

COMMITTEE
ON
GOVERNMENT ASSURANCES
(2016-2017)

(SIXTEENTH LOK SABHA)
FIFTY- EIGHTH REPORT

REQUESTS FOR DROPPING OF
ASSURANCES
(NOT ACCEDED TO)

Presented to Lok Sabha on 11/04/2017



सत्यमेव जयते

LOK SABHA SECRETARIAT
NEW DELHI

April, 2017/ Chaitra, 1939 (Saka)

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

Dr. Ramesh Pokhriyal "Nishank" - Chairperson

MEMBERS

2. Shri Rajendra Agrawal
3. @ Vacant
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 - Additional Secretary
2. Shri P.C. Tripathy - Director
3. Shri S. L. Singh - Deputy Secretary

* 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

@ Shri E. Ahamed passed away on 01 February 2017

INTRODUCTION

I, the Chairperson of the Committee on Government Assurances (2016-2017), having been authorized by the Committee to submit the Report on their behalf, present this Fifty-Eighth Report (16th Lok Sabha) of the Committee on Government Assurances.

2. The Committee (2016-2017) at their sitting held on 06 October, 2016 considered Memoranda Nos. 02 to 26 containing requests received from the various Ministries/Departments for dropping of pending Assurances and decided to pursue 17 Assurances.

3. At their sitting held on 06 April, 2017, the Committee (2016-2017) considered and adopted their Fifty- Eighth Report.

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

NEW DELHI;
07 April, 2017

17 Chaitra, 1939 (Saka)

DR. RAMESH POKHRIYAL "NISHANK"
CHAIRPERSON

COMMITTEE ON GOVERNMENT ASSURANCES

REPORT

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

2. The Committee on Government Assurances (2016-2017) considered the following requests received from various Ministries/Departments for dropping of Assurances at their sitting held on 06 October, 2016:-

S. No.	SQ/USQ No. & Date	Ministry	Subject
1.	USQ No. 149 dated 05.12.2013	Civil Aviation	Audit of Modernisation of Airports (Appendix-I)
2.	USQ No. 1013 dated 28.11.2014	Commerce and Industry (Department of Commerce)	DGTR (Appendix-II)
3.	USQ No. 3729 dated 12.08.2015	Communications and Information Technology (Department of Telecommunications)	Misuse of BSNL Network (Appendix-III)
4.	USQ No. 6510 dated 06.05.2015	Communications & Information Technology (Department of Telecommunications)	Foreign Companies in Telecom Manufacturing (Appendix-IV)

5.	USQ No. 1782 dated 22.07.2014	Culture	Regional Centre of NSD (Appendix-V)
6.	USQ No. 2621 dated 26.08.2013	Defence	Defence Deals (Appendix-VI)
7.	USQ No. 1983 dated 23.07.2014	Environment, Forest and Climate Change	Uttarakhand Calamity (Appendix-VII)
8.	USQ No. 1379 dated 03.03.2015	Environment, Forest and Climate Change	Special Tiger Protection Force (Appendix-VIII)
9.	USQ No. 5148 dated 24.04.2015	Finance (Department of Revenue)	Overvaluation and Undervaluation of Imports (Appendix-IX)
10.	USQ No. 237 dated 14.03.2012	Human Resource Development (Department of School Education and Literacy)	Extension of RTE Act (Appendix-X)
11.	USQ No. 3186 dated 13.12.2011	Information and Broadcasting	Vacancies in TV/Radio Stations (Appendix-XI)
12.	USQ No. 457 dated 14.07.2014	Law and Justice (Department of Justice)	Separate High Court for Telangana (Appendix-XII)
13.	USQ No. 1879 dated 04.12.2014	Power	Survey of Hydro Power Projects (Appendix-XIII)
14.	USQ No. 2424 dated 04.08.2015	Social Justice and Empowerment (Empowerment of Persons with Disability)	Assistance to Differently Abled for Higher Education (Appendix-XIV)
15.	USQ No. 3867 dated 12.08.2015	Space	Pricing Policy of Satellites (Appendix-XV)
16.	USQ No. 4758 dated 22.04.2015	Statistics and Programme	Increase in MPLAD Funds

		Implementation	(Appendix-XVI)
17.	USQ No. 4297 dated 08.08.2014	Women and Child Development (Department of Women and Child Development)	Malnutrition (Appendix-XVII)

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

4. The Minutes of the sitting of the Committee dated 06 October, 2016 are given in Appendix-XVIII.

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

NEW DELHI:
07 April, 2017

17 Chaitra, 1939 (Saka)

DR. RAMESH POKHRIYAL "NISHANK"
CHAIRPERSON
COMMITTEE ON GOVERNMENT ASSURANCES

MINUTES

COMMITTEE ON GOVERNMENT ASSURANCES
(2016-2017)

(SIXTEENTH LOK SABHA)

SECOND SITTING

(06.10.2016)

The Committee sat from 1500 hours to 1700 hours in Committee Room "B", Parliament House Annexe, New Delhi.

PRESENT

Dr. Ramesh Pokhriyal 'Nishank' – **Chairperson**

MEMBERS

2. Shri Rajendra Agrwal
3. Shri E.Ahamed
4. Shri Anto Antony
5. Shri Tariq Anwar
6. Shri Naran Bhai Kachhadia
7. Shri Bahadur Singh Koli
8. Shri Prahlad Singh Patel
9. Shri Sunil Kumar Singh
10. Shri Taslimuddin
11. Shri K.C.Venugopal
12. Shri S.R.Vijay Kumar

SECRETARIAT

1. Shri R. S. Kambo - Additional Secretary
2. Shri J.M. Baisakh - Director
3. Shri S.L. Singh - Deputy Secretary

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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 took up 25 Memoranda (Memorandum Nos. 02 to 26) containing requests received from various Ministries/Departments for dropping of pending Assurances. After considering a few Memoranda, the Committee authorized the Hon'ble Chairperson to decide the dropping or otherwise of the Assurances contained in the remaining Memoranda. Thereafter, the Hon'ble Chairperson decided to drop 08 Assurances as per details given in Annexure-I* and to pursue the remaining 17 Assurances as per details given in Annexure-II, for implementation by the Ministry/Department concerned.

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The Committee then adjourned.

* Not enclosed

COMMITTEE ON GOVERNMENT ASSURANCES (2016-2017)

Statement Showing Assurances not dropped by the Committee on Government Assurances at their sitting held on 06.10.2016

Sl. No.	Memo No.	Question	Ministry/ Department	Subject	Remarks
1	2	USQ No. 149 dated 05.12.2013	Civil Aviation	Audit of Modernisation of Airports	The Committee have been informed that the CAG Report on the implementation of Public Private Partnership Project at Chhatrapati Shivaji International Airport, Mumbai has been laid on the Table of the House. The report has been referred to PAC for their examination and as such nothing is pending on their side. The Committee feel that the Ministry are required to pursue the case in right earnest to its logical conclusion. If the Assurance is fulfilled, the Ministry should send 15 copies of Implementation Report to the Ministry of Parliamentary Affairs at the earliest to be laid on the Table of the House. Till that time, the Assurance will be treated as unfulfilled.
2.	3	USQ No. 1013 dated 28.11.2014	Commerce and Industry (Department of Commerce)	DGTR	The Ministry have contended that no Assurance was given in the matter as it is incumbent on several posts being filled up which are not in the control of the Ministry. The Committee outrightly reject the

					<p>contention of the Ministry as it is their prerogative to treat a particular reply as an Assurance and the Ministry cannot question the wisdom of the Committee as to what constitutes an Assurance. Moreover, an Assurance cannot be dropped merely on the ground that the attempts made by the Ministry have not yielded any results. The Ministry need to enhance the level of co-ordination with organizations/departments concerned and take concrete steps to constitute the Directorate General of Trade Remedies (DGTR). That the Ministry have not adopted this approach is deplorable. The Committee urge upon the Ministry to adopt a pro-active approach and fulfil the Assurance at the earliest. The Committee would like to be apprised of the initiatives taken and the progress made in the matter.</p>
3.	4	USQ No. 3729 dated 12.08.2015	Communications and Information Technology (Department of Telecommunications)	Misuse of BSNL Network	<p>In this case, the Ministry are required to furnish the details of the CBI investigations into the misuse of ISDN in Chennai. The Committee are of the view that an Assurance cannot be dropped merely on the ground that the matter is being investigated by the CBI which will take time and it would not be able to fulfil the Assurance within the stipulated time period. Moreover, the matter is of national concern and sensitive and as such it should be brought to its logical conclusion. The Committee, therefore, desire that the Ministry must enhance the level of co-ordination with the CBI for proper and expeditious investigation into the case and the details thereof apprised to the Committee so as to</p>

					fulfil the Assurance.
4.	5	USQ No. 6510 dated 06.05.2015	Communications & Information Technology (Department of Telecommunications)	Foreign Companies in Telecom Manufacturing	The Ministry have requested for dropping of the Assurance saying that the matter i.e. entry of foreign manufacturing companies in the country is not a static one but a dynamic and continuous process. The Committee understand that such matters are incessant in nature but there is a need to give the position existing as on 06.10.2015. The Committee observe that the task involves only compilation of some basic information and desire that the Ministry should make concerted and vigorous efforts to collect the information and fulfil the Assurance at the earliest.
5.	6	USQ No. 1782 dated 22.07.2014	Culture	Regional Centre of NSD	In yet another instance, the Committee observe that the contention of the Ministry that the Assurance may be dropped since the subject matter is a continuous process is untenable. The Ministry is required to give the position existing on 22.07.2014. The Committee desire that the Ministry take a clear-cut stand i.e. to set up NSD centres where land is made available by the State Governments concerned. The Committee urge upon the Ministry to make co-ordinated efforts to fulfil the Assurance at the earliest.
6.	7	USQ No. 2621 dated 26.08.2013	Defence	Defence Deals	In this case the Ministry are required to furnish the details of CBI investigations into the irregularities in the procurement of VVIP/VIP helicopters. The Ministry have requested for dropping the Assurance citing the reason that the case is under investigation by CBI and it is not possible to know the time line for completion of CBI investigations. The Committee are of the view

					<p>that an Assurance cannot be dropped merely on the ground that the matter is being investigated by the CBI which will take time and it would not be able to fulfil the Assurance within the stipulated time period. Moreover, the Committee feel that the matter is of national concern and sensitive as such it should be brought to its logical conclusion. The Committee, therefore, desire that the Ministry must enhance the level of co-ordination with the CBI for proper and expeditious investigation into the case and the details thereof apprised to the Committee so as to fulfil the Assurance.</p>
7.	8	USQ No. 1983 dated 23.07.2014	Environment, Forest and Climate Change	Uttarakhand Calamity	<p>The Committee note that the matter is sub-judice and the Ministry are requested to furnish a final report and recommendations of the consortium of IITs to the Supreme Court. Citing that the outcome and finality is not in their hands, the Ministry have requested the Committee to drop the case. The contention of the Ministry is untenable since an Assurance cannot be dropped merely on the ground that matter is sub-judice and its outcome and finality is unknown. The Committee feel that the matter is of crucial national importance and needs to be pursued vigorously to bring it to its logical conclusion. The Ministry are also required to apprise the Committee and Parliament of the final outcome of the matter alongwith the directives of the Supreme Court in this regard. The Committee would like to be apprised of the initiatives taken and the progress made in the matter.</p>

8.	11	USQ No. 1379 dated 03.03.2015	Environment, Forest and Climate Change	Special Tiger Protection Force	<p>The Ministry have requested for dropping the Assurance citing the reason that the Constitution of STPF involves a lengthy and time taking process besides the fact that the matter has to be addressed by the States concerned. The contention of the Ministry is untenable and smacks of casual approach towards fulfilling the Assurance. Hence, this contention cannot be a valid ground for dropping the Assurance. The Committee desire that the Ministry should co-ordinate with all the agencies and State Governments concerned and pursue the matter vigorously till STPF is set up as planned. The Committee would like to be apprised of the initiatives taken and the progress made in the matter.</p>
9.	12	USQ No. 5148 dated 24.04.2015	Finance (Department of Revenue)	Overvaluation and Undervaluation of Imports	<p>The Ministry have requested for dropping of the Assurance in view of the limitations of the investigating agencies in overseas investigation. The Ministry have further contended that investigation in cases of over invoicing of coal imports is a time consuming process as the procedural formalities for international queries take a long time. The Committee understand that such matters take time but the Assurance cannot be dropped merely on the ground that its fulfilment would not be possible within the stipulated period of 3 months. The nature of the irregularities warrant a thorough probe and fixation of responsibility for taking appropriate action. The Committee urge upon the Ministry to take urgent action with alacrity within a specific timeline to bring</p>

					the matter to its logical conclusion. The Committee would like to be apprised of the initiatives taken and the progress made in the matter.
10.	14	USQ No. 237 dated 14.03.2012	Human Resource Development (Department of School Education and Literacy)	Extension of RTE Act	The Ministry have contended that no Assurance was given on the issue as the reply given to the Question, according to them, was full and only a factual position about the particulars of the case being progressed for extension of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 to the secondary level. The Committee reject outright this contention of the Ministry as it is their prerogative to treat a particular reply as an Assurance and the Ministry cannot question the wisdom of the Committee as to what constitutes an Assurance. In this case, the Central Advisory Board of Education (CABE) Committee is required to formulate the draft legislation and estimate the requirement of funds for extension of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 to the secondary level. The Committee feel that the matter is of national importance and it should be brought to its logical conclusion. The Committee, therefore, desire that the Ministry must pursue the matter vigorously to bring it to its logical end as soon as possible and fulfil the Assurance.
11.	16	USQ No. 3186 dated 13.12.2011	Information and Broadcasting	Vacancies in TV/Radio Stations	The Ministry have contended that since the process of Recruitment Regulations involves inter-Ministerial consultation, which is a time-consuming activity, no time limit can be given in this regard and hence have requested for dropping of the Assurance. The

					<p>Committee feel that an Assurance cannot be dropped merely on the grounds it that it involves inter-Ministerial consultations and its implementation would take a considerable length of time. The Ministry need to make earnest and sustained efforts to accomplish the task. The Committee urge upon the Ministry to shed their lackadaisical attitude and fulfil the Assurance at the earliest. The Committee would like to be apprised of the initiatives taken and the progress made in the matter.</p>
12.	17	USQ No. 457 dated 14.07.2014	Law and Justice (Department of Justice)	Separate High Court for Telangana	<p>The Ministry have requested for dropping the Assurance on the grounds that it is not possible to fix a time frame by which the infrastructure facilities would be completed and separate High Courts for Andhra Pradesh and Telangana could be established. The Committee feel that an Assurance cannot be dropped merely on the ground that its implementation would take a considerable length of time. The Committee urge upon the Ministry to take appropriate steps with better co-ordination and make sustained efforts towards fulfilling the Assurance. The Committee would like to be apprised of the initiatives taken and the progress made in the matter.</p>
13.	19	USQ No. 1879 dated 04.12.2014	Power	Survey of Hydro Power Projects	<p>The Ministry have contended that no Assurance was given in the matter and that the reply was only a statement of facts, which cannot be treated as an Assurance. The Committee out rightly reject this contention of the Ministry as it is their prerogative to treat a particular reply as an Assurance and the</p>

					<p>Ministry cannot question the wisdom of the Committee as to what constitutes an Assurance. The Committee also note that the reply given by the Ministry is incomplete as the information regarding present status of survey and execution of work of each project with regard to the Public Sector Hydro Power Projects located in North-Eastern Region have not been provided. The Committee feel that the Ministry need to take concrete steps to materialise the same within a fixed time frame. That this approach has not been adopted by the Ministry is deplorable. The Committee urge upon the Ministry to shed their insouciant attitude and fulfil the Assurance at the earliest.</p>
14.	23	USQ No. 2424 dated 04.08.2015	Social Justice and Empowerment (Empowerment of Persons with Disability)	Assistance to Differently Abled for Higher Education	<p>The Ministry have contended that no Assurance was given on the issue and that the reply according to them was only a factual position and does not indicate any incomplete action or give an impression about any ongoing action. The Ministry also informed that the reply given to the question does not warrant further reporting to the House about the completion of the process of constituting a Committee to look into issues regarding implementation of guidelines for conducting written examination for persons with disabilities. The Committee reject outright the contention of the Ministry as it is their prerogative to treat a particular reply as an Assurance and the Ministry cannot question the wisdom of the Committee as to what constitutes an Assurance. The Committee feel that the Ministry need to approve the steps taken by their Committee to</p>

					implement the guidelines issued for conducting written examination for persons with disabilities. The Ministry should shed their lackadaisical attitude and pursue the matter till its logical conclusion.
15.	24	USQ No. 3867 dated 12.08.2015	Space	Pricing Policy of Satellites	The Committee note that a revised proposal for continuing the existing method of transponder pricing has been submitted for the approval of the Government. However, the request of the Ministry for dropping the Assurance is untenable since an Assurance cannot be dropped merely on this ground. This is nothing but finding lame excuses for the Ministry's lackadaisical attitude and penchant for allowing things to go on their own course. The Ministry are required to pursue the case in right earnest for its logical conclusion. The Committee would like to be apprised of the initiatives taken and progress made in the matter including the status of the said proposal.
16.	25	USQ No. 4758 dated 22.04.2015	Statistics and Programme Implementation	Increase in MPLAD Funds	The Ministry have contended that the matter related to increase in annual allocation under the MPLADs Scheme is under examination in consultation with Ministry of Finance and the decision in the case cannot be arrived at within a rigid time frame. They have further contended that there is no certainty that in a case of this nature, the culmination of the examination and consultation process will result in any final decision at the competent Level. However, the Committee feel that the request of the Ministry for dropping of the Assurance is untenable as once an Assurance is given, it is incumbent upon the Ministry

					<p>to fulfil it with proper planning and co-ordination with the other Ministries/Departments concerned within a definite timeframe. The Committee desire that the Ministry should take appropriate pro-active action without further delay and apprise the outcome of the proposal to increase annual allocation under MPLADS at the earliest. The Committee would like to be apprised of the initiatives taken and the progress made in the matter.</p>
17.	26	USQ No. 4297 dated 08.08.2014	Women and Child Development (Department of Women and Child Development)	Malnutrition	<p>The Ministry have contended that no Assurance was given on the issue as the reply given to the Question, according to them, was only a factual position about the NFHS-4 being processed with the purpose of assessment of the Government on the impact of various nutritional schemes mean for malnourished children. The Committee reject outright this contention of the Ministry as it is their prerogative to treat a particular reply as an Assurance and the Ministry cannot question the wisdom of the Committee as to what constitutes an Assurance. The matter, being an important issue and of national concern, should be brought to its logical conclusion the Committee desire that the Ministry must vigorously pursue the matter and expedite the fulfilment of Assurance at the earliest by providing the requisite data generated by the survey.</p>