

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(2006-2007)**

FOURTEENTH LOK SABHA

ALLOTMENT OF LPG/PETROL PUMPS TO WIDOWS
IN ITBP AND BSF, COMPLAINTS AGAINST
COMPANIES, ALLOTMENT OF LPG DEALERSHIP
TO UNEMPLOYED AND PENDING ASSURANCES



**LOK SABHA SECRETARIAT
NEW DELHI**

June, 2006/Jyaistha, 1928 (Saka)

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2006-2007)

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SECRETARIAT

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2. Shri T.K. Mukherjee - Director
3. Shri B.S. Dahiya - Under Secretary

* The Committee was constituted on 07 August 2006 vide Para No.2829 of Lok Sabha Bulletin Part-II dated 28 August 2006.

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 Fourteenth Report of the Committee on Government Assurances.

2. The Committee (2006-2007) was constituted on 7 August 2006.
3. The Committee (2005-2006) at their sitting held on 06 July 2005 took oral evidence of the representatives of the Ministry of Home Affairs in connection with the assurances given in reply to various SQs and USQs regarding allotment of LPG/Petrol pumps to widows in ITBP and BSF, Complaints against companies, Allotment of LPG dealership to unemployed and Pending Assurance.
4. At their sitting held on _____ 2006, the Committee (2006-2007) considered and adopted their fourteenth Report. The Minutes of the sitting of the Committee form part of this Report. (Appendix)
5. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in bold letters in the Report.
6. The Committee wish to express their thanks to the officials of the Ministry of Home Affairs for their co-operation. The Committee also accord appreciation to the Secretariat staff/officers for the services rendered by them to the Committee in the finalisation of this report.

NEW DELHI;

December 2006

Agrahayana1927(Saka)

HARIN PATHAK

CHAIRMAN

COMMITTEE ON GOVERNMENT ASSURANCES

REPORT CHAPTER-I

ALLOTMENT OF LPG AGENCIES/PETROL PUMPS TO WIDOWS IN ITBP AND BSF.

1.1 On 07 March 2002, Prof. Ummareddy Venkateswarlu, MP addressed the following Starrred Question No. 110, for answer by the then Minister of Petroleum & Natural Gas:-

- “(a) Whether the Government have received applications with appropriate recommendations for allotment of petrol pumps or LPG agencies to the widows of officers working in ITBP or BSF, who were killed in action in Kashmir and other parts of the country;**
- (b) if so, the number of such applications pending presently with the Government;**
- (c) the reasons for delay in allotting the petrol outlets or LPG agencies to those widows; and**
- (d) the steps proposed to introduce a fast track approach for this matter on humanitarian grounds?”**

1.2 The then Minister of Petroleum & Natural Gas (Shri Ram Naik) gave the following reply:-

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE LOK SABHA STARRED QUESTION NO. 110 TO BE ANSWERED ON 7.3.2002 REGARDING ALLOTMENT OF LPG AGENCIES/PETROL PUMPS TO WIDOWS IN ITBP AND BSF.

(a): Yes, Sir.

(b) to (d): As per the guidelines for allotment of retail outlet dealerships/LPG distributorships/SKO-LDO dealerships under the discretionary quota the applications are to be scrutinized by a Committee of Directors (Marketing) of the oil marketing companies for government decision. As per the Supreme Court order and government decision the number of discretionary allotments in a year shall not exceed 10% of average annual Marketing Plan or 75, whichever is less. As on 1st February, 2002, 1668 applications have been received, including 15 from widows of Indo-Tibetan border Police (ITBP) personnel and 55 from widows of Border Security Force (BSF) personnel. The applications are being considered and would be decided as early as possible.

1.3 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 6 June, 2002, but the assurance remained unfulfilled.

1.4 The Ministry of Petroleum & Natural Gas vide their O.M. No. P-38016/99/2001-IOC dated 14th October 2004 requested for dropping the said assurance on the ground that the receipt of applications under discretionary quota and processing of the same is a continuous exercise. According to the Ministry it was not the intention of the Government to give an assurance in the matter. It was stated that the exercise for allotment of dealerships/distributionships under discretionary quota involved initial processing of the applications by a committee of the oil industry, subsequent meticulous scrutiny of the cases by the Ministry and decision on each case by the Minister of Petroleum & Natural Gas personally by way of a speaking order. Therefore, the whole process was a time-consuming affair. Secondly, a very limited number of

dealerships/distributorships could be allotted as against a very large number of applications received from similarly placed persons. That also made the task of selection quite onerous, because it was very difficult to choose a person from the large number of aspirants, placed in a similar situation. Further, on request, a copy of the order was also required to be furnished to an unsuccessful applicant. All these require that allotment to each person had to be strictly on merit in order to pre-empt any likely complaint/court case later on. Because of all these factors, processing and decision on each case takes time. And, as already mentioned above, that was a continuous process and there is no cut off date for receipt of applications. Therefore, it is not possible to indicate the time frame within which all the applications could be decided upon. The Ministry of Petroleum and Natural Gas was considering various steps including examination of the applications by, and consulting the Director General Resettlement, Ministry of Defence and Ministry of Home Affairs who deal with the welfare/rehabilitation of Army/Paramilitary personnel and their next of kin with a view to expediting the decision-making process.

1.6 The Ministry also stated that, out of more than 1800 applications received by the Government, only 50 dealerships/distributorships could be allotted. Out of these 50 allottees, four allottees were the wives of deceased BSF personnel and one was the wife of a deceased ITBP employee.

1.7 The Ministry further stated that as it was a continuous process and, therefore, complete fulfillment of this assurance was not likely to be achieved. The Ministry had, therefore with approval of the Minister of Petroleum and

Natural Gas, requested the Committee on Government Assurances to delete this assurance.

1.8 This request of the Ministry was considered by the Committee at their sitting held on 31 January 2006 and the Committee decided not to drop the assurance. Accordingly the Committee in their Tenth Report (Fourteenth Lok Sabha) which was presented to the House on 11 May 2006 *inter-alia* desired that the process of allotment of dealerships/distributorships should be streamlined and should also be made more effective. In para 1.28 of the Report, the Committee had observed as follows:-

“The Committee considered the request of the Ministry at their sitting held on 31 January 2006 and decided not to drop the assurance. The Committee are of the view that the interest of the widows, of the ITBP and BSF personnel who laid their lives for the country, need to be protected at all costs. The Committee are perturbed to note that out of more than 1800 applications received by the Government only 50 dealerships/distributorships could be allotted and out of this just four allottees are the wives of deceased BSF personnel and one of deceased ITBP employee. This clearly shows the lethargic attitude of the Ministry in looking after the interests of the widows of BSF/ITBP Jawans killed in action. The Committee, therefore, desire that the process of allotment of dealerships/distributorships should be streamlined and should also be made more effective through appropriate changes in the allotment process and cases of BSF/ITBP widows be considered sympathetically. The Committee would like to be apprised of the steps taken by the Ministry in this regard.”

1.9 The Ministry of Petroleum and Natural Gas vide their O.M. NO. P-38016/99/2001-IOC dated 13 April 2006 requested the Committee to reconsider their decision afresh and drop the assurance on the ground that processing of the requests for allotment under the discretionary quota scheme was a continuous process and because of which it was not possible to complete the action of decision making on all the applications at a given point of time and it

was not the intention of the Ministry to give an assurance while replying to the subject question. However, part of the question had been treated as an assurance made to the House. Because of the continuous nature of the scheme, which dictates that applications were always received as there was no cut-off date for receipt of applications, it was not possible to fulfill the assurance. That is why, a request was made by the Ministry, accompanied with detailed justification, for dropping of the assurance. The Ministry also stated that the situation of inability on the part of the Ministry to fulfill the assurance persists even on date and the number of applications had gone up. Because of the onerous nature of the job and certain practical difficulties in selecting really deserving applicants from hundreds of similarly placed aspirants the Ministry could not allot more than 51 dealerships/distributorships so far though the scheme was introduced in April 2001. Keeping in view the practical difficulties being faced in implementing the scheme, the same was under review at present for a policy decision. Pending that, no action is being taken at present on the pending applications, which number more than 2000. Further action on these applications will depend on the policy decision.

1.10 In the light of the above, the Ministry requested that they had no other option but to reiterate their earlier request for deletion of the assurance from the list of pending assurances. The Ministry, with the approval of the Minister of State in the Ministry of Petroleum and natural Gas, submitted that they would keep the Committee informed after a policy decision is arrived at on the discretionary quota scheme.

1.11 This request of the Ministry was again considered by the Committee at their sitting held on 31 May 2006 and the Committee noted with concern that the Ministry could allot only 51 dealership/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 be streamlined and also be made more effective. The Committee, therefore, decided not to drop the assurance and also decided to take oral evidence of the representatives of the Ministry in this regard. Accordingly the Committee took oral evidence of the representative of the Ministry Petroleum and Natural Gas on 28 June 2006 on the subject.

1.12 The Committee desired to know as to when was the discretionary quota scheme introduced by the Government and what were its aims and objectives. In reply the Ministry in a written note stated

“the discretionary quota scheme (DQS) for allotment of dealerships/distributorships of petroleum products was introduced in the year 1983. The quota was increased from time to time. The Scheme was discontinued in July 1996. With the approval of the then Prime Minister dated 5 May 2000, the Scheme was revived on 21 April 2001 on the basis of broad guidelines given by the Supreme Court in March 1995. The objective of the scheme was to allot dealerships/distributorships on genuine compassionate grounds, to the dependants of Defence/Paramilitary/Police/Central/State Government employees who were killed in action or to personnel who were permanently disabled while performing their duties and who had not been suitably rehabilitated so far.”

1.13 On being asked to state whether as per the then guidelines the allotments of retail outlets were made to the applicants of BSF/ITBP widows as per quota of such allotments in a year on the basis of average annual marketing plan and the details of average annual marketing plan vis-à-vis the number of discretionary

quota entitlement year-wise since 2002, the Ministry in a written note stated that with the dismantling of Administered Pricing mechanism (APM) with effect from 1.4.2002, the annual marketing plan are not being approved by the Government as Oil Marketing Companies (OMC's) have been given commercial freedom to make their own marketing plan. As per guidelines the total number of allotments should not exceed 10% of the average annual marketing plan or 75 whichever is less, and the total number of retail outlets to be allotted should not exceed 5% of the marketing plan. The annual marketing plan adopted by OMC's since 2002 had more than 1500 dealerships/distributorships each year. Therefore, DQS entitlement year-wise was limited to 75 per year. Out of a total of 51 allotments made so far under discretionary quota since April, 2001 the allotments were made in favour of 4 widows of deceased BSF personnel and one widow of a deceased ITBP employee. As on 1.2.2002, 1668 applications had been received including 15 from widows of ITBP personnel and 55 from widows of BSF. The then Minister (P&NG) had considered around 900 applications including 37 cases (34 BSF, 3 ITBP) out of 70 applications of ITBP/BSF on 17.2.2004. However, he approved only 41 cases including 1 widow of ITBP and 4 widows of BSF. The 32 cases (30 BSF and 2 ITBP) were neither approved nor rejected and were left for consideration in future. The balance 33 cases (21 BSF and 12 ITBP) have not been considered by Minister (P&NG) so far. Since April 2001, till date, under DQS a total number of 51 allotments have been made as below:

- (i) 9 cases of Parliament attack (in December 2002)
- (ii) 41 cases on 17.2.2004.

- (iii) 1 case (as per order of High Court of Delhi) allotted in favour of Shri Roop Lal Saharia on 10.12.2004 who was in Pakistani Jail for 26 years.

1.14 The Committee desired to know about the total number of applications received for allotment of dealerships/distributorships under the discretionary quota scheme since 1.2.2002, year-wise and the numbers of applications out of them were from widows of ITBP and BSF personnel separately, year-wise. The Ministry in a written reply stated that since revival of the Scheme on 21.4.2001, a total of 2573 applications have been received so far. Excluding 386 incomplete/duplicate applications, the net applications for processing are 2187. Out of the total applications, a total number of 20 applications were received from the widows of ITBP personnel and 142 applications were received from the widows of BSF personnel.

1.15 On being asked about the total number of dealership/distributorships that was allotted till February 2004 and how many out of them were allotted to BSF personnel and ITBP personnel separately, year-wise. The Ministry in a written reply stated that a total of 50 dealerships/distributorships were allotted till February 2004. It included allotments in favour of 4 widows of deceased BSF personnel and 1 widow of deceased ITBP personnel.

1.16 In a written note submitted to the Committee it was stated that after the present Government took over, the Scheme was reviewed and it was realised that it was not practically possible for the Ministry of Petroleum & Natural Gas or the oil marketing companies to determine the question of 'suitable rehabilitation' of an applicant. It may be mentioned that the eligibility condition under the present scheme prescribes that the applicant should not have been suitably

rehabilitated. It was, therefore, decided that all the applications would be sent to the parent organizations of the deceased/permanently disabled persons, who would be in a position, based on service and other records, to correctly certify whether a particular applicant is eligible under the scheme and whether she/he has been suitably rehabilitated or not, which is one of the important eligibility conditions. It was also stated that the matter has been further reviewed and the Ministry has decided to discontinue consideration of any case under the scheme on account of the following reasons:-

(i) Under the existing guidelines of the public sector oil marketing companies (OMCs) for selection of dealers/distributors of petroleum products, there is 8% reservation each for Defence Personnel (DC) category and Paramilitary/Police/Government Personnel(PMP) category. Therefore, the same category of people, covered under the existing discretionary quota scheme, are already covered under the regular selection procedure, wherein a total 16% reservation is there for them. However, the only difference is that while, under the discretionary quota scheme, in the case of all the allottees, the entire investment for setting up of dealerships is made by the oil companies, in the case of selection of dealers through normal selection process, including that under DC and PMP categories, this facility is only available to the widows and the unmarried women above 40 years of age without earning parents, under the existing Corpus Fund Scheme of the OMCs, which provides for financial assistance to the allottees. However, it is felt that the facility under reserved categories is adequate. The widows of deceased BSF personnel and of deceased ITBP personnel are eligible and entitled for above benefit under 'PMP' category for allotment of petroleum product dealerships/distributorship.

(ii) After the Kargil War (Operation Vijay) in 1999, this Ministry, in consultation with the Ministry of Defence, introduced a Special Scheme for allotment of 500 dealerships/distributorships to the widows/next of kin of the defence personnel killed in that operation. Thus, a Special Scheme could be considered by the Government as and when such an eventuality arises.

(iii) It is almost humanly impossible for the Minister of Petroleum & Natural Gas to pass speaking orders on each of the hundreds of cases. This is evident from the fact that the earlier Government

could allot only 50 cases of dealerships/distributorships since its revival in 2001. Because the number of applicants is very high, it becomes an onerous task for the Minister to decide each case by way of a speaking order.

(iv) A few court cases have cropped up where the aspiring applicants have put pressure on the Government for allotment in their favour ahead of many other similarly placed applicants, whereas this Ministry has been processing the cases strictly in the order these have been received. There has been pressure to take a decision in the cases within a time frame, which is difficult to adhere to in view of the elaborate exercise involved.

(v) The petroleum sector has since been opened up and the OMCs should be allowed to have commercial freedom in the matter of selection of their dealers/distributors. Imposing a sizeable number of allotments on them every year under the discretionary quota scheme may not be advisable. It may also be stated that in view of the improved rehabilitation packages introduced by the Government for the families of the deceased defence personnel, etc., a capital intensive scheme like allotment of petrol pump which also require expert managerial skill under stiff competition conditions may not be the very correct method of rehabilitation.

1.17 In this connection during the course of oral evidence the Committee desired to know as to when was this decision taken and at what level it was taken besides its implications. The Committee also wanted to know whether the administrative convenience be construed as a valid ground to override the element of deserving compassion to be extended to the needy dependents of the people who sacrificed their lives for the country? In reply, the representative of the Ministry deposed:-

"I would like to respond to this issue. With the permission of the Committee, let me just trace back a little the origin of the decision of this quota scheme. It began in the year 1983. It was continuing till about 1995. there were some litigations which were finally clubbed together and enquired into. They were heard by the Supreme Court. The Supreme Court was very caustic, clear and categorical the way in which the discretionary quota scheme was implemented in an arbitrary fashion. In 1995, they issued a judgement saying: "This scheme, in its present shape, should be

scrapped; it is too arbitrary and it is not transparent.” After the Supreme Court’s judgement was received, between 1996 and 2000, there was no discretionary quota scheme followed by the Government.

1.19 The Committee pointed out that in the brief submitted to the Committee it was stated that the Ministry has decided to discontinue the discretionary quota scheme, however during the course of oral evidence it had the approval of the two Ministers. In reply, the representative of the Ministry stated as follows:-

“The Ministry had proposed to the PMO. Sir, the correct word is ‘proposed’. I propose that this correction may be accepted.”

In a subsequent note furnished to the Committee, the Ministry stated as follows:-

“The Ministry of Petroleum and Natural Gas (MOP & NG) proposed the disbanding of DQS to the PMO on 18 May 2005 for their concurrence. This proposal was sent to the PMO with the approval of the then Minister (P & NG). On February 10, 2006, the PMO requested MOP & NG to re-examine the matter by the present Minister (P & NG). The proposal to disband DQS was reiterated to the PMO with the approval of the Minister (P & NG) on 27 March 2006. PMO’s direction is awaited.”

1.23 To a specific query of the Committee that the Ministry has sent the proposal to the Prime Minister Office but the decision is still pending whether to continue or not to continue. The representative of the Ministry stated as follows:-

“Yes. We had only proposed. It is yet to be decided”.

Observations/Recommendations

The Committee note that the discretionary quota scheme was introduced for the first time in 1983 and in March 1995 the Supreme Court issued certain guidelines to be followed for the running of the scheme. However, in July 1996 the Government abolished the discretionary quota scheme. Thereafter in April 2001 it was again revived by the Ministry of Petroleum and Natural Gas with a

set of comprehensive guidelines with the approval of the then Prime Minister and at present the Ministry has once again proposed to the Prime Minister Office with the approval of two successive Ministers to discontinue the scheme, because of the availability of so many special schemes, impossibility for the Minister of Petroleum and Natural Gas to pass speaking orders on each of the hundreds of cases, court cases and the opening of the petroleum sector etc. The Committee are unable to understand this sequence of abandoning and revival of the discretionary quota scheme from time to time. The Committee are surprised to note that the Ministry itself revived the discretionary quota scheme in 2001 but now on its own it has proposed to the PMO to disband discretionary quota scheme. It appears that at the time of revival of the scheme the Ministry failed to perceive the hurdles, which will be faced by it while implementing discretionary quota scheme. As a result the assurance which was given four years ago is still pending and in the opinion of the Committee the objective of the scheme i.e. allotment of dealerships/distributorships on genuine compassionate grounds, to the dependants of Defence/Paramilitary/Police/Central/State Government employees who are killed in action or to personnel who are permanently disabled while performing their duties and who have not been suitably rehabilitated so far, has been completely defeated for which it was specifically designed. The Committee are also of the opinion that the whole exercise of the Government, barring a few allotments, to rehabilitate the widows/Dependants of those who sacrificed their life for the country, have met a fruitless end and the applicants under the scheme have suffered a severe setback instead of being compensated/rehabilitated. Moreover

the Ministry has also taken the administrative convenience as a ground to disband the discretionary quota scheme. The Committee are of the firm view that administrative convenience cannot be construed as a valid ground to override the element of deserving compassion to be extended to the needy dependents of the people who sacrificed their lives for the country. The Committee therefore strongly deprecates such an attitude of the Ministry/Government and recommend that in future such unfortunate incidents be avoided. Apart from this due care should also be given to the sentiments/interest of the widows of ITBP and BSF and other such applicants. The Committee also desires that all the applicants under the scheme, should be suitably rehabilitated by the Ministry under the other schemes available for them at the earliest if the proposal of the Ministry to disband the discretionary quota scheme is approved by the Prime Minister Office.

The Committee note that in reply to SQ No. 110 dated 07 March 2002, it was specifically mentioned that as on 01 February 2002, 1668 applications have been received including 15 from widows of ITBP personnel and these applications were stated to be decided as early as possible but nothing concrete emerged even after the lapse of four years of giving the assurance. The Committee are surprised to note that the number of applications instead of decreasing increased to 2573 which include a total of 20 applications from the widows of ITBP personnel and as many as applications 142 from the widows of BSF personnel alone. The Committee regret to note that the then Minister of Petroleum and Natural Gas considered 900 applications only including 37 cases (34 BSF and 3 ITBP) out of the applications of ITBP/BSF on 17.02.2004 and

approved only 41 cases including just 1 case of a widow of ITBP and 4 cases of widows of BSF. Moreover, the 32 cases were left for consideration in future and the balance 33 cases were not at all considered, which resulted in a meager 51 allotments till date.

The Committee note with concern that in the brief submitted to the committee it was stated that the Ministry of Petroleum and Natural Gas has decided to discontinue consideration of any case under the discretionary quota scheme. However, when the Committee pointed it out that it is beyond the powers of the Ministry, the representative of the Ministry clarified to the utter surprise of the committee that the Ministry had only proposed to discontinue the discretionary quota scheme and requested that the correction may be accepted. Moreover the representative of the Ministry could not give a satisfactory and convincing reply that the discontinuance of the discretionary quota scheme is not a change in the policy. This clearly shows the apathy on the part of the Ministry. The Committee therefore urge the Ministry that the work of rehabilitation of the widows of the deceased BSF/ITBP personnel who had sacrificed their lives for the country should be given top most priority.

CHAPTER-II

COMPLAINTS AGAINST COMPANIES

2.1 On 05 May 1994, S/Shri Anand Ratna Maurya, M.V.V.S Murthy, Dr. D. Venkateshwara Rao, Sultaan Salahuddin Owaisi and S.B. Singal, MPs addressed the following USQ No. 6383 for answer by the Minister of Petroleum and Natural Gas:-

- (a) **whether the Government have conducted an enquiry into the activities of 109 companies who have secured approval and clearance from his Ministry to import and sell LPG, SKO, LSHS at market determined prices;**
- (b) **if so, the outcome thereof;**
- (c) **whether complaints have been received against these private companies; and**
- (d) **if so, the action taken against these companies?**

2.2 The then Minister of State (Independent Charge) of the Ministry Petroleum and Natural Gas (Captain Satish Sharma) gave the following reply:-

(a): According to MRTP Commission, the Director General of Investigation and Registration has started investigation against 109 parallel marketers. The parallel marketers are not required to obtain any approval from the Ministry of Petroleum and Natural Gas to import and sell LPG, Kerosene or LSHS under the Parallel Marketing System.

(b) to (d): Information is being collected and will be laid on the table of the House.

2.3 The above reply to question was treated as an assurance and was required to be fulfilled by the Ministry of Petroleum and Natural Gas within three months of the date of reply i.e. by 04 August 1994, but the assurance is yet to be fulfilled.

2.4 The Committee desired to know the precise responsibility of the Ministry of Petroleum and Natural Gas in respect of the type of cases under discussion. The Ministry in a written reply stated that to bridge the gap between the domestic production and demand, the parallel marketing of LPG/SKO was allowed in 1993 with the aim to improve the availability of LPG/SKO in the country particularly for non-domestic needs, and at the same time reduce the subsidy burden. To allow and regulate the entry of private parties in the parallel marketing of LPG/SKO, the LPG (Regulation of Supply and Distribution) Order, 1993 and Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993 were notified. The above Control Orders cover the Public Distribution System (PDS) as well as the Parallel Marketing of LPG and SKO. They allow the parallel marketers to import, distribute and market LPG/SKO under their own arrangements at market determined prices. They also contain provisions with regard to obtaining information about quantity of LPG/SKO imported distributed and marketed within the country by parallel marketers. LPG and SKO parallel marketers are required to intimate to the Ministry of Petroleum and Natural Gas before undertaking any of the activities under parallel marketing scheme their intention to do so along with their capability and other relevant particulars. There is no specific responsibility of the Ministry of Petroleum and Natural Gas in respect of the type of cases under discussion. However, MOP&NG referred cases of parallel marketers to the MRTP Commission for information and suitable action as deemed fit.

2.5 On being asked whether the companies eligible to sell LPG/SKO under Parallel Marketing Scheme (PMS) were required to intimate the Ministry every

month about the details of LPG imported by them and if so, whether the Ministry was aware of the particulars including the addresses of the 109 companies referred to the question taken on assurance and also whether Ministry passed on the information to DGIR. In a written reply, the Ministry stated that companies eligible to sell LPG/SKO under the PMS were governed by the LPG and SKO Control Orders. Under the provisions of these orders, the companies undertaking import of LPG/SKO under the parallel marketing scheme were required to intimate MOP&NG every month about the details of LPG/SKO imported by them. The Ministry also stated that they were aware of the particulars of the 109 companies referred to in the question and referred the same along with the addresses of the parties to the MRTP Commission.

2.6 Asked to state whether the complaints against companies indulging in cheating of public and malpractices were received in the Ministry and if so, what procedure is followed disposal/redressal of such complaints/grievances by the Ministry. In a written reply, the Ministry stated that complaints against parallel marketers are sometimes received in the Ministry. Since the State Governments are competent to take action against such parallel marketers, as per provisions mentioned in the LPG Control Order, the complainants are advised by the Ministry suitably. This Ministry has not received any complaint against parallel marketers recently. Any such references received would be referred to the concerned State Government.

2.7 On being asked whether the complaints against companies indulging in cheating of public and malpractices are received by DGIR directly or MRTP Commission and if so, what procedure is followed for disposal of such

complaints. The Ministry in a written reply stated that it has no information in this regard.

2.8 Asked to state whether a private company before commencing the business of import, transportation, marketing, distribution or sale of LPG under Parallel Marketing Scheme is required to obtain permission/approval/registration under any law and if so, the details thereof and if not, how such a company is regulated to prevent fraud or cheating. The Ministry in a written reply stated that In terms of the provisions of the LPG Control, no permission/approval/registration from this Ministry is required to be obtained by a private company before commencing the business of import, transportation, marketing, distribution or sale of LPG under PMS, except that such company before commencing the business is required to obtain a rating certificate from any of the rating agencies prescribed in the Control Order. However, such companies are required to obtain mandatory/statutory clearances from various State/Central Government agencies such as Pollution Control Board, Department of Explosives, etc. and the State Governments are empowered to take appropriate action to prevent fraud or cheating by these companies.

2.9 On being asked the date and year in which complaints were received against the 109 companies referred to on the question and the present status of disposal of each 109 cases and also the reasons for delay in disposal of such cases. The Ministry in a written reply stated that the details of 109 companies referred to on the question were sent to MRTTP Commission on 31st January 1994.

2.10 When asked to state that since the Ministry has no role in investigation or further action against the companies concerned and the trial proceedings before MRTTP Commission are normally very long drawn out and the parallel marketers are private companies to which the Ministry have no administrative control over their activities in terms of LPG Control Order, what corrective steps the Ministry proposes to take or introduce to bring in accountability of such companies indulging in cheating of public and malpractices to mitigate the genuine grievances of harassed consumers in a liberalized economy. The Ministry in a written reply stated that in order to prevent cheating of general public and indulging in malpractices by the parallel marketers, the LPG Control Order was amended in June 1995 making it mandatory for the parallel marketers to obtain rating certificate from any of the notified agencies. Further, for the information and benefit of the general public, it was also made mandatory for the parallel marketers to indicate the rating awarded to them in all the communications or advertisements and prominently publish the rating certificate as given by the notified rating agency. The State Governments are already empowered to ensure compliance of the provisions of the LPG Control Order issued under the Essential Commodities Act 1955 and take action against the defaulters.

2.11 In reply to a query as to why the assurance was pending, the representative of the Ministry during the course of oral evidence stated as follows:-

“.....Even where a reference was not required to be made to particular agency, references have been made to other agencies. For example, this particular case of LPG parallel marketing, need not have been referred to MRTTP. But as it has been done, we do not want to retract it now. There was no need for that. So, in that case till the MRTTP disposes, it is still kept pending.....”

Observations/Recommendations

The Committee note that during the course of evidence the representative of the Ministry admitted that references of the pending cases/assurances have been made to other agencies, even where they were not required to be made to a particular agency. The representative also admitted that the case of LPG parallel marketing should not have been referred to the MRTP, but since the case has already been referred to the MRTP, the Ministry does not want to retract it now. As Such the assurance will remain pending till the MRTP disposes it. From this it appears to the Committee that had the case of LPG parallel marketing not referred to the MRTP then this assurance, given twelve years ago, may have been implemented by now. The Committee, therefore, recommend that earnest steps should be taken by the Ministry to stop unnecessary references of pending cases/assurances in future to ensure timely implementation of pending assurances. The Committee also desire that steps should also be taken to facilitate an early hearing of the instant case by MRTP.

CHAPTER-III

ALLOTMENT OF LPG DEALERSHIP TO UNEMPLOYED

3.1 On 09 May 2002, Shri Rattan Lal Kataria, MP addressed the following SQ No. 622 for answer by Minister of Petroleum & Natural Gas (Shri Ram Naik):-

- (a) whether his Ministry has allotted dealership of LPG under various categories with a view to providing employment to the unemployed persons in the country;**
- (b) if so, whether areas have been demarcated for each dealer;**
- (c) whether his Ministry has received representations about the distribution of gas by the old dealers in the areas falling under the jurisdiction of new dealers; and**
- (d) if so, the steps taken by the Government in this regard?**

3.2 The then Minister of Petroleum and Natural Gas (Shri Ram Naik) gave the following reply:-

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) THE LOK SBHA STARRED QUESTION NO. 622 TO BE ANSWERED ON 9TH MAY, 2002 ALLOTMENT OF LPG DEALERSHIP TO UNEMPLOYED.

(a): Public Sector Oil Marketing Companies (OMCs) have set up 7486 LPG distributorships under various categories in the country as on 1.4.2002. At present, there is no separate category or reservation for unemployed for allotment of LPG distributorships.

(b): The trading area in respect of each distributor is demarcated at the time of allotment of a distributorship and the same is mentioned in Distributorship Agreement.

(c) & (d): Government have advised OMCs to ensure that the old distributors do not operate either directly or through extension counters in

the trading area of the newly commissioned distributors.

3.3 During the Question Hour Shri Ratan Lal Kataria, M.P raised the following point through a Supplementary:-

“Whether the Government have distributed Gas Agencies to the widows of martyr’s of kargil, Scheduled Castes and Scheduled Tribes while distributing LPG dealership? Secondly, whether the Hon’ble Minister received complaints from them that they established necessary infrastructure for dealership by arranging heavy amount of loans and also by mobilizing their own resources. But it is sorry state of affairs that some of the old dealers are having 40,000 connections and some are having 20,000 connections but the new ones are having only 400 to 500 connections and thus, they have been virtually rendered jobless. Minister has said that he has extended his advice in this regard but I want to know whether any action has been taken against those who are trespassing their area of work and operating in other dealers area illegally?”

3.4 In reply the then Minister of Petroleum and Natural Gas inter-alia stated:-

“though the work of transfer of connections from old dealers is going on. I have myself seen that the work hasn’t been coping with the pace it was expected. I had fixed the deadline of 31st March and asked the officials of the department that if this work is not completed within the deadline fixed, the concerned officials will be held responsible for the same. The work of transfer will be done earliest.”

3.5 The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Petroleum and Natural Gas within three months of the date of reply i.e. by 08 August 2002, but the assurance is yet to be fulfilled.

3.6 During the course of oral evidence the Committee pointed out that the then Minister of Petroleum and Natural Gas had assured the House that he had fixed the deadline of 31st March and had also asked the officials of the

department to complete the work of transfer of connections within the deadline fixed, otherwise the concerned officials will be held responsible for the same, however no reply has been received from the Ministry. The Committee therefore desired to be apprised of the present status of the same. In reply the representative of the Ministry stated as follows:-

“We will send it immediately”.

3.7 Subsequently in a written note submitted to the Committee the Ministry stated as follows:-

“The matter with regard to transfer of customers had been reviewed by the Government. Public sector oil marketing companies (OMCs) have reported that they have transferred amongst themselves a total of 9, 48,377 customers in terms of the Assurance. As the transfer of customers was in line with the originally envisaged list, no action was initiated against any official or distributor for not complying with the Governments directions.

OMCs have further reported that in terms of the assurance all the extension counters opened in the trading area of the new distributorships commissioned have also been closed. Further, as pointed out earlier, the matter with regard to transfer of customers had been reviewed by the Government and as per the Ministry’s instructions dated 29.11.2004 the work relating to inter-company transfer of customers from established to new distributorships in the same class of market has been brought to a close.

Observations/Recommendations

The Committee note that a question was asked on 09 May 2002 regarding allotment of LPG Dealership to unemployed. The question inter-alia sought information regarding allotment of dealership of LPG to the unemployed persons, demarcating the areas of each dealer and the representations about the distribution of gas by the old dealers in the areas falling under the jurisdiction of new dealers and the steps taken by the Government in this regard. During the course of supplementaries it was asked whether any action has been taken against those who are trespassing their area of work and operating in other dealers area illegally. In reply the Minister had stated that he had fixed deadline of 31 March and had asked the officers of the Department if the work was not completed within deadline the concerned officers would be responsible.

The above reply of the Minister was treated as an assurance and required to be fulfilled upto 08 August 2002. As the assurance remained unfulfilled for over four years, the Committee took oral evidence of the representatives of the Ministry in this regard. Subsequent to the evidence the committee have been informed that the matter with regard to transfer of customers had already been reviewed by the Government and the Public Sector Oil marketing Companies have transferred amongst themselves a total of 9, 48,377 customers in terms of the Assurance. Moreover all the extension counters opened in the trading area of the new distributorships

commissioned have also been closed by OMCs. Further the matter with regard to transfer of customers had been reviewed by the Government and as per the Ministry's instructions dated 29.11.2004 and the work relating to inter-company transfer of customers from established to new distributorships in the same class of market has been brought to a close. Thus, as per the Ministry's reply, action in respect of the Assurance appears to have been completed.

From the facts stated in the proceeding paragraphs, it is evident that the Ministry of Petroleum and Natural Gas did not take action to inform Parliament in time on the implementation of the assurance as per the prescribed procedures. It was only after the Committee took up the matter in evidence that the Ministry collected the relevant information. The Committee deplore the casual attitude of the Ministry shown in the instant case in the matter of implementation of assurances. They would like to be informed of the precise reasons for not laying the requisite information on the table of the House. The Committee also desire that such cases should not recur and the Ministry should be prompt in future in the matter of implementation of assurances and the procedures laid down in this behalf.

CHAPTER-IV

Pending Assurances

4.1 During the course of oral evidence the Committee drew the attention of the representative of the Ministry of Petroleum and Natural Gas towards the pending assurances pertaining to the Ministry. As per records, there were about 75 assurances pending implementation against the Ministry upto Sixth session of the 14 Lok Sabha. The Committee observed that these assurances were pending since 1994 and desired to know the reasons for the delay in the implementation of these pending assurances. The Committee also drew the attention of the representative of the Ministry to the letter written by the Chairman, CGA in December 2005 to the Minister of Petroleum and Natural Gas regarding pending assurances and desired to know the reasons for non-furnishing of the reply by the Ministry. In reply the representative of the Ministry *inter-alia* stated as follows:-

“Sir, in its transaction of various businesses, the Government and the oil companies attach highest importance to dealing with assurances. This is evidenced by the fact that over the past nine months alone the need to bring the number of assurances has been reviewed at my level eight times. In September, October, November, December, February, April and June where we had reviewed the assurances in detail.

The position with regard to pendency as on date is only 56 and not 75. We have the company-wise, wing-wise and year-wise break up. As rightly mentioned by you, one assurance relating to the year 1994 is still pending. It is one of the topics for discussion today. Three assurances are pending relating to the year 2000 and one assurance relates to the year 2001. In 2002, 2003 and 2004, the numbers of pending assurances are 2, 2 and 4 respectively. Bulk of assurances relate to the year 2005. Thirty-four assurances, which are pending, relate to the year 2005. So, I think, this goes to show the seriousness we attach to the settlement of assurances. As

I mentioned, we attach a very high degree of importance to these assurances.

Having said that let me just submit a few points for the consideration of the Committee. When we receive an assurance based on the proceedings of Parliament, many of them relate to the Ministry itself and the oil companies, we examine them quickly. Wherever action is required to be taken, we complete the action and submit to the Secretariat concerned. In several cases we have to involve the other Ministries or other agencies. Agencies, like the CBI, are involved in some cases. In fact, there are more than five cases which are pending with the CBI for years together. Until and unless the CBI completes the action, our assurance is still kept pending for no fault of ours. Likewise, one of the cases was referred to MRTP Commission. Until the MRTP takes its own sweet time and completes the action, the assurance is till kept pending against us. Another instance relate to price rise of petroleum products. As you are aware this is a burning issue at the national level. This is strictly not within our control. Another instance is Iran-India gas pipeline. Three assurances are pending against us on this particular subject. This subject has been under discussion for well over fifteen years. With reasonable confidence I will say that in the next ten years it may become a reality. But I would like to submit for the information of the Committee that these are not strictly within our control alone. Wherever matters fall within our control, we take action expeditiously to resolve them."

4.2 Regarding the action taken on pending assurances the representatives of the Ministry admitted during evidence;

".....But one lacuna I would like to admit on behalf of the Ministry about the need for taking action against the errant parties – whether it is dealers or distributors or whether it is officers of the Ministry or companies. I think there is a lot more attention need to be paid. We would like to assure the Committee that we will attend to this immediately"

4.3 The Committee asked the representative of the Ministry to furnish the details of the pending assurances. The Ministry vide their communication dated 04 August 2006 intimated the status of 74 pending assurances.

Observations/Recommendations

4.4 The Committee note that as per the records about 75 assurances were pending against the name of the Ministry of Petroleum and Natural Gas. During the evidence, when the attention of the representative of the Ministry was drawn to the number of pending assurances, he stated that the number of assurances pending was 56 and not 75. However, the Ministry in a communication dated 04 August 2006, furnished the status of 74 pending assurances. A scrutiny of the statement furnished by the Ministry in this behalf revealed that the Ministry had considered the implementation statements sent to the Ministry of Parliamentary Affairs as fulfillment of assurances and have the discrepancy. The Committee wish to point out that an assurance is considered to be pending unless a statement to this effect is presented to Parliament by the Ministry of Parliament Affairs.

4.5 During evidence the Committee were informed that the Ministry had reviewed the pending assurances, at the level of Secretary as many as eight times. The Committee are surprised to that even after the review of the pending assurances, stated to have been made eight times, there are several assurances pending implementation. The representative of the Ministry admitted during evidence that lot more attention is to be paid and assured the Committee that they would attend to that immediately. The Committee, trust that atleast in future the Ministry take prompt action in the timely the implementation of all the assurances.

4.6 The Committee note that in some cases other Ministries/agencies are involved in the implementation of the assurances. The representative of the Ministry stated during evidence that in such cases the matter is not entirely in their control. The Committee, therefore, desire that in such cases the Ministry should keep the Committee informed of the status of the assurances and take up the matter with the higher authorities of the concerned agency to expedite the matter. They also desire that the Ministry should refrain from making unnecessary references to other agencies.

NEW DELHI;

December 2006

Agrahayana1927(Saka)

HARIN PATHAK
CHAIRMAN

COMMITTEE ON GOVERNMENT ASSURANCES

Observations/Recommendations

The Committee note that the Ministry has reviewed the pending assurances, at the level of Secretary as many as eight times and the Ministry also have the company-wise, wing-wise and year-wise break up of pending assurances but the Committee are perturbed to note that the Ministry furnished no reply to the letter written by the Chariman, Committee on Government Assurances to the Minister of Petroleum and Natural Gas. The reply to the said letter was received only after the

Committee enquired about it during the course of oral evidence. The Committee are astonished to note that even during the review of the pending assurances, stated to have been made eight times, the Ministry never bothered to give a reply to the said letter. The Committee therefore strongly recommends that in future all the references made by the Committee on Government Assurances be replied quickly and the implementation of all the pending assurances pertaining to the Ministry be expedited.

The Committee note that a question was asked whether the Government had received applications with appropriate recommendations for allotment of Petrol Pumps or LPG agencies to the widows of officers working in ITBP or BSF who were killed in action, the number of such applications pending, the reasons for delay in allotting the Petrol Pumps or LPG agencies to those widows and the steps proposed to introduce a fast track approach for this matter on humanitarian grounds. In reply it was *inter-alia* stated that as on 01 February 2002, 1668 applications had been received including 15 from the widows of ITBP personnel and 55 from widows of BSF personnel. It was also stated that the applications were being considered and would be decided as early as possible. The reply was treated as

assurance and was required to be fulfilled within three months. The assurance remained unimplemented and the Ministry requested for dropping of the assurances. The request of the Ministry was considered by the Committee at their sitting held on 31 January 2006 and decided not to drop the assurances. The Ministry again requested for dropping the assurance which was also not acceded to by the Committee. The Committee decided to take oral evidence of the representatives of the Ministry. The oral evidence was taken on 28 June 2006 regarding pending assurances pertaining to the Ministry of Petroleum and Natural Gas in general and the assurances given in reply to (i) USQ No. 6383 dated 5 May 1994 regarding complaints against companies (ii) SQ No. 622 dated 9 May 2002 regarding allotment of LPG dealership to unemployed (Supplementary by Shri Rattan Lal Kataria) and (iii) SQ No. 110 dated 7 March 2002 regarding allotment of LPG Agencies/Petrol pumps to widows in ITBP and BSF in particular.

The Committee note that the Discretionary Quota Scheme was introduced for the first time in the year 1983. The objectives of the Scheme were stated to be the allotment of dealerships/distributorships on genuine compassionate grounds to the dependants of Defence/Paramilitary/Police/Central/State Government employees who are killed in action or to personnel who are permanently disabled while performing their duties and who have not been suitably

rehabilitated so far. The Committee note that under the Scheme since 01 February 2002, 2187 applications including 20 applications from widows of ITBP personnel and 142 applications from widows of BSF personnel were received under discretionary quota for allotment of dealership/distributorship. The Ministry could allot only 50 dealerships including four widows of BSF personnel and one of deceased ITBP personnel till February 2004. The Committee regret to note that the objective for which scheme was introduced is defeated. They therefore desired that the Ministry should take concerted efforts to allot the dealership/distributorship to the dependents/widows of the personnel killed in action.

The Committee note that the Discretionary Quota Scheme was introduced in the year 1983. The scheme was abandoned in 1996 in view of the guidelines issued by the Supreme Court in 1995. It was revived in 2001 with comprehensive guidelines. The Ministry once again proposed to the Prime Ministers Office with the approval of the two successive Ministers to discontinuance the Scheme. Due to the availability of so many special schemes, impossibility for the Minister of Petroleum and Natural Gas to pass speaking orders on each of the

cases, court cases and opening of the petroleum sector etc. The Committee note that the Ministry took the administrative convenience as a ground to discontinue the scheme. They are of the firm view that administrative convenience cannot be construed as a valid ground to override the element of deserving compassion to be extended to the needy dependents of the people who sacrificed their lives for the country. The Committee condemn the attitude of the Ministry and desire that they should refrain from such incidents. The Committee hope and trust that the Ministry shall give due care to the interests of the widows of ITBP and BSF personnel and rehabilitate such applicants under the schemes available with the Ministry. They would also like to be apprised of the decision taken by PMO in this regard.

The Committee note with concern that in the brief submitted to the committee it was stated that the Ministry of Petroleum and Natural Gas has decided to discontinue consideration of any case under the discretionary quota scheme. However, when the Committee pointed it out that it is beyond the powers of the Ministry, the representative of the Ministry clarified to the utter surprise of the committee that the Ministry had only proposed to discontinue the discretionary quota scheme and requested that the correction may be accepted. Moreover the representative of the Ministry could not give a satisfactory and convincing reply that the discontinuance of the discretionary quota scheme is not a change in the policy. This clearly shows the apathy on the part of the Ministry. The Committee therefore urge the Ministry

that the work of rehabilitation of the widows of the deceased BSF/ITBP personnel who had sacrificed their lives for the country should be given top most priority.

The Committee note that a question was asked on 05 May 1994 regarding complaints against Companies. The question inter-alia sought information on 109 companies who had secure approval and clearance from the Ministry to import and sell LPG, SKO and LSHS at market determine prices, complaints received against those companies and the action taken against them. In reply the Minister of Petroleum and Natural Gas inter-alia stated that the Director General of Investigation and Registration had started investigation against 109 parallel marketers and the information being collected and laid on the Table of the House. This reply of the Minister was treated as an assurance and was required to be fulfilled within three months i.e. by 04 August 1994. The assurance remained unfulfilled. The Committee decided to take oral evidence of the representatives of the Ministry of Petroleum and Natural Gas in this regard

The Committee note that a question was asked on 09 May 2002 regarding allotment of LPG Dealership to unemployed. The question inter-alia sought information regarding allotment of dealership of LPG to the unemployed persons, demarcating the areas for each dealer and the representations about the representations about the distribution of gas by the old dealers in the areas falling under the jurisdiction of new dealers and the steps taken by the Government in this regard. During

the course of supplementaries it was asked whether any action has been taken who are trespassing their area of work and operating in other dealers area illegally. In reply the Ministers had stated that he had fixed deadline of 31 March and had asked the officers of the Department if the work was not completed within deadlines the concerned officers would be responsible. The above reply of the Minister was treated as an assurance and required to be fulfilled upto 08 August 2002. As the assurance remained unfulfilled, the Committee desired to take oral evidence of the representatives of the Ministry in this regard.

Pending Assurances

4.1 During the course of oral evidence the Committee drew the attention of the representative of the Ministry towards the pending assurances pertaining to the Ministry. According to the record there were 75 assurances pending implementation against the Ministry upto Sixth session, 14 the Lok Sabha. The Committee observed that these assurances were pending since 1994 and desired to know the reasons for the delay in the implementation of these pending assurances. The Committee also drew the attention of the representative of the Ministry to the letter written by the Chairman, CGA in December 2005 to the Minister of Petroleum and Natural Gas regarding pending assurances and desired to know the reasons for non-furnishing of the reply by the Ministry. In reply the representative of the Ministry *inter-alia* stated as follows:-

“Sir, in its transaction of various businesses, the Government and the oil companies attach highest importance to dealing with assurances. This is evidenced by the fact that over the past nine months alone the need to bring the number of assurances has been reviewed at my level eight times. In September, October, November, December, February, April and June where we had reviewed the assurances in detail.

The position with regard to pendency as on date is only 56 and not 75. We have the company-wise, wing-wise and year-wise break up. As rightly mentioned by you, one assurance relating to the year 1994 is still pending. It is one of the topics for discussion today. Three assurances are pending relating to the year 2000 and one assurance relates to the year 2001. In 2002, 2003 and 2004, the numbers of pending assurances are 2, 2 and 4 respectively. Bulk of assurances relate to the year 2005. Thirty-four assurances, which are pending, relate to the year 2005. So, I think, this goes to show the seriousness we attach to the settlement of assurances. As I mentioned, we attach a very high degree of importance to these assurances.

Having said that let me just submit a few points for the consideration of the Committee. When we receive an assurance based on the proceedings of Parliament, many of them relate to the Ministry itself and the oil companies, we examine them quickly. Wherever action is required to be taken, we complete the action and submit to the Secretariat concerned. In several cases we have to

involve the other Ministries or other agencies. Agencies, like the CBI, are involved in some cases. In fact, there are more than five cases which are pending with the CBI for years together. Until and unless the CBI completes the action, our assurance is still kept pending for no fault of ours. Likewise, one of the cases was referred to MRTP Commission. Until the MRTP takes its own sweet time and completes the action, the assurance is till kept pending against us. Another instance relate to price rise of petroleum products. As you are aware this is a burning issue at the national level. This is strictly not within our control. Another instance is Iran-India gas pipeline. Three assurances are pending against us on this particular subject. This subject has been under discussion for well over fifteen years. With reasonable confidence I will say that in the next ten years it may become a reality. But I would like to submit for the information of the Committee that these are not strictly within our control alone. Wherever matters fall within our control, we take action expeditiously to resolve them.

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“.....But one lacuna I would like to admit on behalf of the Ministry about the need for taking action against the errant parties – whether it is dealers or distributors or whether it is officers of the Ministry or companies. I think there is a lot more attention need to be paid. We would like to assure the Committee that we will attend to this immediately”

Observations/Recommendations

4.4 The Committee note that as per the records as many as 75 assurances were pending against the name of the Ministry of Petroleum and Natural Gas. During the evidence, when the attention of the representative of the Ministry was drawn to the number of pending assurances, he stated that the number of assurances pending were 56 and not 75. Later on the Ministry in a communication dated 04 August 2006, the status of 74 pending assurances was furnished. The Committee are astonished to find that the Ministry have considered 34 the implemented statements sent to the Ministry of Parliamentary Affairs as implemented. The Committee need not emphasise that the assurance is considered to be pending unless a statement to this effect is presented to the Parliament by the Ministry of Parliament Affairs. The Committee take a serious view and desire that the representative be prepared and cautious while deposing before a Parliamentary Committee further.

4.5 The Committee note that the Ministry has reviewed the pending assurances, at the level of Secretary as many as eight times but the Committee are perturbed to note that the Ministry furnished no reply to the letter written by the Chairman, Committee on Government Assurances to the Minister of Petroleum and Natural Gas. The reply to the said letter was received only after the Committee enquired about it during the course of oral evidence. The Committee are astonished to note that even after the review of the pending assurances, stated to

have been made eight times the number of pending assurances are on the higher side and the Ministry never bothered to give a reply to the said letter. The representative admitted during evidence that lot more attention is to be paid and assured the Committee that they would attend to that immediately. The Committee therefore strongly recommends that in future all the references made by the Committee on Government Assurances be replied quickly and the implementation of all the pending assurances pertaining to the Ministry be expedited.

4.6 The Committee note that in some cases other Ministries/agencies are involved in the implementation of the assurances. The representative of the Ministry stated during evidence that in such cases the matter is not entirely in their control. The Committee, therefore, desire that in such cases the Ministry should keep the Committee informed of the status of the assurances and take up the matter with the higher authorities of the concerned agency to expedite the matter. They also desire that the Ministry should refrain from making unnecessary references to other agencies.

NEW DELHI;

December 2006

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HARIN PATHAK
CHAIRMAN
COMMITTEE ON GOVERNMENT ASSURANCES