

SEVENTEENTH REPORT  
STANDING COMMITTEE ON  
LABOUR AND WELFARE  
(2001)

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LOK SABHA SECRETARIAT  
NEW DELHI  
December, 2001/Agrahayana, 1923 (Saka)

COMPOSITION OF THE STANDING COMMITTEE ON  
LABOUR AND WELFARE  
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(2001)

Dr. Sushil Kumar Indori — Chairman

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COMPOSITION OF THE STANDING COMMITTEE ON  
LABOUR AND WELFARE  
(2001)

Dr. Sushil Kumar Indora — *Chairman*

MEMBERS

*Lok Sabha*

2. Shri Daud Ahmad
3. Shri Alam Amir
4. Shri Ashok Argal
5. Shri Denzil B. Atkinson
6. Shri Sudip Bandyopadhyay
7. Shrimati Sandhya Bauri
8. Shri Joachim Baxla
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17. Shri Ramjee Manjhi
18. Shri Bherulal Meena
19. Shri Rupchand Murmu
20. Shri Raj Narain Passi
21. Shri R.S. Patil
22. Shri Madhab Rajbangshi
23. Shri P.A. Sangma
24. Shri Ram Shakal
25. Shri Charanjit Singh
26. Shri Khelsai Singh
27. Dr. Ram Lakhan Singh
28. Shri Mansukhbhai Vasava
29. Dr. N. Venkataswamy

(iv)

*Rajya Sabha*

30. Shri Ram Kumar Anand
31. Shri B.P. Apte
32. Shri Indramoni Bora
33. Dr. (Mrs.) P. Selvie Das
34. Shri Mohd. Azam Khan
35. Shri Ramachandra Khuntia
36. Shri Fali S. Nariman
37. Shri C.O. Poullose
38. Shri Mirza Abdul Rashid
39. Shri Ka.Ra Subbian
40. Ms. Frida Topno

SECRETARIAT

1. Shri B.R. Kanathia — *Joint Secretary*
2. Shri J.P. Sharma — *Deputy Secretary*
3. Shri Jagdish Prashad — *Committee Officer*

## INTRODUCTION

I, the Chairman of the Standing Committee on Labour and Welfare having been authorised by the Committee to submit the report on their behalf, present this Seventeenth Report on the action taken by the Government on the recommendations contained in the Twelfth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) on the Ministry of Social Justice and Empowerment—Demands for Grants—2001-2002.

2. The Twelfth Report was presented to Lok Sabha on 20th April, 2001. The Ministry of Social Justice and Empowerment furnished their replies indicating action taken on the recommendations contained in that report on 14 September, 2001. The Report was considered and adopted by the Standing Committee on Labour and Welfare at their sitting held on 12 December, 2001.

3. The Report has been divided into the following Chapters:—

- I. Report.
- II. Recommendations/Observations which have been accepted by Government.
- III. Recommendations/Observations which the Committee do not desire to pursue in view of Government's reply.
- IV. Recommendations/Observations in respect of which final replies of Government are still awaited.

4. An analysis of the Action Taken by the Government on the recommendations contained in the Twelfth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) is given in Appendix.

NEW DELHI;  
12 December, 2001  
21 Agrahayana, 1923 (Saka)

DR. SUSHIL KUMAR INDORA,  
Chairman,  
Standing Committee on  
Labour and Welfare.

## CHAPTER I

### REPORT

1.1 This Report of the Committee deals with the action taken by the Government on the recommendations contained in the Twelfth Report (Thirteenth Lok Sabha) of the Committee on Labour and Welfare on the Ministry of Social Justice and Empowerment—Demands for Grants-2001-2002.

1.2 The Twelfth Report was presented to Lok Sabha on 20 April, 2001. It contained 23 recommendations. Replies of Government in respect of all recommendations have been examined and are categorised as under:—

- (i) Recommendations and observations which have been accepted by the Government:

Sl. Nos. 1, 2, 4, 12, 17, 18, 19, 20, 21 and 22

(Total 10 included in Chapter II of the Report)

- (ii) Recommendations and observations which the Committee do not desire to pursue taking into consideration the replies of the Government:

Sl. Nos. 3, 8, 11 and 13

(Total 4 included in Chapter III of the Report)

- (iii) Recommendations and observations, replies to which have not been accepted by the Committee and which require reiteration:

Sl. Nos. 5, 6, 9 and 16

(Total 4 included in Chapter IV of the Report)

- (iv) Recommendations and observations in respect of which final replies have not been received:

Sl. Nos. 7, 10, 14, 15 and 23

(Total 5 included in Chapter V of the Report.)

1.3 The Committee desire that replies in respect of the recommendations contained in *Chapter-I* and final replies to the recommendations contained in *Chapter-V* for which only interim replies have been given by the Government should be furnished to them expeditiously.

1.4 The Committee will now deal with those action taken replies of the Government which need reiteration or merit comments.

**A. Special Central Assistance to Special Component Plan for Scheduled Castes**

**Recommendation (Sl. No. 5, Para 3.9)**

1.5 Despite the Fact that the C&AG had pointed out certain irregularities during 1995-96 regarding misappropriation/diversion of SCA funds by States, the Ministry has not been able to evolve a foolproof mechanism to check diversion of funds by States. The Committee had, therefore, recommended that the Government should impress upon the State Governments to maintain a separate account of SCA funds released and keep a constant watch on the utilisation of funds through periodical progress reports from implementing agencies.

1.6 In their Action Taken Reply, the Ministry of Labour has stated that all the States/UTs have been requested for adopting suitable budgetary mechanism for keeping the entire fund meant for Special Component Plan including Special Central Assistance in a budget head in similar pattern as done by Government of Maharashtra and Madhya Pradesh. Further, the State Government/UT Admns. have been requested to formulate projects for utilisation of SCA. The project report should contain all details on creation of infrastructure out of SCA, provision of subsidy to beneficiary out of SCA as well as loan under schemes of NSFDC. Formulation and implementation of projects for utilization of SCA is being monitored regularly. Utilisation of SCA is being monitored on regular basis in State-wise meetings held in November-December, 2000 and May, 2001 as well as in conference of State Secretaries held in February, 2000 and May, 2001. During discussions, officials of State Govts./U.T. Admns. were advised to utilize SCA as per guidelines.

1.7 The Committee are not satisfied with the reply of the Government. From the reply, the Committee find that hardly any foolproof mechanism have been evolved by the Ministry of Social Justice and Empowerment to check mis-utilisation/diversion of SCA funds by the States/U.Ts. The Committee in their previous reports had emphasized on opening of separate Budget heads by the State Governments so that the money meant for SCA to SCP for SCs is not diverted to any other scheme but no fruitful achievement seems to have been made on this account. During on the spot study visit, the Committee noticed that SCA funds were not released by the Punjab Government to the Social Welfare Department due to financial constraints thereby adversely effecting the schemes run by Punjab SCD Corporation for the benefit of SCs. The Committee view it seriously and hence reiterate their earlier recommendation that a separate head of account may be allocated by all the States/UT administrations to SCA funds on the pattern of Maharashtra and Madhya Pradesh Governments where the funds are channelised through SC Welfare Department so as to avoid diversion of funds.

**B. Special Central Assistance to Special Component Plan for Scheduled Castes.**

**Recommendation (Sl. No. 6, Para 3.10)**

1.8 The Committee had noted that so far only 13 Central Ministries/Departments have formulated and implemented the Special Component Plan for SCs in their Annual Budgets whereas 20 more Departments whose activities have a bearing on the development of Scheduled Castes have been reviewed by Standing Tripartite Committee and National Commission for SCs/STs. The Committee, had, therefore, recommended that all the remaining Departments/Ministries fall in the line and formulate their Special Component Plan in their Annual Budgets without further delay.

1.9 In their Action Taken Reply, the Ministry of Social Justice and Empowerment has stated that formulation of Special Component Plan by Central Ministries, as per the guidelines issued by the Planning Commission was reviewed in detail in meetings taken by the Secretary, Ministry of Social Justice and Empowerment with 34 Ministries/Departments in July, 2001. During the discussion, the representatives of Ministries/Departments were advised to take necessary action on the following:

- i. provide at least 15% of the total fund under Special Component Plan for expenditure on schemes specific to welfare of SCs.



- ii. Assist SC families adequately for bridging the existing gap between SCs and general.
- iii. Explore the possibilities of assisting SC families in providing service and allied activities, as may be required by the Ministry of PSEs.
- iv. Identify and provide training for skill development/upgradation of skill as per requirement of market.
- v. Compile detailed information on number of SC families benefited under various schemes.

1.10 The Committee are disappointed to note that their recommendation regarding formulation of SCP by the remaining Ministries Departments of Govt. of India has not been taken with all seriousness. Consequent upon the guidelines issued by the Planning Commission in 1999, the Ministry had reviewed all the 34 Ministries/Departments and advised them to identify the programmes/schemes/projects benefiting the SCs and take action to earmark funds for SCP but only 13 Ministries have complied with the guidelines. The Committee, therefore, reiterate their earlier recommendation that the remaining Ministries/Departments may be persuaded in the right earnest to formulate their Special Component Plan for SCs without further delay. Progress achieved in this regard may be communicated to the Committee at the earliest.

#### C. Scheme for Hostel facilities for SC students.

##### Recommendation (Sl. No. 9, Para 3.26)

1.11 The Committee had recommended that the Ministry of Social Justice and Empowerment should ascertain and inform the Committee the number of hostels for SC boys and girls actually constructed State-wise against the funds released during the last five years and also the hostels which could not be completed within the prescribed period of five years.

1.12 In their Action Taken Reply, the Ministry of Social Justice and Empowerment has stated that as per guidelines under the Scheme "Construction of Hostels for Scheduled Castes Boys and Girls" Central Assistance is sanctioned to State Government, Universities and Non-Government Organisations. Clause 3(d) of the scheme requires the institutions getting the grant to complete the construction within a time frame not later than 5 years. Number of hostels sanctioned to State Governments in the last five years (1996-97 to 2000-2001) under the scheme is as follows:—

Year	Amount released (Rs. in crore)	No. of Hostels sanctioned
1996-1997	15.88	127
1997-1998	15.05	105
1998-1999	18.94	132
1999-2000	20.32	226
2000-2001	25.00	55

1.13 The Ministry has further informed that the State Government/UTs have been asked to take necessary action for completing construction of hostels sanctioned so far and send details of physical progress in this regard. Information received from 4 States is given below:—

Sl. No.	State	No. of hostels sanctioned	No. of hostels completed	No. of hostels under construction
1.	Karnataka	311	203	108
2.	Rajasthan	113	58	55
3.	Uttar Pradesh	61	35	26
4.	West Bengal	23	6	17

1.14 The Ministry of Social Justice and Empowerment has requested other States/UTs to send relevant information on the hostels completed and progress of construction of hostels under construction. This matter is being looked into while releasing further grant-in-aid to the States/UTs under the scheme.

1.15 The Committee are disappointed to note that despite their repeated recommendations in their previous reports, the Ministry has not been able to submit the State-wise list of hostels actually constructed for the students belonging to SC community. From the statement, the Committee observe that as many as 645 hostels were sanctioned from 1996-97 to 2000-2001 but there is no mention about the number of hostels which have actually been completed during this period. The Committee take a serious note of it and desire that the Ministry should furnish the required information without further delay.

**D. National Backward Classes Finance and Development Corporation (NBCFDC).**

**Recommendation (S.No. 16, Para 4.15)**

1.16 The Committee had noted that out of Rs. 400 crore allotted by Planning Commission to NBCFDC for the Ninth Five Year Plan, the Ministry could utilize only Rs. 191.50 crores till 28 February, 2001 due to (i) inadequate infrastructure at grass-root level; (ii) States not providing their matching share; (iii) reluctance of the competent authority to issue income and caste certificates; and (iv) frequent transfer of Managing Directors of the State Channelising Agencies. The Committee had desired that the Ministry should make all out efforts to remove the aforesaid shortcomings on priority so that the benefits of the scheme might percolate to the poor sections of OBCs living below the poverty line.

1.17 In their Action Taken Reply, the Ministry of Social Justice and Empowerment has stated that out of the provision of Rs. 400 crore for the Ninth Five Year Plan, Rs. 191.50 crore was released up to February, 2001 towards the share capital of NBCFDC. With Rs. 198.50 crore released earlier total paid up share capital of NBCFDC is Rs. 390.40 crore and as the Corporation has over Rs. 100 crore as unutilized funds, non-release of more funds did not adversely affect the activities of NBCFDC as it has sufficient funds as its disposal.

1.18 It has further stated that as per the directions of the Committee, the States/Union Territories as well as NBCFDC have been asked to make all out efforts to remove shortcomings on priority so that the benefits of the scheme might percolate to the poor sections of OBCs living below the poverty line. The Corporation disbursed Rs. 87.01 crore during 2000-01 as compared to Rs. 75.28 crore during 1999-2000. More funds will be released to Corporation after utilization of the funds available with it.

1.19 The Committee are concerned to note that no concrete steps have been taken by the Ministry except issuing the instructions to States/U.Ts and NBCFDC to remove the shortcomings in the scheme. The Committee, therefore, desire that the above shortcomings in the scheme are rectified expeditiously so that the OBCs living below the poverty line are not deprived of the benefits of the scheme. The funds allocated for the purpose should be utilized within the same financial year.

## CHAPTER II

### RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

#### **Recommendation (Sl. No. 1, Para 1.13)**

2.1 The Committee have been informed that the Tenth Five Year Plan will begin from 1st April 2002 and the exercise for formulation of plan documents for the next Five Year Plan will be done by the steering Committees and Working Groups constituted by the Planning Commission. The Committee is well aware of the fact that the Ministry's majority of schemes are not running smoothly due to various problems such as not receiving utilization certificates from States/NGOs not getting matching share from the State Government and not receiving adequate proposals from the States. The Committee are of the opinion that unless the aforesaid problems are properly addressed to and the deficiencies are removed, no useful purpose shall be served in making huge allocation of funds to the schemes.

#### **Reply of the Government**

2.2 The development of weaker sections is the joint responsibility of the Central Government and the State Governments. Under the schemes of the Ministry of Social Justice & Empowerment, grant is released to the States/NGOs only after the Utilization Certificates are received from them for amounts released previously. The Ministry has been urging the State Governments for timely utilization of funds so that further releases can be made.

2.3 Further, based on the findings of evaluation studies, observations made during field visits and discussion with officers of the State Governments, the Ministry is taking necessary steps for implementing various schemes in a more effective manner. The Ministry has taken up revision of a number of schemes for overcoming the difficulties in getting matching share and adequate proposals from the State Governments. The schemes under the process of revision included Post Matric Scholarship for SC students, Construction of hostel for boys and girls belonging to SCs, Other Backward Classes and minorities, Assistance for Coaching, Scheme for assistance for upgradation of merit by merit linked scholarship, National Scheme for Liberation and Rehabilitation of Scavengers.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

2.4 Revision of schemes for making these more effective has also been considered by the Working Groups set up by the Planning Commission in the context of formulation of the Tenth Five Year Plan. The Working Groups have submitted their reports to the Planning Commission.

2.5 Besides, with a view to publicizing the schemes, the Ministry has released a Compendium of schemes in the year 1999. Information about the schemes is also available on the Ministry's website *www.socialjustice.nic.in*. In respect of the schemes implemented through NGOs, application formats can be downloaded directly from the website. The States are also being addressed periodically to suggest areas where services need to be delivered and the provision under which funds for starting the same can be accessed. This has evoked good response and this process will be continued in 2001-02 also.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 2, Para No. 1.14)**

2.6 The Committee have been informed that the Ministry of Social Justice & Empowerment has taken active participation in the relief work to earthquake victims in Gujarat through their NGOs engaged in the field of Child Welfare, Old age homes, residential schools and hostels. The Ministry has released nearly Rs. 5.5 crore for this purpose out of their own Budget. The Committee appreciate the efforts of the Ministry for joining the relief work for the victims of earthquake in the State of Gujarat. Although the Ministry is having a scheme under Animal Welfare Division for relief to animals during natural calamities, yet there is not such scheme for providing relief to disabled, orphaned children and old aged persons affected by natural calamities such as floods, earthquake and cyclone etc. The Committee, therefore, recommended that the Ministry should establish a common Corpus fund to meet the contingency of relief work to the disabled, orphaned children and aged persons affected by natural calamities.

**Reply of the Government**

2.7 Though the Ministry does not have a common Corpus Fund to meet contingencies of relief work to the disabled, orphaned, aged etc. in the event of natural calamity funds are accessed for relief assistance to the concerned State/Union Territory under the Scheme of Assistance to Voluntary Organizations to provide Social Defence Services. The scheme provides for undertaking programmes which are not covered under the existing schemes of the Ministry. Assistance under this scheme has been extended to victims of super cyclone in Orissa and earth quake in Gujarat. The budget provision for this scheme was Rs. 1.00 crore in 2000-01 which has been increased to Rs. 4.00 crore in 2001.02.

2.8 The Committee's recommendation for establishment of a common Corpus fund to meet the contingency of relief work to the disabled, orphaned children and aged persons affected by natural calamities has been noted for compliance.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 4, Para No. 2.9)**

2.9 The Committee note that although the Ministry has brought out a compendium and have been publishing their schemes through print and electronic media, the majority of SCs are still not aware about the schemes. The arguments put forth by the Ministry that they do not have enough funds to telecast their schemes and programmes on TV, is not acceptable to the Committee. In the opinion of the Committee the Ministry should prepare Audio-Video Cassettes in regional language also highlighting the benefits and details of the schemes and programmes implemented by the Ministry for the welfare of the socially and economically disadvantaged sections of the society and broadcast/telecast on National/Regional Relay Stations so as to create optimum awareness among the masses. The Committee recommend that the Ministry might approach Planning Commission for allocation of sufficient funds for the purpose.

**Reply of the Government**

2.10 The Ministry of Social Justice & Empowerment has funded the production of 83 films on various schemes of the Ministry and some of the films have been dubbed for telecast through regional kendras. Ministry's films are being telecast through Doordarshan, Gyandarshan Channel of IGNOU and web cast through Times Syndication (sister concern of Times of India). Films of the Ministry are also being screened through Filed Publicity Units in rural areas. Ministry's Radio Sponsored Programme "Sanwanti Jayen Jeevan ki Rahen" is being produced in Hindi and 19 regional languages and broadcast through 30 Commercial Broadcasting Stations (Vividh Bharti), 15 primary channels of North East and 73 Local Stations of All India Radio.

2.11 Hoardings, Bus Back Panels, Computerized Animation Display System are also utilized to disseminate information through outdoor media. Advertisements/supplements are being released in leading newspapers of Hindi, English and regional languages.

2.12 Ministry will approach Planning Commission and Ministry of Finance for allocation of additional funds as per requirement.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 12, Para No. 3.43)**

2.13 The Committee have been informed that the scheme mainly aims at assisting SC students in getting higher education abroad in areas for which facilities are not available in the country. The Committee are not happy with the State of affairs that the scheme was not in operation for the years 1995-96 to 1997-98 for which the Ministry has not given any valid reasons. The Committee observe that due to non-operation of the scheme for three years, the Ministry has deprived about 90 students belonging to SC/ST from the benefits of scholarship for higher studies abroad.

**Reply of the Government**

2.14 The National Overseas Scholarship (NOS) Scheme is non-plan scheme. Approval for its operation during various periods is given by the Committee on Non-Plan Expenditure (CNE). Approval of the CNE was last received on 31.3.1992 for the operation of the scheme for five years from 1991-92 to 1995-96, (i.e., up to March 31, 1996). This Ministry initiated action in July, 1995, about eight months before the ending of the scheme (in March 1996), for the continuation of the scholarship programme beyond 1995-96. The proposal was accordingly submitted to CNE on two occasions, but approval for the operation of the scheme was only received from 1998-99 to 2000-01 despite the best efforts of the Ministry. However, the candidates who were selected during earlier years continued to draw benefits under the scheme.

2.15 In view of the critical importance this Ministry has attached to providing facilities to SC students to pursue higher studies abroad in identified fields, proposal for the continuation of the scheme beyond 2000-01 (from 2001 to 2007 up to end of Tenth Plan) has been processed along with suitable changes for removal of difficulties that NOS awardees appear to be facing.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]



**Recommendation (S.No. 17, Para No. 4.16)**

2.16 The Committee further note that neither the Ministry have an authentic data of persons belonging to OBCs living below the poverty line nor NSSO has accepted the request of the Ministry to conduct the survey. The Registrar General of India has also decided not to collect information on castes, sub-castes etc. in the census 2001. In the opinion of the Committee, unless the Ministry has an authentic data of OBCs living below the poverty-line, they will not be in a position to implement the scheme properly. The Committee, therefore, recommend that the Ministry should make sincere efforts for conducting the survey of OBCs living below the poverty line by utilizing its machinery at State and District Administration level.

**Reply of the Government**

2.17 All the State Governments/Union Territory Administrations have been requested for conducting survey of OBCs living below the poverty line in their respective States/UTs by utilizing the machinery at State and District Administration level.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 18, Para No. 5.8)**

2.18 The Committee have been informed that as per 1991 census nearly 16.15 million people in the country are suffering from visual, hearing, speech and locomotor disabilities. Out of them 5.21 million persons above the age of 5 years have the speech and hearing imparities. The Committee appreciates the efforts of the Ministry that they have taken several initiatives for the rehabilitation of Persons with Disabilities. The Ministry have so far covered 74 districts out of 576 districts under the NRPD scheme. The Committee desire that the Ministry should continue their efforts to increase their coverage in phased manner so that all the districts might be covered in the Tenth Plan period.

**Reply of the Government**

2.19 During the year 2000-01, it was initially proposed to cover 74 districts under the NRPD scheme. However, in order to reach out to larger number of persons with disabilities, Rs. 55.52 crore has been provided during 2000-01 to the States/Union Territories to cover 82 districts. Further, it is proposed to cover all the districts of the country in a phased manner during the Tenth Plan period.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 19, Para No. 5.9)**

2.20 The Committee are happy to note that in pursuance of their earlier recommendation, the ban on recruitment of jobs affecting disabled has been removed by the Government and subsequently nearly 1500 posts in Government and Public Sector Undertakings suitable for persons with disabilities have been identified. The Committee express their satisfaction and desire that the Ministry should take up with the respective Departments/Public Sector Undertakings and request them to fill up these posts without further delay. The Committee also recommend that similar exercise should be made to identify posts for the disabled in the Private sectors so as to bring the persons with disability in the mainstream of the society.

**Reply of the Government**

2.21 (i) Ministry/Department-wise review of reservation in Government employment for persons with disabilities was done by a Group of Secretaries under the Chairpersonship of Secretary (SJ&E) in February-March, 2001. Based on the report of this Group, a comprehensive review was undertaken by the Committee of Secretaries under the Chairmanship of Cabinet Secretary. It was found that reservation position against identified posts as provided in the PWD Act, 1995 is satisfactory. The status of reservation for persons with disabilities in various Ministries/Departments of Government of India with reference to the identified posts in Group A, B, C and D is as following:

Group A	—	6.56%
Group B	—	5.43%
Group C	—	6.50%
Group D	—	6.39%

2.22 (ii) Report of the Committee of Experts on identification of jobs suitable for persons with disabilities in the private sector has been sent to Central Ministries and State Governments with request to give wide publicity to the contents of the report and to make all out efforts to see that persons with disabilities are engaged in the gainful occupations available in organizations including the tertiary sector. The report has also been circulated to Public Sector Undertakings and reputed NGOs for similar action.

2.23 (iii) A meeting of all Public Sector Undertakings was held on 15.11.2000 to follow up implementation of various provisions of the Act by these PSUs including reservation for persons with disabilities, providing barrier-free environment etc. A workshop for corporate sector was organized in collaboration with FICCI in March, 2001 for enlisting support of private sector in providing employment, skill-upgradation training and creation of barrier-free environment for persons with disabilities.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 20, Para No. 6.8)**

2.24 The Committee note that the Ministry could not utilize the entire fund under the integrated programme for street children during the last three years due to non-receipt of complete proposals in time, delay in submission of recommendations and inspection reports from the State Governments and non submission of proposals by the NGOs themselves. The Committee are happy to note in order to overcome the above problems the Ministry have established an umbrella organizations viz. Child Line India Foundation headed by Secretary, Ministry of Social Justice and Empowerment whose activities will be to coordinate between Ministry and NGOs and to provide 24 hrs. help line services on telephone in 22 cities for children in distress. The Committee, therefore, hope that with the help of Child Line India Foundation, the monitoring of the Ministry over the scheme would be effective hence recommend that coverage of cities by CLIF might be increased annually.

**Reply of the Government**

2.25 The Child Line Service is now available in 28 cities namely, Ahmedabd, Alwar, Baroda, Bhubaneswar, Bhopal, Chennai, Cochin, Coimbatore, Goa, Guwahati, Hyderabad, Indore, Jaipur, Kolkatta, Kutch, Lucknow, Managalore, Mumbai, Nagpur, New Delhi, Patna, Pune, Shillong, Tiruchirapalli, Thiruvananthapuram, Varanasi, Vijayawada, Vishakapatnam. It is proposed to cover 30 cities by the end of the year 2001.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 21, Para No. 7.8)**

2.26 The Committee note that the Planning Commission had allocated Rs. 8.15 crore for the scheme for Shelter Houses for Animals in distress during the year 1998-99, 1999-2000 and 2000-2001, whereas the actual expenditure over three years is 12.08 crore which is much higher than the approved outlay. The arguments given by the Ministry for excess expenditure than allocated is due to rush of applications received from NGOs for construction of Shelter Houses during the first half of 1998-99 is not acceptable to the Committee in view of the fact that out of 118 Shelter Houses sanctioned, only 20 have been completed so far. The Committee observe that the Ministry has released funds for the scheme on war footing but have failed to monitor the scheme effectively. The Committee, therefore, recommends that the Ministry should ensure that all the sanctioned Shelter Houses should be constructed within the prescribed time of fifteen months from the date of release of funds so that large number of animals roaming around are provided proper shelter and care.

**Reply of the Government**

2.27 The scheme for provision of Shelter Houses for looking after the animals was started as a pilot scheme during 1998-99. Later it was approved as a regular Central Sector scheme. Under the scheme NGOs are assisted to the extent of 90 per cent of the total cost of the construction of a shelter house with a ceiling of Rs. 25 lakh including 10 per cent contribution to be made by the NGO. The amount is released to NGOs in two equal instalments, *i.e.*, 45% each of the project cost with a maximum ceiling of Rs. 11.25 lakh.

2.28 The Ministry has so far sanctioned grant-in-aid for construction of 137 Shelter Houses out of which 2nd instalment to 77 organizations has already been released. Release of 2nd instalment is considered after fulfillment of the following conditions:

- (i) The grantee NGO is required to furnish Utilization Certificate duly certified by a Chartered Accountant, for the amount equal to/more than the 1st instalment plus 10% share of the NGO before applying for release of the next instalment;
- (ii) The grantee NGO is required to submit photographs of completed portion of shelter house under construction and audited statement of account;
- (iii) Inspection Report from Animal Welfare Board of India, nominated Inspecting Authorities/agencies/individuals about the progress of the construction work and animal welfare activities undertaken by the grantee NGO.

2.29 Out of 60 organizations from which completion report has become due, 36 organizations have submitted the completion report till now. Other organizations are being pursued to send the completion report.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 22, Para No. 8.7)**

2.30 The Committee note that out of 2201 NGOs assisted by the Ministry, 632 NGOs were inspected by the Ministry officials and other authorized agencies during 2000-2001. The major short-coming noticed include: (i) poor maintenance of records on the financial management of the project, (ii) presence of lesser number of beneficiaries than what was sanctioned for the project, (iii) teachers and trainers not possessing the required qualification, (iv) honorarium paid lower than the rate at which was granted by the Ministry, (v) infrastructural facilities inadequate, (vi) materials for education inadequate, (vii) forward linkages like placement opportunities absent, (viii) lack of community involvement and participation, (ix) inadequate networking with other Government, voluntary and private organizations. On the basis of inspection Report the Ministry has either suspended their grants or declared blacklisted if the deficiencies were of serious nature. During the last three years the Ministry has blacklisted 36 NGOs. From the increase in the number of such NGOs, the Committee conclude that there is no control and effective monitoring of the Ministry over the NGOs. The Committee, therefore, recommend that the Ministry should strengthen its monitoring over the NGOs and ensure that every NGO gets inspected by its own officials at least once in five years.

**Reply of the Government**

**(a) Strengthening and Monitoring over the NGOs**

2.31 An intensive inspection drive was initiated from the month June 2000 onwards. Officers of the Ministry and other designated persons were assigned the task of inspection of the NGO assisted by the Ministry throughout the country. As many as 860 organisations were inspected upto 31st March 2001. with this drive, it is expected that the Ministry's officers and persons from the designated panel of inspectors would have carried out at least a one-time inspection of each of the NGOs funded by the Ministry well within a period of five years.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

### CHAPTER III

#### RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE GOVERNMENT'S REPLY

##### **Recommendation (Sl. No. 3, Para No. 2.8)**

3.1 The Committee note that the Ministry had initially projected the requirement of Rs. 33,000 crore for the Ninth Five Year Plan which was reduced by the Planning Commission to Rs. 6608 crore. The arguments put forth by the Ministry for showing higher projection that higher quantum of interventions and the more coverage of beneficiaries which were subsequently scaled down, are not acceptable to the Committee. As per the information furnished to the Committee, the Ministry will be able to utilize during the current Five Year Plan a sum of Rs. 5294.59 crore as against the allocated amount of Rs. 6194 crore (excluding R. 414.13 crore transferred to Ministry of Tribal Affairs), thereby leaving a gap of Rs. 899.41 crore which clearly indicates lack of proper planning and commitment on the part of the Ministry to the cause of weaker and socially and economically deprived sections of the society. The Committee take a very serious view and desire that the Ministry should make realistic projection of their funds in the Tenth Five Year Plan.

##### **Reply of the Government**

3.2 The projections made by the Expert Groups constituted by the Planning Commission for each Five Year Plan are based on assessment of the developmental effort required for upliftment of the weaker sections. However, the outlay is approved by the Planning Commission on the basis of availability of resources keeping in view the competing claims of the various sectors.

3.3 The Planning Commission approved a total outlay of Rs. 6194 crore for the Ninth Five Year Plan while the actual budget allocation during the Ninth Plan works out to Rs. 6071.93 crore (inclusive of 2001-02). Out of Rs. 6071.93 crore, the Ministry utilized, or would be utilizing a total of Rs. 5227.3 crore (assumed expenditure of Rs. 1350 crore for 2001-02). Thus the net saving is Rs. 834.60 crore (Rs. 6071.93 crore —

Rs. 5237.33 crore) which works out to 13.75% of the total budget allocation. Year-wise details are given below:

(Figures in Rs. crore)

Year	B.E.	Expenditure	Saving
1997-98	1063.00	725.65	337.35
1998-99	1151.68	953.15	198.53
1999-2000	1157.25	1093.09	64.17
2000-01	1350.00	1115.44	234.56
2001-02	1350.00	1350.00 (assumed)	—
Total	6071.93	5237.33	834.60

3.4 Broadly, there were following reasons of saving under various schemes during the Ninth Five Year Plan:

1. As per the instructions of the Ministry of Finance, new schemes initiated during the beginning of the Ninth Five Year Plan were deferred for the next financial year.
2. As per the instructions of the Ministry of Finance, there was a compulsory cut/saving of 5% of the total expenditure under each scheme.
3. There was a total saving of Rs. 122.77 crore during 1997-98 as the amount earmarked in the budget could not be invested in National Scheduled Caste/Scheduled Tribe Finance & Development Corporation and the National Backward Classes Finance & Development Corporation as approval for raising the authorized share capital could not be obtained.
4. Due to non-availability of matching share capital by State Government Corporations, the provision of Rs. 41 crore made for National Minorities Development & Finance Corporation during 1997-98 could not be utilized.
5. Some schemes were not approved by the Planning Commission or were under revision.

6. Large amount of unspent balance with the Corporations/ under various schemes.
7. Due to non-receipt of adequate proposals from NGOs and non-receipt of recommendations of State Governments for release of grant to NGOs under various schemes.
8. Some schemes were dropped.

3.5 The advice of the Committee for making realistic projections of funds requirement in the 10th Five year Plan has been noticed.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 8, Para No. 3.19)**

3.6 The Committee note that the financial assistance to students who pursue their Post Matric courses is given at the rates which were fixed way back in 1995. Although the Government revised the income ceiling of the parents to be linked with consumer price index in 1998, but the Committee feel that the income ceiling of the parents is not realistic and they are not able to pursue the studies of their children. The Committee, therefore, recommend that the Government should simplify the procedure in such a way that there should be automatic revision of rate periodically. Also the amount of scholarship should be suitably revised and timely disbursed in two instalments, first in the beginning and the second in the middle of the year. The Committee further desire that the Ministry should approach the Planning Commission for increased allocation for the modified scheme.

**Reply of the Government**

3.7 The Ministry of Social Justice & Empowerment had proposed modifications in the existing scheme, which *inter-alia* included revision of maintenance allowance rates being linked to the Consumer Price of Index for Industrial Workers and to be revised once in five years coinciding with the Five Year Plan period, besides increase in the income ceilings. The proposal was sent to Planning Commission, on which they have expressed certain reservations in undertaking the revision during the 9th plan (1997-2002).

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]



**Recommendation (Sl. No. 11, Para No. 3.35)**

3.8 The Committee feel that instead of transferring the merging the scheme of Special Education Development Programme for SC girls belonging to very low literacy levels with Kasturba Gandhi Swatantrata Vidyalaya (K.G.S.V.) scheme under the Ministry of Human Resource Development, the Ministry of Social Justice & Empowerment should have made their concerted efforts to run the scheme themselves by extending it to Vth class and covering areas where literacy level is below 10% instead of 2%. The Committee hope that the modified scheme would certainly do well as the same scheme is being run smoothly and successfully for tribals under the Ministry of Tribal Affairs.

**Reply of the Government**

3.9 As per Government decision, formulation and implementation of the Kasturba Gandhi Swatantrata Vidyalaya (KGSV) scheme is being dealt by the Department of Education, Ministry of Human Resource Development. Ministry of Social Justice & Empowerment has requested Ministry of Human Resource Development for taking necessary action under the scheme for helping the SC girls and improving their literacy.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 13, Para No. 3.44)**

3.10 The Committee are perturbed to note that for the courses in the field of Master's Degree, Ph.D. and Post Doctoral Research Programmes under the scheme, higher studies abroad two different criteria namely, first class or 60% for SCs and second class or 50% for STs have been prescribed. The Ministry has not given any justification for lowered criteria for the STs. In the opinion of the Committee, there should be uniformity in the eligibility criteria for SCs and STs.

**Reply of the Government**

3.11 Eligibility of candidates for getting assistance under the scheme for attending courses in Master Degree, Ph.D and Post Doctoral Research Programmes first class or 60% for SCs and second class or 50% for STs have been prescribed. Relaxation of 10% marks was made in the case of STs as sufficient number of ST candidates were not applying for the Scholarship.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

## CHAPTER IV

### RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRES REITERATION

#### Recommendation (Sl. No. 5, Para 3.9)

4.1 The Committee note with distress that C&AG had pointed out certain irregularities in the scheme, namely "Special Central Assistance to Special Component Plan for Scheduled Castes", during 1995-96 regarding misappropriation/diversion of SCA funds by States. Although the Ministry have taken up the matter with the State Governments and also modified their scheme in 1998 to make the schemes more effective, but the Ministry has not been able to evolve a foolproof mechanism to check diversion of funds by States. The Committee, therefore, recommend that the Government should impress upon the State Governments to maintain a separate account of SCA funds released and keep a constant watch on the utilization of funds through periodical progress reports from implementing agencies.

#### Reply of the Government

4.2 All the States/UTs have been requested for adopting suitable budgetary mechanism for keeping the entire fund meant for Special Component Plan including Special Central Assistance in a budget head in similar pattern as done by Government of Maharashtra and Madhya Pradesh. Further, the State Governments/UT Admns. have been requested to formulate projects for utilization of SCA. The project reported should contain all details on creation of infrastructure out of SCA, provision of subsidy to beneficiary out of SCA as well as loan under schemes of NSFDC. Formulation and implementation of projects for utilization of SCA is being monitored regularly.

4.3 Utilization of SCA is being monitored on regular basis in State-wise meetings held in November-December, 2000 and May, 2001 as well as in conference of State Secretaries held in February, 2000 and May 2001. During discussions, officials of State Govts./UT Admns. were advised to utilize SCA as per guidelines.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Comments of the Committee**

(Please See para 1.7 of Chapter I of the Report)

**Recommendation (Sl. No. 6, Para No. 3.10)**

4.4 The Committee note that so far only 13 Central Ministries/ Departments have formulated and implemented the Special Component Plan for SCs in their Annual Budgets whereas 20 more Departments whose activities have a bearing on the development of Scheduled Castes have been reviewed by Standing Tripartite Committee set up by the Planning Commission and National Commission for SCs/STs. The Committee observe that although the Ministry have made their efforts in this direction but a very little progress has been made during the last two years as only one Ministry/Department has been added to its tally of 12 Ministries/Departments recommended by the Committee in its Report during 1999-2000. The Committee, therefore, recommend that all the remaining Departments/Ministries which have direct bearing on the developmental activities of SCs should formulate their Special Component Plan in their Annual Budgets without further delay. Progress achieved in this regard may be communicated to the Committee.

**Reply of the Government**

4.5 Formulation of Special Component Plan by Central Ministries, as per the guidelines issued by the Planning Commission was reviewed in detail in meetings taken by the Secretary, Ministry of Social Justice & Empowerment with 34 Ministries/Departments in July, 2001. During the discussion, the representatives of Ministries/Departments were advised to take necessary action on the following:

- (i) Provide at least 15% of the total fund under Special Component Plan for expenditure on schemes specific to welfare of SCs.
- (ii) Assist SC families adequately for bridging the existing gap between SCs and general.
- (iii) Explore the possibilities of assisting SC families in providing service and allied activities, as may be required by the Ministry and PSEs.

- (iv) Identify and provide training for skill development/ upgradation of skill as per requirement of market.
- (v) Compile detailed information on number of SC families benefited under various schemes.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-Cdn. dated 14.9.2001]

#### Comments of the Committee

(Please See para 1.10 of Chapter I of the Report.)

#### Recommendation (Sl. No. 9, Para No. 3.26)

4.6 The Committee note with utter dismay that despite their earlier recommendation in 1999-2000, the Ministry has not been able to furnish the Committee so far the State-wise list of hostels actually constructed after availing Central assistance. Although the guidelines issued by the Ministry clearly stipulates that at the time of release of funds, the State Governments shall give a time frame of likely period of their completion which is not later than five years but the Ministry after releasing the funds has not bothered to verify whether the hostels have actually been constructed or not. In the opinion of the Committee, the Ministry is doing only the post office job by simply sanctioning the releasing funds to the States. The Committee, therefore, recommend that the Ministry should ascertain and inform the Committee the number of hostels for SC boys and girls actually constructed State-wise against the funds released during the last five years as also the hostels which could not be completed within the prescribed period of five years.

#### Reply of the Government

4.7 As per guidelines under the Scheme "Construction of Hostels for Scheduled Caste Boys and Girls" Central Assistance is sanctioned to State Government, Universities and Non-Government Organisations. Clause 3(d) of the scheme requires the institutions getting the grant to complete the construction within a timeframe not later than 5 years. Number of hostels sanctioned to State Governments in the last five years (1996-97 to 2000-2001) under the scheme is as follows:

Year	Amount released (Rs. in crore)	No. of Hostels sanctioned
1996-1997	15.88	127
1997-1998	15.05	105
1998-1999	18.94	132
1999-2000	20.32	226
2000-2001	25.00	55

4.8 The State Governments/UTs have been asked to take necessary action for completing construction of hostels sanctioned so far and send details of physical progress in this regard. Information received from 4 States is given below:

Sl. No.	State	No. of hostels sanctioned	No. of hostels completed	No. of hostels under construction
1.	Karnataka	311	203	108
2.	Rajasthan	113	58	55
3.	Uttar Pradesh	61	35	26
4.	West Bengal	23	6	17

4.9 Other States/UTs have been requested for sending relevant information on the hostels completed and progress of construction of hostels under construction. This matter is being looked into while releasing further grant-in-aid to the States/UTs under the scheme.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-Cdn. dated 14.9.2001]

#### Comments of the Committee

(Please See para 1.5 of Chapter I of the Report.)

#### Recommendation (Sl. No. 16, Para 4.15)

4.10 The Committee are constrained to note that as against Rs. 400 crore allocated for the scheme by the Planning Commission for the Ninth Five Year Plan, the Ministry has utilized only Rs. 191.50 crore upto 28 February, 2001. As per the guidelines, State Channelising Agencies should utilize the released funds within three months of its release from NBCFDC. The reasons for funds remaining unspent for a long period have stated mainly—(i) inadequate infrastructure at grass-root level; (ii) States not providing their matching share; (iii) reluctance of the competent authority to issue income and caste certificates; and (iv) frequent transfer of Managing Directors of the State Channelising Agencies. The Committee desire that the Ministry should make all out efforts to remove the aforesaid shortcomings on priority so that the benefits of the scheme might percolate to the poor sections of OBCs living below the poverty line.

### Reply of the Government

4.11 Out of the provision of Rs. 400 crore for the Ninth Five Year Plan, Rs. 191.50 crore was released up to February, 2001 towards the share capital of NBCFDC. With Rs. 198.50 crore released earlier total paid up share capital of NBCFDC is Rs. 390.40 crore and as the Corporation has over Rs. 100 crore as unutilized funds, non-release of more funds did not adversely affect the activities of NBCFDC as it has sufficient funds at its disposal.

4.12 As per the directions of the Committee, the States/Union Territories as well as NBCFDC have been asked to make all out efforts to remove shortcomings on priority so that the benefits of the scheme might percolate to the poor sections of OBCs living below the poverty line. The Corporation disbursed Rs. 87.01 crore during 2000-01 as compared to Rs. 75.28 crore during 1999-2000. More funds will be released to the Corporation after utilization of the funds available with it.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

### Comments of the Committee

(Please See para 1.9 of Chapter I of the Report.)

**CHAPTER V**  
**RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF**  
**WHICH FINAL REPLIES OF THE GOVERNMENT**  
**HAVE NOT BEEN RECEIVED**

**Recommendation (Sl. No. 7, Para No. 3.18)**

5.1 The Committee note that the scheme of Post Matric Scholarship introduced in 1944 has grown up to become the largest scholarship scheme operated by the Government and the coverage is estimated to 15.2 lakhs students upto 2000-01. The Committee have been informed that the scheme is implemented by the State Governments who receive 100% Central assistance over and above their committed liability. The Committee feel that many of the State Governments are not able to meet their committed liability. The Committee, therefore, recommend that in order to cover more and more students under the scheme, the Central Government may share 50% of the committed liability of the State Governments also and hence approach the Planning Commission for increasing its allocation for the scheme in the Tenth Five Year Plan.

**Reply of the Government**

5.2 The Ministry of Social Justice & Empowerment had proposed modifications in the existing scheme including dispensation of the concept of committed liability of the State Government and sharing of total expenditure between the States and the Centre on 50:50 basis. The proposal was sent to the Planning Commission, on which the Planning Commission has expressed certain reservations with regard to the proposed amendments during the 9th Plan (1997-2002). The matter is being followed up.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 10, Para No. 3.27)**

5.3 The Committee note that under the scheme for hostels for SC boys and girls, financial assistance is provided to State Governments. On 50:50 matching basis (100% to U.Ts). The Committee have been informed that the State Governments have expressed their difficulties in meeting 50% of their matching share on account of difficult financial position of the States. The Committee feel that the Government should evolve such mechanism which may not only lessen the burden of the States but also encourage them to take initiatives in construction of more and more hostels for SC boys and girls.

### Reply of the Government

5.4 This Ministry has initiated action for revision of the scheme covering relevant points as increase in share of Central Government, which would lessen the State burden of providing State share and ensure construction of more hostels for SC boys and girls. Provision of funds for the purchase of furniture, utensils and other such items is also proposed to be included which would enable the running of the hostels as soon as they are constructed. The proposal is under process.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

### Recommendation (Sl. No. 14, Para No. 4.6)

5.5 The Committee note that one of the hurdles in commercial utilization of Wakf Properties is that such properties come under the purview of State Rent Control Act. The Committee have been apprised that 13 States/UT Governments have exempted the Wakf properties from the purview of their respective State Rent Control Act as a result of which commercial utilization of Wakf properties have increased. The Committee, therefore, recommend that Ministry should take up the matter with the remaining States/UTs and persuade them to exempt Wakf properties from the purview of their Rent Control Act so that income of Wakf Boards is increased considerably.

### Reply of the Government

5.6 The management of Wakf properties was discussed in the meeting of State Secretaries-in-charge of Minorities' Welfare, Collectors of 41 Minority Concentration Districts and the Chief Executive Officers of the State Wakf Boards held on 27th February, 2001. The States/UTs were requested to exempt Wakf properties from the purview of the State Rent Control Acts with a view to increase incomes from Wakf properties. Subsequently, the matter was taken up with the Chief Secretaries of States/UTs. The issue was also discussed in the meeting of the State Secretaries-in-charge of Social Welfare held on May 24-25, 2001. The recommendation of the Standing Committee has been taken up with the State Governments/Union Territory Administrations.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]



**Recommendation (Sl. No. 15, Para No. 4.7)**

5.7 The Committee are surprised to note that there are more than 1500 Wakf properties from different States which are reported to have been either should illegally or encroached upon by the unauthorized persons. Despite the fact that the Wakf Act, 1995 was passed by the Parliament, no sincere efforts have been made by the State Governments/UTs to restore the possession of such properties from illegal occupants. According to the Ministry, the main problem being faced by them for eviction of the said properties is non-applicability of Public premises Act on Wakf properties. The Ministry have suggested that for eviction and restoration of Wakf properties from the illegal occupants, only remedy is that the State Wakf Boards should amend their law to provide for intervention of the district Administration in effecting the eviction. The Committee therefore, concur with the views of the Ministry and desire that the Ministry should pursue the matter with the States/UTs and State Wakf Boards.

**Reply of the Government**

5.8 The management of Wakf properties including removal of encroachments was discussed in the meeting of State Secretaries-in-charge of Minorities' Welfare, Collectors of 41 Minority Concentration Districts and the Chief Executive Officers of the State Wakf Boards held on 27th February, 2001. The States/UTs were requested to include Wakf properties as public premises under the Public Premises Act as done in Karnataka with a view to facilitate removal of encroachments. Subsequently, the matter was taken up with the Chief Secretaries of States/UTs. The issue was also discussed in the meeting of the State Secretaries-in-charge of Social Welfare held on May 24-25, 2001. As per the recommendation of the Standing Committee the matter has been taken up with the State Governments/Union Territory Administrations.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

**Recommendation (Sl. No. 23, Para No. 8.8)**

5.9 The Committee note with concern that despite their recommendation made in IVth Report (Thirteenth Lok Sabha) on Demands for Grants for the year 2000-2001 to recover the grants from fake NGOs, out of Rs. 1.44 crore the Ministry could recover only Rs. 1,32,206/- i.e. less than 1% from the defaulting NGOs during the last year. The Committee are dissatisfied with the slow pace of recovery and recommend that the matter should be seriously taken up with the State Governments to initiate stringent legal action against the defaulters and recover the outstanding amount without further delay. The steps taken and progress achieved may be communicated to the Committee.

### Reply of the Government

5.10 With a view to enable the Ministry to impose stringent action on defaulting NGOs, a revision has been done to standardize the condition of sanction and the contents of surety bond. The revision especially that of the surety bond has been carried out to enable the Ministry to effect recovery from both the President and Secretary of the NGO as individuals and as signatories to the bond of agreement in the event of defalcation of funds released by the Ministry to the NGO. The procedure for attachment of assets of the signatories of the bond and recovery of monies after liquidation of the assets by way of arrears of land revenue (A.L.R.) has also been made explicit in the revised bond. The bond has been approved and finalized by the Ministry and is currently under vetting by the Department of Legal Affairs, Ministry of Law.

5.11 The Ministry on its part has also issued reminders to all the concerned State Governments and District Authorities to expedite the process of recovery of grants from the defaulting NGOs.

[Ministry of Social Justice & Empowerment O.M. No. 38/2/2001-  
Cdn. dated 14.9.2001]

NEW DELHI;  
12 December, 2001  
21 Agrahayana, 1923 (Saka)

DR. SUSHIL KUMAR INDORA,  
Chairman,  
Standing Committee on  
Labour and Welfare.

2.10 With a view to enable the Ministry to impose stringent action on delinquents, a revision has been done to standardize the condition of security and the contents of security bond. The revision

APPENDIX

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS/OBSERVATIONS CONTAINED IN THE TWELFTH REPORT OF THE STANDING COMMITTEE ON LABOUR AND WELFARE (THIRTEENTH LOK SABHA)

	Total	Percentage
I. Total number of Recommendations	23	
II. Recommendations/observations which have been accepted by the Government: (Nos. 1, 2, 4, 12, 17, 18, 19, 20, 21 and 22)	10	43.5
III. Recommendations/observations which the Committee do not desire to pursue in view of Government's replies:— (Nos. 3, 8, 11 and 13)	4	17.4
IV. Recommendations/observations in respect of which Government's replies have not been accepted by the Committee:— (Nos. 5, 6, 9 and 16)	4	17.4
V. Recommendations/observations in respect of which final replies of Government are still awaited: (Nos. 7, 10, 14, 15 and 23)	5	21.7

O.M. No. 33/2/2001-  
Cdn. dated 14.9.2001

ANNEXURE

MINUTES OF THE THIRTEENTH SITTING OF THE  
STANDING COMMITTEE ON LABOUR AND WELFARE  
HELD ON 12 DECEMBER, 2001

The Committee met from 10.00 hrs. to 11.00 hrs. in Committee Room '139', Parliament House Annexe, New Delhi.

PRESENT

Dr. Sushil Kumar Indora — *Chairman*

MEMBERS

*Lok Sabha*

2. Smt. Sandhya Bauri
3. Shri Manjibhai Ramjibhai Chaudhuri
4. Shri Krishan Lal Diler
5. Shri C. Kuppusami
6. Shri Parsuram Majhi
7. Shri Rupchand Murmu
8. Shri R.S. Patil
9. Shri Madhab Rajbangshi
10. Shri Charanjit Singh
11. Shri Khelsai Singh
12. Dr. Ram Lakhan Singh

*Rajya Sabha*

13. Shri B.P. Apte
14. Shri Indramoni Bora
15. Dr. (Mrs.) P. Selvie Das
16. Shri Mirza Abdul Rashid
17. Shri Ka.Ra Subbian
18. Ms. Frida Topno

SECRETARIAT

1. Shri J.P. Sharma — *Deputy Secretary*

2. At the outset, the Chairman welcomed the Members and apprise them that there were four Draft Reports before the Committee for consideration and adoption, namely, draft report on 'The Participation of Workers in Management Bill, 1990' and three Action Taken Reports relating to Demands for Grants 2001-02 of the Ministries of (i) Labour; (ii) Social Justice and Empowerment; and (iii) Tribal Affairs. He further stated that 'The Participation of Workers in Management Bill, 1990' was introduced in Rajya Sabha on 30 May, 1990 and was referred to the Committee for examination and report on 12.7.1994. The predecessor Committees could not give their Report for such a long time as the Ministry of Labour was engaged in holding deliberations with the Trade Unions and Employers Group and hence could not project clear stand of the Government before the Committee. The Members may be proud that with the cooperation of Ministry of Labour, the present Committee have finalised the report in the light of the suggestions given by Central Trade Unions and Employers Group which were also acceptable to the Ministry of Labour.

3.           \*\*   \*\*   \*\*  
 4.           \*\*   \*\*   \*\*

5. Thereafter, the Committee considered the draft Seventeenth Report on Action Taken by the Government on the Recommendations/Observations contained in the Twelfth Report on Ministry of Social Justice and Empowerment—Demands for Grants-2001-2002 and adopted the same with slight modification at page 12 para 1.15 line 9, for "have been completed" the words "have actually been completed" may be substituted.

6.           \*\*   \*\*   \*\*

7. The Committee authorized the Chairman to finalise the Report in the light of above modifications/amendments and present the same to Parliament.

*The Committee then adjourned.*