

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(2010-2011)
(FIFTEENTH LOK SABHA)
THIRTEENTH REPORT**

REQUESTS FOR DROPPING OF ASSURANCES

Presented to Lok Sabha on 22 March, 2011



**LOK SABHA SECRETARIAT
NEW DELHI**

March, 2011 / Phalguna, 1933 (Saka)

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**COMPOSITION OF THE COMMITTEE ON GOVERNMENT
ASSURANCES***

(2010 - 2011)

Shrimati Maneka Gandhi - **Chairperson**

MEMBERS

2. Shri Anandrao Adsul
3. Shri Avtar Singh Bhadana
4. Shri Dara Singh Chauhan
5. Dr. Kakoli Ghosh Dastidar
6. Shri Mohan Jena
7. Shri Raghuvir Singh Meena
8. Shri Bishnu Pada Ray
9. Shri K.J.S.P. Reddy
10. Shri M. Rajamohan Reddy
11. Shri Takam Sanjoy
12. Rajkumari Ratna Singh
13. Dr. M. Thambidurai
14. Shri Manohar Tirkey
15. Shri Hukumdeo Narayan Yadav

SECRETARIAT

- | | | | |
|----|--------------------|---|----------------------|
| 1. | Shri P. Sreedharan | - | Additional Secretary |
| 2. | Shri R.S. Kambo | - | Director |
| 3. | Shri D.S. Malha | - | Additional Director |
| 4. | Smt. Veena Kumari | - | Deputy Secretary |

* The Committee was constituted on 23 September, 2010 *vide* Para No. 1948 of Lok Sabha Bulletin Part-II dated 22 September, 2010.

INTRODUCTION

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

2. The Committee (2010-2011) at their sittings held on 19 October, 2010 and 12 January, 2011 considered Memoranda Nos. 2 to 13 & 14 to 46 respectively containing requests received from the Ministries/Departments for dropping of pending assurances.

3. At their sitting held on 03 February, 2011, the Committee (2010-2011) considered and adopted their Thirteenth Report.

4. The Minutes of the aforesaid sittings of the Committee form part of this report.

NEW DELHI;
03 February; 2011

Phalguna , 1932 (Saka)

MANEKA GANDHI
CHAIRPERSON
COMMITTEE ON GOVERNMENT ASSURANCES

REPORT

While replying to Questions in the House or during discussions on Bills, Resolutions, Motions, etc., Ministers sometimes give assurances, undertakings or promises either to consider a matter, take action or furnish information to the House at some later date. An assurance is required to be implemented by the Ministry concerned within a period of three months. Where a Ministry are unable to implement the assurances within the prescribed period of three months, they are required to seek extension of time. In case, the Ministry finds it difficult in implementing the assurances on one ground or the other, they are required to approach the Committee on Government Assurances requesting to drop the assurances. Such requests are considered by the Committee on merits and decisions taken to drop an assurance or otherwise.

2. The Committee on Government Assurances (2010-11) considered the following requests received from Ministries/Departments for dropping of assurances at their sittings held on 19 October, 2010 and 12 January, 2011:-

SQ/USQ No. & Date	Ministry	Subject in Brief
USQ No. 2653 dt. 23.7.2009	Corporate Affairs	Monitoring Committee for vanishing companies
USQ No. 400 dt. 20.11.2009	Finance	Income Tax Raids
USQ No. 2848 dt. 7.12.2009	Commerce & Industry	Made in India Label
(i) USQ No. 4391 dt. 16.12.2009 & (ii) USQ No. 5307 dt. 28.4.2010	Personnel, Public Grievances and Pensions	Irregularities in supply of pump sets and boring sets - do -
USQ No. 1849 dt. 9.3.2010	Road Transport & Highways	Enactment of New Road Transport Act
SQ No. 309 dt. 16.4.2010	Finance	Merger & acquisitions
USQ No. 3852 dt. 19.4.2010	Commerce & Industry	CECA between India and Indonesia

(i) USQ 236 dated 28.2.1996	Urban Development	Private Builders.
(ii) USQ 1445 dated 3.3.2006		Unauthorised Construction.
(i) USQ 331 dated 16.7.2002	Urban Development	Utilisation of Salt Pan Land at Mumbai.
(ii) USQ 9 dated 18.2.2003		Salt Pan Land at Mumbai
(i) USQ 3477 dated 16.4.2008	Health & Family Welfare	Free Health Insurance Scheme for Slum Dwellers
(ii) USQ 753 dated 22.10.2008		National Urban Health Mission
(iii) USQ 281 dated 18.2.2009		National Urban Health Mission
(iv) SQ 64 dated 8 July, 2009		Health Care of Urban Poor
USQ 327 dated 26.7.2006	Shipping	Revival of Ailing Hindustan Shipyards Corporation Limited.
USQ 996 dated 28.11.2006	Tribal Affairs	New Policy for STs.
USQ 1921 dated 29.11.2007	Civil Aviation	Security at Airports.
USQ 2248 dated 3.12.2007	Communications and Information Technology	Sale of Vacant Land of VSNL.
USQ 248 Dated 18.2.2009	Health & Family Welfare	AIIMS Type Institute in Uttar Pradesh.
General Discussion dated 20.7.2009	Agriculture	Issuance of Soil Health Cards to Farmers.

SQ 3 dated 19.11.2009	Textiles	Revival of NTC Mills.
USQ 3449 dated 10.12.2009	Civil Aviation	Helicopter Crash.
USQ 2065 dated 10.3.2010	External Affairs	Indo-Nepal Treaty.
USQ 5962 dated 3.5.2010	Commerce and Industry	National Institute of Design.
USQ 6414 dated 5.5.2010	Personnel, Public Grievances and Pension	Cases registered against IAS Officers.
USQ 6481 dated 5.5.2010	Personnel, Public Grievances and Pensions	Probe of Financial Irregularities by Bureaucrats.
USQ 3482 dated 16.8.2010	Rural Development	Utilisation of Funds under Wasteland Development Programme.
USQ 4053 dated 18.8.2010	Water Resources	Sardar Sarovar Dam.

3. The details of the assurances arising out of the replies and the reason(s) advanced by the Ministries/Departments for dropping of the assurances are given in Appendix-I.

4. The Minutes of the sittings of the Committee, whereunder the requests for dropping of the assurances, were considered, are given in Appendix-II & IIA.

5. After having considered the request of the Ministries/Departments, the Committee are not convinced with the reasons furnished for dropping the assurances. The Committee desire that the Government should take note of the observations of the Committee, as contained in Annexure-II and take appropriate action, for the implementation of the assurances expeditiously.

NEW DELHI;
03 February; 2011

Phalguna , 1932 (Saka)

MANEKA GANDHI
CHAIRPERSON
COMMITTEE ON GOVERNMENT ASSURANCES

[i] MONITORING COMMITTEE FOR VANISHING COMPANIES

On 23 July, 2009 Shri Harishchandra Chavan, M.P., addressed an Unstarred Question No. 2653 to the Minister of Corporate Affairs. The contents of the question along with the reply of the Minister of Corporate Affairs are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Corporate Affairs within three months of the date of reply but the assurance is yet to be implemented.

3. The Ministry of Corporate Affairs vide O.M. No. 3/8/2009-Spl.Cell dated 1 October, 2009 earlier requested to drop the assurance on the following grounds:-

“That consequent upon filing and registration of FIRs the investigations undertaken by the Police Authorities are under progress for the last few years and based on the outcome during investigations, cases are filed against the delinquent promoters/directors in the Court. Given the nature of investigations involved, it would be very difficult to give any tentative date for final outcome in these cases.

Similarly the cases filed against the vanishing companies and its promoters/directors under various provisions of the Companies Act, 1956 are also pending before various courts at various stages. Concerned Registrar of Companies is pursuing the cases for logical conclusions but they have not control over judicial proceedings which may take time and may also go to the appellate level.

In view of the facts mentioned above, it is informed that this Ministry has no control over the outcome of the final events and therefore, you are requested to kindly drop the above mentioned Assurance and treat the reply as the final answer.

The request for not treating the reply of Question No. 2653 dated 23rd July, 2009 as an Assurance has been made with the approval of Hon'ble Minister for Corporate Affairs.”

4. The request for dropping the above assurance was considered by the Committee at their sitting held on 07 April, 2010 and the Committee decided not to drop the assurance.

5. The Ministry of Corporate Affairs *vide* O.M. No. 3/8/2009-Spl.Cell dated 04 May, 2010, have once again requested to drop the above assurance on the following grounds:-

"That the Ministry of Corporate Affairs has no control over the outcome of final events in respect of 112 FIRs filed against Promoters/directors of vanishing companies under Indian Penal Code (IPC) and 110 prosecutions filed against vanishing companies and its promoters/directors under various provisions of the Companies Act, 1956 which are under progress at various stages by the Police Authorities/before the various Courts respectively."

6. In view of the above, the Ministry, with the approval of Minister of Corporate Affairs, have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 2653

ANSWERED ON 23.7.2009

MONITORING COMMITTEE FOR VANISHING COMPANIES

2653. SHRI HARISHCHANDRA CHAVAN

Will the Minister of Corporate Affairs be pleased to state:-

(a) whether a co-ordination and Monitoring Committee has been constituted to investigate the cases related to fly by night companies and their sponsors and to monitor the progress of action taken thereon;

(b) if so, the number of such companies in the country including Maharashtra and their sponsors against whom action has been initiated so far; and

(c) the status of investigation against those companies?

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI SALMAN KHURSHID)

(a): A Coordination and Monitoring Committee (CMC), co-chaired by Secretary, Ministry of Corporate Affairs and Chairman, SEBI has been set up to look into issues relating to companies that had come out with public issue and vanished and to monitor the progress of action taken against such vanishing companies and their promoters. Specific criteria have been adopted by CMC for identification of such vanishing companies.

(b) & (c): Out of the companies that came out with the IPOs during 1992-2005, a total 238 companies were identified as vanishing companies. With the continuous efforts of the Ministry/CMC, 117 companies have been traced back, resulting in the number of vanishing companies being reduced to 121. 12 companies were identified as vanishing companies in Maharashtra out of all the companies that came out with IPOs for the period 1992-2005.

Prosecutions have been filed in 110 cases for violations of various provisions of the Companies Act, 1956. The cases are pending before different courts for decision. FIRs have been filed in 112 cases under the Indian Penal Code (IPC). Investigation by respective State Police Authorities is at various stages in all these cases.

[ii] INCOME TAX RAIDS

On 20 November, 2009 Sarvashri Ravindra Kumar Pandey, Sudarshan Bhagat and Yashbant N.S. Laguri, M.Ps., addressed an Unstarred Question No. 400 to the Minister of Finance. The contents of the question along with its reply are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Finance within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Finance vide O.M. No. H-11016/19/2009-ED dated 15 February, 2010 have requested to drop the assurance on the following grounds:-

“That in part (a) and (b) of the reply, it was stated that “the seized material/documents are being further investigated”. The said reply has been treated as an assurance. In this regard, it may be mentioned that the documents/materials seized by Income Tax Department are examined in depth and spot search enquiry is often conducted to gather corroborative evidences. Thereafter, the assessing officer initiates the assessment proceedings u/s 153A and 153C of Income Tax Act, during the course of which all the material gathered is examined and confronted to the assessee and a reasonable opportunity being heard is given as per the principle of Natural Justice. As per Section 153B of Income Tax Act, the assessment has to be completed within a period of two years from the end of the Financial Year in which the search was concluded. Thereafter, the assessments are subject matter of appellate proceedings before Commissioner of Income Tax (Appeal), Income Tax Appellate Tribunal, High Court and Supreme Court. In view of the above facts, the final outcome of the investigation conducted and the utilization of seized materials/documents is likely to take considerable amount of time which may run into years.

In part (c) and (d) of the reply, it was stated that "suitable action as per Law would be taken against those found guilty". The said reply has been treated as an assurance. In this regard, it may be mentioned, in continuation with the facts stated in the preceding para, that appropriate penalty proceedings under Income Tax Act and prosecution proceedings under Income Tax Act/IPC etc. are initiated in suitable cases. These proceedings are usually initiated once the assessments are completed and additional income brought to tax is confirmed by the first appellate authority i.e. Commissioner of Income Tax (Appeal). Keeping in view the fact that completion of assessment and disposal of first appeal may take considerable amount of time running into years, it would be appreciated that initiation of penalty/prosecution or any other suitable proceeding/action can taken place only after considerable period of time."

4. The above request of the Ministry was considered by the Committee at their sitting held on 06 August, 2010 and the Committee decided not to drop the assurance. Accordingly, the Committee presented its 10th Report of 15th Lok Sabha to the House on 27 August, 2010.

5. The Ministry of Finance (Department of Revenue) vide their O.M. No. 11016/19/2009-ED dated 7 October, 2010 has again requested to drop the assurance on the following grounds:-

"(i) The documents/material seized during the search and seizure action are subjected to extensive examination during post-search proceedings and the individuals and entities searched are given proper opportunity to explain the same vis-à-vis their returned income in accordance with the principles of natural justice and equity.

(ii) The seized material/documents are used as evidences in assessment and reassessment proceedings of all such connected individual/entities as per the statutory provisions of the Income Tax Act. The investigation and assessment can be treated as conclusive only when all appeals before Commissioners of Income Tax (Appeals), Income Tax Appellate Tribunal (which is under the Ministry of Law and Justice), Hon'ble High Courts and the Hon'ble Supreme Court are decided.

(iii) An individual/entity is said to be guilty only after the assessment/re-assessment becomes final and conviction order by the Court is obtained in the prosecution proceedings launched as per the statutory provisions of the Income Tax Act and provisions of relevant legislations such as Indian Penal Code, Criminal Procedure Code, etc.

In view of the above, it will be appreciated that completion of the above actions, mentioned in the reply to the Parliament Question and treated as Assurance, are not within the exclusive jurisdiction of the Income-Tax Department. The procedural aspects involve quasi-judicial and judicial authorities including the Hon'ble High Courts and the Hon'ble Supreme Court to attain finality. Hence, the instant Assurance does not depend merely on the Income-tax Department but involves constitutional authorities such the Hon'ble High Courts and the Hon'ble Supreme Court and no time limits can be fixed as such for resolution of issues before Courts."

6. In view of the above, the Ministry, with the approval of Minister of State for Finance (Revenue), have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

LOK SABHA UNSTARRED QUESTION NO. 400

ANSWERED ON 20.11.2009

INCOME TAX RAIDS

400. SHRI RAVINDRA KUMAR PANDEY

SHRI SUDARSHAN BHAGAT

SHRI YASHBANT NARAYAN SINGH LAGURI

Will the Minister of Finance be pleased to state:-

- (a) whether the Enforcement Directorate and the Department of Income Tax have conducted raids in various States of the country recently and confiscated incriminating documents and seized property worth crores of rupees;
- (b) if so, the details thereof and reaction of the Government thereto;
- (c) whether cases related to Hawala transaction and acquisition of properties disproportionate to the known sources of income have come to light at the time of Income Tax raids during the years 2008-09 and 2009-10 till date; and
- (d) if so, the details thereof and the action taken against the guilty persons?

ANSWER

MINISTER OF THE STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM)

(a) & (b): The Income Tax Department, assisted by the Enforcement Directorate, has conducted searches and seizure operation recently in various States of the country. Various lockers, bank accounts and premises are under prohibitory orders as per the provisions of the Income Tax Act, 1961. The seized documents/ materials are being further investigated.

(c) &(d): The search actions in some cases, prime-facie, indicate Hawala transactions and that the properties are more than the income earned. Search and Seizure action, as per the Income Tax Act, 1961, are a continuous and ongoing process based on information in the possession of the Income Tax Department. The evidences gathered during search and seizure actions are used in assessment or re-assessment proceedings of the relevant persons, as per Income Tax Act, which becomes final when assessments before the Assessing Officer and appeals before CIT (Appeals), ITAT, High Courts or Supreme Court are completed. Suitable action as per Law would be taken against those found guilty.

[iii] MADE IN INDIA LABEL

On 7 December, 2009 S/Shri Asaduddin Owaisi, and Amarnath Pradhan M.Ps., addressed an Unstarred Question No. 2848 to the Minister of Commerce and Industry. The contents of the question along with the reply of the Minister of State in the Ministry of Commerce and Industry are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Commerce and Industry within three months of the date of the reply but the assurance is yet to be implemented.
3. The Ministry of Commerce and Industry vide O.M. No. 8/19/2009-EP(CAP) dated 2 August, 2010 have requested to drop the assurance on the following grounds:-

“That the proposal of setting up of Pharmaceutical Zones at different ports in the country has been initiated to provide dedicated areas of storage of Pharmaceutical Products so that there is no deterioration in their quality because of improper storage or exposure to high temperatures. The dedicated areas and infrastructure of Pharmaceutical Zones at different ports would be created in consultation with the Airport Authorities in charge of the specific ports depending upon the area and facilities available with them. Setting up of such Zones will also require inter ministerial consultation and their establishment at different ports will take considerable time and it is not possible to commit any time frame by which such Zones would be established.”

4. In view of the above, the Ministry, with the approval of Minister of State in the Ministry of Commerce and Industry, have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE AND INDUSTRY

LOK SABHA UNSTARRED QUESTION NO. 2848

ANSWERED ON 07.12.2009

MADE IN INDIA LABEL

2848. SHRI ASADUDDIN OWAISI

SHRI AMARNATH PRADHAN

Will the Minister of Commerce and Industry be pleased to state:-

- (a) whether Nigeria's Drug Regulatory Authority, National Agency for Food and Drug Administration and Control(NAFDAC) reported about detention of large consignment of fake anti-malarial generic drugs labeled 'made in India' but actually produced from China;
- (b) if so, the details thereof;
- (c) whether China has admitted about involvement of its pharmaceutical companies;
- (d) if so, the details thereof and action taken and reported to India by the Chinese Government;
- (e) whether the Government proposes to set up drug testing centres at different ports; and
- (f) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA)

(a) & (b): Government of India's attention has been drawn to the press release issued by NAFDAC, Nigerian Government Drug Regulatory Authority about detention and seizure of a large consignment of fake anti-malarial generic pharmaceuticals labelled "Made in India" but produced in China. Taking serious note of the contents of NAFDAC's Press Release, a strong protest was lodged with concerned Chinese authorities with a request to take stringent action against such unscrupulous elements.

(c) & (d): Consequent to India's strong protest, the Chinese Government conducted an investigation and found a nexus between Chinese drug manufacturers and importers in Nigeria. The principal suspects have been caught and their factories sealed. The Chinese Government is taking action against the accused as per their law.

(e) & (f): A proposal to set up pharmaceutical zones at the different ports in the country is under consideration of the Ministry of Health & Family Welfare.

[iv] IRREGULARITIES IN SUPPLY OF PUMP SETS AND BORING SETS

On 16 December, 2009 and 28 April, 2010 Shri Hukumdev Narayan Yadav, M.P., addressed Unstarred Question Nos. 4391 and 5307 respectively to the Prime Minister. The contents of the Questions alongwith their replies are as given in Annexure I and II.

2. The replies to the questions were treated as assurances and required to be implemented by the Ministry of Personnel, Public Grievances and Pensions within three months of the date of reply but the assurances are yet to be implemented.

3. The Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) vide O.M. No. 11016/02/2010-Parl dated 23 June, 2010 have requested to drop the assurances on the following grounds:-

"That the Hon'ble Member in both the Questions had enquired whether any complaint regarding irregularities in supply of boring sets/pump sets granted for irrigation in Bihar had been received and if any enquiry had been conducted. In view of the fact that no specific complaint had been referred to in these questions, a reply had been given in the House on the lines that the information is being collected and will be laid on the Table of the House. This reply has been treated as an assurance.

Since then, search has been made within the Department and no such complaint regarding irregularities in supply of boring sets/pump sets granted for irrigation in Bihar has been received in this Department and as such no enquiry was possible and has been conducted."

4. In view of the above, the Ministry, with the approval of MOS (PP), have requested to drop the above assurances.

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA UNSTARRED QUESTION NO. 4391
ANSWERED ON 16.12.2009
IRREGULARITIES IN SUPPLY OF PUMP SETS AND BORING SETS

4391. SHRI HUKUMDEV NARAYAN YADAV

Will the Minister of Prime Minister be pleased to state:-

- (a) whether the Government has received any complaint regarding irregularity in supply of boring sets/pumps sets granted for irrigation in Bihar;
- (b) if so, the details thereof;
- (c) whether any enquiry has been conducted in this matter;
- (d) if so, the outcome thereof; and
- (e) the action taken by the Government in this regard?

ANSWER

MINISTER OF THE STATE (Independent Charge) IN THE MINISTRY OF SCIENCE AND TECHNOLOGY; MINISTER OF THE STATE (Independent Charge) IN THE MINISTRY OF EARTH SCIENCE; MINISTER OF THE STATE IN THE PRIME MINISTER'S OFFICE; MINISTER OF THE STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS; AND MINISTER OF THE STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS. (SHRI PRITHVIRAJ CHAVAN)

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

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA UNSTARRED QUESTION NO. 5307
ANSWERED ON 28.04.2010
IRREGULARITIES IN SUPPLY OF PUMP AND BORING SETS

5307. SHRI HUKUMDEV NARAYAN YADAV

Will the Minister of Prime Minister be pleased to state:-

- (a) whether the Government has received any complaint regarding irregularity in supply of boring sets/pump sets granted for irrigation in Bihar;
- (b) if so, the details thereof;
- (c) whether any inquiry has been conducted in this matter;
- (d) if so, the outcome thereof; and
- (e) the action taken by the Government in this regard?

ANSWER

Minister of State (Independent Charge) of the Ministry of Science and Technology; Minister of State (Independent Charge) of the Ministry of Earth Sciences; Minister of State in the Prime Minister's Office; Minister of State in the Ministry of Personnel, Public Grievances and Pensions; and Minister of State in the Ministry of Parliamentary Affairs(SHRI PRITHVIRAJ CHAVAN)

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

[v] ENACTMENT OF NEW ROAD TRANSPORT ACT

On 9 March, 2010 Shrimati Deepa Dasmunsi, S/Shri Chandu Lal Sahu, Shivarama Gouda, M.K. Raghavan, Asaduddin Owaisi and S.S. Ramasubbu, M.Ps., addressed an Unstarred Question No. 1849 to the Minister of Road Transport and Highways. The contents of the question along with the reply of the Minister of State in the Ministry of Road Transport and Highways are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Road Transport and Highways within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Road Transport and Highways vide O.M. No. H-11016/14/10-MVL dated 19 August, 2010 have requested to drop the assurance on the following grounds:-

"That the Expert Committee reviewing the Motor Vehicles Act, 1988 is still in the process of deliberations and the recommendations of the Committee is not yet known to this Ministry. The Committee is going to meet again this month for doing the clause by clause review of the entire Act. It is understood that Committee may finalise its report by the end of next month. However, the amendment process has not yet started. As the Lok Sabha Sectt. is aware that the amendment of the Act is a long drawn process. It undergoes various stages such as preparation of proposal by the Ministry, approval by Cabinet, introduction of the Bill in the Parliament, examination of Bill by Parliamentary Standing Committee, hearing of all possible stake holders by the Parliamentary Standing Committee, approval by Parliament and Presidential assent. As such no deadline for completion of the amendment process can be fixed at this stage."

4. In view of the above, the Ministry, with the approval of Minister of State in the Ministry of Road Transport and Highways, have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

LOK SABHA UNSTARRED QUESTION NO. 1849

ANSWERED ON 9.3.2010

ENACTMENT OF NEW ROAD TRANSPORT ACT

1849. SHRIMATI DEEPA DASMUNSI
SHRI CHANDU LAL SAHU
SHRI SHIVARAMA GOUDA
SHRI M.K. RAGHAVAN
SHRI ASADUDDIN OWAISI
SHRI S.S. RAMASUBBU

Will the Minister of Road Transport and Highways be pleased to state:-

- (a) whether the Government is considering to review the existing Motor Vehicles Act;
- (b) if so, the details thereof;
- (c) whether an expert committee has been constituted by the Government in this regard;
- (d) if so, the details thereof and terms of reference of the said committee;
- (e) whether the Government proposes to define maximum speed limit on highways, cancel driving licence of the persons accused of road accident, increase terms of imprisonment and put an upper age limit for obtaining driving licence in the country;
- (f) if so, the details thereof; and
- (g) the time by which recommendations of the expert committee are likely to be submitted and implemented?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
(SHRI MAHADEO SINGH KHANDELA)

(a)to(d): In order to review the Motor Vehicles Act,1988 in a comprehensive manner, the Government has constituted a Committee under the Chairmanship of Shri S.Sunder, Distinguished Fellow, The Energy and Resources Institute(TERI) and former Secretary, Ministry of Surface Transport. The Committee has been mandated to look into various aspects of administration and regulation of vehicular traffic in the country, which inter-alia includes review of the system of grant of driving licence.

(e) & (f): Maximum speed limit for motor vehicles as well as driving norms have already been prescribed by the Government. There is no proposal to cancel the driving licence of the person accused of road accidents, to increase, to increase terms of imprisonment and fix upper age limit for getting a driving licence/driving a motor vehicle.

(g): Since the Act is to be reviewed in a comprehensive manner, no definite time frame for submission/implementation of the report can be envisaged at this stage.

[vi] MERGER AND ACQUISITIONS

On 16 April, 2010 Shri Ponnampalagan Prabhakar, M.P., addressed a Starred Question No. 309 to the Minister of Finance. The contents of the question along with the reply of the Minister of Finance are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Finance within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Finance vide O.M. No. 1(69)/EC.DN/2010 dated 26 August, 2010 have requested to drop the assurance on the following grounds:-

"That this Ministry had requested the Ministry of Corporate Affairs for acceptance of the assurance, since the Ministry of Corporate Affairs is the administrative Ministry responsible for the implementation the provisions of the Competition Act, 2002. The Ministry of Corporate Affairs in turn has forwarded the following facts related to the assurance.

The Ministry of Corporate Affairs has stated that Sub-section (3) of Section 1 of the Competition Act, 2002 empowers the Central Government to appoint different dates for different provisions of the Act. The Central Government within the powers conferred by the Competition Act, 2002 and taking into consideration other relevant aspects has not notified the provisions relating to mergers. In reply to the Question neither there was an intention nor any specific submission which may constitute an assurance.

The Ministry of Corporate Affairs has also stated that the Committee on Government Assurance, Lok Sabha Secretariat has dropped similar assurance given during XV-II Session 2009 of Lok Sabha Unstarred Question No. 787 dated 9 July, 2009."

4. In view of the above, the Ministry, with the approval of Minister of Finance, have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

LOK SABHA STARRED QUESTION NO. 309

ANSWERED ON 16.4.2010

MERGERS & ACQUISITIONS

*309. SHRI PONNAM PRABHAKAR

Will the Minister of Finance be pleased to state:-

- (a) whether the effect of mergers and acquisitions on the competitiveness in the market and the Indian economy as a whole has been or is being assessed; and
- (b) if so, the details thereof and if not, the reason therefor?

ANSWER

MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE)

(a) &(b) : No Sir. The Government has not assessed independently the effect of mergers and acquisitions on the competitiveness of market and the economy as a whole. The Government deals with only amalgamations/arrangements of Government companies under Sections 391-394 and Section 396 of the Companies Act, 1956. As far as amalgamations of private companies are concerned, the same is dealt by the High Courts. Overall market assessment and competitiveness is within the purview of the Competition Commission. The Competition Commission of India has now become operational. However, Section 5 of the Competition Act, 2002 relating to mergers/amalgamations of the companies is yet to be notified.

[vii] CECA BETWEEN INDIA AND INDONESIA

On 19 April, 2010 Shri M.K. Raghavan, M.P., addressed an Unstarred Question No. 3852 to the Minister of Commerce & Industry. The contents of the question along with the reply of the Minister of State in the Ministry of Commerce & Industry are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Commerce & Industry (Department of Commerce) within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Commerce & Industry vide O.M. No. 21/12/2010-FT(EA) dated 31 August, 2010 have requested to drop the assurance on the following grounds:-

"That the assurance shown in the Statement sent therewith, does not constitute an assurance. While answering the Question, all the available information/factual position has been apprised to Lok Sabha on 19.04.2010. However, Govt.'s reaction/decision on the Joint Study Group (JSG) recommendations cannot be predicted/ known in advance for fulfilling the assurance within 3 months time. Thus, the answer given by the Deptt. of Commerce may be treated as final and not an assurance, as the Govt.'s decision on the JSG recommendations are totally unknown.

4. In view of the above, the Ministry, with the approval of Minister of State (Commerce & Industry), have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE AND INDUSTRY

LOK SABHA UNSTARRED QUESTION NO. 3852

ANSWERED ON 19.4.2010

CECA BETWEEN INDIA AND INDONESIA

3852. SHRI M.K. RAGHAVAN

Will the Minister of Commerce and Industry be pleased to state:-

- (a) the details of trade between India and Indonesia during the last three years;
- (b) whether the Government proposes to conclude a Comprehensive Economic Cooperation Agreement (CECA) with Indonesia;
- (c) if so, the details and the present status thereof; and
- (d) the details of area identified for CECA between the two countries and the benefits likely to be accrued therefrom?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA)

(a): The details of Import & Export between India & Indonesia during the last 3 years are as under:-

Year	Value in US\$ Million		
	Import	Export	Total Trade
2006-07	4181.96	2032.96	6214.92
2007-08	4821.25	2164.17	6985.42
2008-09	6666.34	2559.82	9226.16

(b to d): The India-Indonesia Joint Study Group (JSG) has recommended negotiations for a bilateral Comprehensive Economic Cooperation Agreement (CECA) between the two countries covering Trade In Goods, Trade In Services, Investment and Other Areas of Cooperation. The recommendations of JSG are under consideration of the Government.

[viii] PRIVATE BUILDERS

On 28 February, 1996 and 3 March, 2006 S/Shri Lall Babu Rai & Mohammad Ali Ashraf Fatmi, M.Ps. and Bir Singh Mahato & Sunil Kumar Mahato, M.Ps., addressed Unstarred Question Nos. 236 and 1445 respectively to the Minister of Urban Development. The contents of the Questions alongwith their replies are as given in Annexure I and II.

2. The replies to the above questions were treated as assurances and required to be implemented by the Ministry of Urban Development within three months of the date of reply but the assurances are yet to be implemented.

3. The Ministry of Urban Development vide O.M. No. 22-1/2000-UCU(Pt) dated 3 September, 2010 have requested to drop the assurances on the following grounds:-

“That the above mentioned questions broadly relate to formulation of legislation to regulate activities of builders and promoters. In this connection it is stated that proposal for introducing legislation to regulate construction and sale of apartments, development of land and its transactions, development of colonies and activities of promoters, builders and estate agents in the National Capital of Delhi has been under consideration of the Government for quite some time. The matter was discussed in a meeting of State Housing and Law Secretaries convened in 1992. As a follow up thereto a draft bill providing for compulsory registration of private builders, their liabilities and duties, punitive measures for non compliance of the terms and conditions entered into between the promoters and prospective buyers was prepared and circulated to the Government of NCT of Delhi and DDA. Views of some other concerned organizations were also obtained.

It was, however, thought appropriate to first amend the Delhi Apartment Ownership Act, 1986 to avoid any overlapping provisions between the two legislations. After finalizing the amendments to the Delhi Apartment Ownership Act, 1986, a draft note for the Cabinet along with the draft Real Estate Development Regulation Bill was prepared and circulated to various concerned Ministries for eliciting their comments. In the light of the comments received, discussions also took place with these Ministries and the matter remained under detailed examination from 1998 to 2000.

It was decided to redraft the legislation more comprehensively after taking into account the building byelaws and other building safety norms so as to serve

as a model legislation to regulate and control the activities relating to the development and management of colonies and promotion of construction, sale, transfer and management of building, apartments and other similar properties with a view to ensure compliance by the promoters, builders, contractors and other persons like architects and engineers engaged in construction of such buildings.

After the Gujarat earthquake in 2001, a Committee was constituted to formulate a comprehensive law for Delhi and other Union Territories which should be a model law that can be recommended for adoption by the State Governments, with such modifications as may be considered appropriate. Subsequently a Sub-Group was formulated to prepare draft legislation for controlling the activities of builders and developers on the basis of existing legislations in the States of Punjab and West Bengal. The draft legislation framed by the said Group was discussed extensively on various occasions in the Ministry and views and comments of experts in the field of town planning, architecture etc. were also obtained. Taking into account the comments and views received, and after studying the same with reference to the Punjab Apartment and Property Regulation Act, 1995, the West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993 Haryana Development and Regulation of Urban Areas Act, 1975 and Rules, 1976 and the unified building bye laws applicable in Delhi, the draft Bill was revised.

On close scrutiny of the provisions of the Bill and after further discussions, it was felt that the revised draft Bill needed further modifications. Another Committee comprising of Joint Secretary (UD) in the Ministry of Urban Development, Director, National Institute of Urban Affairs, Chief Town Planner, Town and Country Planning Organisation and representative of GNCTD was constituted to finalise the draft legislation. The Committee after detailed deliberations submitted a revised Bill, i.e. the Delhi Real Estate Promotion, Management and Regulation Bill, 2009.

The revised legislation proposes to create legal and institutional framework to regulate activities, in the National Capital Territory of Delhi, relating to development and management of colonies and promotion of construction, sale, transfer and management of buildings, apartments and other similar properties with a view to protecting public interest in relation to the conduct and integrity of developers and other persons engaged in development of such colonies or construction of such buildings, apartments and properties, as at present, there is no mechanism for its regulation.

The legislation is expected to check mushrooming of unregulated construction. Thus it provides for regulation and protection of interest of stakeholders in order to promote real estate activities. Apart from the primary activities of the developer, the secondary markets shall also be regulated for which it is also proposed to cover the real estate agents under this law.

Draft Cabinet Note in connection with introduction of the Delhi Real Estate Promotion, Management and Regulation Bill, 2009 was prepared and circulated to the concerned Ministries/Departments for their comments which have been received and the revised Cabinet Note is under consideration of the competent authority in the Ministry.

The above facts reveal that the Government is fully seized of the matter and has taken various steps to bring in the requisite legislation. Finalization of the above Bill is likely to take some more time. Therefore, Lok Sabha Secretariat may please place the request of this Ministry for dropping the above mentioned two assurances before the Parliamentary Committee on Government Assurances for its kind consideration and approval."

4. In this connection it is submitted that part implementation report was laid on the Table of the House on 11 November, 1996 vide statement SSII/23 (statement enclosed).
5. In view of the above, the Ministry, with the approval of Minister of Urban Development, have requested to drop the above assurances.

GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT
LOK SABHA UNSTARRED QUESTION NO. 236
ANSWERED ON 28.2.1996
PRIVATE BUILDERS

236. SHRI LALL BABU RAI

SHRI MOHAMMAD ALI ASHRAF FATMI

Will the Minister of Urban Development be pleased to state:-

(a): whether some builders in the capital are collecting huge amount through fraudulent means from consumers for booking flats and plots;

(b): if so, the number of complaints received by the Government against such builders during the last one year;

(c): the action taken against such builders;

(d): whether the Government propose to formulate any law for compulsory registration of non-government builders; and

(e): if so, the details thereof?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S.S. AHLUWALIA)

(a) to (e): The requisite information regarding complaints received against builders is being collected and will be laid on the Table of the Sabha.

Presently such complaints are dealt with under the relevant provisions of the CPC Act. However, a proposal for formulation of Delhi Apartment and Property Regulation Act to regulate the activities of the builders and promoters is under consideration of the Government.

GOVERNMENT OF INDIA

MINISTRY OF URBAN DEVELOPMENT

LOK SABHA UNSTARRED QUESTION NO. 1445

ANSWERED ON 3.3.2006

UNAUTHORISED CONSTRUCTION

1445. SHRI BIR SINGH MAHATO

SHRI SUNIL KUMAR MAHATO

Will the Minister of Urban Development be pleased to state:-

(a) whether a Bill prepared by the Union Government to check the unauthorised construction works strictly by private building constructors, estate agents and property dealers of Delhi has been sent to the Government of NCT of Delhi and it is still pending with them;

(b) if so, whether it is also a fact that after the repeal of Urban Land Act, this Bill has become more necessitated; and

(c) if so, the action being taken by the Government in this regard?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI AJAY MAKEN)

(a)to(c): A proposal had been considered to bring in a legislation for regulating construction and sale of apartments, development of lands and its transactions, development of colonies and activities of promoters, builders and estate agents in the National Capital of Delhi. However, it was decided to consider such a legislation in respect of NCT of Delhi after a model legislation to regulate and control the activities of builders and developers is prepared.

[ix] UTILISATION OF SALT PAN LAND AT MUMBAI

On 16 July, 2002 and 18 February, 2003 Shri Kirit Somaiya, M.P., addressed Unstarred Question Nos. 331 and 9 respectively to the Minister of Urban Development. The contents of the Questions alongwith their replies are as given in Annexure I and II.

2. The replies to the questions were treated as assurances and required to be implemented by the Ministry of Urban Development within three months of the date of reply but the assurances are yet to be implemented.

3. The Ministry of Urban Development vide O.M. No. H-11012/1/04-UCU/L&DO (Part-II)/597 dated 20 October, 2010 have requested to drop the assurances on the following grounds:-

“That these two assurances are pending for fulfillment for want of a final decision with regard to utilization of salt pan lands as also detailed modalities for development of salt pan lands in Mumbai since the last 7 – 8 years by the Government. Efforts made and position in this regard are as under:-

- (i) Salt Pan Lands vest with the Department of Industrial Policy & Promotion (DIPP) under the Ministry of Commerce & Industry. On 09.05.2001, the Union Government approved a proposal of transfer of 5378 acres of surplus lands in Maharashtra on 'as is where is' basis for sharing between Ministry of Urban Development and Government of Maharashtra. While approving the proposals, the Government also decided to constitute a Group of Ministers to examine issues relating to utilization of the surplus salt lands and submit recommendations to the Cabinet. Accordingly, a Group of Ministers (GoM) was constituted on 16 May, 2001. The GoM deliberated on the issues involved. However, no decision emerged during the period of the then Government.

- (ii) This Ministry submitted a note dated 28.11.2005 to the Committee of Secretaries (CoS) for ensuring termination of subsisting leases for making available the developable lands, adopting common strategy to deal with court cases and effecting necessary corrections in the land records. The CoS at its meeting held on 6.1.2006 *inter-alia* decided to constitute a three member Committee consisting of Secretary, Ministry of Urban Development, Secretary, Department of Industrial Policy & Promotion and Chief Secretary, Government of Maharashtra to work out an appropriate scheme for development of Salt Pan Lands at Mumbai for settlement of slum dwellers and taking up other socio-economic development projects. The CoS at the meeting held on 2 May, 2006 had also decided to maintain *status quo* with regard to Salt Pan Lands i.e. these lands along with their records would continue to remain under the Salt Commissioner and the DIPP until a final decision was taken in this regard. The three-Member Committee held 3 meetings on 16th January, 7th March and 2nd May, 2006.
- (iii) Thereafter, another GoM was constituted on 21.2.2007. The GoM held two sittings on 23.4.2007 and 29.5.2008. At the meeting held on 23.4.2007, the GoM noted that the State Government had changed the entries in revenue records from 'Mithagar'(salt work), ownership of which is vested with the "Government of India", to the "Government of Maharashtra" in respect of 3516 acres. The State Government was requested to restore the original entry in favour of the Salt Commissioner/Government of India. At the second meeting held on 29.5.2008, it was decided that the Government of Maharashtra would prepare a scheme for utilization of Salt Pan Lands in Greater Mumbai. Neither any scheme was received from the Government of Maharashtra nor any further meeting of the GoM took place.
- (iv) The Government of India reconstituted the GoM on 19.4.2010 on management of Salt Pan Lands and its suburbs and similar Salt Pan Lands in other places. The first meeting of the recently constituted GoM was held on 30.7.2010. At that meeting, issues relating to management of Salt Pan Lands in Mumbai and its suburbs were discussed. The issues discussed include retrieval of land for development purpose, request of Mumbai Metropolitan Region Development Authority (MMRDA) for right of way in Wadala, request of National Institute of Immunohaematology for transfer of land, request of Mumbai Internal Airport private Limited (MIAL) for Salt Pan Lands to resettle encroachers, away from the airport land etc.

The subject matter of utilization of salt pan lands has been examined at various levels in Government and has also gone through by the GoM constituted from time to time as well as CoS. However, decision with regard to utilisation of Salt Pan Lands or the modalities have not been finalized so far. Considering the

complexities and issues involved, it is not possible to visualize a precise time frame by which a final decision on the matter may emerge.

From the position explained above, it is clear that the Government is fully seized of the matter and attempts are being made to arrive at a decision on the various issues involved for the utilization of Salt Pan Lands. In view of the position explained above, it is requested that Committee on Government Assurances may kindly be apprised of the position with a request to kindly accept the submission and drop these two assurances from the list of pending assurances."

4. In view of the above, the Ministry, with the approval of Minister of Urban Development, have requested to drop the above assurances.

GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT
LOK SABHA UNSTARRED QUESTION NO. 331
ANSWERED ON 16.7.2002
UTILISATION OF SALT PAN LAND AT MUMBAI

331. SHRI KIRIT SOMAIYA

Will the Minister of Urban Development be pleased to state:-

(a): whether the Group of Ministers have taken a final decision about utilization of salt pan land at Mumbai, Maharashtra;

(b): if so, the details thereof;

(c): the details of the proposal, view point of the Government thereon and reasons for delay in its implementation;

(d): whether the Government of Maharashtra and public representatives have urged the Union Government to take an early action in the matter; and

(e): if so, the efforts made by the Union Government in this regard?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI O. RAJAGOPAL)

(a): No, Sir.

(b)&(c): Do not arise in view of reply to (a) above.

(d): Yes, Sir.

(e): The matter is under the active consideration of the Government.

GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT
LOK SABHA UNSTARRED QUESTION NO. 9
ANSWERED ON 18.2.2003
SALT PAN LAND AT MUMBAI

9. SHRI KIRIT SOMAIYA

Will the Minister of Urban Development be pleased to state:-

- (a) whether a group of Ministers led by the Urban Development Minister had paid visit in January, 2003 to the Salt Pan Land in Mumbai;
- (b) if so, the details thereof alongwith the observations made;
- (c) whether he has made an announcement in Mumbai that in February, 2003 the whole proposal to exploit the Salt Pan Land for the people of Mumbai will be finalized;
- (d) if so, the details thereof;
- (e) the present status thereof;

(f) the time by which the proposal is likely to be processed by the Government and the Group of Ministers and it is likely to be finalized; and
(g) the site-wise details of Salt Pan Land available along with its reservation, legal ownership, possession, status?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION

(SHRI PON. RADHAKIRISHNAN)

(a)to(f): Yes, Sir. A Group of Ministers visited Salt Pan Lands at different locations in Mumbai and expressed need for expeditious development of the immediately available Salt Pan Lands.

The detailed modalities for development of these lands are being worked out for consideration by the Group of Ministers constituted for the purpose.

(g): The village-wise details of Salt Pan Lands along with status are given in Annexures- I & II.

ANNEXURES REFERRED TO IN REPLY TO PART (g) OF LOK SABHA UNSTARRED QUESTION

NO. 9 FOR 18.2.2003.

ANNEXURE-I

VILLAGE-WISE DETAILS OF SALT PAN LAND IN MUMBAI

Sl.No.	Village	Total land (Ha)
1.	DAHISAR	175.00
2.	MALVANI	18.00
3.	PAHADI	40.00
4.	MULUND	456.00
5.	NAHUR	86.00
6.	BHANDUP	220.00
7.	KANJUR	598.00
8.	WADALA	164.00
9.	ANIK	54.00
10.	TURBHE	148.00
11.	MANDALE	105.00

12.	CHEMBUR	57.00
13.	GHATKOPAR	56.00
	TOTAL	2177.00

ANNEXURE-II

SUMMARY OF SALT PAN LANDS

1.	Area Available for development		346.00 Ha
2.	Additional areas to be made available for development with modification of Development Plan:		
	i) Areas under NDZ	71.00 Ha	
	ii) Areas under CRZ-II	74.00 Ha	321.00 Ha
	iii) Area under CRZ-III	176.00 Ha	
3.	Areas already allotted to:		
	i) State Govt. Agencies (including 75.00 Ha area given for Bhandup Sewerage Project and is falling under CRZ-I)	194.00 Ha	269.00 Ha
	ii) Central Govt. Agencies	75.00 Ha	
4.	Area under ownership disputes		134.00 Ha
5.	Area under Encroachment:		
	i) Multi-storied Development	156.00 Ha	174.00 Ha
	ii) Slums	18.00 Ha	
6.	Areas not available for development:		
	i) Areas under CRZ-I	923. Ha	933.00 Ha
	ii) Area lost in court case in Nahur Village	10.00 Ha	
	Total Salt Pan Land under Transfer of M/o UD & PA		2177.00 Ha

[x] FREE HEALTH INSURANCE SCHEME FOR SLUM DWELLERS

On 16 April, 2008 Shri Sambasiva Rayapati Rao, M.P., on 22 October, 2008 S/Shri Ganesh Singh & Adv. Suresh Kurup, M.Ps., on 18 February, 2009 Shri Balashowry Vallabbhaneni, M.P., and on 8 July, 2009 S/Shri S. Semmalai & Asaduddin Owaisi, M.Ps., addressed Unstarred Questions 3477, 753 & 281 and Starred Question 64 to the Minister of Health and Family Welfare. The contents of the Questions alongwith their replies, which were treated as assurances, are as given in Annexure I, II, III & IV.

2. The Ministry of Health and Family Welfare vide O.M No. H.11011/1/2010-UH dated 29 April, 2010, have requested for dropping the assurances on the following grounds:

“That with increasing urbanization and the resultant growth of slums and low-income populations in the cities, the provision of assured and credible primary health services of acceptable quality has emerged as a priority thrust area for both Government of India (GOI) and the State Governments. The need has arisen due to the fact that focus till now has been on development of a rural health system having a three tier health delivery structure. On the other hand, no specific efforts have been made to create a well-organized health service delivery mechanism in urban areas, especially for poor people living in slums. The urban health component of NRHM has addressed this need to some extent. However, visualizing that focused efforts are required to address this problem, this Ministry drafted a National Urban Health Mission (NUHM) for cities having population of more than 1 lakh. Owing to media reports both in print as well as Electronic, questions were put up by Hon'ble Members both in Lok Sabha as well as Rajya Sabha seeking information relating to NUHM and other details including specific date of launching etc.

The Ministry initiated measures to work out details for formulating the National Urban Health Mission and took required measures to obtain necessary approvals. A token provision was also made for budget in the same year i.e. 2008-09. However, during the consultation process, the Planning Commission felt that NUHM should have taken into cognizance the wider availability of private providers and other important aspects that influence both access and quality. Further, consultations have underlined the need to work closely with the municipal authorities for undertaking the mapping of providers and facilities, assessing morbidity trends and management capacity of municipal authorities to monitor the proposed interventions etc. There is also a need to examine the utilization of RSBY to provide insurance for medical treatment so that the assistance of Government of

India under NUHM can focus on public health activities to reduce the prevalence of infectious diseases and promote healthy life styles to reduce the incidence of non-communicable diseases. The pre-project activities described above would take time, before the programme could be finalized and a decision is taken to take-up the same based on overall resource availability.

In view of the facts stated above, it would not be possible to indicate a definite time frame as to when the NUHM would be launched. As the time frame cannot be specified, it would not be possible to fulfill the assurances pending with the Ministry. Committee on Government Assurances is requested to consider the matter and drop the assurances."

3. Accordingly, the Ministry with the approval of the Minister of Health & Family Welfare, have have, requested to drop the assurances.

GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY WELFARE

LOK SABHA UNSTARRED QUESTION NO. 3477

ANSWERED ON 16.4.2008

FREE HEALTH INSURANCE SCHEME FOR SLUM DWELLERS

3477. SHRI SAMBASIVA RAYAPATI RAO

Will the Minister of Health and Family Welfare be pleased to state:-

- (a) whether the Government is contemplating free health insurance for slum dwellers across the country;
- (b) if so, the details thereof; and
- (c) the terms and conditions for identifying slum dwellers in this regard?

ANSWER

THE MINISTER OF STATE FOR HEALTH & FAMILY WELFARE(SMT. PANABAKA LAKSHMI)

(a) & (c) Health Insurance for the identified urban slum population is one of the components of the National Urban Health Mission, which is under consideration of the Government.

GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY WELFARE

LOK SABHA UNSTARRED QUESTION NO. 753

ANSWERED ON 22.10.2008

NATIONAL URBAN HEALTH MISSION

753. SHRI GANESH SINGH

ADV. SURESH KURUP

Will the Minister of Health and Family Welfare be pleased to state:-

- (a) whether the Government has launched the National Urban Health Mission;
- (b) if so, the details thereof outlining the details of healthcare extension services to the Urban poor; and
- (c) the funds allocated by the Government for the implementation of this Scheme/Mission during the current year?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE

(SMT. PANABAKA LAKSHMI)

- (a) to (c) There is a proposal to initiate National Urban Health Mission in the cities having population 1.00 lakh and above. The proposal is in the process of being finalized.

GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY WELFARE

LOK SABHA UNSTARRED QUESTION NO. 281

ANSWERED ON 18.02.2009

NATIONAL URBAN HEALTH MISSION

281. SHRI BALASHOWRY VALLABHANENI

Will the Minister of Health and Family Welfare be pleased to state:-

(a) whether the Government has finalized the proposal for launching National Urban Health Mission (NUHM) in the country;

(b) if so, the details thereof;

(c) the steps being undertaken by the Government to ameliorate the condition of the urban poor;

(d) whether the Union Government has received any proposal from the States to include them under NUHM; and

(e) if so, the details thereof alongwith the current status of the proposals?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE

(SMT. PANABAKA LAKSHMI)

(a) No Sir.

(b) to (e) To address the health care needs of the urban poor in a dedicated and focused manner, Ministry of Health and Family Welfare proposes to launch the National Urban Health Mission. The strategies proposed under the Mission have evolved after consultations with the States. The proposal is under consideration.

GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY WELFARE

LOK SABHA STARRED QUESTION NO. 64

ANSWERED ON 8.07.2009

HEALTH CARE FOR URBAN POOR

*64. SHRI S. SEMMALAI

SHRI ASADUDDIN OWAISI

Will the Minister of Health and Family Welfare be pleased to state:-

- (a) whether the Government has addressed the health care needs of the urban poor;
- (b) if so, the details thereof;
- (c) whether the Government proposes to launch any programme akin to the National Rural Health Mission for the urban poor; and
- (d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE

(SMT. PANABAKA LAKSHMI)

- (a) & (b): Yes. Government has been providing assistance for addressing the health care needs of the urban poor under different schemes:
1. As part of urban component of Reproductive Child Health – II under National Rural Health Mission, funds are provided for the improvement of health status of the urban poor through quality integrated primary health care services. Besides, NRHM also provides for strengthening and up-gradation of district hospitals, which is accessed by the urban poor also.

2. Under the Centrally Sponsored Scheme-Urban Family Welfare Centres (UFWCs.), urban health services are being provided as a package of reproductive child health programme through a network of 1083 UFWCs.

3. Under the Centrally Sponsored Scheme–Urban Health Posts (UHPs), primary health care services are being provided through a network of 871 UHPs.

4. Besides the above, all other National Disease Control Programs cater to the needs of poor persons including the urban poor.

(c)&(d): A proposal in this regard is under consideration. After due deliberation, a decision will be taken in this regard.

[xi] REVIVAL OF AILING HINDUSTAN SHIPYARD CORPORATION LIMITED

On 26 July, 2006 Shri B. Vinod Kumar, M.P., addressed an Unstarred Question No. 327 to the Minister of Shipping, Road Transport and Highways. The contents of the question along with its reply are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Shipping, Road Transport and Highways within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Shipping vide O.M. No. SY-18012/2/2006-HSL dated 25 August, 2009 requested for dropping of the assurance on the following grounds:-

“That the proposal of Rehabilitation-cum-Financial Restructuring of HSL was placed before the CCEA and the CCEA in its meeting held on 19.04.2007 decided that the matter in the first instance may be examined by a Group of Ministers (GoM). The GoM has given its recommendations on 05.02.2008.

The GoM inter-alia recommended transfer of the yard of HSL to Ministry of Defence, valuation of the yard of HSL and HSL to set up another shipyard. There was an issue relating to 40.70 acres of land to be resolved between Visakhapatnam Port Trust (VPT), Ministry of Defence and Ministry of Petroleum & Natural Gas before the yard of HSL could be transferred to Ministry of Defence. The present status of the proposal is that the land issue has been resolved and the valuation of the yard of HSL has also been made. A final draft CCEA Note has been circulated to the appraising agencies for their comments, after receipt of which a final CCEA Note shall be submitted for approval of the CCEA.

The entire process is time consuming, involving many issues to be addressed and various appraising agencies to be consulted before sending a final proposal to the CCEA for approval. In view of this, a request was made to the Lok Sabha Secretariat (Committee on Government Assurances) that although assurance has been given that the Government is considering the proposal, it would be difficult to arrive at a time frame for fulfilling the assurance. As the outcome of the proposal would depend on the final decision of the CCEA, fulfillment of the assurance is beyond the control of this Ministry.”

4. The Committee considered this request of the Ministry of Shipping at their sitting held on 07 April, 2010 and decided not to drop the assurance.

5. However, the Ministry of Shipping vide the O.M. Nos. SY-18012/2/2006-HSL dated 2 July, 2010 and 13 October, 2010 have once again requested to drop the assurance on the following grounds:-

“That the proposal of rehabilitation-cum-financial restructuring of HSL was considered by the Cabinet in its meeting held on 24.12.2009. The Cabinet decided to transfer HSL to Ministry of Defence on "as is where is basis", through an appropriate change in GOI (Allocation of Business Rules). The Cabinet also approved that the financial restructuring proposal of HSL including its investment requirements may be considered by MOD in due course. Since HSL has already been transferred to MOD and MOD shall consider the financial restructuring proposal of HSL in due course, there is no action pending on behalf of the Ministry of Shipping. Therefore, this assurance may be dropped.”

6. In view of the above, the Ministry, with the approval of Minister of State (Shipping), have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS

LOK SABHA UNSTARRED QUESTION NO. 327

ANSWERED ON 26.7.2006

REVIVAL OF AILING HINDUSTAN SHIPYARD CORPORATION LIMITED

327. SHRI B. VINOD KUMAR

Will the Minister of Shipping, Road Transport and Highways be pleased to state:-

- (a) whether there is any proposal under the consideration of the Government for revival of the ailing Hindustan Shipyard Corporation Ltd.;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

ANSWER

MINISTER OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS (SHRI T.R. BAALU)

(a) Yes, Sir.

(b) & (c) The Board for Reconstruction of Public Sector Enterprises (BRPSE) in its meeting held on 12.1.06 has recommended a revival package for Hindustan Shipyard Limited (HSL) based on financial restructuring and an investment linked business plan envisaging capital expenditure of Rs. 400 crores to be funded through commercial arrangements with key customer(s). Since the investment linked commercial arrangement is proving difficult to implement, HSL has requested this Department that the revival package should not be contingent on this condition. As an alternative, HSL has submitted a proposal to meet this requirement of Rs. 400 crores through Government support, internal accruals and borrowing from Banks and financial institutions, which is under consideration of this Department.

[xii] NEW POLICY FOR STs

On 28 November, 2006 Shri Anandrao V. Adsul, M.P., addressed an Unstarred Question No. 996 to the Minister of Tribal Affairs. The contents of the question along with its reply are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Tribal Affairs within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Tribal Affairs vide O.M. No. 22042/09/2007-NGO dated 5 March, 2010 have requested to drop the assurance on the following grounds:-

"That Ministry of Tribal Affairs has already prepared a final draft National Tribal Policy 2007 after extensive consultations. It was placed before the Cabinet for approval. However, the Cabinet decided to discuss the Policy by a Group of Ministers (GoM) before taking decision.

Accordingly, the draft policy was considered by GoM, after deliberations, the GoM made its recommendations. The recommendations of Group of Ministers (GoM) were accordingly incorporated in the Cabinet Note and the same was resubmitted to Cabinet Secretariat on 7 November, 2008 for placing it before Cabinet for approval. The cabinet Secretariat had requested this Ministry to obtain the comments of the Department of expenditure once again on the proposal relating to creation of posts for policy Implementation Cell in the Ministry and thus forward a supplementary Note for Cabinet. Accordingly, the Ministry of Tribal Affairs had also sought the comments of Ministry of Finance in this regard. In the meantime, the Cabinet Secretariat has returned the Cabinet Note on 16.03.2009 with remark that the proposal would require further consultations with the Prime Minister's Office which may be carried out and after that if necessary, a revised note may be forwarded to the Cabinet Secretariat after completion of the election process and formation of Government thereafter. Since the new Government has been formed, matter is under process as per directions of Cabinet Secretariat. Meanwhile Minister of Tribal Affairs has also written letters to Prime Minister as well as Finance Minister seeking their intervention in expediting the clearance from Ministry of Finance of the proposal relating to creation of posts for Policy Implementation Cell. Since the finalization of Policy is in advanced stage, it is, once again requested not to consider the reply in the aforesaid question as an assurance and the same may be dropped by the Committee on Government Assurances."

4. The above request of the Ministry was considered by the Committee at their sitting held on 07 April, 2010 and the Committee decided not to drop the assurance. Accordingly, the Committee presented its 7th Report, 15th Lok Sabha to the House on 5 May, 2010.

5. The Ministry of Tribal Affairs vide O.M. No. 22042/09/2007-NGO dated 14 September, 2010 have once again requested to drop the assurance on the following grounds:-

" That Ministry of Tribal Affairs has already prepared a final draft National Tribal Policy 2007 after extensive consultations. it was placed before the Cabinet for approval. However, the Cabinet decided to discuss the Policy by a Group of Ministers (GoM) before taking decision.

Accordingly, the draft policy was considered by GoM, after deliberations, the GoM made its recommendations. The recommendations of Group of Ministers (GoM) were accordingly incorporated in the Cabinet Note and the same was resubmitted to Cabinet Secretariat on 7 November, 2008 for placing it before Cabinet for approval. The cabinet Secretariat had requested this Ministry to obtain the comments of the Department of expenditure once again on the proposal relating to creation of posts for policy Implementation Cell in the Ministry and thus forward a supplementary Note for Cabinet. Accordingly, the Ministry of Tribal Affairs had also sought the comments of Ministry of Finance in this regard. In the meantime, the Cabinet Secretariat has returned the Cabinet Note on 16.03.2009 with remark that the proposal would require further consultations with the Prime Minister's Office which may be carried out and after that if necessary, a revised note may be forwarded to the Cabinet Secretariat. Now the Ministry of Finance has considered the proposal relating to creation of posts for Policy Implementation Cell vide their letter dated 5 April, 2010. The matter is under consideration for further consultations with the prime Minister's Office as per directions of Cabinet Secretariat. Since the finalization of Policy is in advanced stage, it is, once again requested not to consider the reply in the aforesaid question as an assurance and the same may be dropped by the Committee on Government Assurances."

6. In view of the above, the Ministry, with the approval of Minister of State for Tribal Affairs, have requested to drop the above assurance.

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
LOK SABHA UNSTARRED QUESTION NO. 996
ANSWERED ON 28.11.2006
NEW POLICY FOR STs

996. SHRI ANANDRAO V. ADSUL

Will the Minister of Tribal Affairs be pleased to state:-

- (a) whether the Government has requested to States to prepare exclusive annual plan to spend the outlay earmarked for Scheduled Tribes population as reported in the Hindu dated October 13, 2006;
- (b) if so, the response of the States thereto;
- (c) whether the Union Government has prepared new tribal policy;
- (d) if so, the steps taken by the Government to implement the new tribal policy; and
- (e) the extent to which new tribal policy would bring the scheduled tribes on a par with the rest of the population in terms of Human Development Index, socio-economic development and basic infrastructure facilities in their areas?

ANSWER

THE MINISTER OF THE STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI P.R KYNDIAH)

(a) & (b) : The Ministry of Tribal Affairs has written to the State Governments to ensure earmarking of funds under TSP in proportion to the Scheduled Tribe population in the State and to prepare the Annual Plan for 2006-07 accordingly. The guidelines of the Planning Commission in this regard were also brought to the notice of the States.

(c) The Ministry of Tribal Affairs has prepared a draft National Tribal Policy, which is being finalized taking into consideration the comments received from various stakeholders.

(d) Implementation of the National Tribal Policy can be taken up only once it is finalized.

(e) The draft policy envisages measures for regulatory protection, socio-economic and political empowerment, women empowerment, development of infrastructure, increased livelihood opportunities, improved governance and administration, preservation of cultural and traditional rights and traditional knowledge, conservation and protection of intellectual property rights regime and access to privileges, in order to bring STs at par with the rest of the population in terms of their Human Development Index, socio-economic conditions and basic infrastructure facilities in tribal areas.

[xiii] SECURITY AT AIRPORTS

On 29 November, 2007 Shri Bhubneshwar Prasad Mehta, M.P., addressed an Unstarred Question No. 1921 to the Minister of Civil Aviation. The contents of the question along with its reply are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Civil Aviation within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Civil Aviation vide O.M. No. H.11016/21/2007-SS dated 27 October, 2010 have requested to drop the assurance on the following grounds:-

"That the Ministry of Home Affairs have forwarded the following status on the pending assurance furnished by the Delhi Police:-

'The brief facts of the case are that on 22.10.2007 Ms. Kavita Yadav informed D.O./P.S. Palam Air Port vide DD No. 41 that a girl was lying in an injured condition inside Domestic Air Port. Dr. RK Chawla was present at the spot. he declared the girl dead. Several airport employees were also present at the spot. On enquiry it was found that the deceased was Ms Sanskriti Sinha who was working with Deccan Aviation as an Aircraft Maintenance Engineer. There was no eyewitness at the spot.

The case was being investigated by local police but father of the deceased approached the Hon'ble High Court to transfer the investigation of this to CBI. The Hon'ble High Court transferred the investigation of this case to Crime Branch.

Investigation of this case was taken up by Crime Branch on 23.02.09. The SIT/Crime Branch team visited the spot and spoke to a number of persons who were present in the Airport vicinity at the time of the incident. The investigation so far has revealed that although there was no eyewitness to the incident there are very few vehicles on the Taxiway which could have hit the victim. The local police got polygraphy test conducted on three persons namely Upender Singh, Nirmal Bhattacharya (Witness-Airport Manager) and Dharamvir (Witness-Airport Manager). The tests were inconclusive, although deceptive index was found in some of the responses made by Upender Singh. On the orders of the Hon'ble

Delhi High Court a second Polygraph Test on Upender Singh was conducted which was unremarkable. Sh. Upender Singh was driver of a 'Follow Me' Mahindra Scorpio vehicle which was found to be moving in the area at the time of the incident.

Narco Analysis Test on Upender Singh was fixed for 09.08.10 to 13.08.10 at, State Forensic Lab, Gandhi Nagar, Gujarat. However, the applicability of the Narco Analysis Test in this case will be freshly examined keeping in view the recent judgement of Hon'ble Supreme Court in this regard.

Apart from examining the case in light of the recent Supreme Court judgement, all efforts are being made to conclude the remaining parts of investigation in this case and finalise the case at an early date.'

Ministry of Home Affairs has further informed that in a similar matter, they had informed Rajya Sabha Secretariat that the investigation of the case cannot be finalized by Delhi Police owing to factors beyond their control and therefore, Ministry of Home Affairs is unable to fulfil the assurance. Ministry of Home Affairs has requested Rajya Sabha Secretariat to drop the assurances pending involving "Investigation of cases", against their Ministry from the list of pending Parliamentary assurances and has accordingly advised this Ministry to similarly take up the matter with the Lok Sabha Secretariat for dropping the assurance given by this Ministry in reply to Lok Sabha Unstarred Question No. 1921 replied on 29.11.2007.

In view of the above facts, the Committee on Government Assurances, Lok Sabha Secretariat is requested to drop the assurance involving investigation of crime by the Delhi Police, given by this Ministry in reply to Lok Sabha Unstarred Question No. 1921 replied on 29.11.2007, pending against the Ministry of Civil Aviation, from the list of pending assurances."

4. In view of the above, the Ministry, with the approval of Minister of Civil Aviation, have requested to drop the above assurance.

GOVERNMENT OF INDIA
MINISTRY OF CIVIL AVIATION
LOK SABHA UNSTARRED QUESTION NO. 1921
ANSWERED ON 29.11.2007
SECURITY AT THE AIRPORTS

1921. SHRI BHUBNESHWAR PRASAD MEHTA

Will the Minister of Civil Aviation be pleased to state:-

(a) whether the Government is aware about the incident of death of an employee at Palam Airport as reported in the Dainik Jagran dated October 24 2007;

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

(c) the action taken by the Government against the guilty persons in this regard;
and

(d) the steps proposed to be taken by the Government to check recurrence of such incidents in future?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF CIVIL AVIATION
(SHRI PRAFUL PATEL)

(a)& (b): Yes Sir, On 22.10.2007 at 2210Hrs,a lady staff was found lying in front of Bay 127 near Taxiway - `E` shoulder wearing high visibility jacket written Air Deccan. A doctor called at the site who after investigation, declared the person dead.

(c) : The matter is under investigation by Delhi Police.

(d) : The following regulations have been brought in to prevent recurrence of such incidents at IGI Airport Delhi in future:

- i) All vehicles plying on the airside of the airport are required to be equipped with speed limitation devices.
- ii) Drivers must possess Airside Driving Permit(ADP) without which they would not be allowed to drive on the airside.
- iii) Number of vehicles on the airside should be the barest minimum. Movements of staff/crew to the aircraft should be in bus/shuttle service.
- iv) Wearing of safety jackets by personnel working on airside is mandatory.
- v) Two wheelers are banned and pedestrain movements prohibited on the airside.
- vi) CCTVs should be installed inside the airport to monitor Apron and Taxiways.
- vii) Space should be earmarked for parking of Ground Handling Equipments.
- viii) Directorate General of Civil Aviation along side the airport operator to ensure safety in operations of vehicles, ground handling equipments and movement of aircrafts.

[xiv] SALE OF VACANT LAND OF VSNL

On 3 December, 2007 Shri Bhubneshwar Prasad Mehta, M.P., addressed an Unstarred Question No. 2248 to the Minister of Communications and Information Technology. The contents of the question along with the reply of the Minister are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Communications and Information Technology within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Communications and Information Technology vide O.M. No. 38-5/2007-SU(Pt.II) dated 25 March, 2010 and 19 August, 2010 have requested to drop the assurance *inter-alia* on the following grounds:-

"That the intention of the above question is as to how the Government will dispose of the surplus land? The reply was a little deviation because the Share Holders Agreement (SHA) already contained a provision as to how the surplus land would be disposed of and no separate scheme or provision was required to be framed for the surplus land but options for disposal of the land are to be worked out within the mandate of SHA. Nevertheless, the issue is complex in nature but because Government has 51.12% stake on the sale proceeds of the land, Government needs to examine all options available very carefully so that it gets best price of the land. There is also not time frame fixed in the SHA for disposal of the surplus land. Following Full Telecom Commission Meeting's decision (Dated 28.08.2009), Government has temporarily put off the auction/sale process **(which is one of the three options contained in the SHA & SPA)** of surplus land of VSNL and kicked off the process for appointment of Consultant for the disposal of surplus land of VSNL as per provisions and clauses of SHA/SPA (copy enclosed) and now Consultant would suggest with which one of the three options, Government is required to go with.

In this regard it is to mention that in view of above Department deems that there is no concrete justification for the continuation of the assurance on the subject and same (ie. assurance) should be got liquidated immediately, kindly arrange to do the same."

4. In view of the above, the Ministry, with the approval of Minister of State for Communications and Information Technology, have requested to drop the above assurance.

5. In this connection it is stated that assurance given in reply to USQ 2248 dated 3.12.2007 was taken up during oral evidence of the Ministry of Communications and Information Technology. The Committee accordingly presented its 5th Report. The Committee, in their 5th Report desired/noted that a consultant has not been appointed so far and the Ministry is not clear about what is to be done with the vacant surplus land. The Committee, therefore, desired that the Ministry should initiate concrete steps to appoint the consultant and decision regarding surplus land be taken at the earliest and the assurance be implemented.

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

LOK SABHA UNSTARRED QUESTION NO. 2248

ANSWERED ON 03.12.2007

SALE OF VACANT LAND OF VSNL

2248. SHRI BHUBNESWAR PRASAD MEHTA

Will the Minister of Communications and Information Technology be pleased to state:-

(a) whether the sale of the vacant land of Videsh Sanchar Nigam Limited (VSNL) is not being done to the pressure of the company while the vacant land is not covered under disinvestment and Government is overlooking the recommendation of the Parliamentary Committee on Finance regarding the sale of the vacant land;

(b) if so, the details thereof;

(c) the ground on which the vacant land of the VSNL was handed over to its buyer the Tata Telecom/Tata Group, while it was not covered under investment;

(d) the portion of the vacant land of the VSNL lying with its buyer the Tata Group;

(e) whether the Government has formulated any scheme to sell out the vacant land of the VSNL;

(f) if so, the details thereof; and

(g) if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) & (b) There is no pressure from the company on Government to sell the vacant (surplus) Land of VSNL. And there is no recommendation regarding sale of vacant (surplus) land VSNL by Standing Parliamentary Committee of Department of Disinvestment, Ministry of Finance.

(c) VSNL (A Private company) is the custodian of the vacant (surplus) land. And the TATA Group is the major stake holder in VSNL.

(d) The vacant (surplus) Land identified prior to disinvestment is 773.13 Acres. M/s VSNL is the custodian of this land.

(e) to (g) The Government is considering all possible options and the matter is under consideration of the Government.

[xv] AIIMS TYPE INSTITUTE IN UTTAR PRADESH

On 18 February, 2009 Shri Ramesh Dube, M.P., addressed an Unstarred Question No. 248 to the Minister of Health & Family Welfare. The contents of the question along with its reply are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Health & Family Welfare within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Health & Family Welfare vide O.M. No. H-11018/4/05-SSH dated 1 June, 2010 have requested to drop the assurance on the following grounds:-

“That as regard setting up of AIIMS like institution in the State of Uttar Pradesh, Bundelkhand region falls within periphery of both the States of Madhya Pradesh and Uttar Pradesh. Keeping in view the fact that Central Government is setting up an AIIMS like institution at Bhopal in Madhya Pradesh under Phase-I of PMSSY and another in Uttar Pradesh under PMSSY Phase-II, it has been decided to upgrade Government Medical College, Jhansi in Uttar Pradesh and Government Medical College at Rewa which is very close to Bundelkhand region of Madhya Pradesh in the 3rd Phase of PMSSY. There is no Government Medical College in the Bundelkhand region of Madhya Pradesh which could be taken up for upgradation.

Since the Planning Commission has already accorded approval to the above proposal, Committee on Government Assurances, Lok Sabha is requested to drop the assurance.”

4. In view of the above, the Ministry, with the approval of Minister of State (Health & Family Welfare) have requested to drop the above assurance.

GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
LOK SABHA UNSTARRED QUESTION NO. 248
ANSWERED ON 18.2.2009
AIIMS TYPE INSTITUTE IN UTTAR PRADESH

248. SHRI RAMESH DUBE

Will the Minister of Health and Family Welfare be pleased to state:-

- (a) whether the Government proposes to set up any new institute on the lines of AIIMS in Uttar Pradesh;
- (b) if so, the details thereof; and
- (c) the action taken by the Government in this regard?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SMT. PANABAKA LAKSHMI)

(a) to (c): It is proposed to set up an AIIMS-Like institution including Nursing College in Uttar Pradesh, in the second phase of Pradhan Mantri Swasthya Suraksha Yojana (PMSSY). The institution will have a 960 bedded hospital, intended to provide healthcare facilities in 39 speciality/super-speciality disciplines. Medical College will have 100 UG intake besides facilities for imparting PG/doctoral courses in various disciplines, largely based on Medical Council of India (MCI) norms and also nursing college conforming to Nursing Council norms. Estimated cost of the AIIMS-like institution is Rs.823 Crore. Approval of the Cabinet was obtained on 5.2.2009. Government of Uttar Pradesh will provide atleast 100 acres of developed land free of cost and other infrastructural facilities such as water, power, sewerage and road connectivity for setting up and running these institutions. The site for the proposed institution will be finalized in consultation with the State Government.

[xvi] ISSUANCE OF SOIL HEALTH CARDS TO FARMERS

On 20 July, 2009 several Members during General Discussion on Demands for Grants raised the point regarding issuance of Soil Health Cards to Farmers.

2. In reply the Minister of Agriculture (Shri Sharad Pawar) *inter-alia* stated as follows:-

"I am sure, in the next three to four years' period, we will be able to complete this programme in the entire country and we will be able to provide the Soil Health Card to each and every farmer."

3. The above reply was treated as assurance and was required to be fulfilled by the Ministry of Agriculture within three months from the date of reply but the assurance is yet to be implemented.

4. The Ministry of Agriculture vide their O.M. No. 10-1/2010-Fert.Use dated 23 July, 2010 have requested for dropping the above assurance on the following grounds:-

`That the National Project on Management of Soil Health and Fertility (NPMSF) was launched during 2008-09 and is an ongoing programme. Under NPMSF during 2008-09, an amount of Rs. 16.63 crore was released to 16 States *inter-alia* for setting up of 42 Static Soil Testing Laboratories (STLs) and 44 Mobile STLs. During 2009-10 an amount of Rs. 37.96 crore was released to 15 States *inter alia* for setting up 54 Static STLs and 52 Mobile STLs. Funds released under the scheme are based on the proposals received from State Governments. While the scheme envisages setting up of 500 Static STLs and 250 Mobile STLs, the achievements under NPMSF will be known at the end of 11th Plan.

Soil Health Card is a documented account of the result of soil analysis communicated to the farmers and contains information on soil health aimed at soil fertility management with focus on fertilizer use for enhancing crop productivity. Based on soil test, soil health cards are issued to the farmers by State Governments. As per reports received from the State Governments till March, 2009 total 277.35 lakh soil health cards have been distributed.

As implementation of NPMSF and issue of Soil Health Cards to farmers is by the State Governments is an ongoing process, it is requested that the matter may be placed before the Committee on Government Assurances for deletion from the list of pending assurances."

5. In view of the above, the Ministry, with the approval of Minister of State for Agriculture, have requested to drop the assurance.

[xvii] REVIVAL OF NTC MILLS

On 19 November, 2009 S/Shri Vitthalbhai Hansrajbhai Radadiya and Mansukhbhai D. Vasava, M.Ps., addressed a Starred Question No. 3 to the Minister of Textiles. The contents of the question along with the reply of the Minister of Textiles are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Textiles within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Textiles vide O.M. No. 1/6/2009-NTC dated 24 May, 2010 had requested to drop the assurance on the following grounds:-

“That it may be stated that vide their order dated 16.12.2009 BIFR has approved extension of implementation period of the sanctioned scheme upto 31.03.2011. Action for obtaining requisite approval of the Cabinet is in progress. However, this may take some time and it may not be possible to fulfill the assurance shortly. Since BIFR approval for extension of the implementation period upto 31.03.2011 has already been received.”

4. The Committee on Government Assurances considered the above request of the Ministry at its sitting held on 6 August, 2010 and decided not to drop the assurance. Accordingly, the Committee presented its 10th Report to Lok Sabha on 27 August, 2010. However, the Ministry of Textiles vide O.M. No. 1/6/2009-NTC dated 2 December, 2010 have once again requested to drop the assurance on the following grounds:-

"That revival plan of NTC was approved by the Group of Ministers constituted by the Cabinet; and also by the Board for Industrial & Financial Reconstruction (BIFR). In view of GoM/BIFR approvals, the revival plan is already being implemented at a vigorous pace. As already intimated vide this Ministry's O.M. dated 18th August, 2010, modernization of 18 mills has been completed by NTC. The enclosed status report in respect of the 4 mills would show that the progress is fully on track as per BIFR sanction. The implementation of revival scheme is being closely monitored by the Board of Directors of NTC, the Ministry of Textiles and the BIFR from time to time. It is also stated that assurance on similar issue (Lok Sabha Unstarred Question No. 4410 dated 08.05.2007) has already been dropped by the Committee on Government Assurances vide O.M. No. Report/9/27/08/2010-(CGA) dated 31.08.2010."

5. In view of the above, the Ministry, with the approval of Minister of State for Textiles, have once again requested to drop the above assurance.

GOVERNMENT OF INDIA
MINISTRY OF TEXTILES
LOK SABHA STARRED QUESTION NO. 3
ANSWERED ON 19.11.2009
REVIVAL OF NTC MILLS

*3. Shri Vitthalbhai Hansrajbhai Radadiya
Shri Mansukhbhai D. Vasava

Will the Minister of Textiles be pleased to state:-

- (a) whether the revival plan for the National Textile Corporation (NTC) as approved by the Board of Industrial and Financial Restructuring (BIFR) has since been implemented;
- (b) if so, the details thereof;
- (c) the reasons, if any, for the delay in the implementation of the revival plan; and
- (d) the further action proposed in this regard?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRI DAYANIDHI MARAN)

(a) & (b): The scheme for revival of National Textile corporation Ltd. (NTC) was approved by the Board for Industrial and Financial Reconstruction (BIFR) in the year 2002, and modified in the years 2006 and 2008. The scheme is currently under implementation. The present status of implementation of the scheme is given in the Annexure.

(c) & (d): The Revival Scheme is self-financing and mainly depends on generation of resources through sale of surplus land of NTC, as envisaged in the scheme. Sale of surplus land requires permission from various State Governments. Implementation of the scheme has been delayed mainly due to delay in receipt of such permissions and partly due to delay in getting formal approval under the Industrial Disputes Act for closure of unviable mills, retirement of workers in these mills under the Modified Voluntary Retirement Scheme (MVRS) etc. The recent recession in real estate market has also adversely affected the sale of land, thus delaying the implementation schedule. Proposal for extension of the implementation period is in process for seeking approval of Government/BIFR.

[xviii] HELICOPTER CRASH

On 10 December, 2009 Dr. Vinjay Kumar Pandey 'Vinnu', M.P., Shri M.I.Shanavas, M.P., and Shri Ashok Kumar Rawat, M.P. addressed an Unstarred Question No. 3449 to the Minister of Civil Aviation. The contents of the question along with the reply of the Minister of Civil Aviation are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Civil Aviation within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Civil Aviation vide O.M. No. H.11016/57/2009-DG dated 21 July, 2010 have requested to drop the assurance on the following grounds:-

"Since the proposal for setting up the National Transport Safety Board (NTSB) was primarily under the aegis of the Planning Commission, the matter was taken up with them. Planning Commission has now intimated that the proposal relating to setting up on overarching National Transport Safety Board has been deferred. Though this Ministry is separately considering setting up a separate independent agency for investigation of accidents. This assurance cannot be fulfilled in the form in which it is given. It is therefore requested that this assurance may kindly be deleted from the list of assurances."

4. In view of the above, the Ministry, with the approval of Minister of State for Civil Aviation, have requested to drop the above assurance.

GOVERNMENT OF INDIA
MINISTRY OF CIVIL AVIATION
LOK SABHA UNSTARRED QUESTION NO. 3449
ANSWERED ON 10.12.2009
HELICOPTER CRASH

3449. SHRI VINAY KUMAR ALIAS VINNU

SHRI ASHOK KUMAR RAWAT

SHRI M.I. SHANAVAS

Will the Minister of Civil Aviation be pleased to state:-

- (a) whether the Directorate General of Civil Aviation has directed to investigate the helicopter accidents which have occurred during the last three years, particularly in Andhra Pradesh;
- (b) if so, the details thereof, helicopter accident-wise as on date:
- (c) whether the investigation has been completed, accident-wise;
- (d) if so, the details thereof;
- (e) whether the Government proposes to constitute any independent agency for the enquiry of the air crashes; and
- (f) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF CIVIL AVIATION (SHRI PRAFUL PATEL)

(a):- Yes, Madam.

(b),(c) and (d):- Details are at Annexure.

(e) and (f):- The International Civil Aviation Organisation (ICAO) has recommended that investigative and regulatory functions of the Directorate General of Civil Aviation (DGCA) should be independent of each other. DGCA has been asked to prepare a roadmap on separation of accident/incident investigation from its regulatory functions. Planning Commission is preparing the Blue Print for National Transport Safety Board (NTSB) for inquiring all cases of transport accidents including air crashes.

ANNEXURE MENTIONED IN THE PARTS (B), (C) AND (D) OF THE LOK SABHA

UNSTARRED QUESTION NO. 3449 FOR 10.12.2009 REGARDING "HELICOPTER CRASH".

DETAILS OF ACCIDENTS DURING LAST THREE YEARS

Year 2007

S.No.	Date/Place	Helicopter Type Regn. No.	Operator	Fatalities	Damage Details	Details of accidents probable cause
1.	19.10.2007 Bangalore	Multi Engine Schweizer VT – HAI	HAL Rotary Wing Academy	Nil	Substantial	Uncontrolled movement of helicopter during hover exercise and delayed corrective action by instructor resulted in crash landing of helicopter. Investigation completed

2.	21.05.2007 Kedarnath Helipad	<u>Single Engine</u> <u>Alloute III</u> VT – EGK	Prabhatam Aviation (P) Ltd.	One	Minor	During landing at Kedarnath helipad, main rotor blades ground crew resulting in fatal injury to ground crew.
3.	14.07.2007 Near Lanji, Raipur Chattisgarh	<u>Multi Engine</u> <u>EC 135 T1</u> VT – CGH	Government of Chattisgarh	04	Destroyed	The probable cause of accident was non adherence of the SOP wherein the flight crew failed to maintain adequate terrain clearance. Bad weather and improper crew detailing who were not qualified for such operation was the contributory factor.

Year 2008

S.No.	Date/Place	Helicopter Type Regn. No.	Operator	Fatalities	Damage Details	Details of accidents probable cause
1.	18.01.2008 Mysore	Single engine Bell – 206 – L3 VT – DAK	Deccan Aviation, Bangalore	Nil	Substantial	During landing pilot experienced loss of tail rotor

							<p>effectiveness at hover and entered into right yaw due changing wind conditions which resulted in loss of control and crash landing of helicopter.</p> <p>Wrong location of the wind sock at the helipad was contributory factor to the accident.</p> <p>Investigation Completed.</p>
2.	03.08.2008 Near Kodijutta Gutta, Vekatapuram (AP)	Multi engine Bell 430 helicopter VT – REO	M/s. Ran Air	04	Destroyed	<p>Helicopter descended bellow the minimum safe altitude due bad weather and collided with the hill en route.</p> <p>Contributory factors</p> <p>1. Crew did not obtain the meteorological</p>	

						<p>briefing before departure.</p> <p>2. Selection of the improper route by the crew.</p>
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Year 2009

S.No.	Date/Place	Helicopter Type Regn. No.	Operator	Fatalities	Damage Details	Details of accidents probable cause
1.	09.7.2009 Near Amarnath Cave (J&K)	Single Engine Lama 315 B VT – WEX	M/s. Himalayan Heli Services (P) Ltd.	01	Substantial	<p>During landing at Amarnath cave helipad, Pilot experienced problem and landed around 500 metres before the helipad. During landing one of the pilgrim on ground came in contact of helicopter and received fatal injury. Pilot and two passenger on board received minor injuries. The helicopter was substantially damaged.</p> <p>Accident is under investigation</p>

2.	02.09.2009 Near Serai Salem Hill, Kurnool, (AP)	Multi engine Bell 430 VT – APG	Government of Andhra Pradesh	05	Destroyed	Helicopter flying from Begumpet airport, Hyderabad to Chittoor went missing in bad weather in Nalla Mala forest, Kurnool. The wreckage of the crashed helicopter was found near Serai Salem Hill, Kurnool. All the five persons on board received fatal injuries. Accident is under Investigation
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[xix] INDO-NEPAL TREATY

On 10 March, 2010 Dr. Vinay Kumar Pandey 'Vinnu', M.P., addressed an Unstarred Question No. 2065 to the Minister of External Affairs. The contents of the question along with the reply of the Minister are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of External Affairs within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of External Affairs vide U.O. No. E.II/125/3/2009 dated 22 April, 2010 and 02 November, 2010 have requested to drop the assurance on the following grounds:-

"That India and Nepal initialed an updated Extradition Treaty in January, 2005. The treaty needs formal signatures to take effect. The Government has been regularly taking up the matter of early signing of the Treaty with the Government of Nepal. Government of Nepal's confirmation is awaited. It is not possible to put a time frame on a sovereign country's decision."

4. In view of the above, the Ministry, with the approval of Minister of External Affairs, have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 2065

ANSWERED ON 10.03.2010

INDO-NEPAL TREATY

2065. DR. VINAY KUMAR PANDEY 'VINNU'

Will the Minister of External Affairs be pleased to state:-

- (a) the reasons for new repatriation treaty having not been signed between India and Nepal;
- (b) whether this issue was raised during his recent visit to Nepal;
- (c) if so, the outcome thereof; and
- (d) the approach of Nepalese Government towards this treaty?

ANSWER

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA)

(a) to (d) India and Nepal signed an Extradition Treaty on 02/10/1953, which remains in force. With a view to strengthen the institutional legal arrangements for effectively combating crime and terrorism in tune with contemporary realities, India and Nepal initialed an updated Extradition Treaty in January, 2005. It is awaiting formal signatures. The Government has regularly taken up the matter of early signing of the updated Extradition Treaty with the Government of Nepal including during the visit of the Minister of External Affairs to Nepal in January, 2010 and their confirmation is awaited.

[XX] NATIONAL INSTITUTE OF DESIGN

On 3 May, 2010 Shri L. Raja Gopal, M.P, addressed an Unstarred Question No. 5962 to the Minister of Commerce and Industry. The contents of the question along with the reply of the Minister are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Commerce and Industry within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Commerce and Industry vide O.M. No. 1/4/2010-IPR-V dated 29 July, 2010 have requested to drop the assurance on the following grounds:-

"That the intention of the Department while giving reply to part (a) and (b) of the Question that 'the National Institute of Design (NID) is still in the process of finalizing its views in the matter', was not give any assurance. Since NID is an autonomous organization this Department did not provide any assurance on behalf of NID. Only factual position was stated."

4. In view of the above, the Ministry, with the approval of State (Commerce & Industry), have requested to drop the above assurance.

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
LOK SABHA UNSTARRED QUESTION NO. 5962
ANSWERED ON 03.5.2010

NATIONAL INSTITUTE OF DESIGN

5962. SHRI L. RAJA GOPAL

Will the Minister of Commerce and Industry be pleased to state:-

- (a) whether the Government proposes to give status of Centre for Excellence to the National Institute of Design (NID);
- (b) if so, the details thereof and the time by which such status is likely to be given;
- (c) the benefits likely to accrue to NID if such status is given;
- (d) Whether any private participation is envisaged in setting up of the above institutes; and
- (e) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA)

- (a) & (b): No, Madam. The NID is still in the process of finalising its views in the matter.
- (c): NID would be able to award degree of B. Des. and M. Des. Presently it awards Undergraduate and Postgraduate diplomas.
- (d): No, Madam.
- (e): Does not arise.

[xxi] CASES REGISTERED AGAINST IAS OFFICERS

On 05th May, 2010 Shrimati Rama Devi & Shiri Rajiv Ranjan Singh Alias Lalan Singh, M.P., addressed an Unstarred Question No. 6414 to the Prime Minister. The contents of the question along with the reply of the Minister of State for Personnel & Public grievances & Pensions are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Personnel, Public Grievances and Pension (Department of Personnel & Training) within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Personnel, Public Grievances and Pension (Department of Personnel & Training) vide O.M. No. 124/10/2010-AVD.I dated 13th July, 2010 have requested to drop the assurance on the following grounds:-

"That in the Annexure referred to in reply to part (a) to (d) of the question, details of cases registered by the CBI against IAS officers, alongwith their present status, have been furnished. The question did not seek information regarding the time frame within which the investigations will be completed nor any assurance was given to the House to this effect. If the reply is viewed with reference to the specific query, it would be evident that no assurance was given in reply to the question."

4. In view of the above, the Ministry, with the approval of Minister of State for Personnel & Public Grievances & Pensions, have requested to drop the above assurance.

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS

LOK SABHA UNSTARRED QUESTION NO. 6414

ANSWERED ON 05.05.2010

CASE REGISTERED AGAINST IAS OFFICERS

6414. Shrimati Rama Devi:
Shri Rajiv Ranjan Singh Alias Lalan Singh:

Will the Prime Minister be pleased to state:-

(a) whether the number of cases registered by CBI against Indian Administrative Officers has increased over the years;

(b) if so, the details thereof including the cases registered by CBI against them during the last three years and the current year, year-wise;

(c) whether any instructions have been issued by the Cabinet Secretariat in this regard; and

(d) if so, the details thereof including the punitive action taken against the guilty officers?

ANSWER

MINISTER OF THE STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF SCIENCE AND TECHNOLOGY; MINISTER OF THE STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF EARTH SCIENCE; MINISTER OF THE STATE IN THE PRIME MINISTER`S OFFICES; MINISTER OF THE STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS;AND MINISTER OF THE STATE IN THE MINISTRY OF PARLIYAMENTARY AFFARIS (SHRI PRITHVIRAJ CHAVAN)

(a) to (d): The number of cases registered by the CBI against officers of the Indian Administrative Service during the last three years i.e. 2007, 2008, 2009 and in the current year till 30,4.2010 are as under:

Year	Cases registered	No. of IAS officers
2007	5	5
2008	2	2
2009	7	5
2010 (upto 30.4.2010)	3	3

The details of these cases, indicating their present status, are given in the Annexure.

The Cabinet Secretary has written a demi official letter on 3rd March, 2010 laying emphasis on effective implementation of Government`s policy of zero tolerance for corruption, by strengthening preventive vigilance, introduction of transparency in decision making, taking stringent action against officers found guilty, expediting disciplinary proceedings etc.

Sl. No.	Case No., Date of Registration & Section of Law	Name of the accused officer with cadre	Department	Allegation in brief	Present Status
2007					
1	RCOI/E/2007-Kol 04/01/2007 u/s. 120B r/w 409 IPC r/w Sec. 13(2) and Sec. 13(I)(c) & 13(IXd) of PC Act, 1988	R. Ezung, IAS (NL: 91) (Retired)	Secretary, Department of Veterinary & Animal Husbandry, Govt. of Nagaland, Kohima	Misappropriation of an amount of Rs. 383.71 lakhs, which had been sanctioned and disbursed by National Cooperative Development Corporation during the year 1999-2000 and 2000-2001 as loan to the Department of Veterinary & Animal Husbandry, Govt. of Nagaland to provide assistance to Cooperative Societies engaged in poultry farming in Nagaland.	Under trial
2	RC 7(A)/2007- ACB/Chennai 12.02.2007 U/s 120-B, 409, 420, 465, 471 IPC & 13(IXc)& 13(1) (d) of PC Act, 1988	K.Mohana chandran, IAS (KL:65), (Retired)	Formerly Principal Secretary to Government, Department of Power, Govt. of Kerala & Chairman, Kerala State Electricity Board,	Entered into criminal conspiracy in award of renovation and modernisation work of Pallivasal, Sengulam and Panniyar Hydro electric Projects to SNC Lavalin, Canada at a high rate avoiding rules, regulations and normal procedures and thereby caused unestimated amount of undue pecuniary loss to KSEB and State of Kerala and undue pecuniary gain of such an amount to SNC Lavalin. Also entered into criminal conspiracy and thereby failed to execute binding agreement with SNC Lavalin to ensure the grant offered for Malabar Cancer Centre and thereby allowed SNC Lavalin to cheat Govt. of Kerala to the tune of Rs. 86.25-crores by evading from the commitment of constructing Malabar Cancer	Under Trial.
3	RC.40/2007-ACB/Chennai 09.08.2007 U/s 13(2) r/w 13(I)(e) of PC Act, 1988.	Sukumar N. Oommen, IAS (MT:73) (Retired)	Chairman and Managing Director, Madras Fertilisers Ltd (MFL) Manali, Chennai.	During the period from 2002 to 2005 the accused had huge financial transactions, investments which are disproportionate to his known sources of income.	Case closed.
4	RC I(AV2007-ACU(V/rV) dt. 0U.2007/U/sl3(2)r/w 13 OHO P.C.Act, 1988	Sh. J.S.L. Vasava, IAS (AM:82),	Commissioner, Lower Assam Division, Guwahati	It is alleged that Sh. J S L.Vasava, IAS (1982:AM) while posted in various capacities as a public servant has amassed assets in his name and in the name of his family members during the period 01.9.1982 to 31.12.2005 which prima-facie appear to be disproportionate to known sources of his income to the tune of Rs.34,54,399/-.	Request of CBI seeking sanction for prosecution is in process.

5	RC.l(A)/07-ACU.IX 23/4/2007 120- Bi/w420IPC 11 &13(2)r/w 13(l)(d) P.C.Act, 1988	Shri Rakesh Mohan, IAS (AGMUT;78)	The then CEO, Delhi Jal Board, Govt. of Delhi.	The accused persons conspired to award a contract for trenchless renovation of water rising mains of Delhi Jal Board to consortium of M/s KJPL at exorbitant values of Rs. 35.84 Crores. In the quid pro quo Shri Vijay Kumar of M/s KIPL purchased a house in USA and executed a special power of attorney in favour of son-in- law of Shri Rakesh Mohan, IAS. On the strength of this power of attorney a loan of approximately Rs. 3 Crores was obtained from a bank in USA. ;	Under Investigation
2008					
1	RC-49/2008-ACB/Delhi Dt 17.11.2008 U/s 13(2) r/w 13(1) (e) of PC Act 1988	Jyoti Kalash, IAS (NL-90) j	Compulsory Wait in D/o Heavy Industry & Public Enterprise.	It is alleged that the suspect officer has acquired assets by corrupt and illegal means in his own name and in the name of his family members, which are disproportionate to his known sources of income to the tune of Rs. 37,66,505/-.	Under Investigation
2	RC.3(A)/2008/ACU-IX dt .29.9.2008 u/s 2005 u/s 120-B IPC r/w 13(2) r/w13(IXd)ofPCAcf. 1988	Shri Sanjiv Kumar, IAS (HR:85)	The then State Project Director, Haryana Prathmik Pariyojana, Govt of Haryana	While posted as State Project Director, Haryana Prathmik Siksha Pariyojana Parishad, Chandigarh during 1998-2000 entered into a criminal conspiracy with Shri Sushasnt Swain, the then Store Purchase Officer of (HPSPP) and other private persons to commit criminal misconduct by awarding the contract for printing/purchase of text book for HPSPP to the tune of Rs. 5.25 Crores (approx), which was beyond his financial powers.-.	Placed under suspension by the Govt. of Haryana. Request of CBI seeking sanction for prosecution is in process.

2009						
1	RC 42(A)/2009-ACB/Chennai 03.08.2009 U/s 120-B r/w 420 IPC , 420 IPC and 13(2) r/w 13(IXd) of PC Act, 1988	Shri K. Suresh, IAS (MP:82)	The then Chairman, Chennai Port Trust, Chennai	Misuse of official position in allowing a dead ship to berth knowing very well that it would cause a huge loss to the Port Trust. The owner i.e. M/s Olam International Ltd Singapore had refrained from making payments towards additional berth charges, demurrage and other related charges thereby causing a wrongful loss to the tune of Rs.20 crores.	Under investigation	
2	RC.53/2009-ACB/Chennai 12.10.2009 U/s 109 IPC and Sec 13(2) r/w 13(1) (e) of PC Act, 1988.	Shri K. Suresh, IAS (MP;82)	-do-	During the period from September, 2003 to 04.08.2009, acquired assets in his name and in the name of his wife Dr.(Smt) Y.Geetha to the tune of Rs.2,74,41,538/- which are disproportionate to his known sources of income.	Under Investigation.	
3	RC-6/09 ACU-IV dt. 15.12.2009 U/s. 13 (2) r/w 13 (1) (e) of P C Act, 1988 and Section 109 IPC	Sh Manoj Kumar Agarwal, IAS (90;WB),	Commissioner, Land Disposal, DDA, New Delhi	Amassed assets in his name and in the name of his family members during the period from 20.08.90 to 30.06.2008 which prima-facie appear to be disproportionate to known sources of his income . to the tune of Rs. 45,80,266/-.	Under investigation	
4	RC09(A)/2009-AHD-R,dated. 01.08.2009, U/s 5(2)r/w13(l)(e)of PC Act 1947 & 13(2) r/w 13(l)(e) of Prevention of Corruption Act, 1988	Shri Avinash Kumar, IAS(JH: 93)	Govt. of Jharkhand	Acquisition of disproportionate assets worth <i>INRs.</i> 1,23,48,310/- •	Placed under suspension by the State Government. Under' investigation	
5	RC11(A)/2009-AHD-R ,dated 29.08.2009,U/s 120B,420,467,468 & 471 IPC and Section 13(2)r/w 13(l)(c) & 13(l)(d) of PC Act, 1988.	Dr. Pradeep Kumar IAS(JH:91)	The then Secretary, Health Department, Govt of Jharkhand, Ranchi	Entered into a criminal conspiracy and abused his official position as public servant in fraudulent and dishonest purchase of medicines, medical equipment/appliances, sundry items etc. used in the hospital from nineteen suppliers worth Rs. 1,30,50,79,951.74 without assessing the actual requirement and without observing the codal formalities prescribed in this regard. The amount squandered was out of the fund allotted for "National Rural Health Mission (NRHM)", an scheme sponsored and financed by the Govt. of	Placed under suspension by the State Government. Under investigation	

6	RC I4(A)/2009-AHD-R, dated 31.10.2009, U/ss 1206, 420, 468 & 471 IPC and Section 13(2) r/w 13(1)(d) PC Act, 1988.	Dr. Pradeep Kumar, IAS (JH:91)	- do-	Entered into a criminal conspiracy and abused his official position as public servants, in fraudulent and dishonest order of procurement of seventy two (72) chassis, out of the fund allotted for the implementation of National Rural Health Mission Scheme, from M/s Tata Motors Ltd., Jamshedpur and the conversion of seventy nine (79) chassis into a Mobile Medical Unit by offering exorbitant rate for their conversion which caused heavy wrongful pecuniary loss to the Government of India and corresponding pecuniary gain to themselves and/or to others.	-do-
7	RC.6(A)/2009-GWH 16.4.2009 U/s 120B, 420 IPC & Sec. 13(2) r/w 13(1) (d) of PC Act, 1988	Sh. T. Panmei, IAS, (MT: 95)	The then Dy. Commissioner, Senapati District, Govt. of Manipur	Entered into criminal conspiracy in dishonestly allowing 100% exemption of Rs. 1.15 Crores claimed by the Pvt. Person in his IT Return towards donation under Sec. 35 4C of IT Act, 1961 to M/s Rural Development Centre which is non-existence and Urns caused wrongful loss to the Govt. to the tune of Rs.41,25,625.00.	Under investigation.
2010 (as on 30.04.2010)					
1	RC 2(A)/10-Cochin Dt. 25.02.10 U/s 120 B r/w 420 IPC and Sec. II, 14 & 13(2) r/w 13(1)(d) & 13(a) of PC Act, 1988.	Shri Abraham Varickamakka 1, IAS (AGMUT:98)	The then Collector and Development Commissioner, Chairman of LBDB, Administration of UT of Lakshadweep, Kavarathi.	Entered into criminal conspiracy and abused official position in unauthorisedly awarding contract for supply of granite chips and river sand from the main land to the Island of Lakshadweep at exorbitant prices.	Under investigation.
2	RC JAI 2010 S 0007 Dt. 29.01.2010 U/s 120-B r/w 420, 467, 468 & 471 IPC and Sec. 12 of Indian Passport Act,	Sh. Sanjay Dixit, IAS (RJ:86)	The then Secretary in Govt. of Rajasthan, Deptt.	This case has been registered on the orders of Hon'ble High Court of Judicature for Rajasthan at Jaipur in SB Civil Writ Petition No. 11394/2009. Entered into a criminal conspiracy with	Under Investigation

	1967.		of Horticulture, Jaipur, now Secretary to Govt. Of Rajasthan, Command Area Development Jaipur	Sh.Ranjeet Singh S/o Sh. Narayan Singh, R/o Plot No. 85, Sonabari, Gopalpura Bypass, Jaipur and issued a verification certificate dated 03.07.07 in the name of said Sh. Ranjeet Singh, which contained false and misleading declaration about moral and character of Sh. Ranjeet Singh against whom several criminal cases were pending and had been declared history sheeter by the concerned Police Station of Jaipur.	
3	RC 2(A)/10-Cochin Dt.25.02.10 U/s I 20 B r/w 420 IPC and Sec.II, 14 & 13(2) r/w 13(l)(d) &13(a)of PC Act, 1988.	Sh. O. Ravi, IAS (GJ:83)	Joint Secretary, Disaster management, MHA, GOI, New Delhi.	Entered into criminal conspiracy with the other private persons i.e. owners/Directors of various private Distilleries of Daman and in pursuance of the aforesaid criminal conspiracy, facilitated evasion of excise duty and VAT to the tune of Rs.340 Crores. It is further alleged that Sh. O. Ravi assured Sh. Ashok Khemani that he will use his personal influence over Senior Functionaries in Govt. of India and manage transfer of the Administrator of Daman. In lieu of providing such services to Sh. Ashok Khemani, Sh. O. Ravi accepted Rs. 25 lacs as illegal gratification. Sh. O. Ravi has been actively pursuing the transfer matter on regular basis.	Placed under suspension by the Government of India. Under Investigation

[xxii] PROBE OF FINANCIAL IRREGULARITIES BY BUREAUCRATS

On 5 May, 2010 S/Shri Gadhvi Mukesh Bhairavadanji, J.M. Aaron Rashid & Shripad Yesso Naik, M.Ps., addressed an Unstarred Question No. 6481 to the Prime Minister. The contents of the question along with the reply of the Minister are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) vide U.O. No. 361/30/2010-AVD-III dated 25 August, 2010 have requested to drop the assurance on the following grounds:-

"That it will be appreciated that the Committee's work of scrutinizing the complaints and making appropriate recommendations for further investigation or otherwise to the Disciplinary Authority is not a onetime activity but it is a continuing process and hence action on such complaints cannot be completed in one go. Therefore, if such matters are treated as assurance, it will not be possible for this Ministry to fulfill them at any point of time."

4. In view of the above, the Ministry, with the approval of Minister of State for Personnel, Public Grievances and Pensions, have requested to drop the above assurance.

GOVERNMENT OF INDIA

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

LOK SABHA UNSTARRED QUESTION NO. 6481

ANSWERED ON 05.05.2010

PROBE OF FINANCIAL IRREGULARITIES BY BUREAUCRATS

6481. SHRI GADHVI MUKESH BHAIKAVADANJI
SHRI J.M. AARON RASHID
SHRI SHRIPAD YESSO NAIK

Will the Minister of Personnel, Public Grievances and Pensions be pleased to state:-

- (a) whether the Government has proposed to probe financial bungling of Chairpersons, Managing Directors and Directors of PSUs including Co-operative Banks by the Committee of Bureaucrats instead of Central Vigilance Commission (CVC) and Central Bureau of Investigation (CBI);
- (b) if so, the details thereof and the reasons therefor;
- (c) whether such a move of the Government is direct violations of the law governing the CVC/CBI and their jurisdictions;
- (d) if so, the details thereof;
- (e) whether the said Committee could be given powers equal to the CVC; and
- (f) if not, the manner in which the Committee would execute its authority of probing the case of financial irregularities?

ANSWER

Minister of State (Independent Charge) of the Ministry of Science and Technology; Minister of State (Independent Charge) of the Ministry of Earth Sciences; Minister of State in the Prime Minister's Office; Minister of State in the Ministry of Personnel, Public Grievances and Pensions; and Minister of State in the Ministry of Parliamentary Affairs (SHRI PRITHVIRAJ CHAVAN)

(a) & (b): The Department of Public Enterprises have issued an Office Memorandum (OM) on 11.3.2010 and an amendment thereto on 12.4.2010, outlining a procedure for handling complaints against Chief Executives and Functional Directors of the Public Sector Enterprises, Banks and Financial Institutions. A Group has been constituted, under the Chairmanship of the Secretary (Coordination) in the Cabinet Secretariat with Secretary (Department of Public Enterprises) Secretary (CVC) and Additional Secretary (Department of Financial Services) as Members, to take a view on such complaints.

(c) to (f): The said OM was neither intended to, and nor it does, intrude upon the authority of CVC as it is not possible for an executive instruction to attempt to prevail over legislative provisions. The CVC enjoys a statutory status and has statutory provisions available under CVC Act, 2003 to cause an investigation and recommend suitable action to the concerned Ministry.

The said committee would only scrutinize the complaints and make appropriate recommendation for further investigation or otherwise to the Disciplinary Authority.

[xxiii] UTILISATION OF FUNDS UNDER WASTELAND DEVELOPMENT PROGRAMME

On 16 August, 2010 Shri Marotrao Sainuji Kowase, M.P., addressed an Unstarred Question No. 3482 to the Minister of Rural Development. The contents of the question along with the reply of the Minister are as given in Annexure.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Rural Development within three months of the date of the reply but the assurance is yet to be implemented.

3. The Ministry of Rural Development vide U.O. No. H-11012/1/2010-PPC dated 24 December, 2010 have requested to drop the assurance on the following grounds:-

"That the portion (d) and (e) of question basically seek "reasons" State-wise and "Reaction of the Government". In reply to this portion reason has been given that subsequent instalments have been released when more than 50% of the fund is utilized. Further, as a reaction of the Government, it has been informed that a study has been given to NIRD for impact evaluation, including investigation into the pattern of expenditure and remedial measures. Thus, the mention of giving study to NIRD basically constitutes steps taken by the Government or reaction of the Government. No assurance was intended in it."

4. In view of the above, the Ministry, with the approval of Minister of Rural Development, have requested to drop the above assurance.

GOVERNMENT OF INDIA
MINISTRY OF RURAL DEVELOPMENT
DEPARTMENT OF LAND RESOURCES
LOK SABHA UNSTARRED QUESTION NO. 3482

ANSWERED ON 16.08.2010

UTILISATION OF FUNDS UNDER WASTELAND DEVELOPMENT PROGRAMME

3482. SHRI MAROTRAO SAINUJI KOWASE

Will the Minister of Rural Development be pleased to state:-

- (a) the funds allocated to States under the Wasteland Development Programme during the last three years and current year, year-wise and State-wise;
- (b) whether the States have completely utilised the funds allocated under the said programme;
- (c) if so, the details thereof, State-wise;
- (d) if not, the reasons therefor, State-wise; and
- (e) the reaction of the Government thereto?

ANSWER

MINISTER OF THE STATE FOR RURAL DEVELOPMENT (SHRI SISIR KUMAR ADHIKARI)

(a): The details of State-wise funds released under Integrated Wastelands Development Programme (IWDP) for the last three years and the current year are annexed.

(b) & (c) : All the States have not completely utilized the funds released under IWDP. The State-wise unspent balances available as on 31-03-10 are at Annexure.

(d) & (e): The main reason for the unspent balances with the States is the provision that a project is entitled to claim next installment when more than 50% of the funds released under the previous installment have been utilized. The Department of Land Resources has awarded a study titled 'Comprehensive study of impacts of investment in watershed projects' to National Institute of Rural Development (NIRD), Hyderabad during 2010-11. As per the Terms of Reference of the study, the NIRD has, inter alia, been requested to investigate into the pattern of expenditure and explore the remedial measures for unspent balances with the States.

Annexure

**Annexure referred to in reply to part (a) to (c) of Lok Sabha Unstarred Question No. 3482
due for reply on 16.08.2010**

Statewise funds released under Integrated Wastelands Development Programme (IWDP) for the last
three years and current year and the unspent balance available with the States
(Rs. In crore)

Sl. No.	Name of the State	2007-08	2008-09	2009-10	2010-11 (as on 10.08.10)	Unspent balance (as on 31.03.10)
1	Andhra Pradesh	37.13	44.43	34.35	2.34	41.42
2	Bihar	2.00	7.32	5.71	0	16.26
3	Chattisgarh	25.75	30.44	13.82	1.54	15.58
4	Goa	0.00	0.00	0.00	0	0.46
5	Gujarat	23.57	31.87	23.69	8.63	27.23
6	Haryana	4.45	4.28	3.84	0.51	6.71
7	Himachal Pradesh	27.86	23.48	13.52	2.15	24.72
8	Jammu & Kashmir	5.97	4.55	11.21	0.82	12.15
9	Jharkhand	2.90	8.41	3.07	0.64	6.91
10	Karnataka	22.92	46.02	35.34	5.62	17.39
11	Kerala	2.01	11.46	3.20	1.74	11.26
12	Maharashtra	16.47	28.76	37.56	10.98	0.24
13	Madhya Pradesh	56.97	60.44	28.90	4.68	19.02
14	Orissa	17.94	33.54	27.45	1.49	37.42
15	Punjab	2.50	3.60	2.90	0.70	4.36
16	Rajasthan	48.45	45.26	22.53	0.82	15.48
17	Tamil Nadu	27.07	34.60	11.22	2.87	17.18
18	Uttar Pradesh	55.82	70.58	46.38	2.83	18.70
19	Uttaranchal	16.67	24.64	7.60	4.74	9.29
20	West Bengal	2.62	7.14	5.46	1.37	10.95
21	Arunachal Pradesh	15.64	32.27	26.68	9.67	17.09
22	Assam	27.05	38.93	21.52	5.29	20.09
23	Manipur	4.50	11.18	10.97	4.01	0.91*
24	Meghalaya	5.47	9.42	15.95	8.60	15.73
25	Mizoram	31.29	26.50	36.70	9.63	9.42
26	Nagaland	29.64	27.53	7.50	0	0
27	Sikkim	3.86	2.60	8.45	0.33	5.38
28	Tripura	0.00	1.58	0.39	0	2.27
	TOTAL	516.53	670.83	465.90	92.00	383.62

* as on 28.02.10

[xxiv] SARDAR SAROVAR DAM

On 18 August, 2010 S/Shri Harin Pathak, C.R. Patil, Shrimati Darshana Jardosh, M.Ps., addressed an Unstarred Question No. 4053 to the Minister of Water Resources. The contents of the question along with the reply of the Minister are as given in Annexure-II.

2. The reply to the question was treated as an assurance and required to be implemented by the Ministry of Water Resources within three months of the date of the reply but the assurance is yet to be implemented.
3. The Ministry of Water Resources vide O.M. No. 24/25/2010-PR dated 12 November, 2010 have requested to drop the assurance on the following grounds:-

“That the Narmada Water Disputes Tribunal(NWDT), in its final order & decisions in 1979, ordered setting up of National Control Authority and other machinery for implementation of the Sardar Sarovar Dam, Narmada Main Canal and setting up of River Bed Power House and Canal Power Head House for generation of power. A self contained Note containing the background, procedure being followed for according permission to raise the height of Sardar Sarovar Dam in stages and present status of the issues involved, in brief, is enclosed as Annexure-I for information and necessary action.

In view of the position stated in the above Note, this Ministry is of the view that the reply to the Parliament Question under subject may not be treated as an assurance on the part of the Ministry of Water Resources as it is for the State Governments of Madhya Pradesh, Gujarat and Maharashtra to implement the direction for the Resettlement & Rehabilitation of Project affected families and ensure implementation of the Environmental Safeguard Measures. The role of the Narmada Control Authority, an Autonomous Body under this Ministry, mainly comprises of overall coordination and direction of the implementation of all the projects including the engineering works, the environmental protection measures and the rehabilitation programme and to ensure the faithful compliance of the terms and conditions stipulated by the Central Government at the time of clearance of the aforesaid projects.

In view of above, the Committee on Government Assurance, Lok Sabha is requested that reply given by this Ministry to the Parliament Question under subject may not be treated as an Assurance and may kindly delete the assurance from the list of the pending assurances of this Ministry."

4. In view of the above, the Ministry, with the approval of Minister of State (WR), have requested to drop the above assurance.

Government of India
Ministry of Water Resources

The Sardar Sarovar Project is an inter-State multi-purpose project on the river Narmada in Gujarat. It is a joint venture among the States of Gujarat, Madhya Pradesh, Maharashtra and Rajasthan. Although the Project was originally envisaged in the year 1946, due to the dispute regarding sharing of waters of the Narmada between the co-basin States, it could not be initiated. Under the Inter-State Water Disputes Act, 1956, Narmada Water Disputes Tribunal (NWDT) was therefore set up in 1969 to adjudicate on the dispute relating to sharing of water of the inter-State river Narmada and its valley. The NWDT, considering the development of the water resources of the basin as a whole, passed its award in 1979 allocating share of Water of Narmada and Power of Sardar Sarovar Project as under:

State	Share of Water		Share of Power from SSP
	Million Acre Feet	Percentage	Percentage
Madhya Pradesh	18.25	65.18	57
Gujarat	9.00	32.14	16
Rajasthan	0.50	1.79	-
Maharashtra	0.25	0.89	27
Total	28.00	100.00	100

2. The NWDT in its Final Orders & Decisions ordered for setting up of the following machinery for implementation of the decisions of the Tribunal:-

2.1 Narmada Control Authority (NCA) is chaired by the Union Secretary of Ministry of Water Resources and has the following members-

i)Chief Secretaries of the party States of Madhya Pradesh, Maharashtra, Gujarat and Rajasthan.

ii)Union Secretaries of the Ministry of Tribal Affairs, Ministry of Power, Ministry of Social Justice & Empowerment and Ministry of Environment & Forests.

iii)Four Technical Members one each from each of the party States.

iv)Executive Member, Member (Power), Member (Civil) and Member (Environment & Rehabilitation) of NCA Secretariat.

Following Sub-Groups of NCA have also been constituted.

- Environment Sub-Group under the Chairmanship of Secretary to Government of India, Ministry of Environment & Forests.
- Resettlement and Rehabilitation Sub-Group of NCA under the Chairmanship of Secretary to Government of India, Ministry of Social Justice & Empowerment.

Both of these Sub-Groups have Members from the Party States, Ministry of Water Resources, concerned Ministries, academicians, and also members from non-official Organisations.

2.2 The Review Committee for Narmada Control Authority (RCNCA) is chaired by the Union Minister of Water Resources. Union Minister of Environment & Forests, Chief Ministers of the party States of Madhya Pradesh, Maharashtra, Gujarat & Rajasthan are the members of this Committee.

RCNCA may suo-moto or on the application of any party State or Secretary to the Government of India, Ministry of Environment & Forests, review any decision of the NCA. In urgent cases, the Chairman of the Review Committee may on the application of the Government of any party State, or Secretary to the Government of India, Ministry of Environment & forests, grant stay on any order of the NCA pending final decision or review.

2.3 Sardar Sarovar Construction Advisory Committee (SSCAC) is headed by Secretary (Water Resources), Govt. of India with Members from Central Water Commission, Central Electricity Authority, Narmada Control Authority and the party states with a view to ensure efficient, economical and timely execution of the Unit-I and Unit-III of the project.

2.4 As per the directions of the Hon'ble Supreme Court an appeal mechanism viz. Grievance Redressal Authority (GRA) have been established as a policy by all the three party state governments (Gujarat, Madhya Pradesh and Maharashtra) for the redressal of grievances of the project affected families affected by Sardar Sarovar Project. These GRAs are headed by the retired judges of High Court / Supreme Court.

3. The following procedure is followed for according permission to raise the height of Sardar Sarovar Dam in stages:-

- States prepare Action Plan for resettlement of oustees upto the given dam height *pari-passu* with the construction. Resettlement always precedes the construction of the dam.
- The states submit Action Taken Report (ATRs)/ Progress Reports for the resettlement works completed/planned to NCA and GRA.
- The ATRs/Progress Reports are examined in NCA and field monitoring/verification is done by NCA officials on sample basis.
- The ATRs/Progress Reports are examined by the GRA of concerned States and field monitoring/ verification is also done by them, if they feel so.
- The Committee of R&R Sub-Group of NCA consults GRAs of the States and obtains their opinion on satisfactory resettlement of all the Project Affected Families (PAFs).
- The meetings of the Resettlement & Rehabilitation Sub-group chaired by Secretary to the Govt. of India, Ministry of Social Justice & Empowerment (MOSJ & E) are convened to convey its clearance to NCA for its consideration for giving permission to raise the dam height.
- The Environment Sub-Group chaired by Secretary to the Govt. of India, Ministry of Environment & Forests (MOEF) reviews the implementation of Environmental Safeguard Measures and conveys its clearance to NCA to permit further raising of dam height.

- The NCA chaired by Secretary to the Govt. of India, Ministry of Water Resources taking into account the clearance of both R&R and Environment Sub-Groups permits raising of the dam height.

4. The procedure directed by the Hon'ble Supreme Court has been followed for granting permission by NCA to raise the dam height from EL 90 to EL 95 m in the year 2002, from EL 95m to EL 100 m in the year 2003 and EL 100m to EL 110.64m in the year 2004. However, due to non compliance of the decisions & directions of the Hon'ble Supreme Court given on 15.3.2005 in Interlocutory Application (IA) No.10 in IA No.4 and In IA No.11 in IA No.7 in Writ Petition (Civil) 328 of 2002 filed by Project Affected Families (PAFs) of two submergence villages of Madhya Pradesh that major sons of the landed PAFs are also entitled for the allotment of land and no distinction should be made of permanently and temporarily Project Affected Families due to the raising of the height of the dam, the permission to raise the height of the dam to the next stage of EL 121.92 m could not be considered in the year 2005.

5. On 8th March 2006, NCA in its 76th (emergency) meeting permitted raising of the height of dam from EL 110.64 m to EL 121.92 m on the basis of the recommendations of the R&R Sub-Group and Environment Sub-Group of NCA and subject to the directions/safeguards stipulated by the two sub-Groups. In addition to this, NCA directed the States that particular care is to be taken by all the party States in preparing the Contingency Plans to provide timely safeguards in case of any untoward incidents and to ensure that there is no submergence before rehabilitation.

The SSNNL has completed the raising of the Sardar Sarovar dam blocks up to 121.92 m by the end of December-2006.

6. In 80th meeting of NCA held on 12.8.2008, the agenda item of 'Raising the height of Sardar Sarovar Dam from EL 121.92m to EL 138.68m was deliberated. It was decided that the issue of next stage of construction would first be considered in Environment Sub-Group and R&R Sub-Group including consultation with Grievances Redressal Authorities and thereafter the matter would be considered by the NCA. The above subject matter was discussed in R&R Sub-Group in its 71st, 72nd and 73rd meetings held on 05.01.2009, 20.01.2009 and 09.02.2009 respectively. It was decided to undertake consultation with GRA on the proposal for construction of spillway piers to their full height and bridge and installation of gates (to be kept in raised position). During the 46th meeting of Environment

Sub-Group held on 20-6-2008, the then Chairman observed that additional submergence due to construction of piers is substantial and its impact needs to be looked into. The Chairman has directed that construction of the piers/overhead bridge should be put on hold until the implementation of the requisite plans for addressing environmental safeguard measures are assessed with reference to the conditions contained in the order of clearance and reviewed by the Environment Sub-Group.

7. The issue was discussed at length in the 82nd meeting of Narmada Control Authority and it was decided that the issue of construction of piers, overhead bridge and installation of gates to be kept in raised position will be considered by Environment Sub-Group and R&R Sub-Group at the earliest and thereafter the matter would be considered by Narmada Control Authority.

8. The Environment Sub-Group, in its 48th meeting held on 1st April, 2010, has considered the status of the compliance of the Environment measures by all the states and permitted the phase-1 construction of the dam which includes construction of spillway piers to its full height, bridge and installation of gates (to be kept in raised position). The construction on the dam can begin after such permission from R&R Sub-Group and Narmada Control Authority.

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GOVERNMENT OF INDIA

MINISTRY OF WATER RESOURCES

LOK SABHA UNSTARRED QUESTION NO. 4053

ANSWERED ON 18.08.2010

SARDAR SAROVAR DAM

4053. SHRI HARIN PATHAK
SHRI C.R. PATIL
SHRIMATI DARSHANA JARDOSH

Will the Minister of Water Resources be pleased to state:-

- (a) whether the Government of Gujarat has requested the Union Government for grant of permission for further construction and raising the height of the Sardar Sarovar Dam;
- (b) if so, the details thereof;
- (c) whether the Government is considering to grant permission for the phase-1 construction of Dam;
- (d) if so, the details thereof; and
- (e) the action taken by the Government for completion of works on the project expeditiously.

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRI VINCENT H. PALA)

(a): Yes, Sir.

(b): Government of Gujarat has submitted a proposal for further raising of Sardar Sarovar Dam to Narmada Control Authority in 2008, which was considered in its 80th meeting held on 12-08-2008.

(c) & (d): The Hon'ble Supreme Court in its majority order dated 18-10-2000, in W.P.(Civil) No. 319/1994-Narmada Bachao Andolan V/s Union of India, has directed that the permission to raise the Sardar Sarovar Dam height beyond 90mtrs. will be given by the Narmada Control Authority from time to time after it obtains the clearances from the Relief and Rehabilitation Sub-Group (including consultation with the Grievances Redressal Authorities) and the Environment Sub Group. The proposal of Government of Gujarat for further raising of Sardar Sarovar Dam was considered in the 80th meeting of Narmada Control Authority held on 02-08-2008 wherein it was interalia decided that further construction of Sardar Sarovar Dam would be carried out in two phases:

(i) Construction of Spillway Piers to its full height and bridge and installation of Gates(to be kept in raised position) and;

(ii) Lowering down of Gates and impounding water in the Reservoir to Full Reservoir Level to EL 138.68M.

The Authority further decided that the issue of next stage of construction would first be considered in Environment Sub-Group and R&R Sub-Group including consultation with Grievance Redressal Authorities(GRAs), and thereafter, the matter would be considered by the Narmada Control Authority.

The matter was further discussed in the 81st & 82nd Meeting of Narmada Control Authority held on 16-03-2009 & 28-01-2010 respectively.

The issue of further raising of Sardar Sarovar Dam was considered in the Environment Sub-group in its 47th & 48th meetings held on 26-03-2010 and 01-04-2010. The Environment Sub- group recommended Phase-1 construction subject to certain conditions. The matter was considered in the Resettlement and Rehabilitation (R&R) Sub-Group and it was decided to proceed with consultation with Grievance Redressal Authorities, which have been completed. The opinion of GRAs would be discussed in the next meeting of R&R Sub-group. Thereafter, the proposal of permission for Phase-1 construction of Sardar Sarovar Dam would be considered by the Authority.

(e): As per Narmada Water Disputes Tribunal(NWDT) Award, the planning and construction of the projects will be carried out by each State through its own agencies Party State Governments have been asked for completion of works on the project expeditiously.

MINUTES
SECOND SITTING

Minutes of the sitting of the Committee on Government Assurances (2010-2011) held on 19 October, 2010 in Committee Room 'D', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1545 hours on Tuesday, 19 October, 2010.

PRESENT

IN THE CHAIR

Dr. M. Thambidurai

Members

2. Shri Anandrao Adsul
3. Dr. Kakoli Ghosh Dastidar
4. Shri Raghuvir Singh Meena
5. Shri Bishnu Pada Ray
6. Shri Manohar Tirkey

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri R.S. Kambo - Director
3. Shri D.S. Malha - Additional Director
4. Shrimati Veena Kumari - Deputy Secretary

At the outset, in terms of Rule 258(3) of Rules of Procedure and Conduct of Business in Lok Sabha, Dr. M. Thambidurai was chosen to act as Chairman. The Acting Chairman welcomed the Members and apprised them briefly about the agenda for the sitting.

2. Thereafter, the Committee considered Memoranda containing requests received from various Ministries/Departments for dropping the pending assurances. After in depth deliberations, of all such cases, the Committee were convinced with the reasoning adduced by the Ministry and decided to drop 5 assurances as per details given *vide* Annexure-I. The Committee also decided to retain 7 assurances, which are to be pursued further, as per details given in Annexure-II.

The Committee then adjourned.

Annexure-I**Details of Assurances Dropped by the Committee on Government Assurances at their sitting held on 19.10.2010.**

Sl. No.	Memo No.	Question No. /Discussion & Date	Ministry/ Department	Brief Subject
1	2	3	4	5
1.	2	(i) USQ No. 1111 dt. 4.3.1999 (ii) USQ No. 1060 dt. 2.8.2006	External Affairs	Reopening of Stillwell Road
2.	3	USQ No. 3552 dt. 17.4.2008	Civil Aviation	Seaplane services for Islands
3.	4	USQ No. 349 dt. 7.7.2009	Home Affairs	Modernisation of Police Stations
4.	5	General Discussion on Jharkhand Budget by Shri Yashwant Sinha, M.P.	Finance	Discussion on Jharkhand Budget
5.	6	USQ No. 1806 dt. 17.7.2009	Finance	Setting up of Health Council

Details of Assurances to be pursued further by the Committee on Government Assurances at their sitting held on 19.10.2010.

Sl. No.	Memo No.	Question/ Discussion Reference	Ministry/ Department	Brief Subject	Observations of the Committee
1	2	3	4	5	6
1.	7	USQ No. 2653 dt. 23.7.2009	Corporate Affairs	Monitoring Committee for vanishing companies	The Committee noted that 112 FIRs have been filed against promoters/directors of vanishing companies under Indian Penal Code (IPC) and 110 prosecutions have been filed against vanishing companies and its promoters/directors under various provisions of the Companies Act, 1956 and are under various stages of progress. The Committee, therefore, desired that the matter may be brought to its logical conclusion.
2.	8	USQ No. 400 dt. 20.11.2009	Finance	Income Tax Raids	The Committee took note of search and seizure operations conducted by the Enforcement Directorate/Income Tax Authorities, in regard to Hawala transactions and acquisition of properties disproportionate to know income, keeping in view the importance of the subject, the Committee desired that the assurance be implemented at the earliest.

3.	9	USQ No. 2848 dt. 7.12.2009	Commerce & Industry	Made in India Label	Considerable time shall be taken to implement the assurance, since Inter Ministerial consultation are under way, is not a convincing ground for dropping of an assurance.
4.	10	(i) USQ No. 4391 dt. 16.12.2009 & (ii) USQ No. 5307 dt. 28.4.2010	Personnel, Public Grievances and Pensions	Irregularities in supply of pump sets and boring sets	The Committee noted that the matter of irregularities in supply of boring sets/pump sets granted for irrigation in Bihar has not been taken up with the State Government. The Committee, therefore, desired that the needful be done at the earliest and the assurance be implemented.
5.	11	USQ No. 1849 dt. 9.3.2010	Road Transport & Highways	Enactment of New Road Transport Act	The Committee desired that the review of Motor Vehicles Act, 1988 be expedited and the assurance be implemented.
6.	12	SQ No. 309 dt. 16.4.2010	Finance	Merger & acquisitions	The Committee noted that the Ministry while dropping the assurance has <i>inter-alia</i> stated that there was neither an intention nor any specific submission which may constitute an assurance. The Committee were of the view that it is the exclusive prerogative of the Committee to treat a particular reply as an assurance or otherwise. The Committee has treated it as an assurance and expect the Ministry to implement it at the earliest.

7.	13	USQ No. 3852 dt. 19.4.2010	Commerce & Industry	CECA between India and Indonesia	The Committee took strong note of the Ministry's averment that the answer given by the Department of Commerce may be treated as final & not an assurance. The Committee were of the view that it is the sole prerogative of the Committee to treat a particular reply as an assurance or otherwise. The Committee have treated the reply as an assurance and expect the Ministry to implement it at the earliest.
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MINUTES

EIGHTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2010-2011) held on 12 January, 2011 in Committee Room 'B', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1600 hours on Wednesday, 12 January, 2011.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Anandrao Adsul
3. Shri Bishnu Pada Ray
4. Shri M. Rajamohan Reddy
5. Rajkumari Ratna Singh
6. Dr. M. Thambidurai
7. Shri Manohar Tirkey

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri R.S. Kambo - Director
3. Shri D.S. Malha - Additional Director
4. Shrimati Veena Kumari - Deputy Secretary

At the outset the Chairperson apprised the Members about the agenda of the day. Thereafter, the Committee considered 33 Memoranda containing requests received from various Ministries/Departments for dropping the pending assurances. After in depth deliberations, of all such cases, the Committee were convinced with the reasoning adduced by the Ministry and decided to drop 16 assurances as per details given *vide* Annexure-I. The Committee also decided to retain 17 assurances, which are to be pursued further, as per details given in Annexure-II.

The Committee then adjourned.

Annexure-I**Details of Assurances Dropped by the Committee on Government Assurances at their sitting held on 12.01.2011.**

Sl. No.	Memo No.	Question No. /Discussion & Date	Ministry/ Department	Brief Subject
1	2	3	4	5
1.	14	29 SQs/USQs As given in Memorandum No.14	Civil Aviation	New Civil Aviation Policy.
2.	17	USQ 232 dated 3.12.2003	Shipping	Sagar Mala Programme.
3.	19	USQ 4527 Dated 25.8.2005	Information and Broadcasting	Recovery of Outstanding dues by Doordarshan.
4.	22	(i) USQ 728 dated 28.7.2006 (ii) SQ 185 dated 24.8.2007	Finance	Misuse of PAN Cards. Biometric PAN Cards.

5.	25	USQ 1512 dated 10.3.2008	Textiles	General Health Insurance Scheme.
6.	26	USQ 946 dated 23.10.2008	Civil Aviation	Setting up of Airport in Kurnool District.
7.	27	USQ 1482 dated 29.10.2008	Road Transport & Highways	Creation of Database.
8.	29	USQ 884 dated 9.7.2009	Law & Justice	Indian Judicial Service.
9.	31	USQ 3080 dated 27.7.2009	Human Resource Development	Construction of Girls Hostels.
10.	32	USQ 3225 dated 28.7.2009	Road Transport & Highways	Expansion of NH-2.
11.	34	USQ 206 dated 19.11.2009	Civil Aviation	Air accidents.
12.	35	USQ 390 dated 20.11.2009	Finance	Implementation of TINXSYS.
13.	37	USQ 1012 dated 3.3.2010	Human Resource Development	Lack of Interest in Science.
14.	39	USQ 2681 dated 12.3.2010	Finance	Implications of Introduction of GST.
15.	44	USQ 3584 dated 16.8.2010	Shipping	Corporatisation of Major Ports.
16.	46	USQ 4747 dated 25.8.2010	External Affairs	Special Envoy's visit to Nepal.

Annexure-II

Details of Assurances to be pursued further by the Committee on Government Assurances at their sitting held on 12.01.2011.

Sl. No.	Memo No.	Question/ Discussion Reference	Ministry/ Department	Brief Subject	Observations of the Committee
1	2	3	4	5	6
1.	15	(i) USQ 236 dated 28.2.1996 (ii) USQ 1445 dated 3.3.2006	Urban Development	Private Builders. Unauthorised Construction.	The Committee took note of absence of any legal and institutional framework for development and management of colonies and promotion of construction, sale, transfer & management of buildings, apartments and similar properties in NCR. The Delhi Real Estate Promotion, Management and Regulation Bill, 2009 is an attempt to check mushrooming of unregulated construction. The Bill is under various stages of consultation. It is an important matter. The matter may be expedited and the assurance fulfilled.
2.	16	(i) USQ 331 dated 16.7.2002 (ii) USQ 9 dated 18.2.2003	Urban Development	Utilisation of Salt Pan Land at Mumbai.	The Committee noted that no decision has been taken by the Government so far regarding utilization and development of Salt Pan Lands, which is owned by Government. The Committee, therefore, desired that the matter may be expedited and brought to its logical conclusion.

3.	18	<p>(i) USQ 3477 dated 16.4.2008</p> <p>(ii) USQ 753 dated 22.10.2008</p> <p>(iii) USQ 281 dated 18.2.2009</p> <p>(iv) SQ 64 dated 8 July, 2009</p>	Health & Family Welfare	<p>Free Health Insurance Scheme for Slum Dwellers</p> <p>National Urban Health Mission</p> <p>National Urban Health Mission</p> <p>Health Care of Urban Poor</p>	<p>The Committee took note of lack of credible primary health services, especially in slum and low-income population. The National Urban Health Mission (NURM) addresses health care delivery system in urban areas. The NURM is being finalized. The Committee, therefore, desired that the proposal be finalized at the earliest and the assurance implemented.</p>
4.	20	USQ 327 dated 26.7.2006	Shipping	Revival of Ailing Hindustan Shipyard Corporation Limited.	<p>The Committee did not agree with the contention of the Ministry that since Hindustan Shipyard Ltd. has already been transferred to Ministry of Defence, no action is pending on behalf of Ministry of Shipping. The Committee are of the view that restructuring of Hindustan Shipyard Ltd. is an important decision having larger ramifications. The Committee desired that Ministry of Shipping should not only take proactive actions including transfer of assurance under consideration but also ensure implementation of the assurance at the earliest.</p>

5.	21	USQ 996 dated 28.11.2006	Tribal Affairs	New Policy for STs.	The Committee were not convinced with the reasons that since finalization of policy is at an advanced stage, the same may be dropped. The Committee are of the view that Tribal Policy is an important policy for the welfare of Tribals and needs to be pursued with all vigour. The Committee desired that consultations be completed within a fixed time frame and the assurance implemented at the earliest.
6.	23	USQ 1921 dated 29.11.2007	Civil Aviation	Security at Airports.	The Committee noted that the case is being investigated by the Delhi Police and therefore, desired that a status report on the subject might first be furnished for their consideration. The Committee, therefore, desired that the investigation be expedited and the assurance implemented.
7.	24	USQ 2248 dated 3.12.2007	Communications and Information Technology	Sale of Vacant Land of VSNL.	The Committee noted that vide their 5th Report (15th Lok Sabha) they recommended that a consultant be appointed and decision regarding surplus land be taken. However, no action has been initiated so far by the Ministry in this regard. The Committee desired that necessary action may be taken and the assurance be implemented at the earliest.

8.	28	USQ 248 Dated 18.2.2009	Health & Family Welfare	AIIMS Type Institute in Uttar Pradesh.	The Committee note that the site for proposed institution is under finalization in consultation with the State Government. The Committee desired that a detailed status note on the issue be furnished in a chronological order in the first instance. It is an important issue and be pursued vigorously.
9.	30	General Discussion dated 20.7.2009	Agriculture	Issuance of Soil Health Cards to Farmers.	The Committee did not find any merit in the contention of the Government that issue of Soil Health Card to farmers, is an ongoing process and the assurance dropped. The Committee were of the view that improving production of the farm is one of the key area engaging the attention of the Government and Soil Health Cards to farmers is an important adjunct for improving farm productivity. The Committee desired that a status note on the 277.35 Lakh soil health cards stated to have been distributed by the State Governments till March, 2009 be furnished. The Committee desired to pursue the matter further.
10.	33	SQ 3 dated 19.11.2009	Textiles	Revival of NTC Mills.	The Committee desired that revival of all the NTC Mills be expedited at the first instance and the assurance implemented.

11.	36	USQ 3449 dated 10.12.2009	Civil Aviation	Helicopter Crash.	The Committee noted that the Ministry is separately considering setting up a separate independent agency of investigation of accidents. The Committee, therefore, desired that the matter may be expedited.
12.	38	USQ 2065 dated 10.3.2010	External Affairs	Indo-Nepal Treaty.	The Committee desired that the matter regarding conclusion of updated Extradition Treaty between India and Nepal be pursued vigorously with the Government of Nepal and the assurance implemented.
13.	40	USQ 5962 dated 3.5.2010	Commerce and Industry	National Institute of Design.	The Committee did not agree with the contention of the Government that since National Institute of Design (NID) is an autonomous organization, the Department did not provide any assurance on behalf of NID. The Committee desired that Government should finalise their stand over grant of status of centre for excellence to NID at the earliest and implement the assurance.
14.	41	USQ 6414 dated 5.5.2010	Personnel, Public Grievances and Pension	Cases registered against IAS Officers.	The Committee noted that investigation against the IAS officers for various alleged irregularities/corruption is under various stages of completion. The Committee, therefore, desired that the investigation be completed at the earliest and the assurance implemented.

15.	42	USQ 6481 dated 5.5.2010	Personnel, Public Grievances and Pensions	Probe of Financial Irregularities by Bureaucrats.	The Committee desired that a status indicating the details of complaints received and appropriate action taken during last one year be furnished to the Committee.
16.	43	USQ 3482 dated 16.8.2010	Rural Development	Utilisation of Funds under Wasteland Development Programme.	The Committee noted that the National Institute of Rural Development was studying the impact evaluation including investigation into the pattern of expenditure and remedial measures. The Committee desired to know about the outcome of the said study.
17.	45	USQ 4053 dated 18.8.2010	Water Resources	Sardar Sarovar Dam.	The Committee noted that it is for the State Governments of Madhya Pradesh, Gujarat & Maharashtra to implement the direction for the resettlement and rehabilitation of project affected families and ensure implementation of the Environmental safeguard measures. The Committee, therefore, desired that the matter be pursued with the State Governments.

MINUTES
TENTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2010-2011) held on 03 February, 2011 in Committee Room 'D', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1700 hours on Thursday, 3 February, 2011.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Anandrao Adsul
3. Dr. Kakoli Ghosh Dastidar
4. Shri Mohan Jena
5. Shri Raghuvir Singh Meena
6. Rajkumari Ratna Singh
7. Shri Manohar Tirkey
8. Shri Hukumdeo Narayan Yadav

Secretariat

1. Shri P. Sreedharan - Joint Secretary
2. Shri R.S. Kambo - Director
3. Shri D.S. Malha - Additional Director
4. Shrimati Veena Kumari - Deputy Secretary

At the outset, the Hon'ble Chairperson welcomed the Members and apprised them briefly about the agenda for the sitting.

2. Thereafter, the Committee considered and adopted draft 12th & 13th reports, regarding requests for dropping of assurances without any amendment.

3. xx xx xx xx xx

The Committee then adjourned.

XX- Relates to other matters.