

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

FOURTEENTH LOK SABHA

SEVENTH REPORT

(REQUEST FOR DROPPING OF ASSURANCES)

(Presented to Lok Sabha on)



LOK SABHA SECRETARIAT
NEW DELHI

December, 2005/Agrahayana, 1927 (Saka)

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

Shri Harin Pathak - CHAIRMAN

MEMBERS

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

SECRETARIAT

1. **Shri John Joseph** - **Secretary**
2. **Shri P. Sreedharan** - **Joint Secretary**
3. **Shri T.K. Mukherjee** - **Director**
4. **Shri K. Jena** - **Under Secretary**

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

INTRODUCTION

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

2. The Committee (2005-2006) was constituted on 7 August 2005.
3. The Committee (2005-2006) at their sittings held on 9 September 2005 and 26 October 2005 considered *inter-alia* Memoranda Nos. 42, 44, 46, 47, 48, 49, 50, 51, 52 and 53 containing requests received from the Ministries/Departments of the Government of India for dropping of pending assurances.
4. At their sitting held on 14 December 2005, the Committee (2005-2006) considered and adopted their Seventh Report.
5. The Minutes of the aforesaid sittings of the Committee form part of this report.
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;
14 December 2005

23 Agrahayana 1927 (Saka)

HARIN PATHAK
CHAIRMAN
COMMITTEE ON GOVERNMENT ASSURANCES

REPORT

CHAPTER – I

REQUEST FOR DROPPING OF ASSURANCES (NOT ACCEPTED)

I PIPELINES FOR PETROELUM PRODUCTS BETWEEN INDORE-DELHI

On 2 December 2004 S/Shri Y.G. Mahajan, Ratilal Kalidas Varma and Harish Chandra Chavan, MPs addressed the following Unstarred Question No. 439 to the Minister of Petroleum & Natural Gas:-

- “(a) Whether the Government propose to lay pipelines for transportation of petroleum products from Indore to Delhi;**
- (b) if so, the details thereof; and**
- (c) the time by which final decision is likely to be taken in this regard?”**

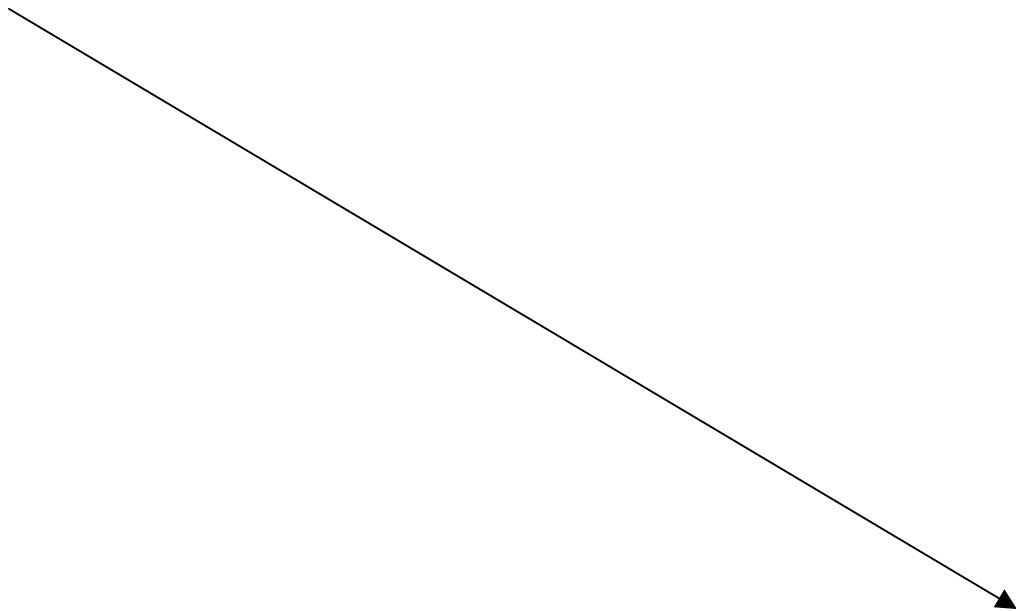
In reply the Minister of Petroleum & Natural Gas and Panchayati Raj (Shri Mani Shankar Aiyar) stated as follows:-

“(a) to (c): Bharat Petroleum coporation Limited is implementing a project to extend the existing Mumbai-Manglia (Indore) petroleum product pipeline to Piyala (Haryana) along with a feeder pipeline to Bijwasan (Delhi). The approved cost of the project is Rs. 807.46 crore at August 2004 prices. The project is scheduled to be mechanically completed in September 2006.”

The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Petroleum & Natural Gas within three months of the date of reply i.e. by 1 March 2005, but it could not be fulfilled.

The Ministry of Petroleum & Natural Gas vide their O.M. No. F.No.R-37016/7/2004-OR.II dated 29 July 2005, requested for dropping of the assurance on the grounds that the likely date of mechanical completion of BPCL's Indore-Delhi Pipeline Project is 24 September 2006 and anticipated commissioning date of the project is 24 December 2006, which is as per schedule.

Accordingly, the Ministry requested the Committee on Government Assurances to drop the assurance. The Ministry also stated that it has the approval of the Minister of Petroleum & Natural Gas and Panchayati Raj.



The Committee note that a question was asked on 2 December 2004 regarding laying of pipeline for transportation of petroleum products from Indore to Delhi. In reply it was stated that Bharat Petroleum Corporation Ltd. (BPCL) was implementing a project to extend the existing Mumbai – Manglia (Indore) petroleum product pipeline to Piyala (Haryana) and a feeder pipeline to Bijwasan (Delhi) also. It was also stated that the project would be mechanically completed by September 2006. This reply was construed as an assurance. The Ministry requested the Committee to drop the assurance on the ground that the likely date of mechanical completion of BPCL’s Indore – Delhi pipeline project is 24 September 2006 which is as per schedule. The Committee considered the request of the Ministry at their sitting held on 9 September 2005 and decided not to drop the assurance.

The Committee note that project being implemented by BPCL for extending existing Mumbai – Manglia (Indore) petroleum product pipeline to Piyala (Haryana) along with a feeder pipeline to Bijwasan (Delhi) will not only strengthen the economy of the country but also improve the existing infrastructure for transportation of petroleum products in the country. The Committee are surprised to find that the Ministry are in a hurry to request the Committee to drop the assurance before completion of the project. The Committee, are, therefore of the view that the project should be pursued vigorously and the likely date of mechanical completion of the project i.e 24 September 2006 and also

the anticipated commissioning date i.e 24 December 2006 should be adhered to strictly so as to avoid cost escalation and also for early fulfillment of the assurance. The Committee would like to be apprised of the latest position of the project.

[II] EXAMINATION OF 1977 PROTOCOLS TO GENEVA CONVENTION

On 4 May 2005 S/Shri Kishanbhai V. Patel, Anandrao V. Adsul and Sugrib Singh, MPs addressed the following Unstarred Question No.5894 to the Minister of External Affairs:-

- “(a) whether the Government proposes to examine the 1977 Protocols to the Geneva Convention of 1949;**
- (b) if so, the details in this regard;**
- (c) whether the NHRC has requested the Government to complete its examination of the 1977 Protocols at the earliest;**
- (d) if so, the details thereof; and**
- (e) the time by when the Government is likely to complete the examination in this regard and submit its comments to the NHRC?”**

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

- “(a) to (e) This Ministry is examining the substantive aspects of the two 1977 Additional Protocols to the Geneva Convention of 1949 in consultation with the concerned Ministries and Agencies. The NHRC has also been in touch with the Government in this regard.”**

The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of External Affairs within three months of the date of the reply *i.e.* by 3 August 2005.

The Ministry of External Affairs vide O.M.No.UII/125/2/2005 dated 5 July 2005 requested for dropping of the assurance on the grounds that the issue of accession by the Government to the 1977 Additional Protocols to the Geneva Convention of 1949 remains under consideration of the Government. The issue of reviewing International Humanitarian Law and the Geneva Convention acquired salience in the light of the changing nature of armed conflict, including some of the current conflicts in Iraq, Afghanistan and the African region, as well as the legal framework to deal with non-State actors and terrorists. A thorough examination of substantive aspects of these protocols was therefore, needed. While Ministry was examining these protocols and monitoring relevant developments the subject matter also concerns various other agencies, including the Ministry of Defence and the Ministry of Home Affairs, which requires inter-Ministerial consultations to discuss various aspects including the implications of accession to these protocols. It was felt that while the concerned Ministries and Agencies were engaged in the process of examination because of the evolving nature of the issues involved, it would be difficult to indicate any definite time frame for completion of examination.

In view of the above, the Ministry requested that the above-mentioned assurance may be dropped. The Ministry also stated it had the approval of Hon'ble Minister of State in the Ministry of External Affairs.

A question was asked on 4 May 2005 seeking information regarding examination of the 1977 Protocols to the Geneva Convention of 1949 by the Government and also about the request of the NHRC to the Government for early examination of the protocols. The Government stated in their reply that the substantive aspects of the two 1977 Additional Protocols to the Geneva Convention of 1949 were being examined in consultation with concerned Ministries and NHRC had also been in touch in the matter. The reply was treated as an assurance and was required to be fulfilled within three months i.e. by 3 August 2005 but the Ministry of External Affairs requested the Committee to drop the assurance just within two months of the reply that the assurance may be dropped on the grounds that the issue of accession by the Government to the 1977 Additional Protocols to the Geneva Conventions of 1949 were being examined by it. The Ministry also stated that a thorough examination of substantive aspects of the protocols is needed in view of the changing nature of armed conflicts and also to deal with non-state actors and terrorists. Moreover the examination requires inter-ministerial consultations for discussing various aspects including the implication of accession to the said protocols and no time frame for completion of examination can be indicated. The Committee considered this request of the Ministry of External Affairs at their sitting held on 9 September 2005 and decided not to drop the assurance.

The Committee observe that the changing nature of armed conflicts as well as the legal framework to deal with non-state actors and terrorists has made it necessary to review the International Humanitarian Law and the Geneva Conventions. The Committee do agree with the contention of the Ministry that the examination requires inter-Ministerial consultation keeping in view the various aspects involved and also because of their evolving nature, but once the process of examination of the Geneva Convention has been commenced, it is required to be taken to its logical conclusion. In the circumstances, the Committee cannot agree to the request of the Ministry for dropping the assurance and they desire that the matter should be pursued further. The Committee would like to be apprised of the action taken by the Government in this regard.

[III] SETTING UP OF HYDRO POWER PROJECT IN NEIGHBOURING COUNTRIES

On 24 August 2004 Shri Raghuvir Singh Kaushal, MP addressed the following Unstarred Question No.3914 to the Minister of Power:-

“(a) whether the Government has held any talks with neighbouring countries for setting up Hydel Power plants on the rivers flowing from those countries into our country; and

(b) if so, the details thereof; and

2. In reply, the Minister of Power (Shri P.M. Sayeed) stated as follows:-

“(a) Yes Sir.

(b) Talks have been held with Nepal & Bhutan for setting up Hydel Power Plants on rivers flowing from those countries into our country. The status of various projects is given in Annexure.”

3. The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Power within three months of the date of the reply i.e. by 23 November 2004 but could not be fulfilled

4. The Ministry of Power vide O.M No.5/17/2004 dated 14 January 2005 requested to drop the assurance on the grounds that the matter being an international matter involved issues to be resolved among the Government of India, Nepal and Bhutan. It was also stated that the matter was not under the

control of Government of India, let alone the Ministry of Power as it involved other countries also.

5. In view of the above, the Ministry of Power requested that the above-mentioned assurance may be dropped. The Ministry also stated that it had the approval of Hon'ble Minister for Power.

A question was asked on 24 August 2004 regarding setting up of Hydro Power Projects in neighbouring countries on rivers flowing from those countries into our country and their details. In reply, it was stated that talks were held with Nepal and Bhutan in this regard. Status Report of each of the projects in Nepal and Bhutan alongwith the reply was also furnished. However, the Ministry of Power subsequently requested the Committee to drop the assurance on the grounds that the matter being an "International matter" involves resolving of issues among the Governments of India, Nepal and Bhutan and were not under the control of Government of India let along the Ministry of Power. The Committee considered this request at their sitting held on 9 September 2005 and decided not to drop the assurance.

The Committee note that five hydro electric/multi-purpose projects in Nepal and a same number of similar projects in Bhutan are under various stages of implementation. In Bhutan, two projects namely Chukha and Kurichu are already in operation and "Tala HEP" Project is under construction whereas "Punatsangchu" Project is under investigation by WAPCO and for "Sankosh MPP" Project detailed Project Report have already been prepared. However, in Nepal the projects are at initial stages of implementation and the Committee desire that further necessary action should be taken at the earliest in these projects to make them operational. The Committee are of the view that development of these projects in the neighbouring countries will enable

India to develop friendly relations with them and therefore need to be pursued. The Committee appreciate that the matter involves resolving of issues between three countries namely India, Nepal and Bhutan but, it should be pursued on priority. The Committee would like to be apprised of present status of each of the project.

[IV] ASSISTANCE TO POWER PROJECTS IN NEPAL

On 17 August 2004 Shri Shivaji Adhalrao Patil and Devendra Prasad Yadav, MPs addressed the following Starred Question No. 319 to the Minister of Power: -

- “(a) whether the Government of India has been assisting some hydro power projects in Nepal;**
- (b) if so, the details thereof along with the terms and conditions;**
- (c) the present status of each project;**
- (d) whether any project report has been prepared in this regard;**
- (e) if so, the details thereof;**
- (f) the benefits in terms of sharing of power likely to be accrued there from; and**
- (g) the details of investment made/proposed to be made in these projects by Indian Government?”**

In reply, the Minister of Power (Shri P.M. Sayeed) stated as follows:-

“(a) to (g) : A Statement is laid on the Table of the House.”

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (g) OF STARRED QUESTION NO. 319 TO BE ANSWERED IN THE LOK SABHA ON 17.08.2004 REGARDING ASSISTANCE TO POWER PROJECTS IN NEPAL.

(a) to (e) : Yes, Sir. Government of India has been assisting Nepal in development of its hydro power potential. Four Hydro electric schemes, having total installed capacity of 51.1 MW, have been implemented with Indian assistance. The details are given in Annexure-I.

Four major water resources projects having hydro electric component namely, Karnali, Pancheshwar, Sapta Koshi and Burhi Gandaki

Projects are under discussion at various levels. Besides, the possibility of development of Upper Karnali Project in Nepal by National Hydro-electric Power Corporation (NHPC) as an independent power project is also under consideration. The details of these projects are given in Annexure-II.

(f) : As per Mahakali Treaty, energy generated from Pancheshwar Project is to be shared equally by the two countries viz. India and Nepal. However, no agreement had so far been reached between the two countries as regards sharing of power from other Projects.

(g) : No decision regarding investment in the various projects under consideration has been taken so far.

ANNEXURE-I

ANNEXURE REFERRED TO IN PARTS (a) TO (e) OF THE STATEMENT LAID IN REPLY TO STARRED QUESTION NO. 319 TO BE ANSWERED IN THE LOK SABHA ON 17.08.2004 REGARDING ASSISTANCE TO POWER PROJECTS IN NEPAL.

(Amount in Rs. Crores)

Sl. No.	Name of the Grant by MEA Hydroelectric Project (GOI)	Capacity (MW)	Year of Commissioning	
1.	Pokhara	1 MW	1968	0.44
2.	Trishuli 15.19	21 MW	1969	
3.	Western Gandak	15 MW	1979	8.00
4.	Devighat 42.18	14.1MW	1983	

ANNEXURE-II

ANNEXURE REFERRED TO IN PARTS (a) TO (e) OF THE STATEMENT LAID IN REPLY TO STARRED QUESTION NO. 319 TO BE ANSWERED IN THE LOK SABHA ON 17.08.2004 REGARDING ASSISTANCE TO POWER PROJECTS IN NEPAL.

DETAILS OF HYDRO POWER PROJECTS UNDER CONSIDERATION FOR IMPLEMENTATION IN NEPAL

(i) Karnali Multi-Purpose Project(10,800 MW)

This project is proposed to be located on Karnali River in Nepal. Feasibility report of the project was got prepared by His Majesty`s Government of Nepal (HMG) from foreign consultants M/s Himalayan Power Consultants (HPC) in 1989. Discussions have been held between GOI and HMG Nepal and various key parameters are yet to be finalized.

(ii) Pancheshwar Multipurpose Project (5600 MW)

Pancheswar Multipurpose project is proposed on river Mahakali and is covered under Mahakali Treaty signed between HMG, Nepal and India in Feb, 1996. Efforts are being made to resolve the outstanding issues with Nepal and prepare a mutually acceptable DPR.

(iii) Sapta Kosi High Dam Multipurpose Project (3300 MW) and Sun Kosi Storage cum Diversion Scheme

Sapta Kosi High Dam Multipurpose Project and Sun Kosi Storage cum Diversion Scheme is proposed to be located on Kosi river near Kurule in Nepal. The project would provide irrigation and flood control benefits in Bihar and power generation of which major portion would be available to India. As mutually agreed, a Joint Project Office in Nepal is being set up and field investigations and preparation of DPR are proposed to be completed in 30 months after opening of this office.

(iv) Burhi Gandaki HE Project(600 MW)

Burhi Gandaki H.E. Project is proposed to be located in mid-western Nepal near Benighat on Burhi Gandki river, a tributary of Gandak. The project is being considered for development

with Indian cooperation. Ministry of Water Resources proposes to entrust the work of field investigations/preparation of Detailed Project Report to WAPCOS.

(v) Upper Karnali HE Project(300 MW)

The Upper Karnali HE Project is a run-of-the river project proposed to be located on river Karnali in Western part of Nepal. Feasibility Study Report for Upper Karnali Hydro-Electric Project was prepared by Canadian International Water and Energy Consultants (CIWEC). The possibility of development of this project through NHPC as an Independent Power Producer (IPP) is presently under consideration."

The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Power within three months of the date of the reply i.e. by 16 November 2004.

The Ministry of Power vide O.M.No.5/16/2004-BBMB, dated 30 June, 2005 requested to drop the assurance on the grounds that the reply was furnished based on the facts. The projects under consideration were at various stages of consideration and since these were bilateral issues, they were not entirely under the control of Government of India.

In view of the above, the Ministry requested to drop assurance and if the same cannot be dropped then an extension upto 17 October 2005 may kindly be granted. The Ministry also stated that it has the approval of Hon'ble Minister of Power.

The Committee note that a question was asked on 17 August 2004 regarding assistance to Power Projects in Nepal. The question inter-alia sought information regarding assistance of Government of India to Nepal in some hydro power projects and the benefits likely to be accrued to India. In reply, it was inter-alia stated that four hydro electric schemes having total installed capacity of 51.1 MW were implemented with Indian assistance and four major water resources projects were under discussion. It was also stated that no agreements have so far been reached between India and Nepal for sharing of power from the Projects except the 'Pancheshwar Project'. The Ministry of Power later requested the Committee to drop the assurance on the ground that projects were at various stages of consideration and since the matter is a bilateral issue, it is not under the control of Government of India. The Committee considered this request at their sitting held on 9 September 2005 and decided not to drop the assurance.

The Committee observe that four hydro electric projects namely Pokhara (1/MW), Trishuli (21/MW), Western Gandak (15/MW) and Devighat (14.1 MW) have already been commissioned in the years 1968, 1969, 1979 and 1983 respectively with Indian assistance and five other hydro electric projects and one storage-cum-diversion scheme namely Karnali Multi-purpose Project (10,800 MW), Pancheshwar Multipurpose Project (5600 MW), Sapta Kosi High Dam Multipurpose Project (3300 MW) and Sun Kosi Storage-cum-diversion scheme, Burhi Gandaki HE

Project (600 MW) and Upper Karnaili HE Project (300 MW) are under consideration for implementation. The Committee also observe that Sapta Kosi High Dam Multipurpose Project and Sun Kosi Storage cum diversion scheme proposed to be located at Kosi river near Kurule in Nepal would provide irrigation and flood control benefits in Bihar and the power generation of which major portion would be available to India. Further, expeditious completion of these projects would also mitigate the devastation caused by floods particularly in Bihar. The Committee therefore, desire that all matters relating to expeditious completion of these projects may be pursued vigorously. The Committee would like to be informed of the status of the projects.

[V] NOTICES UNDER DPEA

On 11 March 1996 Shri Somjibhai Damor, MP addressed the following Starred Question No.1235 to the Minister of Chemicals & Fertilizers:-

- “(a) whether any notices have been issued under DPEA;**
- (b) if so, the names of the companies and the amount involved therein; and**
- (c) the steps being taken to recover the due amount?”**

In reply the then Minister of Chemicals & Fertilizers (Shri Ram Lakhan Singh Yadav) stated as follows: -

- “(a) to (c): The question of the quantum of liabilities is being examined by a Three Member Committee headed by a High Court Judge.”**

Reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Chemicals & Fertilizers within three months of the date of the reply i.e. by 10 June 1996. As the Ministry could not fulfill the assurance within the stipulated time, they had requested for extension of time repeatedly to fulfill the above assurance.

The Ministry of Parliamentary Affairs forwarded U.O. No.XVI/Che.Fer.(1)USQ-1235-LS/1996 dated 21 June 2001 along with a letter of Ministry of Chemicals and Fertilizers No.10(1)96-DPEA dated 24 June 1998. In that letter, the Ministry of Chemicals and Fertilizers stated that the question of the quantum of liabilities relating to DPEA recoveries were being examined by a Three Member Committee headed by a High Court Judge, which was yet to furnish its

recommendations on all the cases referred to it. It was also stated that 71 important assessment cases involving an amount of Rs.220 crore, were referred to the Hon'ble Three Member Committee, which had already submitted its recommendations in 21 cases involving an amount of Rs.20 crore. However, some of the parties again approached the courts with a view to delay the recovery. The Ministry informed that 16 cases involving a liability of approximately Rs.90 crore were pending in various High Courts/Supreme Court. Till the disposal of these cases by the concerned courts, the Government can take no action. It is uncertain as to when each of the cases would be finalized and as such the Ministry were of the view that it will serve no purpose to keep the assurance pending indefinitely and requested the Committee to drop the assurance.

A question regarding notices under DPEA was asked on 11 March 1996. In reply, the Government stated that the question of the quantum of liabilities was being examined by a Three-Member Committee headed by High Court Judge. The reply of the Government was treated as an assurance. However, the Ministry requested the Committee to drop it stating *inter-alia* that the question of quantum of liabilities relating to Drug Price Equalization Amount (DPEA) recoveries was being examined by a Three-Member Committee headed by a High Court Judge which was yet to furnish its recommendations on all the cases referred to it. The Ministry also stated that 71 important assessment cases involving an amount of Rs. 220 crore, were referred to the Hon'ble Three-Member Committee which had already submitted its recommendations in 21 cases involving an amount of Rs. 20 crore. However, some of the parties again approached the courts with a view to delaing the recovery. The Ministry informed that 16 cases involving a liability of approximately Rs. 90 crore were pending in various High Courts/ Supreme Court. Till, the disposal of these cases by the concerned courts, no action can be taken by the Government. It was uncertain as to when each of the cases would be finalized and as such, the Ministry were of the view that it would serve no purpose to keep the assurance pending indefinitely and therefore, requested to drop the assurance. This request was considered by the Committee at their sitting held on 26 October 2005 and they decided not to drop the assurance.

The Committee note that 71 important assessment cases involving an amount of Rs. 220 crore were referred to the Hon'ble Three-Member Committee headed by a High-Court Judge which submitted its recommendations in 21 cases only involving an amount of Rs. 20 crore. The Committee also note that 16 cases involving a liability of approximately 90 crore are pending in various High Courts/ Supreme Court. The Committee are concerned over the extent of the pending recoveries and desire that the matter may be pursued vigorously for early realization of the legitimate dues to Government. The Committee also desire that alternative possibilities may be considered by the Government to thwart the efforts of the defaulting companies in approaching the Courts with a view to delaying the recovery. The Committee would like to be apprised of the latest position including the details of the recovery and the extent of pending liabilities.

CHAPTER – II
REQUEST FOR DROPPING OF ASSURANCES (ACCEPTED)

[I] ILLEGAL PAK IMMIGRANTS AND WHITE PAPER ON ISI ACTIVITIES

On 29 November 1999 Shri Adhir Chowdhury and Shrimati Shyama Singh M.P addressed the following Starred Question No.1 to the Minister of Home Affairs:-

- “(a) whether a large number of Pak immigrants are staying illegally in various parts of the country;**
- (b) if so, the details in this regard;**
- (c) whether their stay is adversely affecting our economy and security; and**
- (d) if so, the details thereof and the steps being taken to check such illegal immigration in the country?”**

In reply the then minister of home affairs (Shri L.K. Advani) stated as follows: -

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

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (d) OF THE LOK
SABHA STARRED QUESTION NO.1 FOR ANSWER ON 29.11.1999**

(a) to (d): As per available information, as on 31 July 1999, regarding Pak nationals who visited India, a total of 11,327 Pak nationals were reported to have not returned after their authorised stay. Of these, 8,700 have overstayed and 2,627 are reported untraced.

The State-wise breakup is as follows:-

Sl.No.	Name of State	Overstaying	Untraced	Total
1.	Andhra Pradesh	21	29	50
2.	Bihar	23	36	59
3.	Delhi	07	90	97
4.	Gujarat	621	20	641
5.	Haryana	611	-	611
6.	Karnataka	01	68	69
7.	Kerala	284	112	396
8.	Madhya Pradesh	869	231	1100
9.	Maharashtra	244	1172	1416
10.	Orissa	24	08	32
11.	Punjab	137	-	137
12.	Rajasthan	4658	75	4733
13.	Tamil Nadu	97	20	117
14.	Uttar Pradesh	670	400	1070
15.	West Bengal	329	362	691
16.	J&K	94	04	98
17.	Goa	10	-	10
	Total	8700	2627	11327

The Central Government is in constant dialogue with the State Governments/Union Territory Administrations on the subject of tracing out such Pak nationals and to deport them. Steps taken to check such illegal immigration include border fencing, flood-lighting, construction of patrolling tracks, upgradation of intelligence capabilities at the border and improved border management including multi-tiered deployment of army, CPMFs and State police for checking of infiltration at the LOC/border.

Shri Adhir Choudhary asked a supplementary question that the Government had promised that a white paper on ISI activities would be published. In reply the then Minister of Home Affairs Shri L.K. Advani inter-alia stated that the proposal for white paper on ISI is still under consideration with the Government. At a proper time, the Government would make an announcement.

The above reply was treated, as an assurance was required to be fulfilled by the Ministry of Home Affairs within three months. As the Ministry could not fulfill the assurance within the stipulated time, they had sought extension of time upto 16 July 2005.

On 3 March 2000, S/Shri G.S. Basavaraj, Madhavrao Scindia, Sushil Kumar Shinde, Bhim Dahal, MPs addressed the following Unstarred Question No.1884 to the Minister of Home Affairs:-

“(a) Whether the Government have prepared or preparing a ‘White paper’ on the role of Pakistan’s Inter Services Intelligence in terrorist activities in India

including that on intrusions by Pakistani Militants and forces in Kargil;

(b) if so, the facts thereof; and

(c) the time by which it is likely to be laid on the table of the House?"

In reply the then Minister of State in the Ministry of Home Affairs (Shri I.D. Swami) stated as follows:-

"(a), (b) & (c): Preparation of a White Paper on the role of Pakistan's Inter Services Intelligence in terrorist activities in India is under consideration."

The above reply was treated, as an assurance was required to be fulfilled by the Ministry of Home Affairs within three months. As the Ministry could not fulfill the assurance within the stipulated time, they had sought extension of time upto 16 July 2005.

On 25 April 2000, S/Shri Braj Mohan Ram, Kumari Uma Bharati, Ramsheth Thakur, C.P. Rahdakrishnan, Ashok N. Mohol, C. Sreenivasan, Naresh Puglia, Smt. Kanti Singh and Shri Ram Prasad Singh, M.Ps., addressed the following Unstarred Question No. 4720 to the Minister of Home Affairs:-

"(a) Whether the Government have with held its decision to bring out a white paper on ISI activities in the country; and

(b) if so, the reasons therefore?

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

“(a) & (b) : All relevant aspects pertaining to a White Paper on ISI activities are under close examination at present.”

The above reply was treated, as an assurance was required to be fulfilled by the Ministry of Home Affairs within three months. As the Ministry could not fulfill the assurance within the stipulated time, they had sought extension of time upto 16 July 2005.

On 1 August 2000, Shri Y.S. Vivekananda Reddy and Shri Anant Gudhe, MPs addressed the following Starred Question No.135 to the Minister of Home Affairs:-

- “(a) Whether the Government propose to bring the White Paper on ISI activities in India;**
- (b) if so, the reasons for not publishing the same;**
- (c) the time by which it is likely to be published;**
- (d) whether activities of ISI like involvement in bomb explosions, attacks on Christians etc. are increasing in various parts of the country; and**
- (e) if so, the steps taken by the Government to curb the ISI activities in the country?”**

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

“(a), (b), (c), (d) & (e) : A statement is laid on the Table of the House.”

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.135 DATED 1.8.2000 REGARDING WHITE PAPER ON ISI ACTIVITIES.

(a),(b)&(c): All relevant aspects pertaining to preparation of a White Paper on ISI activities in India are at present under close examination in the Government.

(d)&(e): There is no let up in the activities of the ISI in sponsoring terrorism in the country and extending various kinds of support including weapons, financial assistance, arms training etc. to the militant outfits operating in the country.

The activities of ISI and all other organisations having a bearing on maintenance of communal harmony in the country are under constant watch of law enforcement agencies and requisite legal action is taken, whenever necessary.

Government has taken various steps to combat the sinister designs of Pak ISI by sensitising and gearing up the intelligence machinery, sharing of intelligence and coordinated action by Central and State agencies. As a result of the steps taken a number of ISI backed modules have been neutralised in various parts of the country.

The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Home Affairs within three months. As the Ministry could not fulfill the assurance within the stipulated time, they had sought extension of time upto 16 July 2005.

On 13 March 2001, Shri Sushil Kumar Indora and Shri Ramji Lal Suman, MPs addressed the following Starred Question No. 223 to the Minister of Home Affairs:-

- “(a) whether the Government have identified the sensitive areas and the areas in which ISI has its strong foothold in the country;**
- (b) if so, the names of the areas thus identified; and**
- (c) the action plan of the Government, if any, to deal with the situation in such areas?”**

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

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

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 223 DUE FOR ANSWER ON 13.03.2001.

(a)&(b): The Government is aware that ISI of Pakistan is involved in aiding, abetting and supporting terrorism in various parts of the country. Activities of Pak ISI have been noticed mainly in Jammu and Kashmir, Punjab, certain North-Eastern States, areas along Indo-Nepal border and also in certain other parts of the country

(c): In order to deal with the situation, Government have adopted a well-coordinated and multi-pronged approach for tackling the activities of ISI which includes strengthening the border management, galvanizing the intelligence machinery, neutralizing plans of ISI by well coordinated intelligence based operations, setting up of out-posts of security forces in vulnerable areas and modernization and upgradation of police and security forces with advanced

sophisticated weapons and communication system etc. Central Government has also been sensitizing the State Governments about the threat perception and activities of ISI in the country. Periodic coordination meetings are also held with the State Governments for sharing the inputs from various quarters as well as for devising strategies to counter such activities. Various security agencies belonging to Union and States have been working together to check the activities of ISI. As a result of coordinated action, a number of ISI backed modules have been neutralized. Diplomatic initiatives have also been taken with various countries to enlist their support in countering the activities of militant groups.

Shri Ramjilal Suman in a supplementary question desired to know about white paper on ISI activities. In reply the Minister of State in the Ministry of Home Affairs (Shri Ch. Vidyasagar Rao) inter-alia stated that all aspects pertaining to the publishing of the white paper are under the active consideration of the Government.

The above reply was treated, as an assurance and was required to be fulfilled by the Ministry of Home Affairs within three months. As the Ministry could not fulfill the assurance within the stipulated time, they had sought extension of time upto 16 July 2005.

On 7 August 2001, Shri Anant Gudhe, MP addressed the following Unstarred Question No.2363 to the Minister of Home Affairs:-

- “(a) the details of initiatives taken/proposed to be taken by the Government to curb ISI activities in the country;**
- (b) whether the Government propose to bring out a white paper on the activities of ISI in the country;**
- (c) if so, the time by which it is likely to be published;**
and
- (d) if not, the reasons therefore?”**

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

“(a): The Government is aware that ISI of Pakistan is involved in aiding, abetting and supporting terrorism in various parts of the country.

In order to deal with the situation, Government have adopted a well-coordinated and multi-pronged approach for tackling the activities of ISI which includes strengthening the border management, galvanizing the intelligence machinery, neutralizing plans of ISI by well coordinated intelligence based operations, setting up of out-posts of security forces in vulnerable areas and modernization and up gradation of police and security forces with advanced

sophisticated weapons and communication system etc.

Central Government has also been sensitizing the State Governments about the threat perception and activities of ISI in the country. Periodic coordination meetings are also held with the State Governments for sharing the inputs from various quarters as well as for devising strategies to counter such activities. Various security agencies belonging to Union and State have been working together to check the activities of ISI. As a result of coordinated action, a number of Pakistan backed modules have been neutralized.

Diplomatic initiatives have also been taken with various countries to enlist their support in countering the activities of militant groups.

(b), (c) & (d): Various aspects pertaining to a White Paper on ISI activities in India re presently under consideration of the Government."

The above reply was treated, as an assurance and was required to be fulfilled by the Ministry of Home Affairs within three months. As the Ministry could not fulfill the assurance within the stipulated time, they had sought extension of time upto 16 July 2005.

On 11 November 2002, Shri Shivraj Singh Chouhan, MP addressed the following Unstarred Question No. 1203 to the Minister of Home Affairs:-

- “(a) whether the Government propose to issue a white paper on ISI activities in the country;**
- (b) if so, the details thereof; and**
- (c) the time by which such paper is likely to be issued?”**

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

“(a) to (c): The preparation of a White Paper on ISI activities in India is under consideration of the Government.”

The above reply was treated as assurance and was required to be fulfilled by the Ministry of Home Affairs within three months. As the Ministry could not fulfill the assurance within the stipulated time, they had sought extension of time upto 30 September 2005.

The Ministry of Home Affairs vide their O.M. No.II-13012/18/2000/IS.I dated 3 June 2005 requested to drop the assurances. They also stated vide their O.M. No.II-13012/18/2000/IS.US.D.II dated 5 October 2004 that keeping in view the overall national interest White Paper cannot be made public but it is to be kept ready to be used at an appropriate time. The Ministry have also informed that Committee on Government Assurances, Rajya Sabha, has dropped similar assurances on the grounds that Pakistan has waged a low grade proxy-war against India. It has consistently used, over the last two decades, terrorism and covert

action as an instrument of state policy against us. It has recruited, trained financed, armed and infiltrated terrorist into our country. It has not only provided sanctuary to know anti-India elements as well as to the fugitives from the Indian law but also tried to de-stabilize the country, by promoting dis-affection towards the Indian states among vulnerable sections of our society. This fact came out openly in the form of Kargil intrusion in 1999. Pakistan's Intelligence agency ISI has been the country's principal instrument for fomenting unrest, violence and terrorism in India. Keeping in view the gravity of the situation prevailing at that time, the MHA on 15 October 1998 made a very comprehensive and objective presentation on sinister activities of Pak ISI in our country before the Members of the Consultative Committee of the Ministry of Home Affairs. A demand was made at that time for a White Paper on the entire gamut of ISI's anti-India operations. In deference to the wishes of the honorable Members of Parliament, an exercise was undertaken to prepare the White Paper and in this connection, substantial information and evidence has been gathered. The Government agencies have neutralized more than 180 ISI backed terrorist modules in the last six years (1998-2003) which were designed to target security forces, vital installations and communication links and cause financial instability by circulating large amounts of counterfeit currency notes and drug trafficking. The nexus of Pak ISI with the militant outfits active in the North-East and its attempts to revive militancy in Punjab have also come to notice. The agency has floated a number of fundamentalist organizations sympathetic to its cause and is gradually proceeding to subvert the established system in the country by making use of local

underworld and its linkage with organized crime. To complete the intelligence encirclement of India, the ISI is spreading its tentacles across Nepal, Bangladesh and the Indian ocean. The available evidence definitively points out misuse of the territories of our immediate neighbourhood by the ISI. These countries have been sensitized about these developments and their cooperation has been sought in putting an end to anti-India operations from their soil. The matter regarding making the White Paper public has been reviewed. Cases revealing involvement of Pak ISI have been registered in various parts of the country. It is considered advisable not to make public the details of such cases till the completion of investigation. Similarly, it may not be appropriate to make public the details of cases, which are under trial lest it is construed to be an attempt to influence the course of matters, which are sub-judice. Another crucial factor concerns compromising operational assets of security and intelligence agencies, which could be, counter productive to our own operations and would also give away our sources of information. This may, in fact, prove detrimental to over all national interests and sub-serve Pakistan's interests. Having regard to all these considerations and keeping in view the emerging security scenario and the continued efforts to normalize relations with Pakistan, it was felt that Government at this juncture could not go public with the White Paper. However, a draft White Paper has been kept ready to be used for release at an appropriate time.

There is no change in the situation and keeping in view the ongoing peace initiatives with Pakistan the Ministry still feels that at this juncture the White Paper on ISI activities cannot be made public in the national interest.

The Ministry of Home Affairs, therefore, requested the Committee on Government Assurances, to drop the assurances.

The Committee note that seven questions were asked from November 1999 to November 2002 regarding illegal Pak immigrants and for a White Paper on ISI activities. In reply to each of the question an assurance was given that preparation of a White Paper on ISI activities in India was under consideration of the Government. Accordingly, these replies were construed as assurances and were required to be fulfilled within three months of the date of their replies. However, the assurances remained unfulfilled and the Ministry of Home Affairs requested the Committee to drop all the seven pending assurances on the ground that White Paper could not be made public keeping in view the overall national interest. The Ministry submitted a detailed note on ISI activities and also submitted reasons for not bringing out the White Paper. This request of the Ministry was considered by the Committee at their sitting held on 9 September 2005 and having satisfied by the reasons advanced by the Ministry the Committee acceded to the request of the Ministry to drop the assurances.

[II] RECOMMENDATIONS OF CORE GROUP ON ADMINISTRATIVE REFORMS

On 2 March 2005, S/Shri P. Mohan and Jual Oram, MPs addressed the following Unstarred Question No. 426 to the Prime Minister :-

- “(a) the recommendations given by the Core Group of Administrative Reforms (CGAR);**
- (b) Whether the Government proposes to reduce the age limit for entry into Civil Services as reported in the ‘Indian Express’ dated 15 January 2005;**
- (c) if so, the details thereof;**
- (d) whether the Government proposes to take steps to protect the interests of post-graduates and the graduates from the disciplines like law, Medicines and Engineering who may not be able to get even the minimum three chances for appearing in the Civil Services Examinations; and**
- (e) if so, the details thereof?”**

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

- “(a) :A statement is attached.**
- (b), (c), (d) & (e): Alagh Committee on Recruitment and Selection Procedure (2001) and Hota Committee on Civil Services Reforms (2004) have recommended lowering of maximum age for entry into civil services. No decision has been taken by the Government in this regard.”**

The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Personnel, Public Grievances and Pensions within three months of the date of the reply i.e. by 1 June 2005.

The Ministry of Personnel, Public Grievances and Pensions vide O.M.No.H-11016/1/2005-RC dated 31 May 2005 requested for dropping of the assurance on the grounds that the recommendations given by the Core Group on Administrative Reforms (CGAR) mentioned in para 5 of the Statement in reply to part (a) of the Question cited above relating to Civil Service Reforms basically stems out of the recommendations made by various Committees, namely, (i) Alagh Committee on Recruitment and Selection Procedures (2001), (ii) Surinder Nath Committee on Performance Appraisal and Placement for the All India Services and other Group 'A' Services (2003), (iii) Yugandhar Committee on In-Service Training (2003) and (iv) Hota Committee on Civil Service Reforms (2004).

The Ministry further stated that the Government had decided to set up an Administrative Reforms Commission (ARC) to prepare a blueprint for revamping the public administration system, which would include the entire gamut of reforms in Civil Services. The Commission would take into account the recommendations made by various Committees while finalizing the recommendations. The decision on a number of recommendations made by the CGAR may, therefore, have to wait till the recommendations of the ARC become available. Even thereafter Government would be in a position to take a view on such recommendations only

after extensive consultations with all stakeholders including the State Governments.

In view of the above, the Ministry requested that the above-mentioned assurance may either be dropped or not treated as an assurance. The Ministry also stated that it had the approval of Hon'ble Minister of State for Personnel, Public Grievances and Pensions.

A question regarding recommendations of Core Group of Administrative Reforms was asked on 2 March 2005. In reply, the Government stated that Algah Committee on Recruitment and Selection Procedure (2001) and Hota Committee on Civil Services Reforms (2004) have recommended lowering of maximum age for entry into Civil Services. No decision has been taken by the Government in this regard. The reply was construed as an assurance, but the Ministry requested the Committee to drop it stating *inter-alia* that the recommendations given by the Core Group on Administrative Reforms (CGAR) regarding Civil Service Reforms basically stems out of the recommendations made by various Committees namely; (i) Algah Committee on Recruitment and Selection Procedures 2001; (ii) Surinder Nath Committee on Performance Appraisal and Placement for the All India Services and other Group 'A' Services (2003); (iii) Yugandhar Committee on Inter-Service Training (2003); and (iv) Hota Committee on Civil Service Reforms (2004).

The Ministry also informed the Committee that the Government has since decided to set up an Administrative Reforms Commission, ARC to prepare a blueprint for public administration system which would include all reforms in Civil Services. The Commission would take into account recommendations made by various Committees while finalizing the recommendations. The decision on a number of recommendations made by the CGAR may, therefore, have to wait till the

recommendations of the ARC become available. Even thereafter Government would be in a position to take a view of such recommendations only after extensive consultation with all stakeholders including the State Governments. This request was considered by the Committee at their sitting held on 26 October, 2005 and having satisfied by the reasons advanced by the Government acceded to the request of the Government to drop the assurance. The Committee however, desire that Government should take all steps to expedite the matter. They also would like to be furnished with a copy of the Report of the Administrative Reforms Commission, in due course.

[iii] MORE POWER TO STATE GOVERNMENT

On 14 December 2004, Shri D. Vittal Rao, M.P addressed the following Unstarred Question No. 2079 to the Minister of Home Affairs:-

- “(a) whether State Governments have been demanding more power;**
- (b) if so, the details thereof; and**
- (c) the reaction of the Union Government thereto?”**

In reply the Minister of State in the Ministry of Home Affairs (Shri Manikrao Hodlya Gavit) stated as follows:-

“(a) to (c); A statement is attached.

**STATEMENT REFERRED TO IN REPLY TO THE LOK SABHA
UNSTARRED QUESTION NO. 2079 FOR REPLY ON 14.12. 2004**

(a) to (c):

The Government of India had constituted a Commission in June, 1983 under the chairmanship of Justice R.S. Sarkaria “to examine and review the working of the existing arrangements between the Union and the States in regard to powers, functions and responsibilities in all spheres and recommend such changes or other measures as may be necessary with a view to developing harmonious Centre-State Relations.” It gave its recommendations on all aspects affecting Centre-State relations.

The Inter-State Council which consists of all Chief Ministers and Administrators of States and UTs, has considered the recommendations of the Sarkaria Commission and accepted a number of recommendations for devolution of more powers to the State Governments. These recommendations relate to administrative, legislative and financial powers etc, to the States While deliberating on the recommendations of the Sarkaria Commission in the meetings of the Inter-State Council, representatives of some State Governments have spoken in support of recommendations relating to devolution of more powers to the State Governments. The Sarkaria Commission had made 247 recommendations, all of which have been deliberated upon by the Inter-State Council in its eight meetings held so far. Out of 247 recommendations on which final view has been taken, 62 have not been accepted by the Inter-State Council/Administrative Ministries, 179 have been implemented and 06 are at different stages of implementation in the concerned Ministries/Departments. The Inter-State Council Secretariat is closely monitoring the implementation of these recommendations. The Government is examining their demands for taking appropriate decisions.

The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Home Affairs within three months of the date of reply i.e. by 14 March 2005. As the Ministry could not fulfill the assurance within the stipulated time, they sought extension of time upto 13 September 2005 or till a

decision is taken by the Committee on Government Assurance, Lok Sabha to drop the assurance.

The Ministry of Home Affairs vide their O.M. No.IV/13012/8/2004-CSR dated 8 June 2005 requested for dropping of the assurance on the grounds that whenever demands for devolution of more powers to States were received they were duly considered and appropriate action was taken. Rearrangements of sharing of powers to Union and States being a continuous process within the overall framework of the Constitution of India. No time frame can therefore, be given for completion of this process.

The Ministry therefore, requested the Committee on Government Assurances to drop the assurance. The Ministry also stated that it has the approval of MOS (G) in the Ministry of Home Affairs.

The Committee note that a question regarding more power to State Government was asked on 14 December, 2004. In reply it was *inter-alia* stated that R.S. Sarkaria Commission was constituted in June 1983 to examine and review the working of the existing arrangements between Union and the States and also to recommend changes to develop harmonious Centre-State relations. The Commission gave recommendations on all aspects effecting Centre-State relations and out of 247 recommendations given by the Commission 62 were not accepted by the Inter-State Council, 179 were already implemented and 06 were at different stages of implementation and were being monitored besides examination of demands by the Government for taking appropriate decisions. The Committee at their sitting held on 26 October, 2005 considered the request and having satisfied by the reasons advanced by the Government acceded to the request of Government to drop the assurance. However, they desire that the remaining six recommendations which were stated to be under different stages of implementation, should also be pursued to their logical conclusion within a definite time frame.

[iv] FUNDS TO KERALA FOR DEVELOPMENT OF SPORTS

On 6 December 2004, Shri, P.C. Thomas, MP addressed the following Unstarred Question No. 755, to the Minister of Youth Affairs and Sports:-

- “(a) the details of the projects pending with the Union Government regarding development of sports in Kerala alongwith latest position thereof;**
- (b) whether Sports Authority has spent only around Rs.1.00 crore in Kerala against the total plan allocation of Rs. 125 crores for 2003-04;**
- (c) if so, the reasons therefor;**
- (d) the funds allocated to State during 2004-2005;**
- (e) whether the State Government has requested to allocate more funds to State; and**
- (f) if so, the reaction of the Union Government thereto?”**

In reply to the above question, the then Minister of Youth Affairs and Sports (Late Shri Sunil Dutt) stated as follows:-

- “(a) The status of the proposals received from the Government of Kerala under the Scheme of “Grants for creation of Sports Infrastructure” since 2001-2002 till 1.12.2004 have been placed in the enclosed annexure.**
- (b) & (c): There was no specific allocation by sports Authority of India (SAI) to the State of Kerala. Actual expenditure of Rs.82.24 lakhs was incurred during 2003-2004 for implementation of various schemes of SAI through Special Area Games/State Training Centres of SAI, located at various places in Kerala.**

- (d) State-wise funds are not allocated under the sports infrastructure schemes of the Ministry.**
- (e) and (f) "Sports" is a State-subject. Central Government supplements the efforts of the State Governments by providing central assistance in accordance with the approved pattern, subject to the receipt of viable proposals. The status of infrastructure proposals received has already been indicated in the enclosed Annexure."**

ANNEXURE

ANNEXURE REFERRED TO IN REPLY TO PART (a) OF THE LOK SABHA UNSTARRED QUESTION NO. 755 FOR 6.12.2004 BY SHRI P.C.THOMAS REGARDING FUNDS TO KERALA FOR DEVELOPMENT OF SPORTS.

From 2001-2002 till date (1.12.2004)

Sl.No	Project	Status
1	Development of playfield at Govt. High School, Azkikode, Distt. Kannur	Deficiencies intimated on 6.8.2001.
2	Basketball court at YMCA, Cochin	Deficiencies intimated on 15.7.2003.
3	District Level Sports Complex at Idukki	Deficiencies intimated on 7.1.2004.
4	Stadium at Kodumon Grama Panchayat Pathanamthilla	Deficiencies intimated on 12.7.2002.
5	District Level Sports Complex at Attingal, Trivandrum	Rs.98.00 lakhs approved in principle on 30.9.2003
6	Indoor Stadium at Nedumangad Municipality Distt. Thiruvananthapuram	Rs.67.50 lakhs approved in principle on 20.2.94.
7	Indoor/Outdoor Stadium at Vadakara Municipality Distt. Kozhikode	Deficiencies intimated on 16.8.2004
8	Volleyball court at Udyam Kala Kayika Vedi, Poonath, Distt. Kozhikode	Proposal placed before the GIA Committee on 5.10.2004 which has been processed for IFD's concurrence
9	Chakkittapara Grama Panchayat for Development of Football/Volleyball & Basketball court at Chakkittapara, Distt. Kozhikode	-- do --
10	Outdoor Stadium at Kattappana Grama Panchayat, Distt. Idukki	Information about availability of funds sought on 25.10.2004
11	District level sports Complex at Meenangadi Grama Panchayat, Distt. Waynad	Deficiencies intimated on 30.4.2004.
12	Outdoor Stadium at Nadakkavu Valiyakovval Distt. Kasaradoge	Deficiencies intimated on 29.12.2003.
13	Outdoor Stadium at Kalikkadavu by Palicode Grama Panchayat, Distt. Kasargode	Deficiencies intimated on 23.8.2004.
14	Indoor Stadium at Punalur Municipality, Distt. Kollam	Rs. 67.50 lakhs approved in principle on 1.12.2004.
15	Indoor Stadium at Palakkad Municipality Palaghat Distt.	Deficiencies intimated on 27.2.2004.
16	Indoor Stadium at Thrippayar, Thrisur	Proposal placed before the GIA Committee on 5.10.2004 Recommendation of the Committee is under process.
17	Indoor Stadium at Diana Sports & Arts Club, Mananthavady, Distt Waynad	Proposal placed before the GIA Committee on 5.10.2004 Recommendation of the Committee is under process.
18	Indoor stadium at Kaniyamkulam, Distt Alappuzha	Deficiencies conveyed on 8.11.2004.
19	Indoor Stadium at Pramadam Grama Panchayat, Distt Pathanamthitta	Deficiencies conveyed on 1.12.2004
20	Volleybal Indoor Court & Players Hostel at Karanthur in Kozhikode	Under examination
21	Indoor Stadium at Kalpetta Municipality, Waynad	Under examination

The above reply was treated as an assurance and was required to be fulfilled by the Ministry of Youth Affairs & sports within three months of the date of reply i.e. 6 March 2005. As the Ministry could not fulfill the assurance within the stipulated time, they had sought extension of time.

The Ministry of Youth Affairs & Sports vide their O.M. No.F.11016-31/2004-SP.I, dated 19 May 2005 requested for dropping of the said assurance on the ground that it has been decided by the Planning Commission to transfer all the Centrally sponsored Sports Infrastructure Schemes of the Ministry to the state sector w.e.f 1 April 2005 and accordingly, no funds were allocated during 2005-06 under the Sports Infrastructure Schemes of the Ministry. As such, Sports Infrastructure proposals were not being processed in the Ministry for Central Assistance. All Chief Secretaries of the States/UTs were informed accordingly.

In view of the above, the Ministry requested the Committee on Government Assurances to drop the assurance. The Ministry also stated that it has the approval of Minister (YA &S).

A question was asked regarding funds to Kerala for Development of sports on 6 December, 2004. In reply, it was inter-alia stated that proposals were received from the Government of Kerala under the scheme "Grants for Creation of Sports infrastructure and there was no specific allocation by Sports Authority of India (SAI) to the State of Kerala, State-wise funds are not allocated under the sports infrastructure scheme of the Ministry. It was also stated that 'Sports' is a State subject and the efforts of the State Government are supplemented by the Central Government by providing central assistance in accordance with the approval pattern subject to the receipt of viable proposals. This reply was construed as an assurance. Accordingly the Ministry requested the Committee to drop the assurance on the ground that it has been decided by the Planning Commission to transfer all the Centrally Sponsored Sports Infrastructure Schemes of the Ministry to the State sector w.e.f. 1.4.2005 and accordingly no funds allocated during 2005-06 under the Sports Infrastructure Schemes of the Ministry. As such, Sports Infrastructure proposals are not being processed in the Ministry for Central Assistance. The Committee considered this request of the Ministry at their sitting held on 26 October, 2005 and having satisfied by the reasons advanced by the Ministry acceded to the request of the Government to drop the assurance.

[v] PASSPORT ADVISORY COMMITTEE

On 22 November 2000, Shri Haribhai Choudhary, MP addressed the following Unstarred Question No. 638 to the Minister of External Affairs :-

- “(a) whether the Government propose to set up Passport Advisory Committee**
- (b) if so, the details thereof; and**
- (c) if not, the reasons therefore?”**

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

- “(a) No Sir.**
- (b) Does not arise.**
- (c) The working of the passport offices is already being closely monitored by the Standing Committee of the Parliament on External Affairs. They have also visited a number of passport offices during the last one year. The functioning of the passport offices are also open for discussion in Consultative Committee.”**

The reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of External Affairs within three months of the date of the reply i.e. by 21 February 2001.

The Ministry of External Affairs vide O.M.No.VI/125/3/04 dated 12 July 2005 requested to drop the assurance on the grounds that the answer in clause (C) which stated that “the functioning of the passport offices are also open for discussion in Consultative Committee” meant to convey that the functioning of the

passport offices is also discussed in Consultative Committee meetings and did not intend to give an Assurance to the Hon'ble Lok Sabha on the subject. The translation in Hindi had been made wrongly which stated that the working of the passport offices "are being discussed in the Consultative Committee" whereas the translation should have meant "the working of the passport offices is also discussed in the Consultative Committee" under the control of Government of India.

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

The Committee note that question regarding Passport Advisory Committee was asked on 11 November 2000. In reply it was *inter-alia* stated by the Government that the Standing Committee on External Affairs visited a number of passport offices and was closely monitoring its working. It was also stated that the working of the passport offices are also open for discussion in Consultative Committee. The reply was treated as an assurance. The Ministry therefore requested the Committee to drop the assurance on the ground that the Hindi translation was erroneous as the reply was meant to convey that the functioning of the passport offices is also discussed in Consultative Committee meetings and did not intend to give an assurance. The Committee at their sitting held on 26 October 2005 considered the request and having satisfied by the reasons advanced by the Ministry decided to drop the assurance.

NEW DELHI;
14 December 2005

23 Agrahayana 1927 (Saka)

HARIN PATHAK
CHAIRMAN
COMMITTEE ON GOVERNMENT ASSURANCES

MINUTES
FIRST SITTING

Minutes of the sitting of the Committee on Government Assurances (2005-2006) held on September 9, 2005 in Committee Room 'C', Parliament House Annexe, New Delhi.

The Committee sat on Friday, September 9, 2005 from 1100 hours to 1200 hours.

PRESENT

CHAIRMAN

Shri Harin Pathak

Members

2. Shri J.M. Aaroon Rashid
3. Shri Anandrao Vithoba Adsul
4. Shri Jigajinagi Ramesh Chandappa
5. Shri Biren Singh Engti
6. Shri Mohan Jena
7. Shri Sunil Khan
8. Shri A. Venkatesh Naik
9. Shri M. Shivanna
10. Shri Aruna Kumar Vundavalli

Secretariat

- | | | |
|------------------------------|----------|-----------------------------|
| 1. Shri S.K. Sharma | - | Additional Secretary |
| 2. Shri P. Sreedharan | - | Joint Secretary |
| 3. Shri A.K. Singh | - | Director |
| 4. Shri K. Jena | - | Under Secretary |

2. At the outset, the Chairman welcomed the Members to the First Sitting of the Committee and apprised them briefly about the assurances pending from 8th Lok Sabha to 14th Lok Sabha (3rd Session) and solicited their cooperation to pursue them for fulfillment. The Committee also considered the following five memoranda regarding requests received from various Ministries for dropping assurances:-

Memorandum No.42 Request for dropping of assurance given in reply to various SQ/USQs tabled from 19.11.1999 to 26.11.2002 regarding 'Illegal Pak Immigrants and 'White paper on ISI activities'.

The Committee considered the above memorandum and agreed that keeping in view the overall national interest, the White Paper should not be made public at the present juncture. The Committee, therefore, decided to drop the assurance.

Memorandum No.43 Request for dropping assurance given on 20th December, 2002 in reply to USQ No. 4954 regarding 'Reforms in Labour laws.'

The Committee considered the above memorandum and observed that the matter of reforms in labour laws is in the interest of thousands of labourers and affects a large section of people of the society. The Committee desired that the Status Report regarding reforms on labour laws may be furnished for their consideration and decided that the representatives of the concerned Ministry may be called for oral evidence before the Committee. The Committee therefore decided not to drop the assurance.

Memorandum No.44 Request for dropping of assurance given on 2nd December, 2004 in reply to USQ No. 439 regarding 'Pipelines for petroleum products between Indore-Delhi'.

The Committee considered the above memorandum and noted that the likely date of completion of BPCL Indore-Delhi Pipeline Project is 24.09.2006 and desired that the Status Report regarding the work undertaken for completion of the project may be furnished for their consideration. The Committee, therefore, decided not to drop the assurance.

Memorandum No.45 Request for dropping of assurance given on 23rd March, 2005 in reply to USQ No. 3079 regarding 'Fake Purchases by National Physical Laboratory'.

The Committee considered the above memorandum and decided not to drop the assurance. The Committee noted that the case is pending with CBI for investigation. The Committee, therefore decided to call the representatives of CBI for evidence and discuss this issue along with other pending issues with them relating to various Ministries.

Memorandum No.46 Request for dropping of assurance given on May 4, 2005 in reply to Unstarred Question No.5894 regarding 'Examination of 1977 Protocols to Geneva Convention'.

The Committee considered the above memoranda and noted that the issue of reviewing International Humanitarian law and the Geneva conventions has acquired salience in the light of the changing nature of armed conflict as well as the legal framework to deal with non-State actors and terrorists. A thorough

examination of substantive aspects of these protocols is therefore, needed. The Committee also observed that the assurance was given on May 4, 2005 and only five months have elapsed. The Committee decided not to drop the assurance.

The Committee also decided to undertake Study Tour during the month of September and authorized the Hon'ble Chairman to finalise the Tour programme.

The Committee then adjourned.

MINUTES
SECOND SITTING

Minutes of the sitting of the Committee on Government Assurances (2005-2006) held on 26 October 2005 in Committee Room No. 62, Parliament House, New Delhi.

The Committee sat on Wednesday 26 October 2005 from 1100 hours to 1200 hours.

PRESENT

CHAIRMAN

Shri Harin Pathak

Members

2. Shri Anandrao Vithoba Adsul
3. Shri Ajit Singh
4. Shri Jigajinagi Ramesh Chandappa
5. Shri Mohan Jena
6. Shri Sunil Khan
7. Shri Kailash Meghwal
8. Shri Aruna Kumar Vundavalli
9. Shri Kailash Nath Singh Yadav

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri T.K. Mukherjee - Director
3. Shri K. Jena - Under Secretary

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

Memorandum No.47 Request for dropping of assurance given on 2 March 2005 in reply to Unstarred Question No. 426 regarding 'Recommendations of Core Group on Administrative Reforms'.

The Committee considered the above memorandum and noted that the Government has since decided to set up an Administrative Reforms Commission (ARC) to prepare a blue print for revamping the public administration system, which would include the entire gamut of reforms in Civil Services. The decision on a number of recommendations made by the CGAR, may therefore have to wait till the recommendations of the ARC become available. The Committee therefore decided to drop the assurance. However the Committee desired that a copy of the ARC report may be furnished to the Committee.

Memorandum No.48 Request for dropping of assurance given on 14 December 2004 in reply to Unstarred Question No. 2079 regarding 'More Power to State Governments'.

The Committee considered the above memorandum and observed that Sarkaria Commission had made 247 recommendations, all of which have been deliberated upon by the Inter-State Council in its eight meetings held so far and out of 247 recommendations on which final view has been taken, 62 have not

been accepted by the Inter-State council/Administrative Ministries, 179 have been implemented and 06 are at different stages of implementation in the concerned Ministries/Department. Moreover the recommendations are being closely monitored by the Inter-State Council Secretariat. The Committee therefore decided to drop the assurance but desired that the remaining 06 recommendations may be pursued in a definite time frame.

Memorandum No.49 Request for dropping of assurance given on 6 December 2004 in reply to Unstarred Question No. 755 regarding 'Funds to Kerala for Development of Sports'.

The Committee considered the above memorandum and noted that the Planning Commission has decided to transfer all the Centrally Sponsored Sports Infrastructure Schemes of the Ministry to the State sector w.e.f. 1 April 2005 and therefore no funds have been allocated during 2005-2006 under the Sports Infrastructure Schemes of the Ministry. As such, the Committee decided to drop the assurance.

Memorandum No.50 Request for dropping of assurance given on 24 August 2004 in reply to Unstarred Question No. 3914 regarding 'Setting up of Hydro Power Project in Neighboring Countries'.

The Committee considered the above memorandum and noted that the Government had held talks with neighbouring countries for setting up of Hydel Power Plants. The Committee desired that the matter should be pursued further for setting up of the power plants. Accordingly, the Committee decided not to

drop the assurance. The Committee desired that the status report of the projects may be furnished.

Memorandum No.51 Request for dropping of assurance given on 17 August 2004 in reply to Starred Question No. 319 regarding 'Assistance to Power Projects in Nepal'.

The Committee considered the above memorandum and found that the projects are at various stages of consideration. The Committee desired that the matter may be pursued further and the status report of the projects be furnished. The Committee therefore decided not to drop the assurance.

Memorandum No.52 Request for dropping of assurance given on 22 November 2000 in reply to Unstarred Question No. 638 regarding 'Passport Advisory Committee'.

The committee considered the above memorandum and noted that the reply does not constitute as an assurance and accordingly dropped the assurance.

Memorandum No.53 Request for dropping of assurance given on 11 March 1996 in reply to Unstarred Question No. 1235 regarding 'Notices under DPEA'.

The Committee considered the above memorandum and noted that Drug Price Equalisation Amount (DPEA) recoveries are being examined by a three Member Committee headed by a high Court Judge and 71 important assessment cases involving an amount of Rs. 220 crore were referred to it, but the Committee has given its recommendations only in 21 cases involving an amount of Rs. 20

crore. However, some of the parties have again approached the courts with a view to delay the recovery. The Ministry has informed that 16 cases involving a liability of approximately Rs. 90 crore are pending in various High Courts/Supreme Court. Till the disposal of these cases by the concerned courts, no action can be taken by the Government. The Committee therefore desired that three Member committee should give its recommendations in the remaining 50 assessment cases also make every efforts for early disposal of pending cases in the courts and accordingly decided not to drop the assurance.

3. Thereafter the Committee considered the draft fourth Report regarding dropping of pending assurances and adopted the same. The Committee also authorized the Hon'ble Chairman to present the report in the ensuing winter session of Parliament.

The Committee then adjourned.

MINUTES

FOURTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2005-2006) held on 14 December 2005 in Committee Room 'C', Parliament House Annexe, New Delhi.

The Committee sat on Wednesday 14 December 2005 from 1500 hours to 1550 hours.

PRESENT

Shri Harin Pathak - **Chairman**

Members

2. Shri Anandrao Vithoba Adsul
3. Shri Biren Singh Engti
4. Shri Sunil Khan
5. Shri Rasheed Masood
6. Shri Kailash Meghwal
7. Shri Aruna Kumar Vundavalli
8. Shri Kailash Nath Singh Yadav

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri T.K. Mukherjee - Director
3. Shri K. Jena - Under Secretary

2. At the outset, the Chairman welcomed the Members and apprised them about the agenda of the sitting. Thereafter, the Committee took up the draft Seventh Report regarding requests for dropping of pending assurances and after discussion adopted the same. The Chairman drew the attention of the Members to the five assurances of Chapter-I which the Committee decided not to drop and informed that these assurances will remain pending until the Committee take a decision to drop them or the concerned Ministry fulfills them.

3. The Committee then took up for consideration the Draft Eighth Report. The Chairman informed the members that the Committee took oral evidence of the representatives of Ministry of Civil Aviation, Airports Authority of India, Air India and Indian Airlines on 10 June 2005 and discussed with them regarding fulfillment of assurances relating to three subjects viz (i) 'New Civil Aviation Policy', (ii) 'Purchase of Aircraft by Indian Airlines and Air India' and (iii) 'Privatisation of Airports'. However the Ministry of Civil Aviation have informed that the assurance regarding 'Privatisation of Airports has been fulfilled and the implementation statement has been laid on the Table of Lok Sabha on 18 August 2005, as such the same has not been incorporated in the Eighth Report. The Committee then took up the other two aspects of the Draft Eighth Report i.e. the New Civil Aviation Policy and Purchase of Aircraft by Indian Airlines and Air India and after discussion adopted the same.

4. The Committee also authorized the Chairman to present the Reports to the House.

The Committee then adjourned.