

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(2007-2008)**

(FOURTEENTH LOK SABHA)

TWENTIETH REPORT

**REQUESTS FOR DROPPING OF
ASSURANCES**

Presented to Lok Sabha on 31 August, 2007



**LOK SABHA SECRETARIAT
NEW DELHI
August 2007/Bhadrapada, 1929 (Saka)**

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- I Minutes of the Sitting of the Committee held on 27 June 2007.
- II Minutes of the Sitting of the Committee held on 02 August 2007.

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2007-2008)

Shri Harin Pathak - CHAIRMAN

MEMBERS

2. Shri Rashid J.M.Aaron
3. Shri Yogi Aditya Nath
4. Km. Mamata Banerjee
5. Shri Jigajinagi Ramesh Chandappa
6. Dr. K. Dhanaraju
7. Shri Biren Singh Engti
8. Shri Sunil Khan
9. Shri Vijoy Krishna
10. Shri Rasheed Masood
11. Shri A. Venkatesh Naik
12. Shri Nihal Chand
13. Smt. M.S.K. Bhavani Rajenthiran
14. Shri Rajiv Ranjan 'Lalan' Singh
15. Shri Aruna Kumar Vundavalli

SECRETARIAT

- | | | | |
|----|--------------------|---|---------------------|
| 1. | Shri S. Bal Shekar | - | Joint Secretary |
| 2. | Shri Hardev Singh | - | Director |
| 3. | Shri B.S. Dahiya | - | Deputy Secretary |
| 4. | Shri V.P. Goel | - | Deputy Secretary-II |

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- **The Committee was constituted on 07 August 2007 vide Para No.3783 of Lok Sabha Bulletin Part-II dated 06 August 2007.**

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 Twentieth Report of the Committee on Government Assurances.

2. The Committee (2006-2007) was constituted on 7 August 2006.
3. The Committee (2006-2007) at their sitting held on 27 June 2007 considered Memorandum Nos. 62 to 71 containing requests received from the Ministries/Departments of the Government of India for dropping of pending assurances. In respect of Memorandum Nos.62, 63 and 71 containing requests of the Ministry of Communications and Information Technology (Department of Telecommunications and Department of Posts) for dropping the assurances given in reply to USQ No.4009 dated 17 May 2006 regarding Mobile Number Portability, USQ No.1487 dated 03 March 2006 regarding Communication Services under a Single Network and USQ No.1240 dated 30 November 2005 regarding Additional Assistance for Computerisation of Post Offices, the Committee decided to call the representatives of the Ministry to explain the reasons for delay in the implementation of the assurances. Accordingly these three memoranda have not been included in this Report.
4. At their sitting held on 02 August 2007, the Committee (2006-2007) considered and adopted their Twentieth 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;

HARIN PATHAK
CHAIRMAN
COMMITTEE ON GOVERNMENT ASSURANCES

02 August 2007

11 Sravana 1929 (Saka)

REPORT

CHAPTER – I

REQUESTS FOR DROPPING OF ASSURANCES (NOT ACCEPTED)

(i) TELECOM ENGINEERING AND MONITORING CELL

1.1 On 21 December 2005, Shri Rasheed Masood, MP addressed the following USQ No. 4299 to the Minister of Communications and Information Technology:-

- “(a) Whether the Government proposes to set up Telecom Engineering and Monitoring Cell in the country;**
- (b) if so, the details thereof, State-wise; and**
- (c) the time by which such Cells are likely to be set up?”**

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

- “(a) There is a proposal to set up Vigilance Telecom Monitoring Cells (VTMs) in the country.**
- (b) State-wise list of VTM Cells contained in the proposal is given in the Annexure.**
- (c) Vigilance Telecom Monitoring Cells have been created in Delhi, Mumbai, Chennai & Hyderabad on experimental basis. Further creation of Vigilance Telecom Monitoring Cells in other states is an on going process dependent upon various factors and the experience of above 4 Cells.”**

List of Vigilance Telecom Monitoring Cells State/Telecom District Wise Contained in the Proposal

1. Delhi - Operational
2. Mumbai - Operational
3. Chennai - Operational
4. Hyderabad - Operational
5. Andhra Pradesh
6. Bihar
7. Gujarat
8. Karnataka
9. Kerala
10. Maharashtra
11. Madhya Pradesh
12. Punjab
13. Rajasthan
14. Haryana
15. UP East
16. UP West
17. West Bengal
18. Tamil Nadu
19. Andaman & Nicobar
20. Assam
21. Chhattisgarh
22. Jammu & Kashmir
23. Jharkhand
24. Himachal Pradesh
25. North East-I
26. North East-II
27. Orissa
28. Uttaranchal
29. Kolkata
30. Ahmedabad
31. Bangalore
32. Pune
33. Jaipur
34. Lucknow

1.3 The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Communications and Information Technology within three months of the date of reply *i.e.* by 20 March 2006 but the assurance is yet to be implemented. The Ministry had not sought extension of time beyond 31.3.2007.

1.4 The Ministry of Communications and Information Technology *vide* their U.O. No. 6-1/2006/V.Tech dated 20 September 2006, with the approval of Minister of Communications and Information Technology requested for dropping the assurance on the following grounds:-

“.....as per the assurance given in reply to USQ No. 4299, Vigilance Telecom Monitoring (VTM) Cell creation proposal, in the remaining 30 locations State/ & Telecom District wise has been indicated as an ongoing process dependent upon various factors and experience of the four VTM units at Delhi, Mumbai, Chennai and Hyderabad, presently operational. Further progress in the matter has now taken place and 9 more new places VTM have been created since July, 2006. The places are Gujarat, Kerala, Karnataka, Maharashtra, Punjab, Rajasthan, Tamil Nadu, UP East & West Bengal”.

1.4(a) The Ministry of Communications and Information Technology *vide* their letter dated 15 March, 2007 informed that Vigilance Telecom Monitoring Cells have been created in four phases in all the 34 locations as promised.

1.5 The Committee note that a question regarding Telecom Engineering and Monitoring Cell was asked on 21 December 2005. The question sought information regarding proposal of the Government to set up Telecom Engineering and Monitoring Cells in the country, its details and the time by which such Cells would be set up. In reply, it was *inter-alia* stated that there was a proposal to set up Vigilance Telecom Monitoring Cells (VTMs) in 34 States/Telecom Districts. It was also stated that VTMs were created in Delhi, Mumbai, Chennai and Hyderabad on experimental basis and further creation of VTMs in other States would depend upon various factors and also on the experience of the four cells in operation. This reply was treated as an assurance. The assurance remains unimplemented. The Ministry requested for its dropping on the ground that further progress in the matter took place by the creation of VTMs at nine more places. The Committee considered this request of the Ministry at their sitting held on 27 June 2007 and decided not to drop the assurance. The Committee further note that after requesting for dropping the above assurance the Ministry apprised the Committee vide their written communication on 15 March 2007 that VTMs have been created in all the 34 locations as promised/assured, in four phases. The Committee was apprised that four, nine, fifteen and six VTMs were created at different locations in first, second, third and fourth phase, respectively. The Committee desire that a statement containing these facts in detail be laid on the Table of the House at the earliest in

implementation of the assurance. The Committee recommend that the Ministry in the meantime should seek extension of time beyond 21 March 2007 till a statement is laid on the Table of the House in implementation of this assurance.

[ii] TRADE FAIR

1.6 On 13 December 2005, S/Shri Ramdas Athawale and E.G. Sugavanam, MPs addressed the following USQ No. 3014 to the Minister of Commerce and Industry:-

- “(a) the number of visitors visited the India International Trade Fair (IITF), Delhi during the year 2005;**
- (b) the number of countries, organisations participated in the fair;**
- (c) the details of arrangements made for smooth conduct of the Fair;**
- (d) the amount spent by I.T.P.O. in organising each trade-fair during 2004-05 and 2005-06;**
- (e) the income earned by I.T.P.O. on each trade fair during the said period;**
- (f) whether there is-any proposal to shift the venue of IITF from Pragati Maidan to a new place;**
- (g) if so, the reasons therefor;**
- (h) whether any discussion was held with various concerned Departments in this regard;**
- (i) if so, the details thereof;**
- (j) whether there is also proposal to modernize the Pragati Maidan; and**
- (k) if so, the details thereof?”**

1.7 In reply, the then Minister of State in the Ministry of Commerce and Industry (Shri E.V.K.S. Elangovan) stated as follows:-

- “(a) Thirty lakhs (approx.).**

(b) 257 companies from 33 countries including 13 country level participation besides 7243 Indian companies.

(c) All necessary arrangements like security, transport, easy availability of tickets, booking of stalls, etc were made.

(d)&(e) (Rupees in Lakhs)

	<u>Expenditure</u>	<u>Income</u>
2004-05	508.19	2640.07
2005-06	725.50 (Budgetted)	2737.00

(f) to (i) No, Sir. Does not arise.

(j) & (k) Yes Sir. The feasibility of upgrading and increasing the infrastructure facilities including additional space, convention centre, traffic and parking, etc. is being examined."

1.8 The above reply to parts (j) and (k) of the question was treated as an assurance and was required to be fulfilled by the Ministry of Commerce and Industry within three months of the date of reply, *i.e.* by 12 March 2006 but the assurance is yet to be implemented. The Ministry sought extension of time upto 11.09.2007.

1.9 The Ministry of Commerce and Industry *vide* their O.M. No. 7(21)/2005-TP dated 09 November 2006, had requested for dropping the assurance on the ground that the Department of Commerce had considered and approved the Optimum Development Plan (ODP) of Pragati Maidan. This would, however, require the approvals of other Ministries/Departments of the Government of India as also the State Government of Delhi. The Department of Commerce is pursuing the project with other related Departments and agencies for their approval. Thereafter the matter would be placed before the Cabinet Committee on Economic Affairs (CCEA) for final approval of the proposal. The entire process would be taking considerable time.

1.10 The Committee note that a question was asked on 13 December 2005 regarding the India International Trade Fair held in Pragati Maidan, Delhi. The question *inter-alia* sought information regarding number of visitors which visited the India International Trade Fair (IITF) 2005 alongwith the details of countries, organizations which participated, about the proposal if any, to shift the venue of IITF from Pragati Maidan and also to modernize the Pragati Maidan. In reply it was *inter-alia* stated that the Government proposed to upgrade Pragati Maidan for which the feasibility of upgrading and increasing the infrastructure facilities including additional space, Convention Centre, traffic and parking, etc., was being examined. This reply was treated as an assurance. The assurance remained unimplemented and the Department of Commerce requested for dropping this assurance on the ground that an Optimum Development Plan (OPD) of Pragati Maidan has been considered and approved and also the matter is being pursued with the concerned Departments and agencies for their approval which is likely to take considerable time. The Committee considered this request of the Ministry at their sitting held on 27 June, 2007 and decided not to drop the assurance.

1.11 The Committee note that the Department of Commerce has considered and approved the Optimum Development Plan (ODP) of Pragati Maidan and is seeking the approval of other Ministries/Departments and the State Government of Delhi as well.

According to the Ministry this process is likely to take considerable time. The Committee do not consider the plea of the Department of Commerce that 'the entire process is likely to take considerable time' a valid reason for dropping the assurance. The Committee therefore, desire that the matter be vigorously pursued with the concerned Ministries/Departments and brought to its logical conclusion at the earliest. The Committee would like to be apprised of the present status of the assurance and also about the time bound programme drawn up for the implementation of the assurance.

[iii] LUXURY TOURIST TRAINS

1.12 On 10 March 2005, Shri Jashubhai Dhanabhai Barad, M.P., addressed the following Unstarred Question No.1336 to the Minister of Railways regarding to an earlier USQ No.2698 dated 16 December 2004 (Annexure) on the subject:-

- “(a) whether the State Governments of Andhra Pradesh, Tamil Nadu and Kerala have sent their replies to the Union Government for introduction of luxury tourist trains linking their States;**
- (b) if so, the details thereof and the further action taken by the Union Government thereon;**
- (c) whether any proposal to start such luxury tourist trains in other States, particularly in Gujarat has also been received from respective State Governments;**
- (d) if so, the details thereof;**
- (e) whether any feasibility study in this regard has been made;**
- (f) if so, the outcome thereof; and**
- (g) the decision taken by the Union Government on their proposals and the time by which the same is likely to be implemented?”**

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

- “(a) to (g): No, Sir. The Railways is yet to receive any reply from the State Governments of Andhra Pradesh, Tamil Nadu and Kerala. The proposal from the State of Gujarat, however, has not been found viable.”**

1.14 The above reply to the 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 09 June 2005.

1.15 The Ministry of Railways vide their O.M. No.2005/Tourism/100/2(LS) dated 14 November 2006 requested for dropping the assurance on the grounds that the requisite replies/information was to be received from the State Governments of Andhra Pradesh, Tamil Nadu and Kerala. The Ministry of Railways had no control over the State Governments. At best the Ministry of Railways could only request and remind the State Governments concerned to expedite the replies to enable early fulfillment of the assurance. It was further stated that the State Governments do not provide their response expeditiously in such matters.

1.16 The Committee note that a question regarding Luxury Tourist Trains was asked on 10 March 2005. The question sought information regarding furnishing of replies by three States namely Andhra Pradesh, Tamil Nadu and Kerala for the introduction of Luxury Tourist Trains, proposals to introduce Luxury Tourist Trains in other States, particularly in Gujarat, its details and the action taken thereon by the Union Government. In reply, it was stated that the replies were yet to be received from three States and the proposal received from the State Government of Gujarat was not found viable. This reply to the question was treated as an assurance. The Ministry requested for dropping the assurance on the ground that the requisite replies/information is yet to be received. The Ministry had also highlighted that they had no control over the State Governments to expedite the replies and at best they could only be requested/reminded. The Committee considered this request at their sitting held on 27 June 2007 and decided not to drop the assurance.

1.17 The Committee note that the assurance was given about two years ago and still the Ministry of Railways could not get specific replies/information from the State Governments of Andhra Pradesh, Tamil Nadu and Kerala. Moreover, the proposals which was received from the State Government of Gujarat was turned down as it was not found viable. The Committee do agree with the contention of the Ministry that they have no control over State Governments, but the

Committee desire to know the steps taken so far by the Ministry to expedite the furnishing of required information by the three State Governments. The Committee desire to know the reasons as to why the proposals put forward by the State Government of Gujarat were not found viable.

1.18 The Committee also desire the Ministry of Railways to take positive steps and pursue the matter vigorously with the respective three State Governments at the highest level in a time bound manner and implement the assurance at the earliest.

[iv] EXPORT OF HANDLOOM

1.19 On 17 March 2006, Shri Adhir Chowdhury, MP addressed the following USQ No. 2685 to the Minister of Textiles:-

- “(a) the quantity and value of handloom products exported during each of the last three years and the current year, product-wise and country-wise;**
- (b) the target set for export of handloom products during the said period, product-wise;**
- (c) the reasons for decrease in the export;**
- (d) the names of handloom products which have achieved higher percentage of export during 2004-05; and**
- (e) the steps being taken by the Government to boost further export of handloom products?”**

1.20 In reply, the Minister of State in the Ministry of Textiles (Shri E.V.K.S. Elangovan) stated as follows:-

- “(a) The revised ITC (HS) Codes adopted by the Central Board of Excise & Customs with effect from 1-4-2003 do not provide any sectorial classification such as handloom, powerloom, mill made etc. In the absence of separate ITC (HS) codes for handloom products, export data from 1-4-2003 onwards is not available. The matter is under consideration in the Ministry of Finance for allotment of separate ITC (HS) codes for handloom products. However, product-wise and continent-wise details of handloom exports for the period 2000-01, 2001-02 and 2002-03 are annexed.**
- (b) The overall targets for handloom exports fixed for the last three years, including the current year, are as under:-**

(Figure in US \$ Million)

Years	Target
2002-03	550
2003-04	575
2004-05	650
2005-06	700

- (c) **As the export data for the last three years, *i.e.* 2003-04, 2004-05 and the current year is not available in the absence of separate ITC (HS) codes for handloom products, it is difficult to say that export of handloom products has decreased during the last three years. However, export data for the previous years clearly shows a trend that handloom exports to Asia, Africa, Europe Union, Europe, America and Oceania continents have increased over 2000-01,2001-02 and 2002-03.**
- (d) **As the export data for the last three years, including 2004-05, is not available in the absence of separate ITC (HS) codes for handloom products, it is difficult to say which handloom products have achieved higher percentage of export during 2004-05.**
- (e) **The following steps are being taken to promote export of handlooms:**
- (i) **Handloom Export Scheme under which financial assistance is provided to handloom agencies for development of exportable range of products and international publicity & marketing thereof;**
 - (ii) **Organisation of and/or participation in international fairs, exhibitions, Buyer Seller Meets by Handloom Export Promotion Council, Association of Corporations and Apex Societies of Handlooms (ACASH) etc. in overseas markets from time to time to provide the Indian handloom manufacturers an avenue for export market;**
 - (iii) **Various export promotion schemes operated by the Department of Commerce such as Duty Entitlement Pass Book (DEPB), Market Development Assistance (MDA) Market Access Initiative (MAI) etc."**

1.21 The above reply to part (a) of the question was treated as an assurance and was required to be fulfilled by the Ministry of Textiles within three months of the date of reply, *i.e.* by 16 June 2006.

1.22 The Ministry of Textiles *vide* their O.M. No. 1(17)/2006-DCH/Parl/Export dated 10 November 2006, requested for dropping the assurance on the following grounds:-

“the Office of the Development Commissioner for Handlooms feels that the statement given in the answer to Lok Sabha USQ No. 2685 does not constitute an assurance as the matter of allotment of separate ITC (HS) codes for the handloom products has been under consideration of the Ministry of Finance in consultation with Office of the Development Commissioner for Handlooms, Handloom Export Promotion Council and the Directorate General of Foreign Trade. The Ministry of Finance will take some more time to finalise the matter as it has asked for some more details regarding the export data from the HEPC. The matter of allotment of separate codes for handloom products is though an important matter yet it does not constitute an assurance as even in the absence of separate ITC(HS) codes, efforts are still on to enhance export of handloom Products. The importance of such codes is that it will facilitate to know the quantum of exports made on handloom products and to formulate strategies to enhance handloom exports. But, it is reiterated that even in the absence of ITC (HS) Codes, the Ministry of Textiles is taking all policy interventions to boost the handloom exports”.

1.23 A question regarding Export of Handloom products was asked on 17 March, 2006. The question sought information regarding the quantity and value of handloom products exported during the last three years (2002-2003, 2003-2004 and 2004-2005) and also in the current year (2005-2006) product and country-wise, the target set for export of handloom products; and the reasons for decrease in the export, etc. In reply, it was, *inter-alia*, stated that the revised ITC (HS) Codes adopted by the Central Board of Excise and Customs did not provide any sectoral classification and in the absence of separate ITC(HS), Codes export data from 01 April 2003 onwards was not available. The matter was being considered in the Ministry of Finance for allotment of separate ITC(HS) Codes for handloom products. This reply to the question was treated as an assurance. The Ministry requested for its dropping on the ground that the statement given in reply to the above question does not constitute an assurance, as the matter of allotment of separate ITC(HS) Codes for the handloom products is under consideration of the Ministry of Finance and other related Departments. It has, however, been asserted by the Ministry that though the matter is important, it does not constitute an assurance as even in the absence of separate ITC(HS) codes, efforts are being made to enhance the export of handloom products. The importance of separate ITC (HS) Codes has also been admitted by the Ministry as it facilitates them to know the quantum of exports of handloom products and to formulate strategies to enhance

handloom exports. The Committee while considering this request of the Ministry for dropping the assurance at their sitting held on 27 June 2007 considered this aspect and decided not to drop the assurance.

1.24 The Committee note that the matter for allocation of separate ITC(HS) Codes has already been initiated and it is under consideration of the Ministry of Finance in consultation with Office of the Development Commissioner for Handlooms, Handloom Export Promotion Council and the Directorate General of Foreign Trade. The Committee desire the Ministry of Textiles to pursue the matter with the Ministry of Finance to expedite the allotment of separate ITC(HS) Codes for the handloom products and implement the assurance expeditiously.

1.25 The Committee express their displeasure on the contention of the Ministry in their request for dropping the assurance that their reply did not constitute an assurance. They observe that it is the prerogative of the Committee to treat a particular reply as an assurance and it is not for the Ministry to question the decision of the Committee

[v] AMENDMENT TO THE MINIMUM WAGES ACT, 1948

1.26 On 16 November, 1987 Shrimati Prabhawati Gupta and Shri Laliteshwar Prasad Shahi, MPs, addressed the following USQ NO.1291 to the Minister of Labour:-

- “(a) whether Government proposes to amend the Minimum Wages Act, 1948;**
- (b) if so, the details of the amendments to be made in the proposed Act; and;**
- (c) to what extent the poor labourers will get benefit from the proposed legislation?”**

1.27 In reply, the then Minister of State in the Ministry of Labour (Shri P.A. Sangma) stated as follows:-

- “(a), (b) & (c) :- A number of suggestions have been made for amendment of the Minimum Wages Act, 1948 to make it more effective and provide expeditious relief to the employees covered under the Act. These include *inter-alia*, reviewing the rates of minimum wages at short intervals unless these have variable component of Dearness Allowance, enhancement in the compensation amount, payment of interest in case of non-payment and short-payment of wages, deposit of a part of the claimed amount, restrictions on change in the conditions of service during the pendency of claims proceedings and enhancement of penalties, etc. The proposals for amendment are yet to be finalised.”**

1.28 The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Labour within three months of the date of reply *i.e.* by 15 February 1988 but the assurance is yet to be implemented.

1.29 On 7 December 1988, Prof. Ramkrishna More, MP addressed the following USQ No.3747 to the Minister of Labour:-

- “(a) whether Government propose to amend the Minimum Wages Act, 1948 and the Employees State Insurance Act, 1948;**
- (b) if so, whether State Governments have also been consulted in this regard;**
- (c) if so, the details thereof; and**
- (d) when a legislation to this effect is expected to be brought forward?”**

1.30 In reply, the then Minister of Labour (Shri Bindeshwari Dubey) stated as follows:-

- “(a) Certain proposals for amendment of the Minimum Wages Act, 1948 and Employees’ State Insurance Act, 1948 are under consideration.**
- (b) The State Governments have not been consulted in respect of proposals for amendment to the Employees State Insurance Act, 1948.**
- (c & d) The details are yet to be finalised.”**

1.31 The above replies to part (a) and (c) of the question were treated as assurances and were required to be fulfilled by the Ministry of Labour within three months of the date of reply *i.e.* by 06 March,1989 but the assurances are yet to be implemented.

1.32 On 08 March 1989, S/Shri M.V. Chandrasekhara Murthy and V. Sreenivasa Prasad, MPs, addressed the following SQ NO.188 to the Minister of Labour:-

- “(a) whether Government propose to amend the Minimum Wages Act, 1948 in consultation with State Governments;**
- (b) whether any meeting with the State Labour Ministers was held for the purpose during the past few months; if so, the details thereof; and**
- (c) the time by which legislation to this effect is expected to be brought forward?”**

1.33 In reply, the then Minister of Labour (Shri Bindeshwari Dubey) stated as follows:-

“(a) Yes, Sir.

(b) & (c) :- The 37th Session of the Labour Ministers’ Conference held on the 7th November, 1988 considered the proposals for amendments to the Minimum Wages Act, 1948. These mainly relate to (a) enhancement in penalties, (b) provision of direct access to Courts to the aggrieved employee, registered voluntary organizations or registered trade unions, (c) interim relief and protection against termination, discharge etc. during the pendency of claims proceedings, and (d) reduction in the periodicity of revision of wages without the variable component linked to the Consumer Price Index. The amending Bill will be brought forward as soon as the proposals are finalised.”

1.34 The above reply to parts (b) and (c) of the question was treated as an assurance and was required to be fulfilled within three months of the date of reply *i.e.* by 07 June 1989 but the assurance is yet to be implemented.

1.35 On 05 May 1995, Shrimati Sheela Gautam, S/Shri Ramesh Kumar and Rameshwar Patidar, MPs, addressed the following USQ NO.4735 to the Minister of Labour:-

- “(a) whether the Union Government have finalised the proposal for amending the Minimum Wages Act, 1948;**
- (b) if so, the details thereof; and**
- (c) the measures being taken by the Union Government to strengthen the above Act and to increase the wage rates?”**

1.36 In reply, the then Minister of Labour (Shri P.A. Sangma) stated as follows:-

- “(a) & (b) : The proposal to amend the Minimum Wages Act, 1948 are under consideration of the Government.**
- (c) : Under the Minimum Wages Act, 1948, the Central as well as State Governments are the appropriate Governments for the implementation and enforcement of the Act for the Scheduled employments under their respective jurisdictions. The Central Government has been impressing upon the State Governments from time to time to take various measures to effectively implement the Act. These include strengthening of the enforcement machinery, revision of minimum wages every two years unless there is a provision of variable dearness allowance linked to Consumer Price Index Numbers, and giving wide publicity to the provisions of the Act. The State Governments have also been requested to fix the minimum wages for the rural workers at not less than Rs.20/- per day on the basis of prices prevailing during December 1990 as recommended by the National Commission on Rural Labour.”**

1.37 The above reply to parts (a) and (b) of the question was treated as assurance and was required to be fulfilled within three months of the date of reply but the assurance is yet to be implemented.

1.38 The Committee took oral evidence of the representatives of the Ministry of Labour and Employment on the subject on 17 January 2005. Accordingly the Committee in their Third report (14th Lok Sabha) presented to House on 04 August

2005 recommended *vide* Para No.8 that necessary amendments to the said Act may be finalised without further loss of time to improve the lot of millions of the workers in the country.

1.39 The Ministry of Labour and Employment *vide* their O.M. No. H-11016/25/87-WC(MW) dated 30 March 2006 again requested for dropping the above four assurances on the grounds that all these assurances are pending due to non finalization of amendment in the Minimum Wages Act, 1948. Although the process of amendments in the Act was initiated way back in 1987, it could not be finalized yet. The amendment proposals were formulated on the basis of suggestions received from various levels. The Ministry informed that the matter being a major policy issue and time consuming it was not feasible to fulfill the assurances within the time limit. The matter requires some more time to discuss about the proposal of amendment in Minimum Wages in various fora. The Ministry stated that the Committee of Government Assurances of Rajya Sabha has dropped five similar assurances.

1.40 In view of the above, the Ministry with the approval of the Union Minister for Labour and Employment, requested the Committee to drop the above four assurances.

1.41 The Committee note that four questions were asked between 16 November 1987 and 05 May 1995 regarding amendment to the Minimum Wages Act, 1948 and Employees State Insurance Act. In reply, it was, inter-alia, stated that the amendment to the said Acts was under consideration. These replies were treated as assurances. The Ministry, however, requested for dropping the same on the grounds that the assurances are pending due to non-finalisation of amendments in the said Act. Though the process of amendments was initiated way back in 1987, the same could not be finalized as yet. It was also stated that the matter remained under consideration and would be discussed in the forthcoming meeting of Central Advisory Board constituted under section 8 of the said Act and it might not be feasible to fulfill these assurances in the extended time limit for fulfillment of the assurances. The Committee considered this request of the Ministry at their sitting held on 27 June 2007 and decided not to drop the assurances.

1.42 The Committee in their Third Report (Fourteenth Lok Sabha) presented to the House on 04 August 2005 vide Para No.8 held that the Minimum Wages Act, 1948 is widely perceived as a kind of protective instrument aimed at safeguarding helpless labourers against exploitation by employers. The need for bringing the necessary amendment in the Act was also emphasized in the said report. In their report, the Committee had inter-alia recommended that the necessary amendments to the Minimum Wages Act, 1948 should be finalized

without further loss of time to improve the lot of millions of workers in the country.

1.43 The Committee, however, note with serious concern that the Ministry has not bothered to apprise the Committee about the steps taken by them in pursuance to the Committee's recommendations and are in a hurry to get the assurances dropped. The Committee, while reiterating their earlier recommendations deprecate the negative approach of the Ministry and desire that they be apprised of the steps taken in pursuance of their earlier recommendations. The Committee are anguished to note that the process of amendment to the Minimum Wages Act was initiated in the year 1987 and the matter is still under consideration of the Government. The Committee urge the Ministry to make sincere efforts and bring necessary amendments to the said Act without any further loss of time and implement the long pending assurances. The Committee would also like to be apprised of the decision taken on the subject in the meeting of Central Advisory Board.

CHAPTER – II
REQUESTS FOR DROPPING OF ASSURANCES (ACCEPTED)

[i] TRANSFER OF AIR FORCE LAND

2.1 On 28 April 2005, Shri Eknath M. Gaikwad and Shrimati Nivedita Mane, MPs addressed the following USQ No. 5095 to the Minister of Defence:-

- “(a) whether the Government has received a proposal for transfer of Airforce land for the creation of Multi-modal International Passenger and Cargo Hub Airport at Nagpur;**
- (b) if so, the details thereof; and**
- (c) the steps taken by the Government in this regard?”**

2.2 In reply, the then Minister of Defence (Shri Pranab Mukherjee) stated as follows:-

- “(a) Yes, Sir.**
- (b) The Government of Maharashtra proposes to acquire approximately 686 acres of land belonging to the Indian Air Force (IAF) for establishment of Multi-Modal International Passenger and Cargo Hub Airport at Nagpur. In exchange, the IAF has been offered 400 acres of land south west of the existing runway by the Government of Maharashtra recently.**
- (c) The matter has been taken up with the Government of Maharashtra and is being processed keeping in view the operational requirements of the Indian Air Force.”**

2.3 The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Defence within three months of the date of reply *i.e.* by 27 July 2005 but the assurance remained un-implemented.

2.4 The Ministry of Defence *vide* their O.M. No. 5(44)/05/D(Air-II) dated 19 October 2006 requested for dropping the assurance on the following grounds:-

“.....that out of 278 hectares of India Air Force (IAF)/Ministry of Defence (MoD) land proposed for transfer, Airport Authority of India (AAI) has claimed the ownership of 116.88 hectares. However, IAF and Director General of Defence Estate (DGDE) have contested their claims. Accordingly, AAI and Government of Maharashtra (GoM) were many times requested to forward copies of land records which have not been received till date. Air HQ has taken a stand that unless AAI establishes their ownership claim supported by revenue records, negotiations on the land in occupation by the IAF can not be done by AAI. However, since this ownership issue is based on the claims made during pre-independence period, it has been difficult for both AAI and IAF to resolve this issue. Moreover, GoM has also changed their views on this issue from time to time. Earlier, GoM had suggested for a bipartite agreement between GoM and IAF/MoD. Subsequently, they have suggested for a tripartite agreement between IAF, AAI and GoM for the proposed exchange of land. Now, GoM has stated that a Joint Venture Company (JVC) will be formed with 49% equity of the AAI and 51% equity of GoM. They have now proposed that a draft agreement between the IAF and the proposed JVC can be drawn up. The context in which the reply was given has undergone substantial change as explained above. It appears, therefore, that this proposal which has been unresolved for the last five years due to one reason or other, particularly due to the non-resolution of the land dispute and changing stance of GoM from time to time, is not likely to be resolved in the near future”.

2.5 In view of the above, the Ministry, with the approval of Raksha Rajya Mantri, requested the Committee on Government Assurances to reconsider the whole issue and to delete the assurance.

2.6 The Committee note that a question was asked on 28 April 2005 regarding 'Transfer of Air Force Land'. The question sought information regarding receipt of a proposal for transfer of Airforce land for the creation of Multi-modal International Passenger and Cargo Hub Airport at Nagpur. In reply, it was, *inter-alia*, stated that the matter was taken up with the Government of Maharashtra and was processed keeping in view the operational requirements of the Indian Air Force. This reply was treated as an assurance. The Ministry requested for dropping the assurance, *inter-alia*, on the ground that the proposal has remained unresolved for the last five years due to one reason or the other, particularly due to the non-resolution of the land dispute and the changing stance of Government of Maharashtra from time to time. According to them the ownership issue is based on claims made during pre-independence period and it has been difficult for both AAI and IAF to resolve this issue. The Committee considered this request of the Ministry at their sitting held on 27 June 2007 and having been satisfied with the submissions made by them decided to drop the assurance.

[ii] SETTING UP OF INSTITUTE OF FASHION TECHNOLOGY

2.7 On 25 July 2006, Shri Pannian Ravindran, M.P., addressed the following Unstarred Question No.134 to the Minister of Textiles:-

- “(a) whether the Government has received proposals to set up an Institute of Fashion Technology at Balaramapuram, a famous centre of Handloom clothes in Kerala;**
- (b) if so, the details thereof and the action taken in this regard; and**
- (c) the time by which the said Institute is likely to be set up?”**

2.8 In reply, the Minister of State in the Ministry of Textiles (Shri E.V.K.S. Elangovan) stated as follows:-

- “(a) to (c) : Government has received a proposal from the State Government for setting up of a new National Institute of Fashion Technology (NIFT) Centre in Kerala. The State Government has been asked to give a firm commitment for providing 10 acres of land (free of cost) for construction of NIFT Campus, Hostel and staff quarters, Rs.20 crores for construction, Rs.5 crores for academic and academic support infrastructure, etc. Confirmation of the commitment from the State Government is awaited.”**

2.9 The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry of Textiles within three months of the date of the reply *i.e.* by 24 October 2006, but the assurance remained pending.

2.10 The Ministry of Textiles vide O.M.No.1/10/2006-NIFT Cell dated 31 October

2006 requested for dropping the assurance on the grounds mentioned below:-

“that in the reply it was mentioned that in response to the proposal from the State Government of Kerala for setting up of a new National Institute of Fashion Technology (NIFT) Centre, the State Government was asked to give a firm commitment for providing infrastructural facilities and other financial support. Therefore, no action is pending on the part of the Ministry of Textiles, Government of India. It is for the Government of Kerala to give confirmation, if it so desires, keeping in view the resources of the State Government. It may further be clarified that it is not obligatory on the part of the State Government to give confirmation of the commitment of the State Government for such support. The Ministry has also stated that there is no outstanding actionable point on the part of Ministry of Textiles, Government of India on which action taken needs to be reported to the Hon’ble M.P. and have, with the approval of Minister of State for Textiles, requested that the reply to the Question may not be treated as an assurance.”

2.11 The Committee note that a question was asked on 25 July 2006 regarding setting up of Institute of Fashion Technology at Balaramapuram, in Kerala. In reply it was *inter-alia* stated that confirmation of the commitment from the State Government was awaited. This reply was treated as an assurance. The Ministry requested for dropping the assurance, *inter-alia*, on the ground that the State Government was asked to give a firm commitment for providing infrastructure facilities and other financial support. According to the Ministry no action on their part was pending in the matter and it was for the Government of Kerala to furnish confirmation of their commitment. This request was considered by the Committee at their sitting held on 27 June 2007 and having been satisfied with the submissions made by the Ministry, decided to drop the assurance.

NEW DELHI;

HARIN PATHAK

CHAIRMAN

COMMITTEE ON GOVERNMENT ASSURANCES

02 August 2007

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MINUTES

SEVENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2006-2007) held on 27 June 2007 in Committee Room 'E', Parliament House Annexe, New Delhi.

The Committee sat from 1130 hours to 1230 hours on Wednesday, 27 June, 2007.

PRESENT

CHAIRMAN

Shri Harin Pathak

Members

- 2. Dr. K. Dhanaraju**
- 3. Shri Biren Singh Engti**
- 4. Shri Sunil Khan**
- 5. Shri Rasheed Masood**
- 6. Shri Nihal Chand**
- 7. Shri Rajiv Ranjan 'Lalan' Singh**

Secretariat

- 1. Shri S. Bal Shekar - Joint Secretary**
- 2. Shri B.S. Dahiya - Deputy Secretary**
- 3. Shri V.P. Goel - Deputy Secretary-II**

At the outset, the Chairman welcomed the Members to the sitting of the Committee and apprised them briefly about the agenda for the sitting. The Committee, thereafter took up the following ten Memoranda containing requests received from various Ministries/Departments for dropping the assurances:-

Memorandum Nos.62&63 **Request for dropping the assurance given in reply to (i) USQ No. 4009 dated 17 May, 2006 regarding 'Mobile Number Portability' and (ii) USQ No.1487 dated 03 March 2006 regarding 'Communication Services Under a Single Network.**

The Committee considered the above memoranda together and noted that the Ministry have requested for dropping both the assurances on the ground that the decision on the TRAI's recommendation on Mobile Number Portability and Unified Licensing recommendation is a policy matter and no time frame work can be fixed to arrive at a conclusion in the matter. The Committee are not convinced with the reasons for dropping the assurances. The Committee, therefore, decided not to drop the assurances and to call the representatives of the Ministry of Communications and Information Technology for oral evidence regarding the pending assurances pertaining to them.

Memorandum No.64 **Request for dropping the assurance given in reply to USQ No. 5095 dated 28 April, 2006 regarding 'Transfer of Air Force Land'.**

The Committee considered the above memorandum and after being convinced with the reasons advanced by the Ministry decided to drop the assurance.

Memorandum No.65 **Request for dropping the assurance given in reply to USQ No. 4299 dated 21December, 2005 regarding 'Telecom Engineering and Monitoring Cell'.**

The Committee considered the above memorandum and noted that further progress in the matter has been made and at nine more places Vigilance Telecom Monitoring (VTM) Cells have since been created. The Committee have desired the Ministry to create VTM Cell in all the places expeditiously. They have, therefore, decided not to drop the assurance.

Memorandum No.66 **Request for dropping the assurance given in reply to USQ No. 3014 dated 13 December, 2005 regarding 'Trade Fair'.**

The Committee considered the above memorandum and noted that the Department of Commerce has considered and approved the Optimum Development Plan (ODP) of Pragati Maidan which requires the approval of other Ministries/Departments and State Government of Delhi as well. Moreover, the Department of Commerce was also pursuing the project with other related Departments and Agencies for their approval which would be placed before the Cabinet Committee of Economic Affairs (CCEA) for final approval of the proposal. The Committee do not consider the plea of the Ministry that 'the entire process is likely to take considerable time' as a valid reason for dropping the assurance and have, desired that the matter be pursued with other Ministries/Departments and brought to its logical conclusion. The Committee, therefore, decided not to drop the assurance.

Memorandum No.67 Request for dropping the assurance given in reply to USQ No. 134 dated 25 July, 2006 regarding 'Setting up of Institute of Fashion Technology'.

The Committee considered the above memorandum and noted that the confirmation of the commitment from the State Government of Kerala was awaited. As no action is pending on the part of the Ministry, the Committee decided to drop the assurance.

Memorandum No.68 Request for dropping the assurance given in reply to USQ No. 1336 dated 10 March, 2005 regarding 'Luxury Tourist Trains'.

The Committee considered the above memorandum and noted that the Ministry has not received any reply from the State Governments of Andhra Pradesh, Tamil Nadu and Kerala regarding introduction of luxury tourist trains and the proposal of the State Government of Gujarat was not found viable. The Committee, therefore, desired to know the reasons why the proposal from the State Government of Gujarat was not found viable. The Committee have also desired the Ministry to pursue the matter with State Governments of Andhra Pradesh, Tamil Nadu and Kerala. Accordingly, the Committee decided not to drop the assurance.

Memorandum No.69 Request for dropping the assurance given in reply to USQ No. 2685 dated 17 March, 2006 regarding 'Export of Handloom'.

The Committee considered the above memorandum and noted that the matter has been under consideration of the Ministry of Finance in consultation with Office of the Development Commissioner for Handlooms, Handloom Export Promotion Council and the Directorate General of Foreign Trade. The Committee expressed their displeasure on the statement of the Ministry that their reply did not constitute an assurance. They observed that it is not for the Ministry to question the decision of the Committee to treat a particular reply as an assurance. The Committee, therefore, decided not to drop the assurance and desired that the Ministry of Textiles should pursue the matter further with the Ministry of Finance to expedite the allotment of separate ITC (HS) Codes for handloom products.

Memorandum No.70 **Request for dropping the assurances given in reply to (i) USQ No. 1291 dated 16 November, 1987, (ii) USQ No. 3747 dated 07 December 1988, (iii) SQ No. 188 dated 08 March 1989 and (iv) USQ No. 4735 dated 05 May 1995 regarding 'Amendment to the Minimum Wages Act, 1948'.**

The Committee considered the above memorandum and noted that the above assurances are pending due to non finalisation of amendments in the Minimum Wages Act, 1948. According to the Ministry the process of amendments in the Act could not be finalized as the matter requires some more time to discuss the paper of amendment in Minimum Wage Act, 1948 at various levels. As the matter is a major Policy issue and millions workers are involved, the Committee, therefore, desired that the necessary formalities involved in the process be pursued vigorously and decided not to drop the assurances.

Memorandum No.71 Request for dropping the assurance given in reply to USQ No. 1240 dated 30 November 2005 regarding 'Additional Assistance for Computerization of Post Offices'.

The Committee considered the above memorandum and noted the Ministry is currently implementing the programme for computerisation of 7700 post offices and its evaluation has been planned for the next year and hence the computerisation of the remaining post offices is at a very preliminary stage. The Committee, therefore, desired that the work relating to the computerization of the 7700 post offices be completed expeditiously. While not acceding to the request of the Ministry to drop the assurance, the Committee have decided to call the representatives of the Ministry of Communications and Information Technology for oral evidence in this regard.

Thereafter, the Committee decided to undertake the second phase of their study visit programme. The Committee authorized the Chairman to finalise the dates and places for the same.

The Committee then adjourned.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS

LOK SABHA
UNSTARRED QUESTION NO 2698
ANSWERED ON 16.12.2004

LUXURY TOURIST TRAINS IN KERALA AND OTHER STATES

2698. SHRI C.K. CHANDRAPPAN

Will the Minister of RAILWAYS be pleased to state:-

- (a) whether the Government of Kerala has sent any proposal to start a luxury tourist train on the line of 'Palace on Wheels' in the State;
- (b) if so, the details thereof and the decision taken by the Union Government on the proposal;
- (c) whether any proposal to start such luxury tourist trains in different States has also been received from respective State Governments; and
- (d) if so, the details thereof and the decision taken by the Union Government on their proposals?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI R. VELU)

(a) to (d): No, Sir. However, a memorandum was received, on 18th June 2004, from the Government of Kerala for announcing a luxury tourist train (linking Andhra Pradesh, Tamil Nadu and Kerala) in the Union Railway Budget 2004-05. The State Governments viz. Andhra Pradesh, Tamil Nadu and Kerala have been advised on 2nd July 2004 to send a comprehensive proposal along with a feasibility study indicating the Rate of Return, Cost/Revenue sharing methodology etc. for consideration of the Railways. The replies from the concerned State Governments are awaited. A Memorandum of Understanding (MoU), however, has been signed, in December 2002, for running a luxury tourist train in Karnataka.

MINUTES TENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2006-2007) held on 02 August 2007 in Committee Room 'E', Parliament House Annexe, New Delhi.

The Committee sat from 1230 hours to 1330 hours on Thursday, 02 August, 2007.

PRESENT

CHAIRMAN

Shri Harin Pathak

Members

2. Shri Jigajinagi Ramesh Chandappa
3. Dr. K. Dhanaraju
4. Shri Sunil Khan
5. Shri Vijoy Krishna
6. Shri Rasheed Masood
7. Shri Nihal Chand
8. Smt. M.S.K. Bhavani Rajenthiran

Secretariat

1. Shri S. Bal Shekar - Joint Secretary
2. Shri Hardev Singh - Director
3. Shri B.S. Dahiya - Deputy Secretary
4. Shri V.P. Goel - Deputy Secretary-II

At the outset, the Chairman welcomed the Members and informed them that it may be the last sitting of the Committee as the term of this Committee is upto 06.08.2007. He expressed his gratitude towards the Members of the Committee for extending their kind cooperation and contribution throughout the term of the Committee. He also thanked the officers and the staff of the Committee and commended their work for enabling the Committee to produce valuable reports during their term. The Chairman apprised about the agenda for the sitting. The Committee first of all considered the draft Twentieth report regarding requests for dropping of assurances and after discussion adopted the same without any amendments. The Committee authorised the Chairman to finalise the report and present the same to the House in the ensuing Session of the Lok Sabha. Thereafter, the Committee took up the following ten Memoranda containing requests received from various Ministries/Departments for dropping the assurances:-

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The Committee then adjourned.