriately by the Department of Disinvestment. As such the preparation of White Paper on PSEs of Department of Heavy Industry will not serve any fruitful purpose particularly when the Department of Disinvestment are already in the process of preparing a "White Paper on Disinvestment of Central Public Sector Enterprises". The Committee, therefore, agreed to the plea of the Government and decided to drop the assurances.

Memorandum No.90**Request for dropping of assurance given on 14 December 2001 in reply to USQ No. 4080 regarding "Excise duty exemption of refinery".**

The Committee considered the above memorandum and noted that the issue of excise duty exemption to Bongaigaon Refinery and Petrochemicals Limited (BRPL) and other oil refineries was examined in 2002 budget and it was decided to extend a uniform 50% exemption from specified duties of excise to all the four oil refineries in the North East Region, including BRPL and this exemption was at present available. Accordingly, the Committee were convinced with the grounds put forward by the Government and decided to drop the assurance.

Memorandum No.91**Request for dropping of assurance given on 7 March 2002 in reply to SQ No. 110 regarding "Allotment of LPG Agencies/Petrol Pumps to Widows in ITBP and BSF"**

The Committee considered the above memorandum and noted with concern that the Ministry could allot only 51 dealerships/distributorships so far though the scheme was introduced in April 2001. The Committee, therefore, reiterated their earlier stand that the process of allotment of dealerships/distributorships should be streamlined and should also be made more effective. The Committee, therefore, decided not to drop the assurance and to take oral evidence of the representatives of the Ministry in this regard.

Memorandum No.92**Request for dropping of assurance given on 18 December 2002 in reply to USQ No. 4468 regarding "Corruption Cases"**

The Committee considered the above memorandum and noted that out of 94 corruption cases in MTNL, 57 cases have been finally disposed of after following the prescribed procedure. The Committee also noted that at present, the inquiry is under progress in only 8 departmental cases in which 17 officers/official are facing disciplinary proceedings and the remaining 29 cases are *sub-judice* in which 127 officers/officials are involved. The Committee, therefore, decided to drop the assurance, however they desired to be apprised, of the final decision in all the cases.

Memorandum No.93

Request for dropping of assurance given on 6 May 2005 in reply to USQ No. 6249 regarding "Legislation on Insurance Sector"

The Committee considered the above memorandum and noted that the Committee of Expert has submitted its report to the Insurance Regulatory and Development Authority (IRDA) which will formulate its views to enact a law for the amendments in the concerned Acts. The Committee, therefore, desired that the merger of Insurance Act, 1938 , Insurance Regulatory and Development Authority (IRDA) Act, 1999, deletion of redundant provisions in these Acts and setting up of Grievances Redressal Mechanism as recommended by the Law Commission of India in its 190th report should be expedited. The Committee, therefore, desired that the Government should come out with the legislation and decided not to drop the assurance.

Memorandum No.94**Request for dropping of assurance given on 9 May 2005 in reply to USQ No. 6355 regarding "Development of Coal and Iron Mines By SAIL in Foreign Countries."**

The Committee considered the above memorandum and noted that acquisition and development of Coal & Iron Ore mines in foreign countries is a continuous process and fixing of time limit for such a process may not be practical. The Committee were, therefore, convinced with the grounds forwarded by the Government and decided to drop the assurance.

Memorandum No.95**Request for dropping of assurance given on 10 May 2005 in reply to USQ No. 6744 regarding "Product Patenting"**

The Committee considered the above memorandum and noted that Patent Office has 4384 requests pending for disposal covering both product and process in all sectors of technologies out of which, 2280 are in the category of pharmaceuticals and are currently under process. The Committee also noted that in order to accelerate the process of grant of patent, the Government has taken up comprehensive modernization of Patent Offices. The Committee, therefore, desired that the said modernization should be expedited and pending applications should be disposed of at the earliest. The Committee also desired that the time taken in other countries in granting patent be communicated to them and decided not to drop the assurance.

Memorandum No.96**Request for dropping of assurance given on 26 July 2005 in reply to USQ No. 235 regarding "Development of New Cities"**

The Committee considered the above memorandum and noted that the House was assured that the proposals for setting up of new townships in the National Capital Region were at a preliminary stage and details regarding costs and financing pattern were being finalised. The Committee, therefore, desired that a status report highlighting the present position of the said proposal should be furnished to them. The Committee, therefore, decided not to drop the assurance.

Memorandum No.97 **Request for dropping of assurance given on 27 July 2005 in reply to USQ No. 451 regarding "Agreement on Bus-Service with Pakistan"**

The Committee considered the above memorandum and having convinced by the reasons forwarded by the ministry decided to drop the assurance.

Memorandum No.98 **Request for dropping of assurance given on 16 August 2004 in reply to USQ No. 2576 regarding "Eradi Tribunal"**

The Committee considered the above memorandum and noted that the Punjab, Haryana and Himachal water sharing disputes were under consideration of a tribunal and the tribunal being quasi-judicial, Central Government had no role in respect of expediting/fulfilling matters of consideration of tribunals. Accordingly, the Committee, decided to drop the assurance.

The Committee then adjourned.