

**44**

**COMMITTEE ON  
GOVERNMENT ASSURANCES  
(2016-2017)**

**SIXTEENTH LOK SABHA**

**FORTY FOURTH REPORT**

**REVIEW OF PENDING ASSURANCES  
PERTAINING TO MINISTRY OF DEFENCE  
(DEPARTMENT OF DEFENCE)**

*Presented to Lok Sabha on 15 December, 2016*



**LOK SABHA SECRETARIAT  
NEW DELHI**

***December, 2016/Agrahayana, 1938 (Saka)***

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NEW DELHI  
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**CGA No. 294**

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES\*  
(2016-2017)

Dr. Ramesh Pokhriyal “Nishank” — *Chairperson*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri E. Ahamed
4. Shri Anto Antony
5. Shri Tariq Anwar
6. Prof. (Dr.) Sugata Bose
7. Shri Naranbhai Bhikhabhai Kachhadiya
8. Shri Bahadur Singh Koli
9. Shri Prahlad Singh Patel
10. Shri A.T. Nana Patil
11. Shri C.R. Patil
12. Shri Sunil Kumar Singh
13. Shri Taslimuddin
14. Shri K.C. Venugopal
15. Shri S.R. Vijay Kumar

SECRETARIAT

- |                      |   |                             |
|----------------------|---|-----------------------------|
| 1. Shri R.S. Kambo   | — | <i>Additional Secretary</i> |
| 2. Shri J.M. Baisakh | — | <i>Director</i>             |
| 3. Shri S.L. Singh   | — | <i>Deputy Secretary</i>     |

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\* The Committee has been re-constituted *w.e.f.* 01 September, 2016 *vide* Para No. 4075 of Lok Sabha Bulletin Part-II, dated 05 September, 2016.

COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES\*  
(2015-2016)

Dr. Ramesh Pokhriyal “Nishank” — *Chairperson*

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15. Shri S.R. Vijaykumar

SECRETARIAT

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| 1. Shri R.S. Kambo   | — | <i>Joint Secretary</i>  |
| 2. Shri J.M. Baisakh | — | <i>Director</i>         |
| 3. Shri S.L. Singh   | — | <i>Deputy Secretary</i> |

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\* The Committee was constituted *w.e.f.* 01 September, 2015 *vide* Para No. 2348 of Lok Sabha Bulletin Part-II, dated 31 August, 2015.



COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES\*  
(2014-2015)

Dr. Ramesh Pokhriyal “Nishank” — *Chairperson*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri E. Ahamed
4. Shri Anto Antony
5. Prof. (Dr.) Sugata Bose
6. Shri Naranbhai Bhikhabhai Kachhadia
7. Shri Bahadur Singh Koli
8. Shri Prahlad Singh Patel
9. Shri A.T. Nana Patil
10. Shri C.R. Patil
11. Shri Sunil Kumar Singh
12. Shri Tasleemuddin
13. Shri K.C. Venugopal
14. Shri S.R. Vijaykumar
15. Shri Tariq Anwar\*\*

SECRETARIAT

- |                         |   |                            |
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| 1. Shri R.S. Kambo      | — | <i>Joint Secretary</i>     |
| 2. Shri U.B.S. Negi     | — | <i>Director</i>            |
| 3. Shri T.S. Rangarajan | — | <i>Additional Director</i> |

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\* The Committee has been constituted *w.e.f.* 01 September, 2014 *vide* Para No. 633 of Lok Sabha Bulletin Part-II, dated 02 September, 2014.

\*\* Nominated to the Committee *vide* Para No. 1281 of Lok Sabha Bulletin Part-II, dated 05 February, 2015.

## INTRODUCTION

I, the Chairperson of the Committee on Government Assurances (2016-17) having been authorized by the Committee to submit the Report on their behalf, present this Forty-Fourth Report (16th Lok Sabha) of the Committee on Government Assurances.

2. The Committee (2014-15) at their sitting held on 30 July, 2015 took oral evidence of the representatives of the Ministry of Defence (Department of Defence) regarding pending Assurances from the 10th Session of the 13th Lok Sabha to the 9th Session of the 15th Lok Sabha and 6 other Assurances given in the years 2012-2015 and similar to some of the aforesaid Assurances. The Committee (2015-16) at their sitting held on 05 May, 2016 took further evidence of the representatives of the Ministry regarding pending Assurances from the 11th Session of the 13th Lok Sabha to the 14th Session of 15th Lok Sabha.

3. At their sitting held on 14 December, 2016 the Committee (2016-17) considered and adopted their Forty-Fourth Report.

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

5. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in bold letters in the body of the Report.

NEW DELHI;  
14 December, 2016  
23 Agraphayana, 1938 (Saka)

DR. RAMESH POKHRIYAL "NISHANK"  
*Chairperson,*  
*Committee on Government Assurances.*

## REPORT

### I. Introductory

The Committee on Government Assurances scrutinize the Assurances, promises, undertakings etc., given by the Ministers from time to time on the floor of the House and report to the extent to which such Assurances, promises, undertakings etc. have been implemented. Once an Assurance has been given on the floor of the House, the same is required to be implemented within three months. The Ministries/Departments of the Government of India are under obligation to seek extension of time if they are unable to fulfill the Assurance within the prescribed periods of three months. Where a Ministry/Department are unable to implement an Assurance, that Ministry/Department are required to move the Committee for dropping it. The Committee consider such requests and approve dropping, if they are convinced that the grounds cited are justified. The Committee also examine whether the implementation of Assurances has taken place within the minimum time necessary for the purpose and the committee also look into the extent to which the Assurances have been implemented.

2. The Committee on Government Assurances (2009-10) took a policy decision to call the representatives of various Ministries/Departments of the Government of India, in a phased manner, to review the pending Assurances, examine the reasons for pendency and analyze operation of the system prescribed in the Ministries/Departments for dealing with Assurances. The Committee also decided to consider the quality of Assurances implemented by the Government.

3. The Committee on Government Assurances (2014-2015) decided to follow the well established and time tested procedure of calling the representatives of the Ministries/Departments of Government of India, in a phased manner and review the pending Assurances. The Committee took a step further for expeditious implementation of pending Assurances and decided to call the representatives of the Ministry of Parliamentary Affairs also as all the Assurances are implemented through them.

4. In pursuance of the *ibid* decision, the Committee on Government Assurances (2014-15) called the representatives of the Ministry of Defence (Department of Defence) and the Ministry of Parliamentary Affairs to render clarification with respect to delay in implementation of 16 Assurances given during the period from the 10th Session of 13th Lok Sabha and 6 other Assurances given in the years 2012-2015 and similar to some of the aforesaid Assurances. The Committee examined the following 22 pending Assurances at their sitting held on 30 July, 2015:

| Sl.No. | SQ/USQ No. dated                 | Subject   |
|--------|----------------------------------|---|
| 1      | 2                                | 3   |
| 1.     | USQ No. 679<br>dated 18-07-2002  | Unified Command of Armed Forces<br>(Appendix-I)               |
| 2.     | USQ No. 1332<br>dated 15-07-2004 | Appointment of Chief of Defence Staff<br>(Appendix-II)        |
| 3.     | USQ No. 1734<br>dated 04-08-2005 | Institution of CDS<br>(Appendix-III)                          |
| 4.     | SQ No. 258<br>dated 10-08-2006   | Appointment of Chief of Defence Staff<br>(Appendix-IV)        |
| 5.     | USQ No. 302<br>dated 20-10-2008  | Chief of Defence Staff<br>(Appendix-V)                        |
| 6.     | USQ No. 3290<br>dated 18-03-2013 | Chief of Defence Staff<br>(Appendix-VI)                       |
| 7.     | SQ No. 168<br>dated 19-8-2003    | Chief of Defence Staff<br>(Appendix-VII)                      |
| 8.     | USQ No. 3283<br>dated 14-08-2003 | Shopping Complexes on Lease<br>(Appendix-VIII)                |
| 9.     | USQ No. 856<br>dated 28-07-2005  | Enquiry into Alleged Pay Offs<br>(Appendix-IX)                |
| 10.    | USQ No. 2313<br>dated 17-08-2006 | Cadre Review of Military Engineering Services<br>(Appendix-X) |
| 11.    | USQ No. 69<br>dated 01-08-2011   | Museum on Decommissioned Vikrant<br>(Appendix-XI)             |
| 12.    | USQ No. 133<br>dated 01-08-2011  | BPJ and Ballistic Helmets for Soldiers<br>(Appendix-XII)      |
| 13.    | USQ No. 196<br>dated 01-08-2011  | Condition of Border Roads<br>(Appendix-XIII)                  |
| 14.    | USQ No. 1200<br>dated 08-08-2011 | Adarsh Housing Society<br>(Appendix-XIV)                      |
| 15.    | USQ No. 1332<br>dated 08-08-2011 | Commercial use of Defence Land<br>(Appendix-XV)               |
| *16.   | USQ No. 1144<br>dated 28-11-2011 | Purchase of Aircraft<br>(Appendix-XVI)                        |
| 17.    | SQ No. 75<br>dated 19-03-2012    | Purchase of Combat Aircraft<br>(Appendix-XVII)                |
| *18.   | USQ No. 813<br>dated 27-02-2015  | Purchase of Fighter Aircraft<br>(Appendix-XVIII)              |

\*Have since been fully implemented.

| 1   | 2                                | 3  |
|-----|----------------------------------|--|
| 19. | USQ No. 3887<br>dated 17-12-2012 | Status of MMRCA Deal<br>(Appendix-XIX)                     |
| 20. | USQ No. 2373<br>dated 25-07-2014 | Shortage of Fighter Aircraft<br>(Appendix-XX)              |
| 21. | USQ No. 2952<br>dated 12-12-2011 | Acquisition of Land for Defence Purposes<br>(Appendix-XXI) |
| 22. | USQ No. 4134<br>dated 19-12-2011 | Allotment of Land on Lease<br>(Appendix-XXII)              |

5. Subsequently, 6 Assurances mentioned at Sl. Nos. 8, 9, 10, 14, 15 and 21 in the above Table have since been implemented while the Assurance mentioned at Sl. No. 19 has been dropped as detailed in Para 58 of this Report.

6. The Committee took further evidence of the Ministry of Defence (Department of Defence) and the Ministry of Parliamentary Affairs to examine/discuss the issues relating to delay in implementation of the Assurances given during the period from the 11th Session of the the 13th Lok Sabha to the 14th Session of the 15th Lok Sabha. The Committee examined the following 13 pending Assurances at their sitting held on 05 May, 2016:

| Sl.No. | SQ/USQ No. dated                 | Subject   |
|--------|----------------------------------|---|
| 1      | 2                                | 3   |
| 23.    | USQ No. 3500<br>dated 12.12.2002 | Implementation of Jafa Committee Report<br>(Appendix-XXIII)       |
| 24.    | USQ No. 4889<br>dated 07.05.2012 | Tata Trucks Deal<br>(Appendix-XXIV)                               |
| 25.    | USQ No. 6154<br>dated 14.05.2012 | Kargil Review Committee<br>(Appendix-XXV)                         |
| 26.    | USQ No. 3545<br>dated 03.09.2012 | Implementation of KRC report<br>(Appendix-XXVI)                   |
| 27.    | SQ No. 622<br>dated 21.05.2012   | Restricted Zones around Defence Installations<br>(Appendix-XXVII) |
| 28.    | USQ No. 581<br>dated 13.08.2012  | Recruitment irregularities<br>(Appendix-XXVIII)                   |
| *29.   | USQ No. 3510<br>dated 03.09.2012 | Floor Space Index<br>(Appendix-XXIX)                              |
| 30.    | USQ No. 645<br>dated 26.11.2012  | Coast Guard Airport<br>(Appendix-XXX)                             |

\*Have since been fully implemented.

| 1.  | 2                                | 3   |
|-----|----------------------------------|---|
| 31. | USQ No. 2755<br>dated 10.12.2012 | Defence University<br>(Appendix-XXXI)     |
| 32. | SQ No. 81<br>dated 04.03.2013    | VVIP Helicopter Deal<br>(Appendix-XXXII)  |
| 33. | SQ No. 554<br>dated 06.05.2013   | VVIP Helicopter Deal<br>(Appendix-XXXIII) |
| 34. | USQ No. 154<br>dated 05.08.2013  | VVIP Helicopter Deal<br>(Appendix-XXXIV)  |
| 35. | USQ No. 2668<br>dated 26.08.2013 | VIP Helicopter Deal<br>(Appendix-XXXV)    |

7. Later, the Assurances mentioned at Sl. Nos. 5 and 6 in the above table have been implemented on 09.12.2015 and 10.08.2016 respectively.

8. The Extracts from Manual of Practice and Procedure in the Government of India, Ministry of Parliamentary Affairs laying guidelines on the definition of an Assurance, the time limit for its fulfillment, dropping/deletion and extension, the procedure for fulfillment etc., besides maintenance of Register of Assurances and periodical reviews to minimize delays in implementation of the Assurances are reproduced at Appendix-XXXVI.

9. During evidence, the attention of the representatives of the Ministry was primarily drawn to the abysmal delay in fulfillment of the Assurances. The Committee also enquired about the system in place in the Ministry for reviewing the pending Assurances, the compliance with the provisions of the 'Manual of Practice and Procedure in the Government of India' and coordination with the Ministry of Parliamentary Affairs in this regard. The Defence Secretary elucidated as under:

"Today, we have 22 Questions before us which are under assurances. I would like to assure the hon. Committee that whenever Assurances are given, they are given the top most priority in the Ministry. We conduct regular reviews of the Assurances and whenever we find it difficult to carry out the Assurances within the stipulated time we take the orders of the hon. Defence Minister or the Minister of State as the case may be and then we report the matter to the Secretariat.

As far as possible we try to avoid seeking time. But the nature of work in Defence Ministry is such that many things are not totally time bound. As you are well aware the matters relating to Defence procurement which is also a subject matter of some of the Questions here, they are highly procedure bound and therefore, in order to maintain the required transparency and required efficiency, sometimes we need more time and, therefore, the procurement decisions also take little bit of time. I am not saying that this should be the case, but more often than not we are compelled to seek more

time for fulfillment of the Assurances. But as and when the Assurances are fulfilled we keep reporting. Only the rarest of cases where things are beyond our control, the replies are not forthcoming. Otherwise, we make the best effort to see that the replies are given on time."

10. Pointing out that much delay had happened in implementing the Assurances one of which was given way back in 2002, the Committee desired to know the level at which the regular meetings are held and the results thereof. The Committee also enquired whether the Minutes of these review meetings were brought to the knowledge of the Defence Minister. The Defence Secretary replied that their review is conducted at the level of Additional Secretary.

11. On being asked to spell out the details and the periodicity of the review meetings, the Additional Secretary of the Ministry apprised the Committee as under:

"The Assurances are primarily reviewed at the level of the Joint Secretary in addition to this, the long pending Assurances are reviewed at the level of the Additional Secretary along with the Joint Secretary. A review had been conducted at my level about a week ago and prior to that it was conducted some months back. The Assurance is presented before the Secretary after constant review. As far as old Assurances are concerned, there are some complications. As you have stated many Assurances are pending since 2002. There are six to seven issues involved therein on which decision is to be taken at the Cabinet level. Many issues are under their consideration and we are not able to implement them in the absence of final decision. As the Defence Secretary has stated about procurement, some progress has been made in the rest of issues about which the information has been supplied to you."

12. To a pointed query as to whether reviews are conducted at the levels of Defence Secretary and the Defence Minister, he submitted as under:

"The honourable Minister is intimated about those Assurances which have been pending since long as you have told about the issue of 2002. In the matter of pending Assurance which cannot be implemented at our level, we bring them in to the notice of the Minister. Review is not done at the level of the Minister."

13. The Committee enquired about the follow up action taken by the Ministry on the procedural points raised by the Committee in their meeting held on 30 July, 2015. The Defence Secretary stated as under:

"Sir, after the last meeting, at my level I have had two meetings to review the progress immediately during the last year and during the current year. Of course, this is also being regularly reviewed by the Additional Secretary at his level. So, we are giving the highest importance to the disposal of these questions and during the review, we have also seen that some of the questions are pending for want of policy decisions and some of these policies are already underway and we have been pursuing them. These policy decisions are either imminent or some of the policy decisions have already been made.

But at the same time, I also would like to bring to the kind notice of the hon. Chairman that in respect of some of the questions that we have, it is not possible to give you a definite answer because of the uncertainty in making these policy decisions. Some of the cases relate to investigations like CBI investigations or matters relating thereto. So, we have made a request from our side that for some of these questions, which we are not able to fulfil within the stipulated time, we are forced to seek extension time and again.

It will be better if the hon. Committee review them and drop them. So, we have a list of 29 cases relating to the Lok Sabha, which we have referred to the hon. Committee."

#### **Observations/Recommendations**

**14. The Committee are concerned that as many as 25 Assurances given by the Ministry of Defence (Department of Defence) during the period from the 10th Session of 13th Lok Sabha to the 14th Session of the 15th Lok Sabha and another Assurance given during the 4th Session of the 16th Lok Sabha are still pending for implementation even after lapse of time ranging from more than one year 10 months to more than 14 years. Out of these, the Assurances, mentioned at SI. Nos. 1 and 23 are pending for more than 14 years while another 3 Assurances mentioned at SI. Nos. 2, 3 and 4 are yet to be fulfilled even after more than 10 to 12 years. Like-wise, 21 Assurances are pending for more than 1 year 10 months to more than 8 years whereas the Assurance mentioned at SI. No. 19 was subsequently dropped and the remaining 8 Assurances could be implemented after delays ranging from more than 3 years to about 13 years. This is indicative of the fact that Monitoring and follow-up action taken for implementation of Assurances has been inadequate. The Committee are fully aware of the fact that implementation of Assurances related to policy matters and defence procurement cases require more time and may be difficult to be executed within the prescribed time period. However, sustained efforts need to be made to implement assurances. In this regard, the Committee desire that in addition to the present arrangement of review mechanism instituted by the Ministry, cases may also be monitored and reviewed at the highest level at periodic intervals.**

#### **II. Review of Pending Assurances pertaining to the Ministry of Defence (Department of Defence)**

15. In the succeeding paragraphs, the Committee deal with the pending Assurances pertaining to the Ministry of Defence (Department of Defence).

##### **A. Appointment of Chief of Defence Staff**

- (i) USQ No.679 dated 18.07.2002 regarding 'Unified Command of Armed Forces' (Appendix- I)
- (ii) USQ No.1332 dated 15.07.2004 regarding 'Appointment of Chief of Defence Staff' (Appendix - II)



- (iii) USQ No.1734 dated 04.08.2005 regarding 'Institutions of CDS' (Appendix-III)
- (iv) SQ No.258 dated 10.08.2006 regarding 'Appointment of Chief of Defence Staff' (Appendix -IV)
- (v) USQ No.302 dated 20.10.2008 regarding 'Chief of Defence Staff' (Appendix -V)
- (vi) USQ No.3290 dated 18.03.2013 regarding 'Chief of Defence Staff' (Appendix -VI)
- (vii) SQ No.168 dated 19.08.2013 regarding 'Chief of Defence Staff' (Appendix -VII)
- (viii) USQ No.6154 dated 14.05.2012 regarding 'Kargil Review Committee' (Appendix -XXV)
- (ix) USQ No.3545 dated 03.09.2012 regarding 'Implementation of KRC Report' (Appendix -XXVI)

16. In reply to the above Questions, it was stated that a Group of Ministers (GoM) was constituted on 17.04.2000 to review the national security system in its entirety and in particular, to consider the recommendations of the Kargil Review Committee and to formulate specific proposals for its implementation. The GoM in their Report on 'Reforming the National Security System' submitted to the Government in February 2001 *inter alia* recommended to create the institution of Chief of Defence Staff (CDS). The recommendation made in the Report of the GoM were approved by the Government on 11.05.2001 with the modifications that a view on the recommendations relating to the institution of the CDS will be taken after consultation with political parties as further discussion including a detailed examination of pros and cons of the proposal are considered necessary before formulation of Governments views on the subject.

17. The process of the consultations was initiated in 2006 with Raksha Mantri writing to the leaders of all major political parties to obtain their views on the creation of the post of CDS. Subsequently, the political parties have been reminded to provide their views. The Ministry informed that views of some political parties are still awaited and a decision on the matter would be taken after completion of the ongoing consultations.

18. Giving an update on the efforts made by them in this regard, the Ministry stated in their Status Note dated 04.05.2016 as under:

"The Group of Ministers had amongst others recommended creation of the post of Chief of Defence Staff. It was decided that Government would take a view on the establishment of the CDS after consulting various political parties. The process of consultation was initiated in March 2006 with Raksha Mantri writing to the leaders of all national political parties to obtain their views on the creation of the post of CDS. Subsequently, the political parties have been

reminded on various dates to provide their views. Since this is a major issue, it is necessary to consider the opinion of all political parties before taking a view on the matter. So far, only ten political parties have responded.

In the meantime, Government had set up a Task Force namely "The Naresh Chandra Task Force (NCTF) on National Security" in May 2011, to review the national security management system and make suitable recommendations. The NCTF, recommended the creation of the post of Permanent Chairman, Chiefs of Staff Committee (CoSC). The views of the MoD on all relevant recommendations were conveyed to NSCS, with the approval of Raksha Mantri. The recommendations of the NCTF have since been considered by the National Security Council (NSC) and after inter-ministerial consultations were placed before the Cabinet Committee on Security (CCS) on 29 April, 2014. While NSCS had conveyed the approval of the CCS for some other recommendations of NCTF pertaining to MoD, NSCS has not yet communicated any decision of CCS on the issue of Permanent Chairman, CoSC.

Considering that there are two live proposals, for the establishment of post of CDS and Permanent Chairman, CoSC respectively, it is expected that at the time of a final decision in the CCS on the recommendations of the NCTF, both proposals will be taken note of and the final decision as and when taken would settle both the proposals."

19. During evidence, the Defence Secretary, apprised the Committee about the implementation of the Assurances, as under:

"It is an extremely very important and sensitive decision. It was decided that there should be consultations with all the political parties. We had initiated that process in March, 2006. So far, the opinion of 24 major political parties have been sought. We got response from only 10 political parties. Major political parties have not responded. Considering the fact that this being a national issue, it is necessary that major political parties also give their opinion but we do not have the fortune or good luck of getting their opinion. Anyway, we do not want to delay this matter. A decision has to be made. We are now trying to take the decision as quickly as possible."

20. When enquired about the expected time of implementing the Assurances, the Defence Secretary deposed during evidence as under:

"As far as this matter is concerned, you may also be aware that there was a Committee called Naresh Chandra Task Force which was set up in May, 2011. The Naresh Chandra Task Force also considered the various issues and they have suggested a permanent Chairman of the Chief of Staff Committee. In fact, this was also considered by the National Security Council and placed before the Cabinet Committee on Security on 29th April, 2014. Of course, among the various recommendations, a number of decisions were taken. But on this particular issue the decision was not taken. That means, it is actually

under active consideration. It is moving forward. But now this is again open for the decision making. I hope the decision will come very soon. Anyway, the decision will have to be 'yes' or 'no' and that decision is bound to be taken and we are trying our best to do that."

21. Asked to elucidate the inordinate delay in obtaining opinion of the political parties and the manner in which the Ministry have been handling the matter, the Defence Secretary submitted during evidence as under:

"Regarding the political parties, we started the process in 2006 and regular reminders have been given to the political parties. The letters have gone from the Minister's level. It is not that we have, in any way, been slack about it. It has been regularly going. But, unfortunately, we have not got replies. But, I think, as I mentioned earlier, 10 political parties have given the replies. But their replies are also mixed. Some parties say, 'Yes' some parties say 'No'. So, it is not that there is some unanimity among everyone that something should be done or not. That also is a problem.

We have also not got the good fortune of getting the response from the major political parties. We have also not got the response from them. Probably this process may have to come to an end and we may have to finally take the decision."

22. The Defence Secretary further briefed the Committee about the subsequent developments in the implementation of the Assurances as under:

"We had a long discussion also last time and we have also sent a detailed report. This being a very sensitive and important decision, the National Security Council Secretariat is seized of the matter. They are trying to see that this is taken forward. But it will call for a very important decision making at the highest level. The Cabinet Committee on Security will have to apply its mind to this. We are also actively considering the proposal. It is not a easy decision to make. It will take some time. But we are moving in some direction. It is a difficult decision to make."

#### **Observations/Recommendations**

**23. The Committee are constrained to note that nine Assurances pertaining to the 'Appointment of Chief of Defence Staff' (CDS) given by the Ministry over a period of time are yet to be implemented even though the first of the Assurances was given more than 14 years ago. The Committee have been informed that the creation of the Institution of CDS was recommended by the GoM, which was accepted by the Government in May 2001. The Government of the day thought it prudent to consult all political parties as a necessary step before taking a final view in the matter. However, opinion of major political parties are yet to be received by the Government stalling further progress. In the meantime, a Task Force, namely, The Naresh Chandra Task Force (NCTF) on National Security constituted by the Government had also submitted their Report. The NCTF recommended creation of**

**the Post of Permanent Chairman, Chiefs of Staff Committee (CoSC). The recommendations of creating a Permanent Chairman, CoSC is yet to be decided by the Cabinet Committee on Security (CCS). While appreciating that CCS has to take a very sensitive decision and for that matter the Government of the day may have to take political parties on board, but it has to be expedited and cannot prolong for indefinite period. The Committee trust that the Government would take all necessary steps to implement the Assurance in the national interest.**

#### **B. Condition of Border Roads**

24. In reply to USQ No. 196 dated 01.08.2011 regarding 'Border Roads' (Appendix -XIII), it was stated that some irregularities in allocation of tender as well as in construction of border roads were reported. Chief Technical Examiner (CTE) of Border Roads Development Board (BRDB) had carried out technical audit of certain roads constructed along Indo-China border. A Court of Inquiry has been ordered to investigate the irregularities reported in the works in Himachal Pradesh. Further, CTE of CVC has taken up investigation of the cases pertaining to roads in Arunachal Pradesh.

25. Apprising the Committee of the further developments in the implementation of the Assurance, the Ministry in their Status Report dated 29.07.2015 stated as under:

"Inquiry report on the irregularities in Project Deepak (in Himachal Pradesh) of BRO had been received. Hon'ble RM has ordered for taking action against the officers who are *prima facie* responsible for these fully/partially proved irregularities. As per advice of CVC, action is being taken against the concerned GREF Officers. Army authorities had been requested to take action against the concerned Army officers. AG's Branch with the approval of the Chief of Army Staff recommended to get the matter investigated through CBI. Accordingly, CBI has been requested with the approval of Hon'ble RM to investigate the matter. The matter is being investigated by CBI. As recommended by CBI, till date, Hon'ble RM/RRM has accorded approval of prosecution sanction in respect of 07 Army Officers and 09 GREF Officers/officials and orders in this regard has been issued. CBI has also recommended to take prosecution sanction and regular departmental action for Major/Minor penalty against many Army/GREF officers/officials and further action is being taken in the matter.

As regards, the investigation report on the irregularities in Arunachal Pradesh, a report has been received from Shri Nirmal Goel, TE of CVC on Taliha-Tatoroad from Km 6 to Km 15 (Tato End) to double lane standard under Phase 'A' of SARADE-NE in Arunachal Pradesh. The report was sent to Dte GBR on 19.01.2012 for their comments. Comments of Dte GBR had been received and the same was sent to CVC on 20.06.2012.

CVC *vide* their letter dated 26.09.2012 sought further comments on the report and the same was sent to Dte GBR for furnishing para-wise comments on

08.10.2012. Para-wise comments of Dte GBR had been received from Dte GBR and same was sent to CVC on 31.05.2013. CVC *vide* their letter dated 04.07.2013 again sought comments on the report and the same was sent to Dte GBR for furnishing suitable reply on 12.07.2013. Dte GBR *vide* their note dated 25.02.2014 has furnished present physical progress of work and the same was sent to CVC on 13.03.2014. CVC *vide* their letter dated 28.03.2014 sought final corrective action on paras 4 & 5 of their letter dated 26.09.2012 and Dte GBR has furnished feedback on 04.06.2014 and the same was sent to CVC on 17.06.2014. CVC *vide* their letter dated 04.07.2014 sought detailed programme of completion of work and the same has been sent to CVC *vide* BRDB Sectt OM dated 21.11.2014."

26. The Ministry further stated in their aforesaid Status Note as under:

"CVC had again been requested on 25.01.2012 to carry out the inspection in respect of remaining two roads (i) Nacho-Tama Chung Chung (NTCC) road and (ii) Tama Chung Chung - Taksing road through CTE of CVC and submit the report to BRDB Sectt. CVC *vide* their letter dated 01.05.2012 intimated that decision has been taken to carry out intensive examination of NTCC road. Inspection of road Nacho to Tama Chung Chung (NTCC) was carried out by CVC and Intensive Examination (I/E) report has been furnished to BRDB Sectt for detailed vigilance investigation and to furnish action plan to complete the work started in 1992 *vide* their letter dated 08.07.2013. Copy of I/E report was further sent to Dte GBR for convening a Court of Inquiry comprising Presiding Officer and two members. Accordingly, a Court of Inquiry has been convened *vide* DGBR convening order dated 01.10.2014. Dte GBR has been asked to furnish status/position of Court of Inquiry *vide* BRDB Sectt note dated 17.07.2015.

As regards, intensive examination of Tama Chung Chung Taksing road, CVC has informed *vide* their letter dated 11.07.2012 that the same may be taken up by BRDB Sectt. Therefore, Shri M.S. Sodhi, Chief Engineer (P) Hirak had been requested on 23.07.2012 to carry out intensive examination of this road and submit the investigation report. The Inspection report has been received from Shri M. S. Sodhi, CE (P) Hirak on 04.01.2013 and the same has been sent to Dte GBR on 23.01.2013 for furnishing their comments. Copy of Inspection report, comments of DGBR and opinion of CE (Quality Control) BRDB Sectt. on the inspection report has been sent to CVC on 05.06.2014. Further, direction on the matter has not been received from CVC. Reminder issued to CVC for necessary action in the matter on 17.07.2015."

27. During evidence, the representatives of the Ministry elaborated on the issue as under:

"Sir, this question pertains to the irregularity in border roads and it has been stated in the reply to this question that a court of inquiry has been constituted in respect of roads under Project Deepak and the investigation by

Chief Technical Examiner is going on in respect of the roads of Arunachal Pradesh. A major progress has been made in respect of the above two cases during the last three to four years. The case related to the irregularities in Project Deepak was referred to CBI after inquiry and CBI has registered a case in this matter also and a prosecution has been sanctioned against 16 alleged officers. The process is still going on. So, we have to seek extension but substantial progress has been made in this regard. This process will continue and it may take time. Irregularities have been noticed in respect of three roads in Arunachal Pradesh. The report of Chief Technical Examiner has been completed in these three cases. In two cases, the matter was sent to CVC and CVC had raised some queries to remove those shortcomings. A report in this regard has been sent to CVC by DG BR. We will request for fulfillment of the Assurance after receipt of the final acceptance of CVC and a court of inquiry has been constituted in B.R.O. in respect of the report received about another road. As the investigation process was to be completed in the cases of 2011 and the proceedings were to be dropped against those found involved in irregularities, it took time but substantial work has been done."

#### **Observations/Recommendations**

**28. The Committee note that the Assurance given in reply to USQ No. 196 dated 01.08.2011 relate to irregularities in allocation of tender as well as construction of border roads in Himachal and Arunachal Pradesh. The Committee find that consequent upon receipt of inquiry report on the irregularities in Project Deepak in Himachal Pradesh, Raksha Mantri had ordered for taking action against the officers who were *prima facie* responsible for the proven irregularities. However, the Adjutant General's Branch with the approval of the Chief of Army Staff recommended to get the matter investigated through CBI. CBI also recommended for prosecution sanction/regular departmental action against 07 Army officers and 09 GREF officers/officials and many other Army/GREF officers/officials. As regards the irregularities in the construction of three border roads in Arunachal Pradesh, CVC is seized of the matter. The Committee during evidence were informed that substantial progress has been made in respect of both the cases. Necessary formalities are underway and once CVC comes out with the final decision, efforts would be made to implement these Assurances. The Committee desire that the Government should take requisite steps for expeditious completion of enquiry and take appropriate action against the officers found guilty. In the opinion of the Committee, early resolution of such cases would send right signals for prevention of these kind of irregularities.**

#### **C. Allotment of Land on Lease**

29. In reply to USQ No. 4134 dated 19.12.2011 regarding 'Allotment of Land on Lease (Appendix -XXII), it was stated that the Cantonment Code, 1899, 1912 and Cantonment Land Administration Rules (CLAR), 1925 and 1937 provide for lease of defence land. Accordingly, leases have been given in perpetuity or for fixed terms. Some of the leases provide for renewal clauses also. On expiry of the terms of

leases, they are dealt with as per their terms and conditions. Terms of a number of Cantonment Code leases have expired. The Government are yet to take a decision on their extension or cancellation.

30. In their Status Note dated 29.07.2016, the Ministry apprised the position regarding implementation of the Assurance as under:

"The proposal of Directorate General, Defence Estates (DGDE), regarding extension/renewal of expired cantonment code leases is under consideration of this Ministry in consultation with DGDE and AHQ. It may take some more time to finalise the matter."

31. During evidence, the representative of the Ministry explained the issues concerning the Assurance as under:

"Sir, basically the information was regarding allotment of land on leases. We would like to say that the leases allotted in cantonments were first given under Cantonments Code, 1899 and 1912. Thereafter, came the Act of 1924 under which Cantonments Land Administration Rules, 1925 and 1937 were framed. Many leases were granted under those rules. These leases were granted for different time periods. Most of the leases were granted for a maximum period of 90 years. The leases could have been renewed after a gap of 30 years. According to the conditions of leases, after the lapse of 30 years period, application for renewal was received and the lease was renewed. But over the years, it happened that violations in leases took place. Without taking permissions from the Government some leases were transferred and assigned. In the cases of code leases, such leases were transferred without intimation. On account of such violations, it was not possible to renew most of the leases. When we tried a lot in this regard, publicized it and asked D.Os to campaign, then we received so many applications. In most of the leases renewal is not taking place because there are violations of rules in them. Some violations are such that they are condonable. In cases where the leases have been transferred without giving prior information, the competent authority regularizes them but the process is long. The file moves upto DGDE. Sometimes it moves upto the Ministry of Defence. Apart from it, unauthorized construction have taken place. The regularization in such cases is done by GOC in C in accordance with the lease conditions. Long time is being consumed in regularization of such violations. We cannot regularize some of the leases. The process to determine such leases is in progress. During the last two years, the proposals regarding 600 leases have been received. Out of them, more than 130 leases have been renewed. We do periodic reviews of the remaining cases and are forcing the field officers to expedite them. The cases where violations are not condonable *i.e.* the cases of code leases in which lease is transferred without information, are regarded as void and there is no power to condone them.

32. On being pointed out that no provision on lease of defence land has been made even after independence, the representative of the Ministry deposed before the Committee during evidence as under:

"Leases were given till sometime after 1937. But after that no lease for residential purpose had been given."

#### **Observations/Recommendations**

**33. The Assurance in question basically relates to allotment of land on lease and its regularization as per the terms and conditions laid down under Cantonments Administration Rules, 1925 and 1937. These lands were allotted as per Cantonment Code 1899 and 1912 and most of them were leased out for 90 year period. Leases were required to be renewed in 30 year gap. The Committee have been informed that there had been gross violations in the lease agreements like transfer/assignment without permission, unauthorized construction on leased land etc. Out of 600 applications received, 130 leases have been renewed so far. The Ministry have stated that they find it difficult to renew most of the cases on account of reported violations in the lease agreement. The Ministry are in the process of reviewing the pending leases but the process is stated to be cumbersome and time consuming. As a matter of fact, terms of a number of Cantonment Code leases have expired and the Government are yet to take a decision on their extension or cancellation. It is a matter of grave concern that the Ministry failed to administer the lease agreements over the years resulting in rampant misuse of Government land by the allottees. The Committee cannot but conclude that its a grave lapse on the part of the Government. Further, the leasing policy has not been revisited by the Government since the year 1937 when Rules were framed under the Act of 1924. In the year 2011, Assurance was given to Parliament about taking a decision on extension or cancellation of term and conditions of the leases entered into under the age old Cantonment Code of 1899 and 1921. The Committee are of the firm opinion that the Government should review the lease agreements in a timebound manner and come out with viable terms and conditions for regularizing the land allotments thereby ensuring just use of the Government properties.**

#### **D. Implementation of Jafa Committee Report**

34. In reply to USQ No. 3500 dated 12.12.2002 regarding Implementation of Jafa Committee Report (Appendix-XXIII), it was stated that the recommendations of the Jafa Committee are expected to have far-reaching implications for the work of the Military Engineering Service and Directorate General of Quality Assurance, their systems and procedures and the mix of civilian and defence personnel. Given the wide ramifications of these recommendations, a final view thereon would be possible only after an in-depth examination.



35. In their Status Note dated 04.05.2016, the Ministry apprised the Committee of the position regarding implementation of the Assurance as under:

"After examining the report in view of the current defence scenario, the requirement and interest of all service officers as well as civil officers; out of 58 recommendations of Jafa Committee Report it has been decided to accept 40 recommendations, one recommendation has been partially accepted, 14 recommendations were not accepted due to their irrelevance in present context and the decision on 3 recommendations will be taken up separately. As the final decision on each of the remaining three recommendations is likely to involve discussions and further deliberations at higher level in the Ministry, an extension of three months' time till 30.06.2016 for fulfilment of the Parliament Assurance has been sought with approval of RRM."

36. During evidence, the representative of the Ministry elucidated on the efforts made by them to implement the Assurance as under:

"Hon. Chairman, the recommendations of Jafa Committee Report have been discussed in detail. The discussion was made with Engineer-in-Chief, Military Engineering Service and Civil S.O. and Officers of Military Engineering Service and the final recommendations were accepted. Our final recommendations have now been submitted to Hon'ble Minister of Defence. I hope that the final recommendations will come out within next one month."

37. The Committee desired to know whether the 40 recommendations of Jafa Committee which have been accepted by the Ministry have since been implemented; the difficulties in implementing those 14 recommendations which have not been accepted by the Committee; and the reasons for delay in taking action on the 3 recommendations. The representative of the Ministry explained the position in this regard as under:

"Hon. Chairman, Jafa Committee had submitted its report in the year 2002 which contained 58 recommendations and which were not discussed in detail for many years because there was a big contradiction within E in C, M.E.S over these recommendations. A detailed discussion was made over the said recommendations at the level of Hon. Defence Minister this year. After discussing it with all the parties, it has now been decided that only 40 recommendations will be accepted out of the total 58 recommendations. We have also given you in writing about it. 14 recommendations have not been accepted either due to their irrelevance in present context or there was no need to accept them as was found after discussion, Sir, 14 recommendations were not accepted. Besides, E in C has been instructed to implement 40 recommendations which were accepted with immediate effect."

38. He also stated as under:

"They were asked to submit a detailed implementation plan in 2-4 and in the rest, they were instructed to implement them immediately. With regard to 14 recommendations which have not been accepted, partial funding should not be provided for any of the works. If any of the works cannot be funded for three years, it should be discontinued. When this recommendation was made, it was relevant then because there was shortage of funds at that time. Now, it

has been found that there is no dearth of funds for MES workers. These two recommendations are not relevant today, so these were not accepted.

Besides, there is, a third recommendation that a separate workers stream Corps of Engineers may be set up. This recommendation was not considered important to be accepted as a decision was taken to implement some other measures. One more decision was taken regarding the personnel who come into MES from military side.”

39. When asked to elaborate on the inordinate delay of about 14 years in implementing the 40 recommendations accepted by the Committee, the Defence Secretary deposed before the Committee during evidence as under:

"Sir, I do admit that there has been a delay in implementing it because the report was submitted in 2002, about 14 years back.

Now, you would appreciate, that 14 years is a long period of time. After the new Government came, we were reviewing all the recommendations and we were quite sensitive to the fact that these recommendations were not implemented timely and the hon. Raksha Mantri had also taken special care to see that these things are reviewed and implemented. So, a lot of exercise was done at this point of time. I do admit that it should have been done 14 years back, but it has not been done. But this time, we have successfully done it.

Of course, there was no question of rejecting any recommendation unless there is sufficient reason for it. These 14 recommendations, as mentioned by the Joint Secretary, do not seem to be quite relevant at this point of time. Therefore, we have accepted 40 recommendations and the remaining will also be considered separately and implemented.

There is no doubt about it. We have also given directions accordingly. The substantial work has already been done."

40. On being asked as to when the 40 recommendations will be implemented, the Defence Secretary submitted during evidence as under:

"Its implementation is the job of the Engineer-in-Chief in MES and we are hopeful that it will be implemented as soon as possible because they have already issued directions."

#### **Observations/Recommendations**

**41. The Committee note with dissatisfaction that the Assurance given in reply to USQ No. 3500 dated 12.12.2002 regarding Implementation of Jafa Committee Report has been pending for the last 14 years. Out of 58 recommendations of Jafa Committee Report, the Ministry have accepted 40, partially accepted 1, not accepted 14 being outdated and decided to take up remaining 3 separately. According to the Ministry, the recommendations of the Jafa Committee are expected to have far reaching implications for the work of the Military Engineering Service and the Directorate General of Quality Assurance and given the wide ramifications of**

**these recommendations, a final view thereon would be possible only after an in- depth examination. The Defence Secretary in evidence conceded that there was delay in this case. He however, submitted that matter has since been reviewed at the highest level and necessary directions issued to agencies concerned for implementation of those recommendations which have been accepted. About the remaining recommendations, the matter has been placed before the Defence Minister for approval. It was stated that a final decision would be taken very soon. The Committee trust that the Ministry would implement all these recommendations without any further delay and lay the implementation report in Lok Sabha expeditiously.**

#### **E. Coast Guard Airport**

42. In reply to USQ No. 645 dated 26.11.2012 regarding 'Coast Guard Airport' (Appendix-XXX), it was stated that the Government has approved the setting up of Coast Guard Air Enclave at Minicoy on 30.09.2010. 20 acres of and has been identified for the said purpose and the proposal for acquisition of the land is in progress. The Airport will be operationalised in due course after obtaining necessary clearances/ approvals.

43. Giving an update on the efforts made by them to implement the Assurance, the Ministry stated in their Status Note dated 04.05.2016 as under:

"Earlier, Airport Authority of India (AAI) had plans to construct an air-strip and allied infrastructure at Minicoy and the Indian Coast Guard (ICG) was required to develop a limited set up for undertaking flying operations. Accordingly, MoD had accorded 'approval-in-principle for setting up a Coast Guard Air Enclave at Minicoy Island.

However, AAI has informed that they have inspected the Minicoy Island, Lakshadweep and it was found feasible to develop only an airstrip for small aircraft having seating capacity 6/8 in fair weather condition. Lakshadweep Administration had further not shown any interest to develop the airstrip. Further, AAI has no future plans to develop an Airport at Minicoy Island for civil operations.

ICG proposal for Air Enclave at Minicoy to operate fixed wing aircraft was dependent on Airport Authority of India developing runway and allied infrastructure. Since Airport Authority of India is no longer developing airport at Minicoy, ICG air operations from Minicoy will be restricted to Twin Engine Heavy Helicopter (TEHH) operations by constructing helipad, hangar and associated infrastructure only. Accordingly, the sanction for acquisition of 82,500 sqmtrs land for establishing Indian Coast Guard Air Enclave at Minicoy Island was accorded by this Ministry on 15.05.2015. As acquisition of land (82,500 sq mtrs) sanctioned for establishing Indian Coast Guard Air Enclave at Minicoy Island is subject to New Land Act, the timeline for acquisition of the said land may not be fixed and it may take 4-5 years for establishing Coast Guard Air Enclave at Minicoy Island for rotary wing aircraft (TEHH)."

44. During evidence, the Committee enquired about the delay in implementing the Assurance especially when sanction for acquisition of the required land has already been accorded and also desired to know whether no discussion was held with the Ministry of Civil Aviation in this regard. The representative of the Ministry explained as under:

"Sir, regarding Minicoy or Air strip, Airports Authority of India had taken up a case in 2006 to construct an air strip in Minicoy for the purpose of tourism. When they got approval for it, Cost Guard also said in 2010 that they are going to construct an air station there. But in 2014 Airports Authority of India withdrew its case citing the reason that construction of an airstrip is not possible there because no big air craft can land there. Only smaller air craft with the capacity of 5-6 persons could be able to land there and therefore they withdrew their case. But in the mean time, Cost Guard acquired a piece of land measuring 20 acres from the UT Administration concerned and gave us necessary approval for that but in the mean time Land Acquisition Act, 2013 came into force and the land could not be acquired. Construction of air enclave could not be possible there because Airports Authority has now denied the construction of airstrip there. But we are going to construct a helipad there. An air station could also be constructed with it which would be for the purpose of staging through. Our twin engine aircraft are in the final stage, our case is being referred to CCS. When these aircraft come to us, they will have six hours endurance period.

Whenever there is staging through, whenever we put any air craft there, particularly after monsoon from October to May, we would be able to surveillance that area by helicopter only. As far as the security of that area is concerned, it doesn't make any difference because there are 27 islands and Coast Guard have opened three stations there between the period from 2010 to 2014. One of them is in Minicoy, second is in Androth and the third one is in Kavaratti. We have based our ships there. Apart from that a flight of Dornier takes off from Kochi and it takes 3 hours to surveillance the whole of island. We have three OPV's, which is a 105 metre long ship with 18-20 days staying capacity in sea, one is based in Goa, one in Mangalore and one is going to be based in Kochi. We have another OPV base in Tuticorin. We are taking good care of the security of these islands and there is no need to pursue it further."

45. On being asked whether the Ministry would construct airstrip on the land allotted by the UT administration if the same is acquired, the representative of the Ministry submitted during evidence as under:

"Sir we are going to construct a helipad and a small station at that 20 acres of land. Further, 8-10 men would be deployed there for the maintenance of helicopter, whenever it would go there. We call it staging through. We would start it as soon as we acquire the land, we have already talked to MES in this regard."

46. He continued as under:

"Sir, regarding the issue of land acquisition, this is a private land, no decision has yet been taken as to how much compensation amount would be given for private land there. Whenever the amount is decided by the Government of India, we would just acquire the land and construct the required helipad there."

47. The Committee desired to know whether the construction of air enclave is essential from the security point of view. The representative of the Ministry stated during evidence as under:

"Sir, from security point of view, a helipad is required there and we are committed towards it. As soon as the work of land acquisition is completed, we will start our staging through operations from there within 2-3 years. However, until it happens, we have based a big ship each at Kochi, Mangalore and Goa which keep an eye on the security of surrounding areas."

48. When the issue was raised by the Committee during their Study Visit to Lakshadweep, the representative of Department of Revenue, UT of Lakshadweep also stated that due to implementation of new Land Acquisition Act, 2013 with effect from 1.1.2014, necessary notification for acquisition of land was not issued. He added that the ICG, Kavaratti has submitted their requisition on 20.9.2016 for the acquisition of 82500 sq mtrs of land at Minicoy for setting up of Indian Coast Guard Air Enclave which will be processed separately.

#### **Observations/Recommendations**

**49. The Committee find that the Assurance given in reply to USQ No. 645 dated 26.11.2012 regarding 'Coast Guard Airport' has been pending for more than 04 years without much progress. The Ministry had stated that the setting up of a Coast Guard Airport at Minicoy was approved on 30.09.2010 and the acquisition of 20 acres of land for the purpose was in progress. The Ministry also submitted that the airport would be operationalised in due course after obtaining necessary clearances/approvals. However, after inspecting the island, the Airports Authority of India withdrew the proposal because they found it unviable to construct airstrip there and moreover bigger aircraft cannot land there. According to the Ministry, the Indian Coast Guard has to restrict its operations to Twin Engine Heavy Helicopter (TEHH) by constructing helipad, hanger and associated infrastructure only. After a delay of more than 4 years, the Ministry accorded the sanction for acquisition of 82, 500 sq mtrs of land for establishing Indian Coast Guard Air Enclave at Minicoy Island on 15.05.2015. But the necessary notification for acquisition of land was yet to be issued due to implementation of new Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the Indian Coast Guard could submit its requisition for the acquisition of land only on 20.09.2016. The Committee have been informed that it may take 4 to 5 years, i.e. upto 2019 or 2020 for establishing the air enclave. In regard to the security of Lakshadweep Island, the Committee have been informed that adequate arrangements are in place to**

**secure the coastal territory and the operationalisation of coastal air enclave at Minicoy would further strengthen the surveillance set up. The Committee realize the geographical limitation of Minicoy Island for operating civil aircraft for boosting tourism prospects. However, efforts continue to be made in coordination with Lakshadweep Administration as to how accessibility and smooth movement of tourists to Lakshadweep can be improved over a period of time. At the same time, the Committee urge upon the Ministry to complete the air enclave project for Coast Guard at the earliest. In the meantime, the Ministry may lay a Part Implementation Report in the House.**

#### **F. Defence University**

50. In reply to USQ No. 2755 dated 10.12.2012 regarding 'Defence University' (Appendix-XXXI), it was stated that the Union Cabinet, in its meeting held on 13th May, 2010, has accorded "in principle" approval to setting up of Indian National Defence University (INDU) at Binola in District Gurugram, Haryana. The State Government of Haryana has acquired the land for INDU. Educational Consultant of India Limited (EdCIL) has been appointed as consultant for preparation of Detailed Project Report, Layout Plan and Act and Statutes for setting up of the university.

51. Apprising the Committee of the position regarding implementation of the Assurance, the Ministry stated in their Status Note dated 04.05.2016 as under:

"Pursuance to the "In-Principle" approval accorded by the Union Cabinet in its meeting held on 13 May 2010, "Indian National Defence University Bill 2015" has been drafted in consultation with the concerned Ministries/ Departments and Ministry of Law and Justice. With the approval of the Hon'ble Raksha Mantri, a proposal along with draft "Indian National Defence University Bill 2015" has been submitted to the Union Cabinet for approval. After the approval of the Cabinet necessary Bill will be introduced in the Parliament for setting up of Indian National Defence University (INDU)."

52. The Committee enquired about the reasons for the delay in setting up of the University which was approved in 2010 and the difficulties faced in this regard. The Defence Secretary replied during evidence as under:

"There has been some progress in the matter. Recently, the draft Bill has also been drafted and everything has been prepared and finally the draft Bill has been sent to the Cabinet. Now it is for the Cabinet to make a decision. The consultant has given the Report."

53. When the Committee pointed out the need for expediting the process, the Defence Secretary deposed before the Committee during evidence as under:

"In the first phase we have to get the Bill passed. Everything has been done. The Bill has been drafted and it has been revised. All the work relating to the Bill preparation has been completed. A Cabinet note has been prepared and it has been sent to the Cabinet."

### Observations/Recommendations

**54. The Committee observe that the Assurance given in reply to USQ No. 2755 dated 10.12.2012 regarding 'Defence University' is yet to be implemented even after a lapse of 04 years. According to the Ministry, pursuant to Cabinet approval for setting up Defence University in May, 2010 "Indian National Defence University Bill, 2015" has been submitted for Cabinet approval. In the opinion of the Committee, the Ministry certainly took longer time to give effect to the Cabinet decision. This could have been expedited in the larger interest of Defence requirements. Expressing their displeasure in the matter, the Committee recommend that steps may be taken for early approval and passage of the Bill for setting up of the proposed university.**

#### **G. VVIP Helicopter Deal**

- (i) SQ No. 81 dated 04.03.2013 regarding 'VVIP Helicopters Deal' (Appendix-XXXII)
- (ii) SQ No. 554 dated 06.05.2013 regarding 'VVIP Helicopter Deal' (Appendix-XXXIII)
- (iii) USQ No. 154 dated 05.08.2013 regarding 'VVIP Helicopter Deal' (Appendix- XXXIV)
- (iv) USQ No. 2668 dated 26.08.2013 'VIP Helicopter Deal' (Appendix - XXXV)

55. In reply to the above Questions, it was stated that the CBI, after a visit of its team to Italy and on further examination of the documents available, has registered a Preliminary Enquiry (PE) on 25.02.2013 in the VVIP Helicopter Deal against 11 persons including five Indian and four firms which include two Indian firms. Meanwhile, CBI investigation is progressing in India and the Ministry are following it up with the CBI for expediting investigation. Subsequently, it has been stated that the CBI, in conclusion of Preliminary Enquiry registered a Regular Case on 12th March 2013 against 13 persons and 6 firms. The CBI investigation is in progress. Further operation of the contract has been put on hold.

56. Detailing the efforts made by them to implement the Assurance, the Ministry stated in their Status Note dated 04.05.2016 as under:

"The Assurance involves CBI investigation in the VVIP Helicopters case which has both internal and international dimensions. CBI *vide* their letter dated 2nd March, 2016 has informed that they had already issued Letters Rogatory to eight countries. Finalization of investigation depends upon receipt of the execution reports of pending Letters Rogatory from various countries. CBI has also informed that no time limit to finalise the investigation in the case can be fixed unless the complete response of the Letters Rogatory are received from the concerned countries.

Since execution of Letters Rogatory was not in the hands of CBI, therefore a decision has been taken in the Ministry with the approval of Hon'ble RM to

request the Lok Sabha Sectt. in Jan. 2016, to consider deletion/dropping of the Assurances."

#### Observations/Recommendations

**57. The Committee observe that VVIP Helicopter Deal is a crucial issue having wide ramifications on the entire spectrum of the country's defence deals and for securing transparency and accountability therein. The Committee have been informed that the matter is being investigated by Central Bureau of Investigation (CBI) and no time-frame can be fixed for completion of enquiry. The Committee are not inclined to drop the Assurance merely on the ground that the matter is under CBI investigation and no time limit can be fixed in this regard. The CBI may be impressed upon to closely follow up the case for its logical conclusion. The Ministry may submit a Part Implementation Report in the House. Full Implementation Report may be laid after the Assurance is implemented.**

#### H. Implementation Reports

58. As per the statement of the Ministry of Parliamentary Affairs, Implementation Reports in respect of the Assurances given in replies to the following SQ/USQs have since been laid on the Table of the House on the dates as mentioned against each:

|            |                               |            |
|------------|-------------------------------|------------|
| Sl. No. 8  | USQ No. 3283 dated 14.08.2003 | 04.05.2016 |
| Sl. No. 9  | USQ No. 856 dated 28.07.2005  | 09.12.2015 |
| Sl. No. 10 | USQ No. 2313 dated 17.08.2006 | 04.05.2016 |
| Sl. No. 14 | USQ No. 1200 dated 08.08.2011 | 05.08.2015 |
| Sl. No. 15 | USQ No. 1332 dated 08.08.2011 | 09.12.2015 |
| Sl. No. 21 | USQ No. 2952 dated 12.12.2011 | 09.03.2016 |
| Sl. No. 27 | SQ No. 622 dated 21.05.2012   | 09.12.2015 |
| Sl. No. 28 | USQ No. 581 dated 13.08.2012  | 10.08.2016 |

NEW DELHI;  
14 December, 2016  

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23 Agrahayana, 1938 (Saka)

DR. RAMESH POKHRIYAL "NISHANK"  
*Chairperson,*  
*Committee on Government Assurances.*



**APPENDIX I**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 679  
ANSWERED ON 18.07.2002

**Unified Command of Armed Forces**

679. SHRI G. PUTTA SWAMY GOWDA:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the three wings of the Armed Forces have been unified recently;
- (b) if so, the details thereof;
- (c) whether the Unified Force would have the necessary administrative and financial powers which were hitherto not available to them;
- (d) if so, the details thereof;
- (e) if not, the reasons therefor;
- (f) whether the Government have taken any decision regarding the appointment of Chief of Defence Staff; and
- (g) if so, the time by when it is likely to be appointed?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES): (a) to (e) Neither have the three wings of the Armed Forces *viz.* the Army, the Navy and the Air Force been unified nor is there any such proposal under consideration of the Government at present. However, based on the recommendation of the Group of Ministers constituted to reform the National Security System in its entirety, joint structures such as 'Headquarters, Integrated Defence Staff' and Joint 'Andaman & Nicobar Command' have been established with a view to ensure the most optimal utilization of the available resources. Further, higher Administrative and Financial powers have also been delegated to the three Services to ensure expeditious decision making. These newly established structures have also been vested with the higher authority at par with their counterparts in the three Services.

(f) and (g) The Group of Ministers had amongst others recommended creation of the post of Chief of Defence Staff. Pending wider consultations with the political parties, a final decision in this regard has not been taken as yet.

**APPENDIX II**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 1332  
ANSWERED ON 15.07.2004

**Appointment of Chief of Defence Staff**

1332. SHRI PRABODH PANDA:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the Government has decided to create the post of Chief of Defence Staff of India;
- (b) if so, whether the appointment has been made; and
- (c) if not, the reasons therefor?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) No, Sir. The Government has not taken a decision on the subject as yet.

(b) Does not arise.

(c) The Group of Ministers (GoM) set up by the Government on 17th April 2000 to thoroughly review the national security system in its entirety *inter alia* recommended creation of the post of Chief of Defence Staff (CDS). An Integrated Defence Staff (IDS) Headquarters has been established, headed by the Chief of Integrated Defence Staff to Chairman, Chief of Staff Committee (CISC). A final view on the institution of CDS will be taken after wider consultation with political parties.

**APPENDIX III**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 1734  
ANSWERED ON 04.08.2005

**Institution of CDS**

1734. SHRID.P. SAROJ:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government has taken any decision on the institution of Chief of Defence Staff (CDS);

(b) if so, the details thereof; and

(c) if not, the time by which the decision is expected to be taken in the matter?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) and (b) A Group of Ministers (GoM) was constituted on 17th April 2000 to review the national security system in its entirety. The GoM in their Report on 'Reforming the National Security System', *inter alia* recommended the establishment of the Chief of Defence Staff (CDS). The recommendations made in the Report of the GoM were approved by the Government on May 11, 2001 with the modification that a view on the recommendation relating to the institution of the CDS will be taken after consultation with political parties.

(c) Further discussions including a detailed examination of pros and cons of the proposal are considered necessary before the formulation of Government's views on the subject. A decision regarding appointment of the CDS can be taken only after wider consultation with various political parties.

**APPENDIX IV**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA STARRED QUESTION NO. 258  
ANSWERED ON 10.08.2006

**Appointment of Chief of Defence Staff**

\*258. SHRI PANKAJ CHAUDHARY:  
SHRI KINJARAPU YERRANNAIDU:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the Government has taken any decision regarding appointment of Chief of Defence Staff;
- (b) if so, the details thereof; and
- (c) if not, the time by which a final decision is likely to be taken in this regard?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) No, Sir. The matter is under consideration.

(b) Does not arise.

(c) As the issues involved in the appointment of Chief of Defence Staff are complex and sensitive in nature, a process of consultation with various political parties has been initiated with a view of having wider consultations. In view of the above, no time limit for taking a decision in the matter can be specified at this stage.

**APPENDIX V**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 302  
ANSWERED ON 20.10. 2008

**Chief of Defence Staff**

302. SHRI ARJUN SETHI:

Will the Minister of DEFENCE be pleased to state:

(a) the details of steps taken by the Government in regard to creation of the post of Chief of Defence Staff (CDS); and

(b) the latest position in this regard?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) Pursuant to the Group of Ministers (GoM) report on "Reforming the National Security System" in February 2001, the Government initiated the process of consultation with political parties in March 2006. As this process is still underway, the Government would take a decision on the creation of the post of Chief of Defence Staff (CDS) after the consultation is completed. Raksha Mantri has addressed leaders of various national level political parties. Four parties have replied. Parties who have not replied to the letter have been reminded to expedite their views.

## APPENDIX VI

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 3290  
ANSWERED ON 18.03.2013

### Chief of Defence Staff

3290. SHRI NAVEEN JINDAL:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Kargil Review Committee recommended the appointment of the institution of Chief of Defence Staff (CDS);

(b) if so, the details thereof and the reaction of the Government thereto;

(c) whether the Government has held any consultations so far on the establishment of CDS with relevant stakeholders including the Chiefs of the three Services, political parties, etc;

(d) if so, the details thereof and if not, the reasons therefor; and

(e) the current status of the recommendations and the time by which a decision on this important issue is likely to be taken?

### ANSWER

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (e) The Government constituted a Group of Ministers (GoM) on 17th April, 2000 to review the national security system in its entirety and in particular, to consider the recommendations of the Kargil Review Committee and to formulate specific proposals for its implementation. The GoM's report on 'Reforming the National Security System' was presented to the Government in February 2001 in which it was, *inter alia*, recommended to create the institution of Chief of Defence Staff. It was decided that Government would take a view on the establishment of the CDS after consulting various political parties. The process of the consultations was initiated in 2006, with Raksha Mantri writing to the leaders of all major political parties to obtain their views on the creation of the post of CDS. Subsequently the political parties have been reminded to provide their views. Views of some political parties are still awaited. A decision on the matter would be taken after completion of the ongoing consultations.

**APPENDIX VII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA STARRED QUESTION NO. 168  
ANSWERED ON 19.08.2013

**Chief of Defence Staff**

\*168. SHRI SURESH KALMADI:  
SHRI ASADUDDIN OWAISI:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government has examined the proposal for creation of Institution of Chief of Defence Staff ;

(b) if so, the details thereof and the decision taken by the Government in this regard;

(c) if not, the reasons therefor?

(d) whether any Task Force constituted by the Government is looking into this issue and if so, the details thereof; and

(e) the time by which final decision is likely to be taken on the issue?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (e) The report of the Group of Ministers on 'Reforming the National Security System' had, *inter alia*, recommended the creation of the institution of Chief of Defence Staff. No Task Force is looking into this issue at present. Government will take a decision on this matter after completing the ongoing consultations with various political parties.

**APPENDIX VIII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 3283  
ANSWERED ON 14.08. 2003

**Shopping Complexes on Lease**

3283. SHRI RAVINDRA KUMAR PANDEY:

Will the Minister of DEFENCE be pleased to state:

(a) whether the entire money recovered by giving the shopping complexes on lease should have been deposited in Government treasury as per the directions issued by the Ministry of Defence in the year 1995;

(b) if so, whether only Rs. 62.53 lakh (27 percent) out of the total amount of rent collected by Defence Estate Officers in the two commands *viz.* Eastern Command and Southern Command, was deposited in the Government account and the balance amount was deposited in regimental funds in contravention of these directions;

(c) if not, the reasons therefor; and

(d) the action taken by the Government in this regard?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES): (a) As per instructions issued by the Ministry of Defence in 1995, all revenues realized from Defence Land given on lease put to agricultural purposes only shall be deposited into Government Treasury.

(b) The sum of Rs. 62.65 lakhs of rental collected by Services were deposited in Government Treasury, and the balance into Regimental Funds.

(c) Details are being collected.

(d) Detailed guidelines/instructions have been issued by the Ministry of Defence during the year 2001 for regulating management of Shopping Complexes on Defence Land and property, deposit of Revenue, etc.



**APPENDIX IX**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 856  
ANSWERED ON 28.07.2005

**Enquiry into Alleged Pay-Offs**

856. SHRI MANVENDRA SINGH:

Will the Minister of DEFENCE be pleased to state:

(a) whether the South African arms firm which had supplied anti-material rifles to India has admitted payment of pay-offs;

(b) if so, whether the Union Government has conducted any enquiry in this regard;

(c) if so, the findings thereof; and

(d) the action taken or proposed to be taken against all those who violated the guidelines laid down by the Union Government in regard to defence deals?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) to (d) Based on the information furnished by M/s. Denel, South Africa, there is *prima facie* evidence of violation of clauses relating to use of undue influence and agents/ agency commission, as contained in the contracts of Anti-Material Rifles (AMR) signed in 2002. A decision has been taken to initiate action to cancel all contracts entered into with M/s. Denel. The contract signed on 7.3.2005 for procurement of 400 AMR has been cancelled. The matter was also referred to the CBI for investigation. An FIR was filed by the CBI in the matter on 6.6.2005 against, *inter-alia*, the unknown public servants. Further appropriate action as warranted by the report of the CBI, would be taken after the receipt of the same.

**APPENDIX X**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 2313  
ANSWERED ON 17.08.2006

**Cadre Review of Military Engineering Services**

2313. DR. K.S. MANOJ:

Will the Minister of DEFENCE be pleased to refer to Unstarred Question No. 4325 dated December 22, 2005 regarding cadre review of Administrative Cadre and state:

- (a) whether the examination of cadre review of Administrative Cadre in Military Engineering Services (MES) has been completed and finalised;
- (b) if so, the details alongwith salient features thereof;
- (c) the further steps taken to implement it; and
- (d) if not, the reasons for the delay?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) to (d) The examination of the Cadre Review of the Administrative Cadre in Military Engineering Services (MES) is not complete. Examination of the Cadre Review proposal requires scrutiny of the existing cadre structure including obtaining of inputs and detailed information from the MES and its financial implication, before finalization.

**APPENDIX XI**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 69  
ANSWERED ON 01.08.2011

**Museum on Decommissioned Vikrant**

69. SHRIMATI SUPRIYA SULE:

Will the Minister of DEFENCE be pleased to state:

- (a) the current status of the project on converting the decommissioned INS Vikrant into a museum;
- (b) the expenditure incurred by the Government on the project; and
- (c) the time by which the museum is likely to be opened to the general public?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (c) The decommissioned ship INS Vikrant has been converted as Museum Ship and opened to public since December 2001. Tenders were called for proper locating and improvements in the ship by the Government of Maharashtra. The technical bids are being evaluated by the Apex Coordination Committee (ACC) under the chairmanship of C-in-C Western Naval Command and the Chief Secretary of Maharashtra.

The details of expenditure incurred by the Government of India is Rs. 17 crores on repairs and Rs. 5 crores by the Government of Maharashtra.

**APPENDIX XII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 133  
ANSWERED ON 01.08.2011

**BPJ and Ballistic Helmets for Soldiers**

133. SARDAR SUKHDEV SINGH LIBRA:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government has decided to provide modular Bullet Proof Jackets (BPJ) and ballistic helmets with internal communication system to the soldiers of the Indian Army; and

(b) the time by which the Army is likely to be equipped with such items?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) Yes, Madam. Proposals for purchase of Bullet Proof Jackets and Ballistic Helmets are at different stages of procurement in financial year 2011-2012.

### **APPENDIX XIII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 196  
ANSWERED ON 01.08.2011

#### **Condition of Border Roads**

196. SHRI D.B. CHANDRE GOWDA:  
SHRI KODIKKUNNIL SURESH:  
SHRI S.R. JEYADURAI:  
SHRIMATI SUMITRA MAHAJAN:

Will the Minister of DEFENCE be pleased to state:

(a) the details of the roads being constructed by the Border Roads Organisation (BRO) along the Indo-China Border;

(b) whether gross irregularities in the allocation of tenders for these roads have been reported recently;

(c) if so, the details thereof;

(d) whether any inquiry/inspection has been conducted in this regard;

(e) if so, the details thereof including the details of technical audit conducted by the Chief Technical Examiner of Border Roads Development Board; and

(f) the action taken by the Government against the officials found guilty?

#### **ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) Border Roads Organisation (BRO) has been entrusted with the construction of 61 roads of total length of 3394 km along the Indo-China border.

(b) to (e) Yes, Madam. Some irregularities in allocation of tender as well as in construction of roads were reported. Chief Technical Examiner (CTE) of BRDB had carried out technical audit of certain roads constructed along Indo-China border. A Court of Inquiry has been ordered to investigate the irregularities reported in the works in Himachal Pradesh. Further Chief Technical Examiner of CVC has taken up investigation of the cases pertaining to roads in Arunachal Pradesh.

(f) Officers against whom *prima facie* cases were found, have been removed from present assignments.

**APPENDIX XIV**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 1200  
TO BE ANSWERED ON 08.08.2011

**Adarsh Housing Society**

1200. SHRI VIJAY BAHADUR SINGH:  
SHRI YASHVIR SINGH:  
SHRI NEERAJ SHEKHAR:  
PROF. (DR.) RANJAN PRASAD YADAV:  
SHRIMATI JAYA PRADA:  
SHRIMATI USHA VERMA:  
SHRIMATI SEEMA UPADHYAY:  
SHRIMATI SUSHILA SAROJ:  
SHRI ANAND PRAKASH PARANJPE:  
SHRI GANESH SINGH:  
SHRI ARJUN MEGHWAL:

Will the Minister of DEFENCE be pleased to state:

(a) the details of the ownership of the land relating to the Adarsh Cooperative Housing Society and the purposes for which the flats therein were constructed/ being constructed;

(b) the details of the rules/regulations violated in construction of the said society;

(c) whether some important files/documents relating to the CBI investigation into the scam pertaining to the said society have gone missing from the offices of Ministry of Environment and Forests and the Department of Urban Development of the Maharashtra Government;

(d) if so, the details thereof indicating the impact thereof on the course of inquiry into the said scam;

(e) the action taken/being taken against the persons found involved therein; and

(f) the time by which the CBI investigation is likely to be completed?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) Adarsh Cooperative Housing Society (ACHS) has constructed a multi-storeyed building on a land measuring approximately 3837.57 sq. metres at Block VI, Colaba, Mumbai.

ACHS had sought allotment of land from Government of Maharashtra for the welfare of serving and retired personnel of defence services. *Prima facie* there have been irregularities and some issues of concern in this regard include issue of 'NOC' by the Army to *inter alia* alienate the land in its possession in favour of ACHS; by-passing Coastal regulation Zone clearance; inclusion of civilians in the membership of the society; change of Floor Space Index; deviation from the commitments made for welfare of defence services; disregard to security concerns of defence services etc. The Government has entrusted enquiry to CBI with a view to get the matter thoroughly investigated and fix responsibilities.

(c) to (e) During investigation, CBI found that file of Ministry of Environment & Forests (MoEF) related to grant of clearance is reportedly not traceable. CBI is also investigating the case of missing/stolen documents of file of Department of Urban Development of the Maharashtra Government related to ACHS.

(f) CBI has completed Preliminary Enquiry and a Regular Case has been registered by them on 29.01.2011. Investigation is in progress.

**APPENDIX XV**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 1332  
ANSWERED ON 08.08.2011

**Commercial use of Defence Land**

1332. SHRI SONAWANE PRATAP NARAYANRAO:  
SHRI PURNMA S I RAM:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government has framed rules for commercial exploitation of Defence land and if so, the details thereof;

(b) the measures taken to ensure strict implementation of the said rules;

(c) whether the Government has placed the details of beneficiaries of shopping complexes in public domain on the website of the Ministry and if not, the reasons therefor; and

(d) the quantum of revenue generated in the form of rentals and licences etc. from the commercial exploitation of Defence land and whether the same has been credited into the Government account and if not, the action taken against the erring officers?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) Instructions have been issued from time to time for giving defence land on lease basis for various commercial purposes *viz.*; petrol pumps, banks, advertisement hoardings, etc. Cantt Boards also give land under their management to run shops etc.

(b) There exists a system of inspection by Officers of Defence Estates Organisation under which the Inspecting Officers have to check regarding the aspect of adherence to rules under which defence land is given for various commercial purposes. Besides inspection, regular reports on various issues are also sought for from field Offices to help monitoring.

(c) and (d) The information is being collected and will be laid on the Table of the House.



**APPENDIX XVI**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 1144  
ANSWERED ON 28.11.2011

**Purchase of Aircraft**

1144. SHRI P. KUMAR:  
SHRI FRANCISCO SARDINHA:  
SHRI C. RAJENDRAN:  
DR. M. THAMBIDURAI:  
SHRIMATI J. SHANTHA:

Will the Minister of DEFENCE be pleased to state:

- (a) the fleet strength of the Indian Air Force in terms of various types of fighter planes and helicopters at present;
- (b) whether the Government has finalized the deal for purchase of combat aircraft from the United States of America;
- (c) if so, the details thereof including the combat capabilities of the said aircraft;
- (d) whether the Government evaluated the offers received from the European countries in this regard and if so, the details thereof; and
- (e) the total amount of the deal and the time by which the same is likely to be inducted into the Indian Air Force?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) The fleet strength of the Indian Air Force (IAF) consists of various fighter and transport aircraft as well as helicopters. It would not be in the interest of national security to indicate specific types of aircraft and their strength in the IAF fleet.

(b) and (c) No deal has been finalized for purchase of combat aircraft from the United States of America.

(d) In response to a Request For Proposal (RFP) for procurement of Medium Multi Role Combat Aircraft for the IAF; techno commercial proposals were received from European countries viz. M/s. Dassault Aviation, France, M/s. EADS, Germany, M/s. RAC-MiG, Russia and M/s. Gripen International, Sweden. The proposals have been evaluated and the proposals of M/s. Dassault Aviation and M/s. EADS, have been short-listed for further consideration.

(e) The project is at the commercial evaluation stage and the cost of the procurement as well as the time-line for induction would be known after completion of commercial negotiations and conclusion of the contract.

**APPENDIX XVII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA STARRED QUESTION NO. 75  
ANSWERED ON 19.03.2012

**Purchase of Combat Aircraft**

\*75. SHRI P. C. MOHAN:  
SHRI NAMA NAGESWARA RAO:

Will the Minister of DEFENCE be pleased to state:

(a) whether adequate steps have been taken to overcome the shortage of aircraft/trainer aircraft and helicopters in the Indian Air Force;

(b) if so, the details thereof along with the ongoing/finalized deals for procurement of aircraft/helicopters from various countries including '126 medium multi-role combat aircraft Rafale' from France recently;

(c) the estimated expenditure likely to be incurred thereon;

(d) the reasons for preferring Rafale over other aircraft including Typhoon indicating the comparative details of their capabilities;

(e) whether the said aircraft has met all the parameters in field evaluation trials; and

(f) the time by which the delivery of the aircraft is likely to start/be completed?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (f) A Statement is laid on the Table of the House.

(a) Yes, Madam. Induction of new aircraft and replacement of existing Aircraft is an on-going process and various steps have been taken by the Government to meet the operational requirements of the Indian Air Force (IAF).

(b) and (c) The IAF is in the process of inducting additional SU-30 MKI Aircraft, Light Combat Aircraft, Medium Lift Helicopters, Advanced Light Helicopters as well as C-130J and C-17 transport aircraft to augment its combat aircraft, helicopter and transport aircraft fleet. Proposals are also being progressed for the procurement of Medium Multi Role Combat Aircraft (MMRCA), Attack Helicopters and Heavy Lift Helicopters as well as Fifth Generation Fighter Aircraft and Medium Transport Aircraft. For its trainer fleet, procurement of Intermediate Jet Trainer and Advance

Jet Trainer has been approved. A proposal for procurement of Basic Trainer aircrafts is being progressed for seeking approval of the competent authority. The total expenditure to be incurred on the above procurements will be known once all the proposals are finalized.

(d) and (e) The Request For Proposal (RFP) for procurement of the Medium Multi Role Combat Aircraft (MMRCA) was issued to six manufacturers of fighter aircraft. Of the six proposals received in response to the RFP, the proposals of M/s. Dassault Aviation for Rafale and M/s. EADS Germany for Eurofighter Typhoon were found compliant to the technical requirements in the field evaluation trials. The Contract Negotiations Committee (CNC) which is currently in progress found the proposal of M/s. Dassault Aviation as the lowest in terms of cost. Final decision will be taken after the CNC submits its recommendations.

(f) The first Squadron of MMRCA consisting of 18 aircraft is expected to be inducted within 3 to 4 years of signing of the contract. The remaining 108 aircraft will be manufactured under license by M/s. Hindustan Aeronautics Limited (HAL) and are expected to be inducted over the following seven years.

**APPENDIX XVIII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
DEPARTMENT OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 813  
ANSWERED ON 27.02. 2015

**Purchase of Fighter Aircraft**

813. PROF. K.V. THOMAS:  
SHRI HARI MANJHI:  
SHRI SENGUTTUVAN B.:  
SHRI RABINDRA KUMAR JENA:  
SHRI G. HARI:  
SHRIMATI MALA RAJYA LAXMI SHAH:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the Indian Air force is facing shortage of fighter aircraft at present;
- (b) if so, the details thereof;
- (c) whether the Government proposes to purchase fighter aircraft from abroad and if so, the details thereof;
- (d) whether the Government has signed an agreement for purchase of fighter aircraft from France and if so, the details and present status of delivery of the said aircraft thereof; and
- (e) the time by which fighter aircraft from France are likely to be delivered?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): (a) and (b) The requirement of fighter aircraft is periodically reviewed to ensure that the operational requirements of the Indian Air Force are met.

(c) to (e) A proposal to procure Medium Multi Role Combat Aircraft from M/s. Dassault Aviation, France, is under consideration of the Government. However, no Agreement has been signed.

**APPENDIX XIX**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 3887  
ANSWERED ON 17.12.2012

**Status of MMRC A Deal**

3887. SHRI PARTAP SINGH BAJWA:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the deal has been finalised with M/s. Dassault for purchase of Medium Multi Role Combat Aircraft (MMRCA);
- (b) if so, the current status of the deal;
- (c) whether the contract negotiations have begun with the company; and
- (d) if so, the details thereof and if not, the expected date of beginning of the negotiations?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (d) M/s. Dassault Aviation has emerged as L-1 vendor in the case relating to procurement of 126 Medium Multi Role Combat Aircraft. The MMRCA contract has not been finalised so far because the Contract negotiations with M/s. Dassault Aviation are in progress.

**APPENDIX XX**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
DEPARTMENT OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 2373  
ANSWERED ON 25.07. 2014

**Shortage of Fighter Aircraft**

2373. SHRI ABHIJIT MUKHERJEE:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Indian Air Force (IAF) is facing acute shortage of squadrons of fighter aircraft;

(b) if so, the details thereof along with the remedial measures taken by the Government in this regard;

(c) whether the Government proposes to buy latest fighter aircraft to improve defence of the country;

(d) if so, the details thereof; and

(e) the time by which IAF is likely to be provided with adequate number of fighter aircraft?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI ARUN JAITLEY): (a) to (e) The requirement of fighter aircraft is periodically reviewed and it is ensured that the operational requirements of the Indian Air Force (IAF) are met. The IAF is in the process of inducting additional Su-30 MKI aircraft, Light Combat Aircraft (LCA). The procurement of Medium Multi Role Combat Aircraft (MMRCA) and Fifth Generation Fighter Aircraft (FGFA) is also being progressed. These would augment the operational strength of the IAF.

**APPENDIX XXI**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 2952  
ANSWERED ON 12.12. 2011

**Acquisition of Land for Defence Purposes**

2952. SHRI SAJJAN VERMA:  
SHRI RAVINDRA KUMAR PANDEY:

Will the Minister of DEFENCE be pleased to state:

- (a) the total area of land acquired by his Ministry for defence purposes in various States especially the States of Jharkhand, Madhya Pradesh and Chhattisgarh;
- (b) the area of surplus land lying unutilized as on date and reasons therefor;
- (c) the time by which the latest survey of defence land was carried out in these States and the details thereof;
- (d) whether any proposal to set up ordnance factory, military training centres, educational institutes, hospitals etc. in the said States is pending with the Government;
- (e) if so, the details thereof; and
- (f) whether any special provisions have been made for providing employment to the tribals of these States in the defence services and if so, the details thereof?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (f) The information is being collected and will be laid on the Table of the House.



**APPENDIX XXII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 4134  
ANSWERED ON 19.12. 2011

**Allotment of Land on Lease**

4134. SHRI NATUBHAI GOMANBHAI PATEL:

Will the Minister of DEFENCE be pleased to state:

- (a) whether his Ministry allots land on lease;
- (b) if so, whether Government takes back the land after expiry of the lease;
- (c) whether there are instances when such lands have not been taken back; and
- (d) if so, the details thereof?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (d) The Cantonment Code, 1899, 1912 and Cantonment Land Administration Rules (CLAR), 1925 & 1937 provide for lease of defence land. Accordingly, leases have been given in perpetuity or for fixed terms. Some of the leases provide for renewal clauses also. On expiry of the terms of leases, they are dealt with as per their terms and conditions. Terms of a number of Cantonment Code leases have expired. The Government have yet to take a decision on their extension or cancellation.

**APPENDIX XXIII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 3500  
ANSWERED ON 12.12.2002

**Implementation of Jafa Committee Report**

3500. SHRI N.R.K. REDDY:

Will the Minister of DEFENCE be pleased to state:

(a) the action taken by the Government to implement the Jafa Committee Report;  
and

(b) the time by which the recommendations of said committee are likely to be implemented?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES): (a) and (b) The recommendations of the Jafa Committee are expected to have far-reaching implications for the work of the Military Engineering Service and Directorate General of Quality Assurance, their systems and procedures and the mix of civilian and defence personnel. Given the wide ramifications of these recommendations, a final view thereon would be possible only after an in-depth examination.

**APPENDIX XXIV**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 4889  
ANSWERED ON 07.05.2012

**Tatra Trucks Deal**

4889. SHRI RADHA MOHAN SINGH:  
SHRI RAMESH BAIS:  
SHRI PRASANNA KUMAR PATASANI:  
SHRI RAYAPATI RAO SAMBASIVA :  
SHRI TATHAGATA SATPATHY:  
SHRI REWATI RAMAN SINGH:  
SHRI NEERAJ SHEKHAR:  
SHRI RAMESH RATHOD:  
SHRI YASHVIR SINGH:  
SHRI SURENDRA SINGH NAGAR:  
SHRI MUNDE GOPINATHRAO PANDURANG:  
SHRI RUDRAMADHAB RAY:  
SHRI KIRITBHAI PREMAJIBHAI SOLANKI :  
SHRI HARI MANJHI:  
SHRI GOVIND PRASAD MISHRA:  
SHRI S.R. JEYADURAI:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government has taken cognizance of some serious irregularities in the purchase of Tatra Trucks from Tatra Vectra Motors Limited of England manufacturing trucks in India in collaboration with the Bharat Earth Movers Limited, Bangalore;

(b) if so, the details thereof including the number of trucks purchased so far and the details of the ongoing deals;

(c) whether the Chief of Army Staff has raised question on the quality of the said trucks and also alleged of kickbacks offer in the deal and if so, the details thereof and the action taken in this regard;

(d) whether a money laundering case has been registered by the Enforcement Directorate in the deal and if so, the details thereof;

(e) whether the Government has ordered CBI inquiry into the deal and if so, the details thereof and the action taken against the persons found involved; and

(f) the measures being taken/proposed to be taken to ensure total transparency and check bribery cases and the role of middlemen in the defence deals?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (f) Government has taken cognizance of alleged irregularities in purchase of Tatra Trucks. Ministry of Defence has purchased 6477 Tatra trucks between 1987-88 to 2010-11. 112 trucks are pending supplies. Central Bureau of Investigation (CBI) has been requested to investigate comprehensively into the charge of bribe to the Chief of Army Staff. A Preliminary Enquiry (PE) has been registered by CBI on 11.4.2012. Further, CBI has also registered a case under Section 120B read with 420 IPC and Sections 12(2) read with 13(I)(d) of Prevention of Corruption Act, 1988 against one of the owners and other unknown persons of a UK based company, unknown officials of a Defence Public Sector Undertaking (PSU), Ministry of Defence and Indian Army. A case of suspected commission of offences punishable under the provisions of the Prevention of Money Laundering Act, 2002 (PMLA) has been registered on 11.4.2012 against Shri Ravinder Kumar Rishi and others, and taken up for investigation in the Directorate of Enforcement, Well concerned procedures with adequate checks and balances, as mentioned in Defence Procurement Procedure (DPP) for Capital Procurement Procedure (CPP) for capital procurement and in Defence Procurement Manual (DPM) for revenue procurement are strictly followed in all defence deals.

**APPENDIX XXV**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 6154  
ANSWERED ON 14.05.2012

**Kargil Review Committee**

6154. SHRI ARJUN MEGHWAL:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government has implemented all the recommendations made by the Group of Ministers (GoM) on National Security Constituted on the basis of the Kargil Review Committee Report;

(b) if so, the details thereof;

(c) the specific measures being taken to achieve jointness and better coordination between the three services; and

(d) the current status of the establishment of Chief of Defence Staff as recommended by the GoM?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (d) The Report of the Group of Ministers on National Security had six chapters. The Ministry of Defence had been nominated as the nodal Ministry for the Chapter VI, on 'Management of Defence'. The Chapter contains 75 recommendations, of which 63 recommendations have been implemented. Action on four recommendations is in progress. Eight recommendations of Chapter VI relate to the establishment of Chief of Defence Staff. A decision on this matter will be taken after completion of the ongoing consultations with political parties.

The HQ Integrated Defence Staff (HQ IDS) has been created to enhance jointness and build synergy amongst the Armed Forces, including in the areas of Long Term Plans, force capabilities, joint training, intelligence, capital acquisition, joint doctrines, etc. The Andaman & Nicobar Command (ANC) has been created to exercise command and control over *tri-Service* and *Coast Guard assets* deployed in the Andaman Nicobar Islands. Joint exercises/operations are carried out from time to time.

**APPENDIX XXVI**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 3545  
ANSWERED ON 03.09.2012

**Implementation of KRC Report**

3545. SHRI MANGANILAL MANDAL:  
SHRI BAIJAYANT JAY PANDA:  
SHRI HARSH VARDHAN:  
SHRI BRIJBHUSHAN SHARAN SINGH:  
SHRI BANSAGOPAL CHOWDHURY:  
ADV. A. SAMPATH:  
SHRI ASADUDDIN OWAISI:  
SHRIMATI JYOTIDHURVE:  
SHRI KACHHADIA NARANBHAI:  
SHRI GOVIND PRASAD MISHRA:

Will the Minister of DEFENCE be pleased to state:

- (a) whether all the recommendations of the Group of Ministers (GoM), constituted post-Kargil Review Committee (KRC) Report, have been implemented;
- (b) if so, the details thereof;
- (c) whether the post of Chief of Defence Staff recommended by the GoM has been created; and
- (d) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) The Report of the Group of Ministers on National Security had six chapters. The Ministry of Defence had been nominated as the nodal Ministry for Chapter VI, on 'Management of Defence'. The Chapter contains 75 recommendations, of which 63 recommendation have been implemented. Action on four recommendations is in progress. Eight recommendations relating to the establishment of Chief of Defence Staff are under consideration.

(c) No, Madam.

(d) A decision on the creation of the post of Chief of Defence Staff will be taken by Government after completion of ongoing consultations with political parties.

**APPENDIX XXVII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA STARRED QUESTION NO. 622  
ANSWERED ON 21.05.2012

**Restricted Zones around Defence Installations**

\*622. SHRI INDERJIT SINGH RAO:

Will the Minister of DEFENCE be pleased to state:

(a) the guidelines laid down to fix the radius of restricted/no-construction zones around the various defence installations including the ammunition depots across the country;

(b) whether the Government has undertaken review of the radius range of such zones in view of the increasing population/activities/encroachments in the said zones and if so, the details thereof;

(c) whether the radius of restricted zones had been reduced from 900 metres to 100 metres around various Air Force installations in the recent past;

(d) if so, whether the revised radius range is applicable for the Gurgaon based Air Force Ammunition Depot; and

(e) if not, whether the Government has taken cognizance of the increasing population/activities/unauthorized constructions in the restricted zone and proposes to reduce the radius or relocate the depot to some other place and if so, the details thereof?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (e) A Statement is laid on the Table of the House.

(a) The guidelines issued from time to time are mainly covered under Works of Defence Act, 1903, Defence Service Regulation, 1962 (amended as regulation for Army in 1987); the Manoeuvres, Field Firing and Artillery Practice Act, 1938; Ministry of Defence Letter's No. F.2(9)/65/D(Air-II) dated 4th July, 1966 & Statutory Rules and Orders (SRO) 93 dated 22nd May, 2001, which encompasses Section 9A of the Air Craft Act, 1934 (22 of 1934) and Ministry guidelines issued *vide* 11026/2/2011/D(Lands) dated 18.5.2011.

(b) Yes, Madam. The instructions in this regard are subject to review from time to time.

(c) In 2007, the earlier instructions were revised and, depending on the type of installation, restrictions ranging from 100 mtr. to 900 mtr. were imposed.

(d) Yes, Madam. However, in view of the presence of ammunition stores, even under the revised instructions, the limits are not changed.

(e) There is no plan to reduce the radius or relocate the depot. However, the matter has been taken up with the State Government authorities for removal of unauthorized construction.



(Q.622)

MADAM SPEAKER: Q.No. 622. Shri Inderjit Singh Rao—Not present.

Dr. Mehboob Beg.

DR. MIRZA MEHBOOB BEG (ANANTNAG): Madam, the Defence Act came into being as early as in 1903, Guidelines have been issued by the Department from time to time and the latest guidelines were issued on 18th May, 2011. To each part of the question the answer says that there is no plan to reduce the radius or relocate the ammunition depots.

Madam, I talk about a place called Khundru in South Kashmir, which is Anantnag. We have a huge defence installation and a huge ammunition depot. Way back in 2005 and 2006, something happened within the premises, there was a big blast and the entire vicinity surrounding that area got affected. When we visited those places we saw that all kinds of ammunition from the ammunition depot had flown into nearby residential areas causing huge damage. As many as sixty per cent of the neighbouring population had to leave their places and migrate to safer places.

We were told that the Defence Ministry will have a look at it and would try to relocate it so that the people who are living nearby or in the neighbourhood of the Ammunition Depot would feel safe. But the answer says that there is no plan at all.

Even now, many days after the incident had happened there, when people went to the paddy fields to do their normal farming, something happened and we got many casualties. I would like to know from the Defence Ministry the Ammunition Depot I am talking about is at Khundru, Anantnag—whether there is any plan and whether the Government would send a special team to the area, to have a look at it and try to do whatever it thinks fit.

SHRI M.M. PALLAM RAJU: Madam Speaker, the original Question related to Gurgaon where the Air Force Ammunition Depot is there. But the hon. Member has asked a question about a totally different area where an unfortunate incident did take place. But we would definitely look at the situation; I am sure, after the incident, everything must have been reviewed and adequate precautions must have taken. Whatever compensation is to be given, I am sure, it is under process. But we will definitely take a look at it.

श्री गोरखनाथ पाण्डेय (भदोही): माननीय अध्यक्ष जी, यह बहुत ही महत्वपूर्ण विषय है कि गोला-बारूद भण्डारण के आस-पास बस्तियों के होने से आये दिन घटनाएं होती रही हैं, चाहे वे विस्फोट के रूप में हुई हों या अन्य किन्हीं कारणों से हुई हों, जिसमें इलाहाबाद भी शामिल है, जो हम लोगों के संसदीय क्षेत्र में पड़ता है। वहां भी पिछले वर्ष इस तरह की घटनाएं हुई हैं और माननीय मंत्री जी से यह पूछा गया है कि क्या गुड़गांव या देश के अन्यत्र स्थानों में ऐसे जो भण्डार हैं, उनके आस-पास जो बस्तियां अनधिकृत रूप से बस रही हैं, उनमें आये दिन, चाहे अभ्यास के रूप में हों, चाहे गोला-बारूद चलाने के अभ्यास के रूप में हों, घटनाएं तो होती ही रहती हैं, इन्हें रोकने के लिए आपने

जो उत्तर दिया है कि इसमें हमने 100 मीटर से 900 मीटर तक प्रतिबन्ध लगाने की 2007 में व्यवस्था की गई है, लेकिन इसके बावजूद अनधिकृत बस्तियां बस रही हैं। उनको हटाने के लिए गुडगांव सहित देश के अन्यत्र स्थलों पर, उसमें इलाहाबाद भी आता है, जहां पर गोला-बारूद भण्डारण है, जहां अनधिकृत बस्तियां बस रही हैं, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहूंगा कि उन्हें हटाने के लिए क्या कोई त्वरित योजना बनाकर आये दिन जो इस तरह के संकट हैं, उन्हें रोकने का कोई उपाय करेंगे?

SHRI M.M. PALLAM RAJU: The Works of Defence Act prohibits construction and activities around the defence establishments, especially critical establishments like ammunition depots and firing ranges. This range of 100-900 metres specifically refers to the installations around the air-fields related to Air Force. But as far as ammunition depots are concerned, there are very clear guidelines about what should be the restriction from the auto-parameter, which ranges from 500-1000-2000 metres, because otherwise the capacity holding of the magazine or the ammunition depot gets reduced, if that buffer is not available for the safety distances. Otherwise, in the case of any unfortunate incident, the public gets affected. What has been happening over a period of time is that that minimum buffer zone is getting compromised because of encroachments and people moving into those areas. They are constantly being warned by the defence authorities and also the local administration. But people tend to overlook these things, at times, and they overlook the safety factor. However, in some cases, there have been very strict instructions to maintain the minimum distance required. We do take precautions. If there is more cooperation from the public representatives and the local administration, these parameters could be very strictly enforced.

SHRI ANAND PRAKASH PARANJPE (KALYAN): Thank you, Madam Speaker,. In answer to part (e) of the Question, the hon. Minister mentioned about removal of unauthorized constructions. In Mumbai's Thane District, a lot of land belonging to the military had been encroached upon by the illegal hutments. In the State of Maharashtra, pre-1995 hutments had been legalized by the State Government, My question to the hon. Minister is this.

MADAM SPEAKER: Since the hon. Member Shri Paranjpe is asking question, Kirti Azad ji it would have been better if you had taken a back seat. You should not cross the floor of the Member who is speaking.

SHRI ANAND PRAKASH PARANJPE (KALYAN): UPA-1 and UPA-2 had launched flagship schemes like BSUP and Rajiv Gnadhi Awas Yojana for giving homes to the people living in these illegal or unauthorized colonies. In Mumbai or Thane district if the local self-bodies and the State Government come up with a proposal for implementation of Rajiv Gandhi Awas Yojana where the poor people will get homes, will the Minister give NOC for such proposals which come from the Government of Maharashtra?

SHRI M.M. PALLAM RAJU: Madam, Speaker the Question is regarding the Works of Defence Act related matters whereas the hon. Member is asking about encroachment on Defence land. I think he is particularly alluding to Mumbai.

In general, if I can give a reply, the Ministry and the Government are taking all steps to preserve the Defence lands wherever encroachments have already taken place. We are taking steps to recover that land. Right now we are in the process of identifying all our land, re-surveying all our land and all the records pertaining to Defence land have been computerized. We are taking further steps to ensure that no further encroachment takes place. As regards the land that has already been encroached upon, we will take measures to recover it or we will look at local solutions.

**APPENDIX XXVIII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 581  
ANSWERED ON 13.08.2012

**Recruitment Irregularities**

581. SHRI PRABODH PANDA:  
SHRI VIJAY BAHADUR SINGH:  
SHRI ABDUL RAHMAN:  
SHRI P.LINGAM:  
SHRI BHUDEO CHOUDHARY:  
SHRI ASADUDDIN OWAISI:  
SHRI ARVIND KUMAR CHAUDHARY:  
SHRI S.S. RAMASUBBU:

Will the Minister of DEFENCE be pleased to state:

(a) whether rampant corruption in recruitment of lower level staff in lower formations of the armed forces of the country has come to the notice of the Government;

(b) if so, the details thereof during the last three years and the current year, year-wise;

(c) whether irregularities have been recently reported in the recruitment of civilian employees in the National Defence Academy (NDA);

(d) if so, the details of inquiry conducted by the Government in the matter and action taken against the persons found guilty;

(e) the *modus operandi* adopted by the officers who have been accused of running such a recruitment racket;

(f) whether the Defence Research and Development organisation and lower formations do not make public the marks obtained by candidates and if so, the reasons therefor; and

(g) whether the Government proposes to set up a Recruitment Board in order to recruit lower level staff in the lower formations and if so, the details thereof and if not, the reasons therefor?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) No rampant corruption in recruitment of lower level staff has come to notice of the Government. Whenever any irregularity comes to the notice of the Government, appropriate action is initiated expeditiously.

(c) to (e) Recently, CBI has registered a case relating to alleged receipt of illegal gratification in the recruitment of staff of various Group 'C' posts in the National Defence Academy (NDA). The case is under investigation by CBI.

(f) Till, 2011, Defence Research and Development Organisation disclosed the marks obtained by the candidates on their request. The marks obtained by the candidates will be made public from DRDO Entry Test-2012.

(g) Well established recruitment procedures are already in place for recruitment of lower level staff.

**APPENDIX XXIX**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 3510  
ANSWERED ON 03.09.2012

**Floor Space Index**

3510. SHRIC. RAJENDRAN:

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government has fixed any Floor Space Index (FSI) in the residential areas coming under different Cantonment Boards in the country;

(b) if so, the details thereof;

(c) whether the FSI is very low compared to the areas in and around the Cantonment Boards;

(d) if so, the details thereof and the action taken by the Government in this regard;

(e) whether, there have been requests to increase the FSI in the said residential areas; and

(f) if so, the details thereof and the action taken thereon?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) Out of 62 Cantonments in the country, Floor Space Index (FSI) restrictions have been imposed in 18 Cantonments as in Annexure-1. In 14 Cantonments in Southern Command, these restrictions have been imposed by General Officer Commanding-in-Chief in exercise of the Statutory powers vested in him under the Cantonments Act. However, in Secunderabad Cantonment, Government has relaxed FSI restrictions for certain categories of buildings. In the case of remaining 4 Cantonments, FSI restrictions are by the way of provisions contained in their building bye-laws.

(c) and (d) In 15 Cantonments where FSI restrictions have been imposed FSI is lower in comparison to the adjoining areas to prevent over crowding. In the remaining 3 Cantonment *i.e.* Ajmer, Cannanore and Kamptee, FSI is the same as in areas around the Cantonments.

(e) and (f) Yes Madam. Requests for increase in FSI have been received from certain quarters which are under examination.

*ANNEXURE-1*

REFERRED IN THE REPLY GIVEN IN PARTS (a) AND (b) OF LOK SABHA  
UNSTARRED QUESTION NO. 3510 FOR ANSWER ON 3.9.2012

Command-wise list of Cantonments where FSI restrictions have been imposed.

**Southern Command**

1. Ahmedabad
2. Ahmednagar
3. Ajmer
4. Aurangabad
5. Belgaum
6. Cannanore
7. Dehu Road
8. Deolali
9. Kamptee
10. Kirkee
11. Pune
12. Secunderabad
13. St. Thomas Mount-cum-Pallavaram
14. Wellington.

**Eastern Command**

1. Jalapahar
2. Lebong
3. Shillong.

**Western Command**

1. Delhi.

**APPENDIX XXX**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 645  
ANSWERED ON 26.11.2012

**Coast Guard Airport**

645. SHRI HAMDULLAH SAYEED:

Will the Minister of DEFENCE be pleased to state:

(a) whether there is a proposal to set up a Coast Guard Airport in Lakshadweep Islands;

(b) if so, the details thereof and if not, the reasons therefor; and

(c) the stipulated time period for completion of the airport?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (c) Government has approved the setting up of Coast Guard Air Enclave at Minicoy on 30th September, 2010. 20 acres of land has been identified for the said purpose and the proposal for acquisition of the land is in progress. The Airport will be operationalised in due course after obtaining necessary clearances/approvals.



**APPENDIX XXXI**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 2755  
ANSWERED ON 10.12.2012

**Defence University**

2755. SHRI PONNAM PRABHAKAR:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the Government is working on National Defence University; and
- (b) if so, the details thereof and the outcome thereof?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) Yes, Madam. The Union Cabinet, in its meeting held on 13th May, 2010, has accorded "in principle" approval to setting up of Indian National Defence University (INDU) at Binola in District Gurgaon, Haryana. Government of Haryana has acquired the land for INDU. Educational Consultant of India Limited (EdCIL) has been appointed as consultant for preparation of Detailed Project Report, Layout Plan and Act & Statutes for setting up of the university.

**APPENDIX XXXII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA STARRED QUESTION NO. 81  
ANSWERED ON 04.03.2013

**VVIP Helicopters Deal**

\*81. SHRI ASADUDDIN OWAISI:  
SHRI UDAY SINGH:

Will the Minister of DEFENCE be pleased to state:

(a) whether India has signed a deal with M/s. Agusta Westland, UK to buy a dozen helicopters for the use of VVIPs at a cost of Rs. Rs. 3546 crore;

(b) if so, the details thereof including the number of helicopters so far received by India;

(c) whether reports of alleged bribery charges in the said deal have come to the notice of the Government and if so, the details thereof;

(d) whether the Government has ordered a CBI inquiry into the case and if so, the details thereof including the number of persons involved in this deal along with the action taken/initiated against such persons so far; and

(e) the extent to which this case is likely to affect the other defence deals in the pipeline?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (e) A Statement is laid on the Table of the House.

The Ministry of Defence (MoD) signed a contract with M/s. Agusta Westland, U.K. on February 8, 2010 for procurement of 12 VVIP/VIP helicopters at a total cost of Euro 556.26 million as replacement for the ageing Mi-8 fleet in the Air HQ Communication Squadron, which is tasked with VIP transportation. The procurement case was completed in accordance with the established procurement procedure in a transparent manner with all stages of procurement being followed meticulously. Three helicopters, delivered by the vendor, have so far been accepted after completion of Joint Receipt Inspection.

Media report about alleged wrongdoing and unethical conduct by M/s. Finmeccanica, parent company of M/s. Agusta Westland, U.K. in connection with the purchase of the 12 VVIP helicopters and initiation of preliminary

Investigations against the company started surfacing since February, 2012. Ever since then, Ministry of Defence has pursued the matter with the Embassy in Rome to get credible information regarding the status of investigation and authenticity of the documents/records being cited in various media reports. Given the independence of the Italian Judiciary from the executive and the preliminary investigations being covered by “Secrecy” clause under the Italian law, no concrete information was forthcoming. The matter was also taken up, through the Ministry of External Affairs (MEA) with the U.K. Government in view of the alleged involvement of a British consultant and the fact that the contract had been signed with M/s. Agusta Westland, U.K. The UK side informed MEA that they have not launched any investigation and were awaiting the results of the Italian investigation in order to ascertain whether any further action needs to be taken M/s. Agusta Westland, U.K. in the meantime, repeatedly denied any wrongdoing on their part in the contract for purchase of the 12 VVIP Helicopters.

It would be observed from the position indicated above that subsequent to media reports relating to alleged payment of kickbacks/bribes by M/s. Finmeccanica, MoD had taken prompt action on newspaper reports with a view to seek factual information from the concerned authorities. However, since no concrete information to substantiate the allegations was forthcoming, no formal enquiry was then ordered.

On the report of the arrests of the Finmeccanica Chief, Mr. Orsi who was earlier Chief Executive of M/s. Agusta Westland and Mr Bruno Spagnoloni, Chief Executive of Agusta Westland Spa, MoD immediately asked the CBI on February 12, 2013 to conduct an inquiry into the matter. The CBI, after a visit of its team to Italy and on further examination of the documents available, has registered a Preliminary Enquiry (PE) on February 25, 2013 in this matter against eleven persons including five Indians and four firms which include two Indian firms.

Besides referring the matter to CBI, MoD on February 13, 2013 requested our Embassy in Rome for further factual report pertaining to arrest, nature of charges framed and any other relevant details, which in turn, took up the matter with the Judge for the preliminary investigation in Busto Arsizio. The Embassy on February 15, 2013 has forwarded the response of the Judge which states that “the investigations are at a preliminary stage during which, as per Article 329 of the Code of Penal Procedure, all information are covered by secrecy”. It was also added in the response of the Judge that when the ‘Secrecy’ obligations are over, his Office would be glad to examine a new request from India.

Meanwhile, CBI investigation is progressing in India. In view of the present stage of investigation in this case, it would be early to opine on the extent to which this case is likely to affect other Defence deals in the pipeline.

(Q.81)

SHRI ASADUDDIN OWAISI (Hyderabad): Madam Speaker, I am convinced about the strong stance of the hon. Defence Minister. During his tenure he has blacklisted six companies. ...*(Not recorded)* But the problem of corruption in defence deals is still persisting. ...*(Interruptions)* From my experience being a member of the Standing Committee on Defence, I am convinced that the bigger problem is our over dependence on defence imports. ...*(Interruptions)*

अध्यक्ष महोदया: आप ऐसा क्यों कर रहे हैं? माननीय सदस्य को आप सवाल पूछने दीजिए।

...*(व्यवधान)*

SHRI ASADUDDIN OWAISI (Hyderabad): We have the dubious distinction of being the largest importer of defence equipment. ...*(Interruptions)*. My suggestion to the hon. Minister is, the defence requirements are met by Ordnance Factory Board, Tatas, Birlas, Mahindras, Reliance, etc. ....*(Interruptions)*

अध्यक्ष महोदया: आप सवाल पूछने दीजिए। आपकी पार्टी के सदस्य ने भी सवाल पूछना है।

...*(व्यवधान)*

SHRI ASADUDDIN OWAISI (Hyderabad): Will the hon. Minister agree with my suggestion that we should have more plans for indigenization?...*(Interruptions)* You must have a vision for indigenization and then only can we control this bigger malice of corruption. ....*(Interruptions)*

1103 hours

*(At this stage, Shri Sk. Saidul Haque, Shri P. Lingam, Shri O.S. Manian and some other hon. Members came and stood near the Table.)*

...*(Interruptions)*

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): Madam, I fully agree with the hon. Member. ....*(Interruptions)*. The ultimate solution to the scourge of corruption in defence deals is indigenization. ....*(Interruptions)* Because of the operational necessity of the services, on the request that they need the most modern equipment to meet the operational necessity, Government moves to import any high value equipment from foreign sources. ....*(Interruptions)*. But now Government is giving topmost priority to indigenization. Within a few months we are going to change the defence procurement procedure again. ....*(Interruptions)* In that, we will give more priority to indigenization so that Indian public sector and private sector can play a major role in producing state-of-the-art equipment for the Indian forces. ....*(Interruptions)*.

1104 hours

*(At this stage, Shri Kalyan Banerjee and some other hon. Members came and stood near the Table.)*

...*(Interruptions)*

MADAM SPEAKER: Please go back to your seats. Let us proceed with the Question Hour.

...(Interruptions) MADAM SPEAKER: The House stands adjourned to meet again at 12 noon.

1105 hours

*The Lok Sabha then adjourned till Twelve of the Clock.*

**APPENDIX XXXIII**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA STARRED QUESTION NO. 554  
ANSWERED ON 06.05.2013

**VVIP Helicopter Deal**

\*554. SHRI J.M. AARON RASHID:  
SHRI HARISHCHANDRACHAVAN:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the Government has received first set of documents from Italy regarding the alleged irregularities in the Agusta Westland Helicopter deal;
- (b) if so, the details thereof;
- (c) whether the Central Bureau of Investigation has issued look-out notices for some former chiefs of the Indian Air Force in connection with the said deal;
- (d) if so, the details thereof; and
- (e) the present status of investigation into the said deal and the steps taken/ proposed to be taken by the Government to expedite the investigation?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) to (e) A statement is laid on the Table of the House.

The Government has received an initial set of documents from Italy pertaining to the alleged irregularities in the Agusta Westland deal which include, *inter alia*, copy of the search and seizure order issued by the Judge for the preliminary investigation in Busto Arsizio, Italy, copies of certain Contracts entered by M/s. Agusta Westland Spa, Italy, a shareholder of M/s. Agusta Westland International Ltd. UK. with various entities in Tunisia and India. The Central Bureau of Investigation (CBI) has issued Look Out Notices against a number of individuals in India including a former Chief of Indian Air Force in connection with the said case. The matter is still under investigation and the Ministry is following it up with the CBI for expediting investigation.

**APPENDIX XXXIV**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 154  
ANSWERED ON 05.08.2013

**VVIP Helicopter Deal**

154. SHRIMATI ASHWAMEDH DEVI:  
SHRI BHUDEO CHOUDHARY:

Will the Minister of DEFENCE be pleased to state:

(a) whether the CBI has sealed several accounts of the relatives of a former Chief of the Indian Air Force in the VVIP helicopters procurement deal;

(b) if so, the details thereof;

(c) the amount of kickbacks allegedly deposited in these accounts so far along with the details thereof; and

(d) the time by which the inquiry is likely to be completed?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) Subsequent to registration of case No. RC 2172013A0003 on 12th March, 2013 against Air Chief Marshal (Retd.), S.P. Tyagi and Others, CBI had frozen several bank accounts of the relatives of Air Chief Marshal (Retd.) S.P. Tyagi, former Chief of Indian Air Force. However, subsequently all the bank accounts have been de-frozen as per a Court order, imposing certain conditions on the bank account holders.

(c) Investigation is still in progress on this aspect.

(d) Since the CBI investigations are still going on which includes the process of collecting evidence from abroad through Letter Rogatories, no definite time-limit can be set at this stage for conclusion of the investigations.

**APPENDIX XXXV**

GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
LOK SABHA UNSTARRED QUESTION NO. 2668  
ANSWERED ON 26.08.2013

**VIP Helicopter Deal**

2668. DR. M. THAMBIDURAI:  
SHRI PRALHAD JOSHI:  
SHRI VIRENDER KASHYAP:  
SHRI ARJUN MEGHWAL:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the Government had made certain changes in the tender on the technical requirements for procurement of 12 Agusta Westland 101 helicopters for VVIP use;
- (b) if so, the details thereof along with the reasons therefor;
- (c) the details of the present status of the deal;
- (d) whether the Government has initiated any inquiry into the alleged irregularities in the said deal;
- (e) if so, the details thereof along with the present status of the investigation; and
- (f) the steps taken/proposed to be taken by the Government to expedite the investigation and punish the guilty?

**ANSWER**

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) After issuance of Request for Proposal (RfP) for the procurement of 12 VVIP/VIP Helicopters, certain changes, with the approval of the competent authority in terms of Defence Procurement Procedure-2006, have been made in technical requirements on the basis of the recommendation of the stakeholders to meet the requisite standards of operational safety and security.

(c) to (f) The contract for procurement of 12 VVIP/VIP helicopters was signed with M/s Agusta Westland, U.K. on 8th February, 2010. Three helicopters have so far been supplied by the vendor. In view of allegations of irregularities in this procurement, Ministry of Defence has entrusted enquiry into the matter to CBI. The CBI, on conclusion of preliminary enquiry, registered a regular case on 12th March, 2013 against 13 persons and 6 firms. The CBI investigation is in progress. Further operation of the Contract has been put on hold.



## APPENDIX XXXVI

(Vide para 8 of the Report)

### EXTRACTS FROM MANUAL OF PRACTICE & PROCEDURE IN THE GOVERNMENT OF INDIA, MINISTRY OF PARLIAMENTARY AFFAIRS, NEW DELHI

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|                                      |  |
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| Definition                           | <p><b>8.1</b> During the course of reply given to a question or a discussion, if a Minister gives an undertaking which involves further action on the part of the Government in reporting back to the House, it is called an 'assurance'. Standard list of such expressions which normally constitute assurances and as approved by the Committees on Government Assurances of the Lok Sabha and the Rajya Sabha, is given at <i>Annex 3</i>. As assurances are required to be implemented within a specified time limit, care should be taken by all concerned while drafting replies to the questions to restrict the use of these expressions only to those occasions when it is clearly intended to give an assurance in these terms.</p> <p><b>8.2</b> When an assurance is given by a Minister or when the Presiding Officer directs the Government to furnish information to the House, it is extracted by the Ministry of Parliamentary Affairs from the relevant proceedings and communicated to the Department concerned normally within 10 working days of the date on which it is given.</p> |
| Deletion from the list of assurances | <p><b>8.3.1</b> If the administrative Department has any objection to treating such a statement as an assurance or finds that it would not be in the public interest to fulfil it, it may write to the Lok/Rajya Sabha Secretariat direct with a copy to the Ministry of Parliamentary Affairs within a week of the receipt of such communication for getting it deleted from the list of assurances. Such action will require prior approval of the Minister.</p> <p><b>8.3.2</b> Departments should make request for dropping of assurances immediately on receipt of statement of assurances from the Ministry of Parliamentary Affairs and only in rare cases where they are fully convinced that the assurances could not be implemented under any circumstances and there is no option left with them but to make a request for dropping. Such requests should have</p>  |

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|   | <p>the approval of their Minister and this fact should be indicated in their communication containing the request. If such a request is made towards the end of the stipulated period of three months, then it should invariably be accompanied with a request for extension of time. The Department should continue to seek extension of time till a decision of the Committee on Government Assurances is received by them. Copy of the above communications should be simultaneously endorsed to the Ministry of Parliamentary Affairs.</p>   |
| Time limit for fulfilling an assurance        | <p><b>8.4.1</b> An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This time limit has to be strictly observed.</p>  |
| Extension of time for fulfilling an assurance | <p><b>8.4.2</b> If the Department finds that it is not possible to fulfil the assurance within the stipulated period of three months or within the period of extension already granted, it may seek further extension of time direct from the respective Committee on Government Assurances under intimation to the Ministry of Parliamentary Affairs as soon as the need for such extension becomes apparent, indicating the reasons for delay and the probable additional time required. Such a communication should be issued with the approval of the Minister.</p>  |
| Registers of assurances                       | <p><b>8.5.1</b> The particulars of every assurance will be entered by the Parliament Unit of the Department concerned in a register as at <i>Annex 4</i> after which the assurance will be passed on to the concerned section.</p> <p><b>8.5.2</b> Even ahead of the receipt of communication from the Ministry of Parliamentary Affairs, the section concerned should take prompt action to fulfil such assurances and keep a watch thereon in a register as at <i>Annex 5</i>.</p> <p><b>8.5.3</b> The registers referred to in paras 8.5.1 and 8.5.2 will be maintained separately for the Lok Sabha and the Rajya Sabha assurances, entries therein being made session-wise.</p> |
| Role of Section Officer and Branch Officer    | <p><b>8.6.1</b> The Section Officer incharge of the concerned section will:</p> <p>(a) scrutinise the registers once a week;</p> <p>(b) ensure that necessary follow-up action is taken without any delay whatsoever;</p>  |

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Procedure for  
fulfilment of an  
assurance

(c) submit the registers to the Branch Officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within the period of three months; and

(d) review of pending assurances should be undertaken periodically at the highest level in order to minimise the delay in implementing the assurances.

**8.6.2** The Branch Officer will like-wise keep his higher officer and Minister informed of the progress made in the implementation of assurances, drawing their special attention to the causes of delay.

**8.7.1** Every effort should be made to fulfil the assurance within the prescribed period. In case only part of the information is available and collection of the remaining information would involve considerable time, an implementation report containing the available information should be supplied to the Ministry of Parliamentary Affairs in part scrutinize of the assurance, within the prescribed time limit. However, efforts should continue to be made for expeditious collection of the remaining information for complete implementation of the assurance at the earliest.

**8.7.2** Information to be supplied in partial or complete fulfilment of an assurance should be approved by the Minister concerned and 15 copies thereof (bilingual) in the prescribed proforma as at *Annex 6*, together with its enclosures, along with one copy each in Hindi and English duly authenticated by the officer forwarding the implementation report, should be sent to the Ministry of Parliamentary Affairs. If, however, the information being furnished is in response to an assurance given in reply to a question etc., asked for by more than one member, an additional copy of the completed proforma (both in Hindi and English) should be furnished in respect of each additional member. A copy of this communication should be endorsed to the Parliament Unit for completing column 7 of its register.

**8.7.3** The implementation reports should be sent to the Ministry of the Parliamentary Affairs and not to the Lok/Rajya Sabha Secretariat. No advance copies of the implementation reports are to be endorsed to the Lok/Rajya Sabha Secretariat either.

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| Laying of the implementation report on the Table of the House                                      | <b>8.8</b> The Ministry of Parliamentary Affairs, after a scrutiny of the implementation report, will arrange to lay it on the Table of the House concerned. A copy of the statement, as laid on the Table, will be forwarded by the Ministry of Parliamentary Affairs to the member as well as the Department concerned. The Parliament Unit of the Department concerned and the concerned section will, on the basis of this statement, make a suitable entry in their registers.   |
| Obligation to lay a paper on the Table of the House <i>vis-a-vis</i> assurance on the same subject | <b>8.9</b> Where there is an obligation to lay any paper (rule/order/notification, etc.) on the Table of the House and for which an assurance has also been given, it will be laid on the Table, in the first instance, in fulfilment of the obligation, independent of the assurance given. After this is done, a report in formal implementation of the assurance indicating the date on which the paper was laid on the Table will be sent to the Ministry of Parliamentary Affairs in the prescribed proforma ( <i>Annex 6</i> ) in the manner already described in para 8.7.2. |
| Committees on Government Assurances<br>LSR 323, 324<br>RSR 211-A                                   | <b>8.10</b> Each House of Parliament has a Committee on Government assurances nominated by the Speaker/Chairman. It scrutinized the implementation reports and the time taken in the scrutinized of Government assurances and focuses attention on the delays and other significant aspects, if any, pertaining to them. Instructions issued by the Ministry of Parliamentary Affairs from time to time are to be followed strictly.  |
| Reports of the Committees on Government Assurances   | <b>8.11</b> The Department will, in consultation with the Ministry of Parliamentary Affairs, scrutinize the reports of these two Committees for remedial action wherever called for.  |
| Effect on assurances on dissolution of the Lok Sabha   | <b>8.12</b> On dissolution of the Lok Sabha, all assurances, promises or undertakings pending implementation are scrutinized by the new Committee on Government Assurances for selection of such of them as are of considerable public importance. The Committee then submits a report to the Lok Sabha with a specific recommendation regarding the assurances to be dropped or retained for implementation by the Government.   |

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**MINUTES**  
COMMITTEE ON GOVERNMENT ASSURANCES  
(2014-2015)  
**(SIXTEENTH LOK SABHA)**  
THIRTEENTH SITTING  
(30.07.2015)

The Committee sat from 1600 Hrs. to 1800 Hrs. in Committee Room "C", Parliament House Annexe, New Delhi.

**PRESENT**

Dr. Ramesh Pokhriyal Nishank — *Chairperson*

**MEMBERS**

2. Shri Rajendra Agrawal
3. Shri Bhadur Singh Koli
4. Shri Prahlad Singh Patel
5. Shri Sunil Kumar Singh

**SECRETARIAT**

1. Shri R.S. Kambo — *Joint Secretary*
2. Shri U.B.S. Negi — *Director*
3. Shri T.S. Rangarajan — *Additional Director*

**WITNESSES**

**Ministry of Defence**

1. Shri G. Mohan Kumar — Defence Secretary
2. Shri Ravi Kant — Additional Secretary
3. Lt. Gen. R.V. Kanitkar — QMG
4. Lt. Gen. G.S. Bisht — DGLWE
5. Shri J.J. Jhadhav — Scientist 'H' ADA
6. Shri Deepak Anurag — Joint Secretary (C&W)

|                           |   |             |
|---------------------------|---|-------------|
| 7. Shri Suresh Kumar      | — | JS (PIC)    |
| 8. Shri Rajiv Verma       | — | JS&AM (Air) |
| 9. Shri Subir Mallick     | — | JS&AM (LS)  |
| 10. Shri K.K. Pant        | — | JS (Aero)   |
| 11. Maj. Gen. I. Narayana | — | ADGWE       |
| 12. AVM Sandeep Singh     | — | ACAS (Plan) |
| 13. Shri Sanjeev Ranjan   | — | JS (BR)     |

#### **Ministry of Parliamentary Affairs**

|                      |   |                  |
|----------------------|---|------------------|
| 1. Shri A. Manoharan | — | Deputy Secretary |
| 2. Shri A.B. Acharya | — | Under Secretary  |

2. At the outset, the Committee and witnesses paid their tributes on the sad demise of *Bharat Ratna* and 11th President of India, Dr. A.P.J. Abdul Kalam and stood in a silence for a few minutes to pay respect to the departed soul.

3. Thereafter, the Chairperson welcomed the representatives of the Ministry of Defence (Department of Defence) to the sitting of the Committee. The Chairperson stated that the representatives of the Ministry have been called for the review of 22 pending assurances given by the Minister for the period from 2002 to 2014. The Committee also desired to know the procedure adopted for periodical review of pending assurances at different levels with a view to fulfil them within time limit prescribed for the purpose. The Committee were informed that periodical reviews were mainly done at Defence Secretary level and regular reviews undertaken at Joint Secretary/Additional Secretary levels, once in 2-3 months. It was also informed that Hon'ble Minister of Defence approached only when a need was felt.

4. The Committee then took the oral evidence of the representatives of the Ministry of Defence on 22 pending assurances, as under:—

#### **Unified Command of Armed Forces**

- (i) USQ No. 679 dated 18.07.2002 regarding Unified Command of Armed Forces.
- (ii) USQ No. 1332 dated 15.07.2004 regarding Appointment of Chief of Defence Staff.
- (iii) USQ No. 1734 dated 04.08.2005 regarding Institutions of CDS.
- (iv) USQ No. 258 dated 10.08.2006 regarding Appointment of Chief of Defence Staff.
- (v) USQ No. 302 dated 20.10.2008 regarding Chief of Defence Staff.
- (vi) USQ No. 3290 dated 18.03.2013 regarding Chief of Defence Staff.
- (vii) USQ No. 168 dated 19.08.2013 regarding Chief of Defence Staff.

The assurances mentioned at S.No. (i) to (vii) above, were on the same subject. The requests of the Ministry of Defence for dropping of the assurances mentioned at (i) to (v) were not acceded to by the Committee at their sitting held on 14.01.2013. The Committee were informed that the Group of Ministers had recommended creation of the post of Chief of Defence Staff and accordingly it was decided that the Government would take a view on the establishment of the CDS after consulting various political parties. The Process of consultation was initiated in March, 2006, with the Hon'ble Defence Minister writing to the leaders of all National parties to obtain their views on the subject. Despite reminders only ten political parties had responded by then. It was also informed that in the meantime the Government had set up 'The Naresh Chandra Task Force (NCTF) on National Security' in May, 2011, to review the national security management system and make suitable recommendations. The NCTF, recommended the creation of the post of Permanent Chairman, Chief of Staff Committee (CoSC). The recommendations of the NCTF had been considered by the National Security Council and after inter-ministerial consultations, were placed before the Cabinet Committee on Security (CCS) on 29.04.2014. However, NSCS did not communicate any decision of CCS on the issue of Permanent Chairman, CoSC. The representative of the Ministry submitted that at the time of a final decision in the CCS on recommendations of the NCTF, both proposals *i.e.* establishment of post of CDS and Permanent Chairman, CoSC, are expected to be taken note of and the final decision as and when taken would settle both the proposals. When asked about the time by which the final decision would be taken, the representative submitted that the matter is under active consideration and the decision would come very soon. The Committee were of the view that the Ministry had taken action on the assurances to some extent, therefore a part Implementation Report be sent by them to Ministry of Parliamentary Affairs for further necessary action on the their part. The Ministry agreed to do the needful within a week. The Committee also desired that the progress in the matter invariably be reported to them.

#### **Shopping Complexes on Lease**

(viii) USQ No. 3283 dated 14.08.2003 regarding Shopping Complexes on Lease.

The assurances pertained to defence shopping complexes regarding whether entire money recovered by giving the shopping complexes on lease were depositing money in Government treasury as per the directions issued by the Ministry of Defence in the year 1995, etc. The Committee were informed that:

"As per the existing instructions of Ministry of Defence dated 28.07.1976, the amounts received from contractors/ shopkeepers/vendors in consideration for running business in Government premises was to be credited to the regimental funds and the rent for Government land and buildings was to be credited to the public funds. Accordingly, out of total amount of Rs. 233.66 lakh realized during 1996-2001 in the 2 Commands, rent amount of Rs. 62.53 lakh was credited to Government Account and the balance amount of Rs. 171.13 lakh was credited to regimental funds. As

there was no other instruction of the Ministry of Defence on the subject at that time, Services have not contravened any directions of the Ministry on this account."

The Committee endorsed the views that the entire amount collected as lease rent on shopping complexes by Ministry of Defence should have been deposited in Government treasury and not in the Regimental accounts as was done in the above case. The Committee concurred with the reply of the Ministry that the decisions of crediting 27% of Rs. 233.66 lakh in Government account and remaining Rs. 171.13 lakh in Regimental accounts were taken by the Eastern and Southern Commands in view of the instructions dated 28.07.1976 issued by the Ministry of Defence. However, the Committee were of the view that the instructions of 1976 were not in line with the financial propriety as all the receipts should have been deposited in Government treasury and not in the other account. The representative of the Ministry submitted that the above instructions were already amended as per the Audit objections and the matter was being considered for further amendments in the said circular. The Ministry stated that they were sending final report to Ministry of Parliamentary Affairs in this regard. The Committee desired that the Implementation report should be laid on the Table of the House during the ongoing Session.

#### **Enquiry into alleged Pay Offs**

(ix) USQ No. 856 dated 28.07.2005 regarding Enquiry into alleged Pay Offs.

CBI investigation into the assurance concerned alleged pay-off in the matter of contract for import of rifles at the request of the Ministry of Defence for dropping of the assurance was considered not acceded to at the sitting held on 08.01.2008. The Committee were informed that the CBI finally filed a closure report in the competent court and the same was accepted by the court by its order dated 30.04.2014. The Committee desired that the implementation Report in this regard should be submitted to Ministry of Parliamentary Affairs for further laying in Parliament.

#### **Cadre Review of Military Engineering Services**

(x) USQ No. 2313 dated 17.08.2006 regarding Cadre Review of Military Engineering Services.

The Committee were informed that after implementation of 6th Central Pay Commission Report, the cadre review proposal of Military Engineering Services (MES) was examined and submitted to Ministry of Finance, Department of Expenditure (DoE) which was returned by them with some additional information in the case. The matter was examined in consultation with E-in-C's Branch/Army Headquarters and sent to the DoE. The observations/queries again raised by the DoE were duly replied on 10.08.2011 after receipt from E-in-C's Branch. The DoE had again returned the file recently to Ministry of Defence with the observations on the proposal which had been examined and the file had been sent to Defence (Finance) on 17.07. 2015 for referring the case to DoE. Therefore, the Ministry sought further



extension of time up to 15.11.2015. While rejecting the plea of the Ministry for extension of time, the Committee expressed their concern that the assurance regarding review of cadre review of Administrative cadre which included from Lower Divisional Clerk to Senior/Principal Administrative Officers in MES were kept pending since 2005-2006 and not a concrete decision was taken by the Ministry except shuttling files from one Department to the other. The Committee also expressed their surprise that the cadre review of Group A Officers of MES which was announced at a later stage was already got approved and implemented. The Committee were perturbed over the lackadaisical approach of the Ministry in dealing with the cadre review. The Committee pointed out that the whole process be completed and settled before 7th CPC Report submitted as to ensure that the moral of the cadre is not let down. The Committee would like to be appraise of the progress made in the matter.

#### **Museum on Decommissioned Vikrant**

(xi) USQ No. 69 dated 01.08.2011 regarding Museum on Decommissioned Vikrant.

The request of the Ministry of Defence for dropping of the assurance was not acceded to at the sitting held on 14.01.2013 and second request in this regard was under consideration. The Committee were informed that the decision to revise proposal to convert Decommissioned INS Vikrant Museum was dropped at the level of Hon'ble defence Minister and ship had been disposed off accordingly. The Committee took the assurance as fulfilled and asked the Ministry to submit the Implementation Report to the Ministry of Parliamentary Affairs for further necessary action on their part.

#### **BPJ and Ballistic Helmets for Soldiers**

(xii) USQ No. 133 dated 10.08.2011 regarding BPJ and Ballistic helmets for Soldiers.

The request of the Ministry of Defence for dropping of the assurance was not acceded to at the sitting held on 22. 12. 2014 and second request in this regard was under consideration. The Committee noted that the proposals for purchase of Bullet Proof Jacket (BPJ) and Ballistic Helmets to the Indian Army were at different stages of procurement during the financial year 2011-12. The Committee also noted that the request of the Ministry for dropping the assurance was not acceded to *vide* their 24th Report (15th Lok Sabha) and again reiterated in their 10th Report (16th Lok Sabha), and desired that the Ministry to make vigorous efforts to purchase BPJs and Ballistic Helmet for Indian Army without any delay. The Committee were informed that in the procurement case for BPJ, the trails had commenced from March, 2015 and that the GS evaluation for Ballistic Helmets had been completed and Contract Negotiation Committee (CNC) had been constituted. The Ministry sought extension of time upto 31.08.2015 in view of the fact that the instant procurement might take some more time. When asked about the delay in trial and other procurement process, the Ministry replied that "....for each procurement,

there is some normative time, but we are not able to stick to that normative time because of delays in testing evaluation. Evaluation is also a very rigorous process. Evaluation has to be done in winter, in summer, in high altitudes. So, it is a very thorough exercise which the armed forces do ....." The representative of the Ministry further deposed that "the procurement process for Ballistic Helmet is in its final stage and the second procurement for BPJ is still on trial stage. Once BPJ passes through one stage of trial and only then it is considered for next stage. It progresses stage by stage." The Committee were of the view that the whole process was not likely to be completed within the extension of time as requested and therefore, allowed four months extension with the direction that the procurement process for BPJ and Ballistic Helmets should be finalized expeditiously. The Committee also desired to be appraised of the progress made in the matter.

#### **Condition of Border Roads**

(xiii) USQ No. 196 dated 01.08.2011 regarding Condition of Border Roads.

The Committee noted that the Border Roads Organisation was entrusted with the construction of 61 roads of total length of 3394 km. along the Indo-China border and some irregularities in allocation of tender as well as in construction of roads in some stretches were reported. The Committee also noted that the Chief Technical Examiner (CTE) of BRDB had carried out technical audit of certain roads constructed along Indo-China border and a Court of Inquiry was ordered to investigate the irregularities report in the works in Himachal Pradesh and the CTE of CVC had taken up investigation of the cases pertaining to roads in Arunachal Pradesh. When asked about the progress made in those cases, the representative of the Ministry deposed that ".....the Inquiry report on Project Deepak (in Himachal Pradesh) of BRO had been received and keeping in view of grave irregularities involved in the case, the matter was handed over to CBI for further investigation. CBI has registered a case and on the basis of allegations, prosecution has been sanctioned against total 16 officers. The process is going on and it will take some more time..." The representative of the Ministry further stated that "*....Irregularities were noticed in three roads in Arunachal Pradesh. The Chief Technical Examiner has finalized report in all the three cases. Two matters were referred to CVC in which CVC had raised certain queries with regard to the action being taken to resolve the deficiencies in the matter. The DGBR has already sent a report to CVC in this regard and the final acceptance of CVC is awaited*". Citing the above reasons, the Ministry sought further extension of time up to 31.01.2016 which the Committee agreed to.

#### **Adarsh Housing Society**

(xiv) USQ No. 1200 dated 08.08.2011 regarding Adarsh Housing Society.

The request of the Ministry of Defence for dropping of the assurance was not acceded to at the sitting held on 03.06.2013. The Committee were informed that the Central Bureau of Investigation had completed its investigation in the alleged irregularities in Adarsh Cooperative Housing scam. Pursuant to the investigation, CBI had filed chargesheet before the Special Court at Mumbai against 63 accused

persons including Government officials, defence personnel and others responsible for perpetrating the Adarsh Cooperative Housing scam. The Committee asked the Ministry to submit their Implementation Report to Ministry of Parliamentary Affairs for further necessary action.

#### **Commercial use of Defence Land**

(xv) USQ No. 1332 dated 08.08.2011 regarding Commercial use of Defence Land.

The Committee noted that the Ministry was to place the details of beneficiaries of shopping complexes on Defence land and quantum of revenue generated in the form of rentals and licences etc. from the commercial exploitation of Defence land, in public domain on the website of the Ministry along with the details whether those revenues were credited in the Government account or not. The Committee were informed that the requisite information was awaited from AHQ and that the Defence Finance had been requested to create a separate Sub-Head for depositing the revenue generated through commercial exploitation of Defence land and if not, the action taken against the erring officers. When asked for delay in collecting the information, the Ministry replied that information from DRDO, DGDE, Navy and Air Force had been received as they had limited number of shops and commercial complexes whereas some difficulties were being faced in collecting information from Army which had maximum number of shops, etc. under its units scattered all over the country. It was further informed that the Army didn't have a particular account to show the revenue received from these commercial establishment which aggravate the difficulty in gathering the information. The Ministry asked for extension of time up to February, 2016 for fulfilling the assurance. The Committee took strong objection over this archaic reply and observed that such information should be available in records of Headquarter and directed that it be submitted within a month. The Committee did not agree to, extension of time upto February, 2016. The Committee granted two months extension of time to Ministry for fulfilling the assurance and simultaneously asked them to submit a part Implementation Report to Ministry of Parliamentary Affairs stating the progress in the matter. The Committee further directed that the progress made in the matter be reported to the Committee.

#### **Purchase of Combat Aircraft**

(xvi) USQ No. 1144 dated 28.11.2011 regarding purchase of Aircraft.

(xvii) SQ No. 75 dated 19.03.2012 regarding Purchase of Combat Aircraft (supplementary raised by Shri P.C. Mohan, M.P.).

(xviii) USQ 813 dated 27.02.2015 regarding Purchase of Fighter Aircraft.

(xix) USQ No. 3887 dated 17.12.2012 regarding Status of MMRCA Deal.

The requests of the Ministry of Defence for dropping of the assurances with regard to (xvi), (xvii) and (xix) above, were not acceded to at the sittings held on 03.06.2013, 02.07.2013 and 06.02.2014, respectively. The Committee were informed that the Request for Proposal (RFP) for procurement of Medium Multi Role Combat

Aircraft (MMRCA) along with associated equipment had been withdrawn on 24.06.2015, and with the withdrawal of RFP for procurement of MMRCA, the process of negotiations with M/s. Dassault Aviation for procurement of Rafale Aircraft automatically came to an end. The representative of the Ministry further informed the Committee that Government to Government negotiations were going on for procurement of the aircraft between Government of India and Government of France. The Committee directed the Ministry to submit part Implementation Reports with regard to the assurances and inform the Committee of the progress in the matter.

#### **Shortage of Fighter Aircraft**

(xx) USQ No. 2373 dated 25.07.2014 regarding shortage of Fighter Aircraft.

The assurance was regarding induction of additional Su-30 MK-I aircraft, Light Combat aircraft (LCA) and also procurement of Medium Multi Role Combat Aircraft (MMRCA) and Fifth Generation Fighter (FGFA). The Committee were informed that the Request for Procurement (RFP) for procurement of MMRCA along with associated equipment was already withdrawn on 24.06.2015. During Hon'ble Prime Minister's visit to France, the two leaders agreed to conclude an Inter-Governmental Agreement for supply of 36 Rafale aircraft to India on terms better than conveyed by M/s. Dassault Aviation as part of a separate process underway; within time-framed delivery compatible with the operational requirement of IAF and that the aircraft and associated systems and weapons would be delivered on the same configuration as had been tested and approved by IAF along with longer maintenance responsibility by France. It was also informed that the negotiating team constituted to negotiate the terms and conditions of the procurement of 36 Rafale Jets had commenced its meetings with France. As regard TEJAS-Light Combat Aircraft (LCA), it was stated that subsequent to achieving Initial Operational Clearance (IOC) status on 20.12.2013. TEJAS Series Production had commenced and the Government had already placed orders for 20 LCA in IOC configuration and 20 more in Final Operational Clearances (FOC) configuration. In connection with Fifth Generation Fighter Aircraft (FGFA), the representative of the Ministry submitted that India and Russia had enter into an Inter-Governmental Agreement for development and production of the FGFA on 18.10.2007 and the relevant Research and Development contract was under way. Similarly about Su-30 MK-I aircraft, the Committee were informed that there were two running contracts with the Hindustan Aeronautics Limited for additional Su-30 MK-I aircraft and the deliveries with those contracts were going on and likely to be completed by 2019-2020. The Committee were of the view that the action on the pending assurance had been completed partially and therefore, the Ministry should submit a part Implementation Report in this regard to the Ministry of Parliamentary Affairs. The Committee also desired that the progress made in fulfilling remaining part of the assurance should be reported to the Committee without delay.

### **Acquisition of Land for Defence Purposes**

(xxi) USQ No. 2952 dated 12.12.2011 regarding Acquisition of Land for Defence Purposes.

On part of the Ministry of Defence, extension of time was sought upto 11.09.2015 for fulfillment of assurance as information on some aspects were awaited from DGDE. When asked about the delay in collecting the information on land acquired for defence purposes which supposed to be readily available with the Ministry, the representative of the Ministry stated that they had to be obtained information from both DGDE and Services and because the information on defence land was recorded of classification-wise and not on the basis of land acquired, there were some contradictions in figures received from the DGDE and Services. The representative further stated that the figures had been reconciled and would be submitted within the time sought from the Committee. The Committee desired that the Ministry should furnish a part Implementation Report to the Ministry of Parliamentary Affairs on the basis of available information and expedite the action to fulfill the assurance within the extended period.

### **Allotment of Land on Lease**

(xxii) USQ No. 4134 dated 19.12.2011 regarding Allotment of Land on Lease.

The Committee were informed that the Cantonment Code, 1899, 1912 and Cantonment Land Administration Rules, 1925 & 1937 provided for lease of defence land and accordingly leases were given in perpetuity or for fixed terms or provision for renewal clauses. As such a number of Cantonment Code leases had expired and therefore, the proposal of DGDE regarding extension/renewal of expired leases was under consideration of the Ministry in consultation with DGDE and AHQ. In view of a lot of time being taken in the cumbersome process of extension, regularisation of violation, condonation or cancellation of those leases, the Ministry requested the Committee to grant them extension of time upto 18.09.2015 for fulfilling the assurance. While granting the extension of time as requested by the Ministry, the Committee directed to submit a part Implementation Report to Ministry of Parliamentary Affairs and keep the Committee apprised of the progress made in the matter.

5. The Committee desired that the Ministry had completed action on several assurances and the Implementation Reports in such cases should be sent to the Ministry of Parliamentary Affairs expeditiously so that these could be laid on the Table of the House as early as possible. The Committee allowed to extend the time limit as requested by the Ministry in some cases and reiterated that the given assurances must be pursued by the Ministry vigorously and implementation Reports should be sent to Ministry of Parliamentary Affairs for laying on the Table of the House under intimation to the Committee at the earliest. The Committee expressed their concern that the Ministry did not take concerted efforts to collect requisite information for want of regular and specific meetings at different levels in the Ministry and desired that frequencies of such review meetings should be increased

at different levels with a view to sort out pending assurances in time bound and efficient manner.

6. The evidence was completed.

*(The witnesses withdrew)*

7. A verbatim record of the proceedings has been kept.

*The Committee then adjourned.*

**MINUTES**  
COMMITTEE ON GOVERNMENT ASSURANCES  
(2015-16)  
**(SIXTEENTH LOK SABHA)**  
ELEVENTH SITTING  
(05.05.2016)

The Committee sat from 1500 Hrs. to 1630 Hrs. in Committee Room "D", Parliament House Annexe, New Delhi.

**PRESENT**

Dr. Ramesh Pokhriyal 'Nishank' — *Chairperson*

**MEMBERS**

2. Shri Rajendra Agrawal
3. Shri Bahadur Singh Koli
4. Shri Prahlad Singh Patel
5. Shri C.R. Patil

**SECRETARIAT**

1. Shri R.S. Kambo — *Joint Secretary*
2. Shri S.C. Chaudhary — *Director*
3. Shri T.S. Rangarajan — *Additional Director*
4. Shri S.L. Singh — *Deputy Secretary*

**WITNESSES**

**Ministry of Defence**

1. Shri G. Mohan Kumar, Defence Secretary
2. Shri Ravi Kant, Additional Secretary (R)
3. Shri J. Rama Krishna Rao, Additional Secretary (J)
4. Shri Rajendra Singh, DG (ICG)
5. Shri Ashok Dongre, Joint Secretary (Trg.) & CAO

6. Shri Shambhu S. Kumaran, Joint Secretary (PIC)
7. Shri Ravindra Panwar, Joint Secretary (O/N)
8. Shri Rajeev Verma, Joint Secretary & AM (Air)
9. Shri Deepak Anurag, Joint Secretary (C&W)
10. Shri VD Chafekar, DDG (P&P)

**Ministry of Parliamentary Affairs**

1. Shri A.B. Acharya, Under Secretary
2. Shri Purshottam Kumar, Section Officer

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda.

2. The Committee then took oral evidence of the representatives of the Ministry of Defence (Department of Defence) regarding some of the pending Assurances from 11th Session of 13th Lok Sabha to 14th Session of 15th Lok Sabha. The Committee reviewed 13 Assurances of the Ministry of Defence (Department of Defence) on the following subjects:—

**Implementation of Jafa Committee Report**

- (i) USQ No. 3500 dated 12.12.2002 regarding 'Implementation Jafa Committee Report' (Sl.No. 1).

The Ministry informed the Committee that the recommendations of the Jafa Committee have been deliberated upon comprehensively and the final recommendations have been accepted which are now under the consideration of the Hon'ble Minister of Defence. The Ministry expressed their hope that implementation of the said recommendations may be started within a month. The Committee desired to know the reason behind delay in implementation of the various recommendations of the Jafa Committee report and also express their concern over the approach of the Ministry in this regard. The Ministry admitted that the delay in implementation of the recommendations has been caused since the report was submitted in 2002. After the new Government came, all the recommendations were reviewed and the Hon'ble Minister of Defence took special care to see that these things are reviewed and implemented. The Ministry also highlighted that there was no question of rejecting any recommendation, unless there was sufficient reason for it. The 14 recommendations which have been rejected do not seem to be quite relevant at this point of time. Therefore, 40 recommendations have been accepted and the remaining will also be considered separately and implemented. The Committee desired that a report may be given in the matter.

**Tatra Trucks Deal**

- (ii) USQ No. 4889 dated 07.05.2012 regarding 'Tatra Trucks Deal' (Sl.No. 2).

The Ministry informed the Committee that the investigation in the matter has been completed and the case has been closed on merit. The Committee highlighted



that the matter is also related with foreign exchange and hence the Enforcement Directorate is also looking into the matter. The Committee desired the Ministry to update the latest status in the matter.

#### **Kargil Review Committee & Implementation of KRC report**

- (iii) USQ No. 6154 dated 14.05.2012 regarding 'Kargil Review Committee' (S.No. 3).
- (iv) USQ No. 3545 dated 03.09.2012 regarding 'Implementation of KRC report' (S.No. 4).

The Ministry informed the Committee that there were two recommendations—one was about the establishment of the post of Chief of Defence Staff (CDS). Subsequently, the Naresh Chandra Task Force had recommended that there should be a permanent Chairman of the Chief of Staff Committee. There was political consultations, on it. This being a very sensitive and important decision at the highest level, the National Security Council Secretariat was seized of the matter and they are trying to see that this is taken forward. The Ministry further informed that they are also actively considering the proposal but being not a easy decision to make, it will take some time. The Ministry also informed that without the CDS being appointed the 8 issues pertaining to the Assurance given in reply to USQ No. 3545 dated 03.09.2012, which are all inter-related are not being disposed off.

#### **Restricted Zones around Defence Installations**

- (v) SQ No. 622 dated 21.05.2012 regarding 'Restricted Zones around Defence Installations' (S.No. 5).

The Committee expressed that encroachment of defence land and illegal construction in the restricted zones around defence installations are chronic security problems requiring concerted efforts for resolving them. After the Pathankot terror attack, wherever encroachment has been made on sensitive places like defence installations, the Ministry and the organisations concerned have to dealt with the matter on priority for removing the encroachment. The Ministry informed that they are maintaining a database with respect to encroachment on defence land. Once an encroachment is detected on defence land, an FIR is lodged and in this context cooperation of the State Government becomes very important. The State Governments do not show their interest in removing such encroachments and the Ministry are not in a position to use force on civilian population. The Committee stated that it is important to secure those places from security point of view and the Ministry should have taken prompt action to prevent encroachment at its initial stages to avoid conflicts and confrontations. The Committee further advised the Ministry to set up coordination Committees with the State Governments concerned to facilitate prevention and removal of such encroachments.

### **Recruitment Irregularities**

(vi) USQ No. 581 dated 13.08.2012 regarding 'Recruitment Irregularities' (S.No. 6).

The Committee were informed that the CBI investigation into the matter pertaining to recruitment irregularities, had been completed and the Bureau has filed charge sheets against 11 people belonging to armed forces in December, 2015. On the basis of the investigation, the Hon'ble Minister of Defence has been apprised of the matter so that an Implementation Report may be sent to the Committee. Meanwhile, the Ministry also informed that a DB ban has been enforced against those people who have been chargesheeted.

### **Floor Space Index**

(vii) USQ No. 3510 dated 03.09.2012 regarding 'Floor Space Index' (S.No. 7).

The Committee desired to know the difficulties in fulfillment of the Assurance. The Ministry informed that various security considerations are involved in the matter since if the norms regarding Floor Space Index (FSI) near important installations are relaxed, then they may come under line of sight which may threaten the security. Hence it is not an easy decision to relax FSI norms. The Ministry further stated that the guidelines for framing bylaws by cantonments are under issue. Draft guidelines have been submitted to the Minister of Defence and once the approval is obtained, the same will be sent to the cantonments. In the draft, it has been asked to frame guidelines within 6 months so that bylaws could be approved by the Central Government but at present, there is no such system.

### **Coast Guard Airport**

(viii) USQ No. 645 dated 26.11.2012 regarding 'Coast Guard Airport' (S.No. 8).

The Ministry informed the Committee that as regards air strip in Minicoy, the Airports Authority of India had taken up the matter in 2006 to build up an air strip for tourism purpose. Further, in 2010 the Coast Guard also stated that they would be building up an air station over there. In 2014, the Airports Authority of India withdrew the case stating that it is not feasible to build an air strip as no big aircraft can land over there. In the meantime, Coast Guard requisitioned 20 acres of land from the Lakshadweep Administration and recommended for acquiring the same to the Ministry. Meanwhile, the Land Act, 2013 has already been implemented and hence, the land could not be acquired. The Coast Guard will not be able to make air enclave there as the Airports Authority of India has declined to do so. The Ministry however, stated that they would construct a helipad along with an air station at the place. Directing the Ministry to give a detail report in the matter, the Committee stated that they would go on a study visit to the Island since it is important to view the entire matter from the administrative angle.

**Defence University**

(ix) USQ No. 2755 dated 10.12.2012 regarding 'Defence University' (S. No. 9)

The Ministry informed the Committee that there has been some progress in the matter. Recently, the draft bill has also been revised/redrafted and finally sent to the Cabinet. As such, it is for the Cabinet to take the decision now. The Ministry requested the Committee to drop the Assurance but the Committee did not concede to the request as the Assurance would be fulfilled only when the Defence University is established.

**VVIP Helicopter Deal**

(x) SQ No. 81 dated 04.03.2013 regarding 'VVIP Helicopter Deal', SQ No. 554 dated 06.05.2013 regarding 'VVIP Helicopter Deal', USQ No. 154 dated 05.08.2013 regarding 'VVIP Helicopter Deal' and USQ No. 2668 dated 26.08.2013 regarding 'VVIP Helicopter Deal' (S. Nos. 10 to 13).

The Ministry stated that detailed discussion on this issue has taken place in Parliament.

3. The representatives of the Ministry of Defence (Department of Defence) thereafter withdrew.

4. A verbatim record of the proceedings has been kept.

*The Committee then adjourned.*

**MINUTES**

**COMMITTEE ON GOVERNMENT ASSURANCES**

(2016-2017)

**(SIXTEENTH LOK SABHA)**

**THIRD SITTING**

(14.12.2016)

The Committee sat from 1015 hours to 1050 hours in Chairperson's Chamber Room No. 133, Parliament House Annexe, New Delhi.

**PRESENT**

Dr. Ramesh Pokhriyal 'Nishank' — *Chairperson*

**MEMBERS**

2. Shri Rajendra Agrawal
3. Prof. Sugata Bose
4. Shri Prahlad Singh Patel
5. Shri C.R. Patil
6. Shri Sunil Kumar Singh

**SECRETARIAT**

1. Shri R.S. Kambo — *Additional Secretary*
2. Shri S.L. Singh — *Deputy Secretary*

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda. Thereafter, the Committee considered and adopted the following seven (07) draft Reports without any amendment:

- (i) Draft 41st Report regarding review of pending Assurances pertaining to the Ministry of New and Renewable Energy.
- (ii) Draft 42nd Report regarding review of pending Assurances pertaining to the Ministry of Environment, Forest and Climate Change
- (iii) Draft 43rd Report regarding review of pending Assurances pertaining to the Ministry of Health and Family Welfare (Department of Health and Family Welfare)

- (iv) Draft 44th Report regarding review of pending Assurances pertaining to the Ministry of Defence (Department of Defence)
- (v) Draft 45th Report regarding requests for dropping of Assurances (acceded to)
- (vi) Draft 46th Report regarding requests for dropping of Assurances (not acceded to)
- (vii) Draft 47th Report regarding review of pending Assurances pertaining to the Ministry of Law and Justice (Legislative Department)

2. The Committee also authorized the Chairperson to present the Reports during the current session of the Lok Sabha.

*The Committee then adjourned.*