

**COMMITTEE
ON
GOVERNMENT ASSURANCES
(2003-2004)**

**THIRTEENTH LOK SABHA
FIFTEENTH REPORT**

(REQUEST FOR DROPPING OF ASSURANCES)

(Presented to Lok Sabha on 10 December, 2003)



LOK SABHA SECRETARIAT
NEW DELHI

CONTENTS

Composition of the Committee (2003-2004)
Introduction

Chapter I Request for dropping of Assurances (Not Accepted)

- (i) Unstarred Question No.685 dated 21st November, 2001 regarding Indian Nursing Council.

Chapter II Request for dropping of Assurances (Accepted)

- (i) Unstarred Question No.3735 dated 02nd September, 1996 regarding Inter State Waters.
- (ii) Unstarred Question No.3572 dated 16th April, 2002 regarding Introduction of Electric Trolley Buses in Delhi.
- (iii) Unstarred Question No.1120 dated 22nd July, 2002 regarding Development of Livestock.
- (iv) Unstarred Question No.82 dated 25th November, 2002 regarding Optimum Utilization Programme for Airports.
- (v) Unstarred Question No.4513 dated 18th December, 2002 regarding CBI cases.

APPENDICES

- I Statement laid on the Table of the House on 28th October, 1999 in regard to assurance given in reply to USQ No.3735 dated 02.09.1996 *vide* SS XI/24.
- II Minutes of the Third Sitting of the Committee held on 22.04.2003.
- III Minutes of the Fifth Sitting of the Committee held on 04.07.2003.
- IV Minutes of the Ninth Sitting of the Committee held on 04.12.2003.

**COMPOSITION OF THE COMMITTEE ON
GOVERNMENT ASSURANCES*
(2003-2004)**

CHAIRMAN

Dr. S. Venugopal

MEMBERS

2. Shri Adhi Sankar
3. Shri E.Ahamed
4. Shri Ramakant Angle
5. Shri Padam Sen Choudhary
6. Shri Priya Ranjan Dasmunsi
7. Adv. Uttamrao Dhikale
8. Shri Sudarsana E.M. Natchiappan
9. Shri Rupchand Pal
10. Shri Dharam Raj Singh Patel
11. Shrimati Renu Kumari
12. Shri Kishan Singh Sangwan
13. Shri Bahadur Singh
14. Rajkumari Ratna Singh
15. Shri Tarlochan Singh Tur

SECRETARIAT

1. Shri P.D.T. Achary - Additional Secretary
2. Shri S.K. Sharma - Joint Secretary
3. Shri R.C. Gupta - Director
4. Ms. J.C. Namchyö - Under Secretary

* The Committee was nominated by the Speaker w.e.f. January 25, 2003
vide Para No.3507 of Lok Sabha Bulletin Part-II dated January 28, 2003

INTRODUCTION

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

The Committee (2003-2004) was constituted on January 25, 2003.

The Committee at their sittings held on 22nd April, 2003 and 04th July, 2003 considered *inter-alia* Memoranda Nos. 1, 4, 6, 10, 14 & 16 containing requests received from the Ministries/Departments of the Government of India for dropping of pending assurances.

At their sitting held on December 04, 2003 the Committee (2003-2004) considered and adopted their Fifteenth Report. The Minutes of the aforesaid sittings of the Committee form part of this Report. (Appendix)

The conclusions/observations of the Committee are also contained in this Report.

NEW DELHI;
December 04, 2003

Agrahayna 13, 1925 (SAKA)

DR. S. VENUGOPAL
Chairman
Committee on Government Assurances

REPORT
CHAPTER – I

(i) INDIAN NURSING COUNCIL

1.1 On November 21, 2001, Shri P.C. Thomas, MP addressed the following Unstarred Question No.685 to the Minister of Health & Family Welfare:-

“(a) whether Government are aware the Indian Nursing Council (Nursing Council of India) has not been given enough statutory powers as in the case of Indian Medical Council of India;

(b) if so, the details thereof; and

(c) the action taken by the Government in this regard?”

1.2 In reply, the then Minister of Health & Family Welfare (Dr. C.P. Thakur) stated as follows:-

“(a) to(c): Proposals have been received from the Indian Nursing Council to amend the Indian Nursing Council Act, 1947 for improving the regulation of the Nursing profession in the country. These proposals are under examination.”

1.3 Reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Health & Family Welfare within three months of the date of the reply i.e. by February 20, 2002.

1.4 The Ministry of Parliamentary Affairs *vide* their U.O. No.XIII-VIII/Health (5) USQ 685-LS/01 dated 25th September, 2002 forwarded a request of the Ministry of Health & Family Welfare to drop the assurance on the following grounds:-

“The amendments proposed in the Bill are under examination. The intra departmental consultations are going on. After examination of the proposal, if this Ministry finds it suitable to amend the act, the draft of the amendments will be sent to the Department of Legal

Affairs and the Legislative Department for examination. On receipt back, the approval of the Cabinet will be obtained and the bill will be introduced in the Parliament.

Since, the inter/intra department consultations may take a long time and the process of amendment of an Act by Parliament is also a long drawn process, no time frame can be indicated for the availability of the information to fulfill the assurance.

In view of the position stated above, the Committee on Government Assurances in Lok Sabha may be requested to drop the assurance from the list of pending Assurances."

1.5 The Committee note that a question was asked on November 21, 2001 to know the details of statutory powers given to the Indian Nursing Council (Nursing Council of India) vis-à-vis Medical Council of India as also action taken by the Government in this connection. In reply, it was stated that the proposals received from the Indian Nursing Council to amend the Indian Nursing Council Act, 1947 for improving the regulation of the nursing profession in the country, were under its consideration.

1.6 While requesting for the dropping of the assurance the committee were informed that the Bill bringing amendments in the Nursing Council Act, 1947 was still under examination of the Ministry and intra departmental consultations were also in progress. It was also stated that the draft of the amendments would be sent to the Department of Legal Affairs and the Legislative Department for

examination only if the proposals are found suitable for amendment by the Ministry. Thereafter the bill would be sent to the Cabinet for approval before the same is introduced in the Parliament.

1.7 The Committee are surprised to note that the Ministry of Health and Family Welfare have not made much progress in examining the draft amendments. From the contents of the request made for dropping of the assurance, it appeared that the Ministry had not even decided whether the proposals under examination were suitable enough for bringing amendments in the Act. As every one is aware that the nursing service has also evolved like any other professions with the passage of time, nursing professionals are now required to equip themselves with new skills to keep pace with the new techniques required to deal with new diseases, medicines, sophisticated machines, etc. like the medical doctors and any other professional. It is, therefore, all the more necessary to amend the Indian Council Act 1947 to give dignity and power to the nursing professionals. The Committee, therefore, strongly recommend that the proposals received for amendments need to be examined at the earliest and all out efforts should be made to resolve the issues involved so that the regulation of the nursing profession may be improved through amendments in the Act *ibid.* .

1.8 The Committee at their sitting held on July 4, 2003 did not agree with the view expressed by the Ministry of Health and Family Welfare to drop the assurance merely on the grounds of delay. The Committee rather desired to be apprised of the present position with regard to inter/intra departmental consultations and the steps taken by the Ministry so far for amending the said Act.

CHAPTER – II

[i] INTER-STATE WATERS

2.1 On September 02, 1996, Shrimati Vasundhra Raje, MP addressed the following Unstarred Question No. 3735 on Inter-State Waters to the Minister of Water Resources:-

- “(a) Whether the State Share is determined in Inter State Waters;**
- (b) if so, the share claimed by different States from different major rivers;**
- (c) the supply made by the Government on the sharing of water by different States from the major rivers from which the claim has been made;**
- (d) if so, the details thereof ; and**
- (e) the decision taken by the Government thereon?”**

2.2 In reply, the then Minister of Water Resources (Shri Janeshwar Mishra) stated as follows:-

“(b) to (e): Information is being collected and will be laid on the Table of the House.”

2.3 Reply to the question was treated as an assurance and was required to be fulfilled within three months of the date of the reply i.e. by December 01, 1996.

2.4 The assurance was however partly implemented vide SSXI/24 on 28.10.99 (Appendix-I)

2.5 The Ministry of Parliamentary Affairs vide their U.O. No.XI/II Water No.(7) USQ 3735 dated May 2, 2002 forwarded a request of the Ministry of Water resources for dropping of the above mentioned assurance on the following grounds:-

“It is difficult for this Ministry to indicate any time-frame for completion of work by the two tribunals and hence practical difficulties in fulfilling the Assurance. A detailed self contained note on the status of Cauvery Water Disputes and Ravi & Beas Waters Tribunal is as under:-

The Cauvery Water Disputes Tribunal (CWDT) was constituted on June 2, 1990 and the request made by Government of Tamil Nadu regarding the dispute relating to inter-State river Cauvery and river valley thereof was referred to it on the same date for adjudication. Immediately thereafter, the State of Tamil Nadu made a prayer before the Tribunal for directing the State of Karnataka to make timely and adequate releases of water from its storage reservoirs in the Cauvery Basin in such a manner as to ensure availability of inflows into Tamil Nadu’s Mettur Reservoir, on a week to week basis. The Tribunal passed an Order on June 25, 1991 giving interim relief to the State of Tamil Nadu and Union Territory of Pondicherry. As per the order of June, 1991, the State of Karnataka was directed to release water from its reservoirs so as to ensure 205 Thousand Million Cubic Feet (TMC) of water in a water year at Mettur reservoir of Tamil Nadu. The Tribunal further directed that 205 TMC of water is to be ensured in a particular monthly and weekly pattern. Besides, the State of Tamil Nadu was directed to ensure 6 TMC of water to UT of Pondicherry. The State of Karnataka was also directed not to increase its area under irrigation by Cauvery waters beyond 11.2 lakh acres.

The Central Government published the Order dated June 25, 1991 of the Tribunal in the Official Gazette on 10th

December, 1991 under Section 6 of the Inter State Water Disputes (ISWD) Act, 1956.

The CWDT has been holding regular sittings. The Tribunal in its sitting held on 7th January, 1992 has framed 50 issues on the Cauvery water dispute in the first instance. By March, 1993, the format for filing of data by States before the Tribunal was finalised and affidavits of witnesses were taken on record and the State Governments of Tamil Nadu, Karnataka, Kerala and Union Territory of Pondicherry presented and concluded their cases. From 1994 onwards, the Tribunal has taken up the cross-examination of witnesses produced by the party States. The Tribunal concluded the cross-examination of the witnesses by December 2001. From January 2002, the Tribunal has taken up the arguments on the issues framed by it earlier. After the conclusion of the arguments, the Tribunal is slated to take up the preparation of its report based on the information available with it in the form of records of cross-examinations of witnesses, statement of cases and rejoinder and counter rejoinder filed by the party States and the record of the arguments and submit its report and decision to the Central Government as required under Section 5(2) of the ISWD Act, 1956. The ISWD Act, 1956 also provides for seeking explanation or guidance on the decision of the Tribunal, by the Central Government or the party States concerned. Request for such explanation or guidance can be made before the Tribunal within three months from the date of publication of the decision in the Gazette and the Tribunal is required to give such explanation or guidance, as it considers necessary.

At the time of the constitution of the Tribunal, the then Inter State Water Disputes (ISWD) Act, 1956 did not provide any time limit to the Tribunals for the submission of their reports and decisions. The ISWD Act, 1956 has been amended by the Parliament which now provides a time limit of maximum of 6 years for submission of report and decision of the Tribunal to the Central Government. This amendment will however not be applicable to the Tribunals which have been constituted before 28th March, 2002.

In view of the above, it is difficult to indicate any time frame for submission of the report and decision of the CWDT, which was constituted before 28th March 2002.

RAVI & BEAS WATERS TRIBUNALS

Ravi & Beas Waters Tribunals submitted its report on 30th January 1987 indicating inter alia the shares of Punjab and Haryana in the surplus Ravi-Beas Waters. Subsequently under Section 5(3) of the Inter-State Water Disputes Act, the Central Government on 19th August, 1987 forwarded a suo motu reference to the Tribunal as also the references received from the States of Rajasthan, Haryana and Punjab seeking explanation and guidance on certain points. The suo moto reference is, therefore, sub judice before the Tribunal.

Though Ravi & Beas Water Tribunals has indicated the shares of Punjab and Haryana in the surplus Ravi Beas water in its January, 1987 report, yet the shares can be considered for implementation only after the RBWT provides clarification to the suo moto reference and the Central Government is satisfied that no further reference to the Tribunals is necessary.

However, at present ad-hoc distribution between the States of Punjab, Haryana and Rajasthan of the surplus Ravi-Beas waters is being made according to the Inter-State Agreement dated 31st December, 1981 and distribution approved by the Bhakra Beas Management Board, having inter alia members from the States of Punjab, Haryana and Rajasthan. The Inter-State agreement on December, 1981 also provides for the share of Delhi and J & K in surplus Ravi Beas waters."

2.6 A question was asked on 2nd September 1996 to know whether the share of the States is determined in Inter State Waters, the share claimed by different States from the major rivers as also the supply made by the Government on sharing of water by different States from

major rivers from which the claim has been made. In reply, the Government stated that the information was being collected and will be laid on the Table of the House.

2.7 The Committee note that the assurance was partly fulfilled on 28 October 1999 – after a lapse of more than three years. In the year 2002, i.e. after six years of giving an assurance on the floor of the House, the Committee were informed that it is difficult for the Ministry of Water Resources to indicate any time frame for completion of work by the two tribunals, namely, Cauvery Waters Disputes Tribunal and Ravi & Beas Water Tribunals and as such there are practical difficulties in fulfilling the assurance as mentioned in Para 2.5 above. Agreeing to the request made by the Ministry of Water Resources, the Committee decided to drop the assurance at their sitting held on 22 April, 2003.

[ii] ELECTRIC TROLLEY BUSES IN DELHI

2.8 On April 16, 2002, Shri Vilas Muttemwar, MP addressed the following Unstarred Question No. 3572 to the Minister of Urban Development & Poverty Alleviation :-

- “(a) Whether the Union Government propose to introduce electric trolley buses on certain routes in Delhi;**
- (b) if so, the salient features of the proposal and the extent to which this is likely to be economical and more beneficial than other modes of transport like diesel run buses, auto-rickshaws, taxis etc;**

- (c) whether the scheme has been finalised; and;
- (d) if so, the time by which it is likely to be implemented, routes to be covered, the financial implications involved therein and the agency to be entrusted with the running and management of the system?"

2.9 In reply, the Minister of State in the Ministry of Urban Development & Poverty Alleviation (Shri Bandaru Dattatreya) stated as follows:-

"(a) to (d): The broad features of the scheme are under consideration of the Government of National Capital Territory of Delhi (GNCTD). Various alternative options for sustainable public transport, including Electric Trolley buses, are being evaluated by the GNCTD. The GNCTD has constituted an expert Committee under the chairmanship of the Chief Secretary, Delhi to suggest best options."

2.10 The above reply to the question was treated as an assurance and was required to be fulfilled by the Ministry within three months of the date of the reply i.e. by July 15, 2002.

2.11 The Ministry of Parliamentary Affairs vide their U.O. No. XIII/IX/(12) 3572 dated June 26, 2002 forwarded a request for dropping of the above mentioned assurance on the following grounds:-

"The Broad features of the Scheme are under consideration of the Government of National Capital Territory of Delhi (GNCTD). It will thus be seen that final decision in the matter is to be taken by the GNCTD. Government of India (GOI) has no role to play in the decision making. It may, therefore, not be appropriate to treat the reply as an assurance on the part of the GOI. It is, therefore, requested that necessary action may be taken to drop the above mentioned assurance."

2.12 The Committee note that a question was asked on 16th April, 2002 to know whether the Union Government had any proposal for introduction of Electric Trolley Buses on certain routes in Delhi, its salient features and the time by which the said proposal would be implemented along with other details like routes to be covered, financial implications involved and the agency by which the new system would be managed. In reply, it was stated by the Government that the broad features of the Scheme and various alternative options including Electric Trolley Buses were under consideration of the Government of National Capital Territory of Delhi (GNCTD) and that an expert committee under the Chairmanship of the Chief Secretary, Delhi had also been constituted to support the best options.

2.13 The Committee agree with the view point of the Ministry that the Government of India have no role to play in making decision in the matter and decided to drop the assurance at their sitting held on 22nd April, 2003. The Committee would, however, like to know as to whether the Government of India were ever consulted in any matter related to this project.

[iii] DEVELOPMENT OF LIVESTOCK

2.14 On July 22, 2002, Shri Subodh Roy, MP addressed the following Unstarred Question No.1120 to the Minister of Agriculture:-

- “(a) whether the Government have formulated any scheme for the development of livestock breeding specially for the Cow, Buffalo, Goat, Sheep and Rabbit in the rural areas;**
- (b) if so, the details thereof;**
- (c) whether Bhagalpur district of Bihar has also been included in this scheme;**
- (d) if not, the reasons therefor; and**
- (e) the time by which said scheme is likely to be introduced in the said district?”**

2.15 In reply to the above question the Minister of State in the Ministry of Agriculture (Shri Hukumdeo Narayan Yadav) stated as follows:-

“(a):

(i) Yes Sir. A National Project for Cattle and Buffalo Breeding (NPCBB) is being implemented by the Department since 2000-2001.

(ii) The Scheme for conservation of threatened breeds of Sheep, Goat and Rabbit are under pipeline for 10th Plan.

(b): The NPCBB Scheme aims at thoroughly restructuring the cattle and buffalo breeding infrastructure in the country in two phases spanning 10 years. The major objectives of the scheme are providing good quality breeding inputs at the farmers` doorstep, institutional restructuring for greater efficiency, conservation of indigenous breeds as well as human resource development.

(c)to(e):

(i) The NPCBB Scheme is envisaged to cover whole of the country including Bhagalpur district of Bihar. The State will have to formulate a proposal in conformity with the guidelines of the Scheme. The position has been reviewed in the Department in the month of February, 2002 and the

State has been requested to submit a revised proposal which is awaited.

(ii) The Scheme for Sheep, goat and Rabbit is yet to be finalized."

2.16 Reply to parts (c) to (e) of the above question was treated as an assurance and was required to be fulfilled by the Ministry of Agriculture within three months of the date of the reply i.e. by October 21, 2002.

2.17 The Ministry of Parliamentary Affairs *vide* their U.O. No.XIII-X(12)USQ-1120-LS/2002 dated November 05, 2002 forwarded the request of the Ministry of Agriculture to drop the assurance on the following grounds:-

"(i) The District Bhagalpur is included in the State's proposal under National Project for Cattle and Buffalo Breeding, but the proposal needs further supplementation to conform to the guidelines of the NPCBB. Since the guidelines are same for all States and widely circulated, action on this part is totally dependent on response from the State. The matter is constantly being pursued with the State officials. However, construing the reply as an assurance is likely to create practical difficulties in fulfilling the same.

(ii) Formulation of new Plan schemes is a time consuming affair and is dependent on pace of inter departmental consultation and the process has been initiated in the first year of 10th Plan. It may not be practical to expect a decision in three months.

(iii) None of the statements was meant to be a promise but mentioned as statement of facts."

2.18 The Committee note that a question was asked on July 22, 2002 to know whether the Government have formulated any scheme for the

development of livestock breeding specially for the cow, buffalo, goat, sheep and rabbit in the rural areas and whether Bhagalpur district of Bihar has also been included in the scheme and if not, the time by which the scheme would be introduced there. In reply, it was stated that a National Project for Cattle and Buffalo Breeding (NPCBB) under implementation since 2000-01 aims at thorough restructuring of the cattle and buffalo breeding infrastructure in the country in two phases spanning ten years with objectives of providing good quality breeding inputs at the farmers doorstep, institutional restructuring for greater efficiency, conservation of indigenous breeds as well as human resource development. It has also been mentioned that Bhagalpur district is included in the NPCBB and that Bihar state was required to formulate a proposal in conformity with the guidelines of NPCBB, for which the State had already been requested to submit a revised proposal. As regard the scheme for sheep, goat and rabbit, it was stated that it was yet to be finalized.

2.19 The Committee observe that the Ministry of Agriculture have been implementing the NPCBB since 2000-01 and this scheme is envisaged to cover whole of the country. The Committee note that the guidelines of NPCBB are same for all the States and had been widely circulated. Despite that the proposal sent by the State of Bihar was found not in conformity with the guidelines of the NPCBB and that

State had to be asked to send a revised proposal. The Committee would like to know the reasons how the proposal sent by the Government of Bihar was found wanting and they had to be asked to send a revised proposal. The Committee are told invariably that proposals sent by the State Governments are usually not complete and have to be sent back. They view this aspect as one of the reasons for delay in executing/finalizing projects by various Ministries. The Committee, therefore, strongly advise the Government to evolve a mechanism by which flaw in communication between State Governments and the Union Government is minimized so that there is no room for committing mistakes by State Governments in preferring their proposals to the Union Government and the proposals are finalized smoothly.

2.20 While, the Committee are aware of the practical difficulties in fulfilling the formulation of new plan, they, however, do not concur with the views of the Ministry that construing the reply as an assurance is likely to create practical difficulties in fulfilling the same. The objective of the Committee in such matter is to advise the Government to expedite decision in the matters. However, Committee dropped the assurance at their sitting held on 22nd April, 2003.

[iv] OPTIMUM UTILIZATION PROGRAMME FOR AIRPORTS

2.21 On November 25, 2002, Shri Kirit Somaiya, MP addressed the following

Starred Question No.82 to the Minister of Civil Aviation:-

- “(a) whether the Government have finalised optimum utilisation programme of National and International Airports in India;**
- (b) if so, the name of airports to be given top priority;**
- (c) the details of the leasing conditions, project appraisal report and benefits to be accrued by such leasing of airports particularly Mumbai airport; and**
- (d) the action plan of the Government to improve the situation like waiting period etc.?”**

2.22 In reply the then Minister of Civil Aviation (Shri Syed Shahnawaz Hussain)

stated as follows:-

“(a) & (b) :- Airports Authority of India (AAI) assesses the requirement of air-side and terminal capacities at domestic and international airports on an on-going basis, vis-a-vis the existing capacities, and takes up requisite measures for optimum utilization as well as capacity augmentation, as and when required. Major airports like Mumbai, Delhi, Kolkata, Chennai, Trivandrum, Ahmedabad, Hyderabad and Calicut etc. are accorded priority.

(c):- In January, 2000 the Government decided to restructure the four International Airports at Delhi, Mumbai, Chennai and Kolkata to attract private sector investment and upgrade these airports to world class standards, with latest technology, facilities and managerial skills. Action is in hand for finalizing the legal framework and transaction structure for this purpose.

(d):- Modernisation of Air Traffic Services (ATS) at Mumbai and Delhi has already been completed, which has resulted in increased traffic handling capacity to 30 flights per hour,

thereby reducing the waiting period for the aircraft. AAI has also engaged a consultant through International Civil Aviation Organisation for carrying out a study and suggest possible solutions for further enhancing traffic handling capacity of Delhi and Mumbai airports. As regards waiting period for the passengers in the terminals, the position would improve in the four metro airports, once the restructuring exercise is completed."

2.23 Shri Kirit Somaiya, MP raised certain questions as to whether the Government received any response to Government's proposal to privatization and leasing of airports. In this connection, he desired to know the scheme if any offered by the Government to attract them. In this connection, he also mentioned that pending privatization and leasing of airports improvements and expansion have stopped in international airports and desired that the Government should give complete information in this regard.

2.24 In reply the Minister *inter-alia* stated that the Hon'ble Minister of Finance had given an assurance in the Budget speech for 2002 and the process is going on. The Government has made a declaration regarding upgradation of airports of Delhi, Mumbai, Chennai and Kolkata and the process is on in this regard. A Corporatisation Airport Authority of India for the airports has also been set up and it is in final stage and very soon the Government would be able to give complete information about it.

2.25 The above reply to the supplementary was treated as an assurance and was required to be fulfilled by the Ministry of Civil Aviation within three months of the date of the reply i.e. by February 24, 2003.

2.26 The Ministry of Parliamentary Affairs *vide* their U.O. No.XIII-XI/C.A. (9) SQ 82-LS/02 dated 22nd April, 2003 forwarded a request of the Ministry of Civil Aviation to drop the assurance on the following grounds:-

“that the Hon’ble MP, Shri Kirit Somaiya, put emphasis, amongst the other flurry of questions raised, only on as to whether the works on corrective and improvement expansion at Mumbai airport have been stopped due to impending privatization of airports and underlined his point that he would ask his supplementary questions later. The Speaker reserved the right of supplementary. Hon’ble MCA explained that the improvement on many of the passenger facilities have been carried out and Respected MP was present on inaugural functions of many such occasions. Major works relating to Terminal has been stopped and minor works are still undertaken. A new terminal has been built in Mumbai airport, which included three aerobridges. Shri Kirit Somaiya, Member of Parliament inaugurated this with his own hands. On this reply, the Speaker told the Hon’ble MP as to whether he still needs to raise supplementaries and as to what is pending to be replied when the inauguration has taken place by his own hands. Thereafter, Shri Kirit Somaiya appreciated the work done by Civil Aviation Minister. A perusal of exchange of views between Shri Kirit Somaiya, Member of Parliament and Shri Syed Shahnawaz Hussain, Minister of Civil Aviation should be considered overall and not on piece-meal basis. A general discussion has taken place on various plans of privatization of four metro airports and no supplementary questions have been raised.

Considering the overall position as above and in view of the Speaker’s remarks Ministry of Civil Aviation is of the opinion that this does not constitute an assurance on any supplementary issue. Ministry of Parliamentary Affairs, is therefore, requested to drop this assurance.”

2.27 The request of the Ministry for dropping of the assurance was considered by the Committee at their sitting held on July 04, 2003 and the Committee acceded to the request of the Ministry not to treat the reply as an assurance.

[V] CBI CASES

2.28 On December 18, 2002, Shri Bhartruhari Mahtab, MP addressed the following Unstarred Question No.4513 to the Prime Minister:-

- “(a) the number of cases referred to CBI by the Orissa Government;**
- (b) the number of cases accepted by CBI; and**
- (c) the number of cases still under investigation?”**

2.29 In reply, the then Minister of the State in the Ministry of Small Scale Industries, Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Minister of State in the Ministry of Planning and Minister of State in the Departments of Atomic Energy and Space (Shrimati Vasundhara Raje) stated as follows:-

“(a) to (c): Upto 1.12.2002, out of 8 matters, including several cases, referred by the Government of Orissa to Central Bureau of Investigation, 7 have been accepted. 31 cases have so far been registered by the Central Bureau of Investigation on these 7 matters, out of which 27 are currently under investigation.”

2.30 Reply to the above question was treated as an assurance and was required to be fulfilled by the Ministry of Personnel, Public Grievances and Pensions within three months of the date of the reply i.e. by March 17, 2003.

2.31 The Ministry of Parliamentary Affairs *vide* their U.O. No.XI/Personnel (13) USQ 4513-LS/02 dated 20th May, 2002 forwarded a request of the Cabinet Secretariat to drop the assurance on the following grounds:-

“that the reply to the Question given on 18.12.2003 may not be treated as an assurance since the process of investigation is a legal matter and an ongoing process. Moreover, the reply furnished to the above mentioned question was in exact reply to the Question asked which specifically sought details on the number of cases still under investigation by the CBI.

The delay in seeking extension is due to the fact that the reference of the Ministry of Parliamentary Affairs was received in this Secretariat from the Department of Personnel & Training on 10 March, 2003. Consequent on change in the Allocation of Business Rules 1961 w.e.f. 30.01.2003, the Cabinet Secretariat is now the administrative Secretariat for Central Bureau of Investigation. The Question had been answered by the Department of Personnel & Training when the CBI was under its administrative control. It is, therefore, requested that this may be placed before the Committee on Government Assurances for deletion.”

2.32 A question was asked on December 18, 2002 to know about the number of cases referred by the State Government of Orissa to CBI and the number of cases accepted by the CBI and also the number of cases under investigation. In reply, it was stated by the Ministry that upto December 01, 2002 out of 8 matters including several cases, referred

by the State Government of Orissa, seven were accepted and in these seven matters, CBI registered 31 cases out of which 27 cases were under investigation.

2.33 The Committee considered the request of the Cabinet Secretariat for dropping of the assurance at their sitting held on July 04, 2003 and acceded to their request to drop the assurance. The Committee, however, would like to be apprised of the reasons for the rejection of one matter, out of the 8 referred to the CBI by the State Government. They would also like to know as to how many cases that one matter contained. Apart from it, the Committee would also like to be apprised of the present position of the 27 cases, under investigation of CBI as also remaining 04 cases registered by it.

NEW DELHI;
December 04, 2003

Agrahayna 13, 1925 (SAKA)

DR. S. VENUGOPAL
Chairman
Committee on Government Assurances

II SESSION, 1996 OF ELEVENTH LOK SABHA

MINISTRY OF WATER RESOURCES

Q.No. Date & Name of MP	Subject	Promise Made	When & how fulfilled	Reasons for delay
<p>USQ No.3735 dated 02.09.1996 by Smt. Vasundhara Raje, MP</p>	<p><u>INTER STATE WATERS</u></p> <p>“(a) Whether the State Share is determined in Inter State Waters;</p> <p>(b) if so, the share claimed by different states from different major rivers;</p> <p>(c) the supply made by the Government on the sharing of water by different States from the major rivers from which the claim has been made;</p> <p>(d) if so, the details thereof ; and</p>	<p>(b) to (e): Information is being collected and will be laid on the Table of the House.</p>	<p>State’s share in Inter State Waters is generally being evolved by bilateral/trilateral agreements amongst the party States of the particular Inter State river. However, in case of disputes of any Inter State river, Central Government may constitute Tribunal on the request of the State Government as per provision contained in Inter State Water Disputes Act, 1956 for adjudicating the disputes.</p> <p>So far, Government of India had constituted the following five tribunals:</p> <ol style="list-style-type: none"> 1. Godavari Water Disputes Tribunal 2. Krishna Water Disputes Tribunal 3. Narmada Water Disputes Tribunal 4. Ravi & Beas Waters Tribunal 5. Cauvery Water Disputes Tribunal <p>The first named three Tribunals have already given their awards and the share of water as per those</p>	<p>All the 32 States/UT have now only furnished the information pertaining to their State and hence the delay.</p>

	<p>(e) the decision taken by the Government thereon?"</p> <p><u>PART IMPLEMENTATION</u></p>		<p>awards are as below:</p> <p>(a) For Godavari River: The party States are Maharashtra, Andhra Pradesh, Orissa, Madhya Pradesh and Karnataka. The Tribunal took cognizance of all the agreements at the time in the final award. The agreement in effect, imply a series of inter-state compacts in the sense that the party States are free to utilize flow of river Godavari or its tributaries upto certain specified points.</p> <p>(b) For Krishna River:</p> <table data-bbox="1010 743 1648 857"> <tr> <td>Maharashtra</td> <td>-</td> <td>560 TMC</td> </tr> <tr> <td>Karnataka</td> <td>-</td> <td>700 TMC</td> </tr> <tr> <td>Andhra Pradesh</td> <td>-</td> <td>800 TMC</td> </tr> </table> <p>(c) For Narmada River:</p> <table data-bbox="1062 976 1579 1125"> <tr> <td>Gujarat</td> <td>-</td> <td>9.0 MAF</td> </tr> <tr> <td>Madhya Pradesh</td> <td>-</td> <td>18.25 MAF</td> </tr> <tr> <td>Maharashtra</td> <td>-</td> <td>0.25 MAF</td> </tr> <tr> <td>Rajasthan</td> <td>-</td> <td>0.50 MAF</td> </tr> </table> <p>Ravi & Beas Waters Tribunal and Cauvery Water Disputes Tribunal are yet to give their final award.</p>	Maharashtra	-	560 TMC	Karnataka	-	700 TMC	Andhra Pradesh	-	800 TMC	Gujarat	-	9.0 MAF	Madhya Pradesh	-	18.25 MAF	Maharashtra	-	0.25 MAF	Rajasthan	-	0.50 MAF	
Maharashtra	-	560 TMC																							
Karnataka	-	700 TMC																							
Andhra Pradesh	-	800 TMC																							
Gujarat	-	9.0 MAF																							
Madhya Pradesh	-	18.25 MAF																							
Maharashtra	-	0.25 MAF																							
Rajasthan	-	0.50 MAF																							

MINUTES
THIRD SITTING

Minutes of the Third sitting of the Committee on Government Assurances held on April 22, 2003 in Committee Room "B", Ground Floor, Parliament House Annexe, New Delhi.

The Committee met from 1500 hours to 1600 hours on Tuesday, April 22, 2003.

PRESENT

CHAIRMAN

Dr. S. Venugopal

MEMBERS

2. Shri E. Ahamed
3. Shri Ramkant Angle
4. Shri Priya Ranjan Dasmunsil
5. Shri Bahadur Singh
6. Rajkumari Ratna Singh

SECRETARIAT

1. Shri R.C. Gupta - Director
2. Ms. J. C. Namchy - Under Secretary

At the outset, the Committee reviewed the following pending assurances of 8th Lok Sabha pertaining to Ministries of Defence, Tourism & Culture and Tribal Affairs.

1. Ministry of Defence

- (i) SQ No.15 dated 27.7.88
- (ii) SQ No.605 dated 27.2.89
- (iii) SQ No. 89 dated 24.7.89

The above assurances deal with Howitzer deal and Bofors Gun deal. The Committee were of the view that these assurances need to be dropped in view of the fact that the investigation is being done by CBI and the matter is lying in the various Courts.

2. Ministry of Tourism & Culture

- (i) USQ No. 2667 dated 5.12.85
- (ii) USQ No.213 dated 28.7.88

Both the assurances relate to Smuggling of Antiques & Antiques Act 1972. The Committee were of the view that the legislation is being brought by the Government in this regard and as such, desired to call the representatives of the Ministry to know the latest position in this regard.

3. Ministry of Tribal Affairs

- (i) USQ No.238 dated 24.2.88
- (ii) USQ No. 8539 dated 8.5.89
- (iii) USQ No.8497 dated 8.5.89

The above three assurances relate to National policy on displaced Tribals. The Committee therefore, decided to call the representatives of the Ministry of Tribal Affairs to know the latest position with regard to the legislation to be brought on displaced Tribals.

The Committee thereafter considered the following Memoranda regarding dropping of assurances:-

Memorandum No.1 Request for dropping of assurance given on September 02, 1996 in reply to USQ No. 3735 regarding Inter State Waters.

The Committee considered the request of the Ministry of Water Resources and decided to drop the assurance as the matter is pending before the Tribunals which may take their own time in deciding the matter.

Memorandum No.2 Request for dropping of assurance given on March 10, 1997 to the Point Raised by Shri Badudeb Acharya during discussions on Railway Budget for Allocation of money for the restoration of Bankura Damodar River (BDR) Narrow Gauge Railway Line.

The Committee considered the request of the Ministry of Railways and did not agree to drop the assurance. They, however, decided to call the representatives of the Ministry to know the reasons why the money allotted for the work of restoration was not utilized for the purpose.

Memoranda No.3&5 Request for dropping of assurances given on July 26, 2000 and July 15, 2002 in reply to USQ No. 456 and SQ No. 17 regarding Raising of Bonus and Report of the Second National Labour Commission respectively.

The Committee considered both the requests of the Ministry of Labour together as the subject matter related to the Second National Labour Commission. The Committee decided to hear the views of the Ministry in the first instance.

Memorandum No.4 Request for dropping of assurances given on April 16, 2002 in reply to USQ No. 3572

**regarding Introduction of Electric Trolley Buses
in Delhi.**

The Committee considered the request of the Ministry of Urban Development & Poverty Alleviation and decided to drop the assurance as the matter was being examined by Government of National Capital Territory of Delhi (GNCTD).

**Memorandum No.6 Request for dropping of assurance given on
July 22, 2002 in reply to USQ No. 1120
regarding Development of Livestock.**

The Committee considered the request of the Ministry of Agriculture and acceded to the request of the Ministry.

The Committee thereafter decided to go on a study tour in the month of May/June 2003, and authorized the Chairman to finalize the tour programme.

The Committee then adjourned.

MINUTES
FIFTH SITTING

Minutes of the Fifth Sitting of the Committee on Government Assurances held on July 04, 2003 at 1100 hours in Committee Room 'E', Basement, Parliament House Annexe, New Delhi.

The Committee met from 1100 hours to 1230 hours on Friday, July 04, 2003.

PRESENT

Shri Priya Ranjan Dasmunsi - in the Chair

MEMBERS

2. Shri Adhi Sankar
3. Shri Padam Sen Choudhary
4. Adv. Uttamrao Dhikale
5. Shri Sudarsana E.M. Natchiappan
6. Shri Rupchand Pal
7. Shri Dharam Raj Singh Patel
8. Shri Kishan Singh Sangwan
9. Shri Bahadur Singh
10. Rajkumari Ratna Singh
11. Shri Tarlochan Singh Tur

SECRETARIAT

1. Shri R.C. Gupta - Director
2. Ms. J.C. Namchy - Under Secretary

In the absence of the Chairman (Dr. S. Venugopal) Shri Priya Ranjan Dasmunsi, MP was chosen to Chair the sitting in terms of Rule 258(3) of the

Rules of Procedure & Conduct of Business in Lok Sabha. Thereafter, the Committee took up the following Memoranda for dropping of the assurances in pursuance of the requests received from different Ministries:-

Memorandum No.07

Request for dropping of assurance given on February 29, 2000 in reply to Unstarred Question No.705 regarding Vacant Posts of Youth Coordinators in Nehru Yuvak Kendras.

The Committee considered the above-mentioned memorandum in detail. They were of the view that the Nehru Yuvak Kendras are not functioning properly in the country. They, therefore, decided not to drop the assurance but to call the representatives of the Ministry of Youth Affairs & Sports to know whether the functioning of the Kendras are in conformity with the goals for which they were set up, and also to know the position with regard to unfilled posts etc.

Memorandum No.08

Request for dropping of assurance given on November 23, 2000 in reply to Unstarred Question No.878 regarding Reconstruction of New Delhi Railway Station.

The Committee considered the above-mentioned memorandum and decided not to drop the assurance since they desired to know the present status of the integrated study, which was in progress, for the re-development of the New Delhi Railway Station. The Committee also decided to undertake an inspection of the New Delhi Railway Station to have a first hand information about the re-development of the Station during the Monsoon Session.

Memorandum No.09**Request for dropping of assurance given on August 22, 2001 in reply to USQ No.4369 regarding Central Assistance for State Plan.**

The Committee after considering the above-mentioned assurance did not accede to the request of the Ministry for dropping of the assurance since they desired to know whether or not the Gadgil formula was sent for the approval of the National Development Council (NDC) and the reaction of the NDC thereto. The Committee desired to call the representatives of the Planning Commission for Oral Evidence.

Memorandum No.10**Request for dropping of assurance given on November 21, 2001 in reply to Unstarred Question No.685 regarding Indian Nursing Council.**

The Committee considered the above-mentioned memorandum and decided not to drop the assurance because they were not convinced by the reasons forwarded by the Ministry for dropping of the assurance.

Memorandum No.11**Request for dropping of assurances given on March 14, 2002 and April 18, 2002 in reply to Unstarred Question Nos.1855 & 4119 regarding Amendment in Railways Protection Act & Security Measures in Railways respectively.**

The Committee considered the above-mentioned memorandum and decided to call the representatives of the Railway Board in view of a number of railway accidents occurring in the country and also to know about the safety measures initiated to prevent occurrence of accidents in future.

Memoranda No.12&13

Request for dropping of assurances given on July 17, 2002 & August 02, 2002 during Calling Attention regarding Problems being faced by Producers of Raw Silk and in reply to Unstarred Question No.2925 regarding Import of Cotton and Silk respectively.

The Committee considered the above-mentioned memoranda together since both of them were about the problems being faced by producers of raw silk. The Committee did not accede to the request of the Ministry but decided to call the Secretaries of the Ministries of Textiles and the Finance to hear their views.

Memorandum No.14

Request for dropping of assurance given on November 25, 2002 in reply to Starred Question No.82 regarding Optimum Utilization Programme for Airports.

The Committee acceded to the request of the Ministry of Civil Aviation for not treating the reply to question as an assurance.

Memorandum No.15

Request for dropping of assurance given on December 18, 2002 in reply to USQ No.4497 regarding Foreign Investment in Communication Sector.

The Committee considered the above-mentioned memorandum and were not convinced by the reasons forwarded by the Ministry of Communications and Information Technology for dropping of the assurance. They, however, decided to call the representatives of the Department of Industrial Policy and Promotion, the Ministry of Communications and Information Technology and the Ministry of Finance to hear their views.

Memorandum No.16

Request for dropping of assurance given on December 12, 2002 in reply to Unstarred Question No.4513 regarding CBI Cases.

The Committee after considering the above-mentioned memorandum and the reply of the Government acceded to the request of the Cabinet Secretariat for not treating the reply as an assurance.

Thereafter, the Committee discussed about the cancellation of its tour to Leh, Srinagar and Jammu from 09th to 13th June, 2003 due to non-availability of flight to Leh from Chandigarh because of bad weather. The Committee, therefore, decided to visit these places after the conclusion of the Monsoon Session of Lok Sabha in August, 2003.

The Committee then adjourned.

MINUTES
THIRD SITTING

Minutes of the Third sitting of the Committee on Government Assurances held on April 22, 2003 in Committee Room "B", Ground Floor, Parliament House Annexe, New Delhi.

The Committee met from 1500 hours to 1600 hours on Tuesday, April 22, 2003.

PRESENT

CHAIRMAN

Dr. S. Venugopal

MEMBERS

2. Shri E. Ahamed
3. Shri Ramkant Angle
4. Shri Priya Ranjan Dasmunsil
5. Shri Bahadur Singh
6. Rajkumari Ratna Singh

SECRETARIAT

1. Shri R.C. Gupta - Director
2. Ms. J. C. Namchy - Under Secretary

At the outset, the Committee reviewed the following pending assurances of 8th Lok Sabha pertaining to Ministries of Defence, Tourism & Culture and Tribal Affairs.

1. Ministry of Defence

- (iv) SQ No.15 dated 27.7.88
- (v) SQ No.605 dated 27.2.89
- (vi) SQ No. 89 dated 24.7.89

The above assurances deal with Howitzer deal and Bofors Gun deal. The Committee were of the view that these assurances need to be dropped in view of the fact that the investigation is being done by CBI and the matter is lying in the various Courts.

2. Ministry of Tourism & Culture

- (iii) USQ No. 2667 dated 5.12.85
- (iv) USQ No.213 dated 28.7.88

Both the assurances relate to Smuggling of Antiques & Antiques Act 1972. The Committee were of the view that the legislation is being brought by the Government in this regard and as such, desired to call the representatives of the Ministry to know the latest position in this regard.

3. Ministry of Tribal Affairs

- (iv) USQ No.238 dated 24.2.88
- (v) USQ No. 8539 dated 8.5.89
- (vi) USQ No.8497 dated 8.5.89

The above three assurances relate to National policy on displaced Tribals. The Committee therefore, decided to call the representatives of the Ministry of Tribal Affairs to know the latest position with regard to the legislation to be brought on displaced Tribals.

The Committee thereafter considered the following Memoranda regarding dropping of assurances:-

Memorandum No.1 Request for dropping of assurance given on September 02, 1996 in reply to USQ No. 3735 regarding Inter State Waters.

The Committee considered the request of the Ministry of Water Resources and decided to drop the assurance as the matter is pending before the Tribunals which may take their own time in deciding the matter.

Memorandum No.2 Request for dropping of assurance given on March 10, 1997 to the Point Raised by Shri Badudeb Acharya during discussions on Railway Budget for Allocation of money for the restoration of Bankura Damodar River (BDR) Narrow Gauge Railway Line.

The Committee considered the request of the Ministry of Railways and did not agree to drop the assurance. They, however, decided to call the representatives of the Ministry to know the reasons why the money allotted for the work of restoration was not utilized for the purpose.

Memoranda No.3&5 Request for dropping of assurances given on July 26, 2000 and July 15, 2002 in reply to USQ No. 456 and SQ No. 17 regarding Raising of Bonus and Report of the Second National Labour Commission respectively.

The Committee considered both the requests of the Ministry of Labour together as the subject matter related to the Second National Labour Commission. The Committee decided to hear the views of the Ministry in the first instance.

Memorandum No.4 Request for dropping of assurances given on April 16, 2002 in reply to USQ No. 3572

**regarding Introduction of Electric Trolley Buses
in Delhi.**

The Committee considered the request of the Ministry of Urban Development & Poverty Alleviation and decided to drop the assurance as the matter was being examined by Government of National Capital Territory of Delhi (GNCTD).

**Memorandum No.6 Request for dropping of assurance given on
July 22, 2002 in reply to USQ No. 1120
regarding Development of Livestock.**

The Committee considered the request of the Ministry of Agriculture and acceded to the request of the Ministry.

The Committee thereafter decided to go on a study tour in the month of May/June 2003, and authorized the Chairman to finalize the tour programme.

The Committee then adjourned.