

8

**STANDING COMMITTEE ON
LABOUR AND WELFARE**

(1998-99)

TWELFTH LOK SABHA

**MINISTRY OF SOCIAL JUSTICE
AND EMPOWERMENT**

*[Action taken by the Government on the Recommendations/Observations
contained in the Fifth Report of the Standing Committee on
Labour and Welfare on the Ministry of Social Justice and
Empowerment —Demands for Grants (1998-99)]*

EIGHTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

3657 R

8; 2

March, 1999/Phalgun, 1920 (Saka)

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LABOUR AND WELFARE
(1998-99)

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AND EMPOWERMENT

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contained in the Fifth Report of the Standing Committee on Labour
and Welfare on Demands for Grants—1998-99 on the Ministry of
Social Justice & Empowerment]*

Presented to Lok Sabha on 18 MAR 1999
Laid in Rajya Sabha on 18 MAR 1999



LOK SABHA SECRETARIAT
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CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE	(iii)
INTRODUCTION	(v)
CHAPTER I Report	1
CHAPTER II Recommendations/Observations which have been accepted by the Government.....	4
CHAPTER III Recommendations/Observations which the Committee do not desire to pursue in view of the Government's reply	11
CHAPTER IV Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and which require reiteration	13
CHAPTER V Recommendations/Observations in respect of which final replies of Government have not been received	15
ANNXURE Minutes of the Sitting of the Committee on Labour and Welfare held on 11 March, 1999	23
APPENDIX Analysis of the Action Taken by Government on the Recommendations contained in the Fifth Report (Twelfth Lok Sabha)	24

COMPOSITION OF THE STANDING COMMITTEE
ON LABOUR AND WELFARE
(1998-99)

Shri Harin Pathak — *Chairman*

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3. Smt. Sandhya Bauri
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SECRETARIAT

1. Shri Joginder Singh — *Joint Secretary*
2. Shri J.P. Sharma — *Deputy Secretary*
3. Shri R.S. Misra — *Under Secretary*
4. 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 Eighth Report on the Action Taken by the Government on the recommendations contained in the Fifth Report of the Standing Committee on Labour and Welfare (Twelfth Lok Sabha) on the Ministry of Social Justice and Empowerment—Demands for Grants 1998-99.

2. The Fifth Report was presented to Lok Sabha on 7 July 1999. The Ministry of Social Justice and Empowerment furnished their replies indicating action taken on the recommendations contained in that Report on 4 February 1999. The Report was considered and adopted by the Standing Committee on Labour and Welfare at their sitting held on 11 March, 1999.

3. The Report has been divided into 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 replies of the Government have not been accepted by the Committee and which require reiteration.
- 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/observations contained in the Fifth Report of the Standing Committee on Labour and Welfare (Twelfth Lok Sabha) is given in Appendix.

NEW DELHI;
12 March, 1999
8 Phalgun, 1920 (Saka)

HARIN PATHAK,
Chairman,
Standing Committee on Labour and Welfare.

CHAPTER I

REPORT

This Report of the Committee deals with the Action Taken by the Government on the recommendations contained in the Fifth Report (Twelfth Lok Sabha) of the Committee on Labour and Welfare on the Ministry of Social Justice and Empowerment—Demands for Grants, 1998-99.

1.2 The Fifth Report was presented to Lok Sabha on 7 July, 1998. It contained 20 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, 3, 5, 8, 9, 10, 16 and 19.

(Total 9 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. No. 7 and 15.

(Total 2 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. 4 and 18.

(Total 2 included in Chapter IV of the Report)

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

Sl. Nos. 6, 11, 12, 13, 14, 17 and 20.

(Total 7 included in Chapter V of the Report)

1.3 The Committee desire that final replies in respect of the recommendations 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 *marit* comments.

A. Welfare of Persons with Disabilities—National Programme for Rehabilitation of Persons with Disabilities Scheme

1.5 Having been informed by the Ministry of Social Justice and Empowerment that in the absence of National Programme for Rehabilitation of Persons with Disabilities Scheme, it would not be possible for them to benefit the disabled and also considering the merits of the scheme, the Committee had recommended that the Ministry should make all efforts for early clearance of the scheme from the Planning Commission to enable them to utilise the funds earmarked under the scheme.

1.6 In their action taken reply, the Ministry of Social Justice and Empowerment has stated that as advised by Planning Commission, the draft scheme of National Programme for Rehabilitation of Persons with Disabilities has been revised and sent for approval of full Planning Commission. However, there are a number of schemes already being implemented which are directly benefitting the disabled persons at present.

1.7 The Committee are not satisfied with the reply of the Ministry. On one hand the Ministry has admitted that in the absence of a National Programme for Rehabilitation of Persons with Disabilities Scheme they are unable to benefit the disabled while on the other they are expressing satisfaction over the ongoing schemes which are directly benefitting the disabled. In the opinion of the Committee, the Government has not taken the National Programme for Rehabilitation of Persons with Disabilities Scheme in its right perspective. While reiterating their earlier recommendation, the Committee urge the Ministry to pursue the matter vigorously with the Planning Commission for the early approval of the Scheme.

B. Special Ambedkar Centenary Celebrations Programme—Establishment of Dr. Ambedkar Foundation

1.8 Having been informed by the Ministry of Social Justice and Empowerment that though Rs. 7.12 crore had been paid by them to the Government of National Capital Territory of Delhi in the month of March, 1997 for acquiring land at 26 Alipur Road for establishment of Dr. Ambedkar Foundation, they were unable to take physical possession of land. The Committee had, therefore, desired that their sentiments should be conveyed to the Chief Minister of Delhi and efforts should be made by the Ministry to get possession of the land without further loss of time.

1.9 In their action taken reply the Ministry of Social Justice and Empowerment has stated that efforts are being made by the Ministry in taking physical possession of the land and property situated at 26, Alipur Road, Delhi. An amount of Rs. 7.12 crores have already been released to the Government of NCT of Delhi. The owner of property situated at 26, Alipur Road, has agreed to accept alternative site if allotted in lieu of their original property. The Government of NCT of Delhi is processing this matter vigorously with the Ministry of Urban Affairs and Employment, Govt. of India for locating an alternative site which could be offered to the owner of 26 Alipur Road, Delhi. Ministry of Social Justice & Empowerment has also taken up the matter at the Ministerial level for expediting the matter.

1.10 The Committee are not satisfied on the situation that the Ministry has not been able to take possession of land at 26, Alipur Road, Delhi despite the fact that the amount of Rs. 7.12 crores had already been released to the Government of NCT of Delhi in March, 1997. While reiterating their earlier recommendation, the Committee strongly urge the Ministry to pursue the matter with Government of National Capital Territory of Delhi to resolve the issue and acquire the land for the establishment of Dr. Ambedkar Foundation at the earliest.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 1, Para 1.15)

2.1 The Committee are not satisfied with the performance of the Ministry in so far as its overall expenditure during the Eighth Plan is concerned. The Ministry has not been able to fully utilise its plan allocations in Disability and Social Defence Divisions during the plan period. The Committee further note that during financial year 1997-98 out of Rs. 1840.20 crores allocated at Budget estimated stage, the Ministry has been able to utilise only Rs. 1247.94 crores. The reason put forth by the Ministry that the Budget was reduced to Rs. 1255.00 crores at the Revised Estimate stage clearly indicated the level of planning the Ministry is having over its Budget formulations. The Committee, therefore, recommend that the Ministry should strengthen its planning and enhance budget allocations substantially. Strong efforts should be made to ensure that the funds allocated for schemes at the Budget Estimates stage are not slashed down subsequently at the Revised Estimate stage. For this, the matter should be taken up with Planning Commission, Department of Economic Affairs and Expenditure Finance Committee in advance.

Reply of Government

2.2 The reduction in allocation of funds during the financial year 1997-98 was made by the Finance Ministry and the Planning Commission due to general budgetary constraints and not due to inadequate planning on the part of the Ministry. Efforts are however being made to minimize the impact of such budgetary constraints on the provisions made for the Ministry.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-
Cdn. dated 4.2.99]

Recommendation (Sl. No. 2, Para 1.16)

2.3 The Committee further desire that the Ministry should improve its monitoring mechanism and coordination with State Governments

so that the funds allocated in the Budget Estimate for the year 1998-99 are utilised fully and ensure that the new schemes become functional in the current financial year.

Reply of the Government

2.4 With a view to improving the monitoring of the projects and ensuring better utilisation of funds new provisions have been made in the schemes which will enable the Ministry to adopt new monitoring mechanisms and reduce complete dependence upon the State Governments. It is expected that these changes will facilitate better utilisation of funds henceforth.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 3, Para 2.7)

2.5 The Committee are concerned to note that the Government has not been able to utilise the funds fully earmarked under the Scheme for the Welfare of Persons with Disabilities during the year 1997-98. The reasons for under-utilisation put forth by the Ministry that due to non-receipt of recommendations from State Governments/Union Territories, non-approval of schemes during the year and non-receipt of adequate proposals from NGOs are not satisfying to the Committee. In the opinion of the Committee, the Ministry lacks proper coordination with State Governments and the monitoring over the schemes has not been upto the mark. The Committee, therefore, recommend that the Ministry should thoroughly monitor the schemes and the matter should be taken up with State Governments and NGOs for timely submission of their proposals for release of funds.

Reply of the Government

2.6 An amount of Rs. 125.37 crores which was BE for 1997-98 for all the schemes of Disability Division was reduced to Rs. 78.31 crores as RE for 1997-98 and this amount was utilised. Necessary steps have been taken during the current financial year to ensure that the budget allocation is fully utilised. Efforts are being made to have a closer coordination with the State Governments and for close monitoring of the release of funds in the Ministry. Moreover, a large number of new

NGO proposals are being sanctioned during the current financial year, besides release of grants in the continuing cases, which would facilitate full utilisation of the funds. Due to various steps taken including closer monitoring, the progress of expenditure during the current financial year has improved considerably. In fact the expenditure on NGO schemes during the current financial year is about 3 times as compared to the expenditure during the corresponding period of last year. In view of this, there should be no difficulty in fully utilising the budget allocation for the year 1998-99.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 5, Para 2.9)

2.7 The Committee note that the National Trust for Welfare of Persons with Mental Retardation and Cerebral Palsy Bill, 1995 was introduced in the Lok Sabha on 6th February, 1995 but could not be taken up for discussion. The Ministry has informed the Committee that the Bill has been redrafted keeping in view the suggestions made by the parents' organisations and NGOs working in the field of Mental Retardation and Cerebral Palsy and is under consideration of the Law Ministry. In the opinion of the Committee it is not a happy situation that the Ministry has taken more than three years' time for consideration of the suggestions made by the parents' organisations and NGOs. The Committee, therefore, strongly recommend that the Ministry should make efforts for obtaining Cabinet approval on the Bill without further loss of time and ensure that the Bill is introduced in Parliament during the current Budget Session.

Reply of the Government

2.8 The Ministry has since finalised the Cabinet Note on setting up the National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability. The draft Cabinet Note was circulated to various Ministries/Departments. Comments have been received from almost all the major Ministries/Departments. Their comments have been incorporated in the Cabinet Note. The Cabinet Note has been sent to the Cabinet Secretariat as per procedure for

seeking the approval of the Cabinet for setting up the National Trust. The Bill will be introduced in the Parliament after approval by the Cabinet.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdb.
dated 4.2.99]

Recommendation (Sl. No. 8, Para 2.24)

2.9 The Committee are concerned to note that the arrears of loan amount to be realised from the beneficiaries have risen to Rs. 26.85 crore. In the opinion of the Committee the Corporation does not have an efficient recovery machinery and the Ministry's monitoring in this regard has not been up to the mark. The Committee, therefore, urge the Ministry to strengthen the recovery machinery of the Corporation and ensure that the money is released through State Channelising Agencies at the earliest.

Reply of the Government

2.10 The thrust on recovery of loans from SCAs is continuing and Notices are being issued to the defaulting States for expediting the recovery. The Corporation is setting-up three Regional Offices at Chennai, Calcutta and Mumbai to strengthen its monitoring and recovery mechanism at SCA Level. The Corporation is also getting evaluation of schemes in States through Canara Bank/accredited NGOs, besides advising SCAs to strengthen their recovery mechanism, reviewing recoveries on monthly basis and to take remedial steps for improving the recoveries.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 9, Para 2.25)

2.11 The Committee note that the Karnataka Backward Classes Development Corporation had launched the scheme with the help of NBCFDC to raise the socio-economic conditions of Backward Classes with the help of dairy development, which apart from giving additional income also meets the milk needs of a family. The Committee, therefore, urge the Government to encourage small and landless farmers belonging to backward classes through State Governments to come

forward with income generating proposals and assist them at the grass root level by sanctioning sufficient loans from the Corporation.

Reply of the Government

2.12 The Ministry fully agrees with the recommendations of the Committee and has directed the Corporation to extend such facilities/schemes to small and landless farmers to assist them with income generating proposals through State Governments/SCAs. It may be mentioned that about 42% of the total disbursements made by the Corporation, has been given for Agriculture and Allied sector, which activities are completely rural based.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 10, Para 2.33)

2.13 The Committee note that the National Commission for Backward Classes was constituted on 14th August, 1993 in compliance with the judgement of Supreme Court, yet the Government has been able to notify the list of OBCs only in 21 States and 5 Union Territories on the recommendation of the Commission so far. Justifying the slow progress made by the Commission, the Ministry has informed the Committee that the work relating to identification of OBCs in the country is a continuous process, which in the opinion of the Committee does not augur well. In their opinion though the Supreme Court has not indicated any time limit for the completion of identification, the Government should plan for identification of OBCs on a time bound manner. The Committee, therefore, strongly recommend that the Ministry should take up the issue with the National Commission for Backward Classes and ensure that the identification work is completed at the earliest to enable the Ministry to plan properly for the welfare of OBCs during the Ninth Plan period.

Reply of the Government

2.14 The Government have issued Central Lists of Other Backward Classes in respect of 21 States and 5 Union Territories. Mizoram, Nagaland, Arunachal Pradesh and Lakshadweep are the tribal dominant States/UTs, therefore, they have not issued any State Backward Classes

List. In the absence of the State Backward List, Central List of Backward Classes for these States could not be issued. Meghalaya and Andaman & Nicobar Islands are having under consideration their respective State Backward Classes List. After this the Central List for Backward Classes in respect of these States will be issued. The second National Commission for Backward Classes (NCBC), constituted on 28.02.1997, for a period of three years has so far identified certain caste/communities as OBCs for which the approval of the Cabinet is being solicited. The Commission is expected to complete its task within the prescribed tenure.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 16, Para No. 2.58)

2.15 In order to extend the coverage of the Corporation, the Committee desire that the Ministry should include some other areas like irrigation to poor, marginal and small farmers having two or three acres of land in consultation with NSFDC so that the benefits of the scheme reach the grassroot level. Also the Corporation should not insist on additional security like fixed deposit etc. to be furnished while granting loan to educated unemployed boys or girls belonging to SCs and STs apart from hypothecation of goods to be purchased, particularly in the field of transport.

Reply of the Government

2.16 (i) Each year NSFDC allocates substantial share of its total budget for Farming Sector including assistance for irrigation facilities. Several schemes to provide irrigation facilities have already been sanctioned by NSFDC. For the current financial year (1998-99) out of total budget of Rs. 150.00 crores, NSFDC has earmarked 50% of the budget amount i.e. Rs. 75 crores for farming sector which includes irrigation schemes.

(ii) As regards not insisting on additional security from the beneficiaries it is clarified that decision in this context is taken by the concerned State/U.T. level State Channelising Agencies who disburse the loans to the beneficiaries.

Recommendation (Sl. No. 19, Para 2.72)

2.17 The Committee note that though an amount of Rs. 12.50 crore was allocated for the scheme for assistance to voluntary organisations for programmes relating to welfare of the aged at the Budget Estimate stage during the year 1997-98, the Ministry has been able to utilise only Rs. 6.00 crore. The reason put forth by the Ministry for under utilisation of the fund earmarked at the Budget Estimate stage was slashed down to Rs. 8.80 crore and Rs. 2.50 crore was re-appropriated to the scheme for Prevention and Control of Juvenile Social Maladjustment is not satisfactory. In their opinion, the Ministry lacks proper coordination and monitoring. The Committee, therefore, recommend that the Government should give special attention towards the welfare of the aged persons and ensure that the funds allocated for the scheme during the year 1998-99 is fully utilised.

Reply of the Government

2.18 In keeping with the recommendation of the Committee steps have been taken by the Government to give special attention to the welfare of the aged. A National Policy for Older Persons has been accordingly formulated which will provide a framework for inter-sectoral collaboration in the field of ageing involving Government of India, State Governments, Panchayati Raj Institutions and Non-Governmental Organisations. A revision of the existing scheme of the Ministry is also being undertaken which will amongst others streamline and improve fund allocation and improve the monitoring mechanism.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

CHAPTER III

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

Recommendation (Sl. No. 7, Para 2.23)

3.1 The Committee further note that the Ministry has proposed to cover 45,000 beneficiaries by the Corporation and an amount of Rs. 90 crore has been allocated in the Budget Estimates for the purpose. In the opinion of the Committee, the amount to be sanctioned as loan per beneficiary comes out to Rs. 20,000 which is too small for running a project. The Committee, therefore, urge the Ministry to increase the allocation at the Revised Estimates stage so that a beneficiary is sanctioned a sufficient amount of loan to run the project.

Reply of the Government

3.2 Based on past record, a notional target of 45,000 beneficiaries was fixed @Rs. 20,000 per beneficiary. Assistance to each beneficiary depends upon the demands for various projects which may differ from scheme to scheme. During the current financial year 1998-99, the Corporation has so far disbursed Rs. 30.63 crores for assisting 9117 beneficiaries. The amount of assistance per beneficiary, thus, works out to Rs. 33,597, which is higher than the estimated amount of Rs. 20,000 per beneficiary.

The Corporation would be meeting its fund requirement through allocations to be provided by the Ministry as well as funds generated through recoveries, interests and internal accruals and thereby raising its capacity for sanction and disbursement of funds.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 15, Para 2.57)

3.3 The Committee is concerned to note that though Rs. 96 crores was allocated to NSFDC during the year 1997-98 and amount of

Rs. 20.23 crores only could be utilised. This happened because the authorised share capital of the Corporation has not been raised beyond Rs. 300 crores and as such Rs. 75.77 crores had to be surrendered. This clearly indicates the level of planning, the Ministry is having over the scheme. The Committee, therefore, recommend that the Ministry should take up the issue with the Ministry of Finance and Department of Public Enterprises for raising the authorised share capital of the Corporation so that the funds earmarked for the Corporation for the financial year 1998-99 is utilised fully.

Reply of the Government

3.4 The authorised share capital of the Corporation has since been raised from Rs. 300 crores to Rs. 1000 crores. However, release of funds to SCAs from NSFDC was not help up any point of time due to non-release of remaining amount by the Ministry. Out of the budget provision of Rs. 81 crores for the first installment of equity capital funds to the Corporation and the rest of the amount will be released only when the Bank balance of the Corporation comes down below Rs. 50 crores.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

CHAPTER IV

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

Recommendation (Sl. No. 4, Para 2.8)

4.1 The Committee note that though the Government is committed to the Welfare of disabled who constitute 1.9% of the total population of the country, the Ministry has not been able to get clearance of their proposal relating to National Programme for Rehabilitation of Persons with Disabilities Scheme from the Planning Commission. The Committee have been informed by the Ministry that in the absence of National Programme for Rehabilitation of Persons with Disabilities Scheme, it will not be possible for them to benefit the disabled. The Committee, therefore, recommend that the Ministry should make all efforts for early clearance of the scheme from the Planning Commission to enable them to utilise the funds earmarked under the scheme during the year 1998-99.

Reply of the Government

4.2 As advised by Planning Commission, the draft scheme of National Programme for Rehabilitation of Persons with Disabilities has been revised and sent for approval of full Planning Commission. However, there are a number of schemes already being implemented which are directly benefitting the disabled persons at present.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Comments of the Committee

Please See Para 1.7 of Chapter I of the Report.

Recommendation (Sl. No. 18, Para 2.67)

4.3 The Committee note with concern that though Rs. 7.12 crores has been paid by the Ministry to the Government of National Capital Territory of Delhi for the land at 26, Alipur Road, for the construction of Dr. Ambedkar Foundation on 26.3.1997, the possession of land has not been handed over to the Foundation due to litigation pending in the Delhi High Court against acquisition of the property. The Ministry has informed the Committee that the matter has been taken up by Chief Minister of Delhi himself and the owner of the land has agreed to vacate the possession if he is provided with alternate site. The second meeting is scheduled to be held on 21.7.98. The Committee, therefore, desire that their sentiments should be conveyed to the Chief Minister of Delhi and the Ministry should make efforts in consultation with the Government of the National Capital Territory of Delhi to get possession of the land without further loss of time. Steps taken and progress achieved in this regard should be communicated to the Committee within three months.

Reply of the Government

4.4 Efforts are being made by the Ministry in taking physical possession of the land and property situated at 26, Alipur Road, Delhi. An amount of Rs. 7.12 crores have already been released to the Government of NCT of Delhi. The owner of property situated at 26, Alipur Road, has agreed to accept alternative site if allotted in lieu of their original property. The Government of NCT of Delhi is processing this matter vigorously with the Ministry of Urban Affairs and Employment, Govt. of India for locating an alternative site which could be offered to the owners of 26, Alipur Road, Delhi. Ministry of Social Justice and Empowerment has also taken up the matter at the Ministerial level for expediting the matter.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Comments of the Committee

Please See Para 1.10 of Chapter I of the Report.

CHAPTER V

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

Recommendation (S.No. 6, Para 2.22)

5.1 The Committee note with concern that Rs. 47.00 crore was allocated to National Backward Classes Finance and Development Corporation during the year 1997-98, yet the funds could not be utilised as the authorised share capital of the Corporation had not been raised beyond Rs. 200 crore and as such the money allocated for the Corporation was reduced to NIL at the Revised Estimates stage by the Ministry of Finance. In their opinion, the Ministry's planning in this regard has not been upto the mark in view of the fact that the decision to raise the authorised share capital has suffered from administrative and procedural delay. The Committee, therefore, recommend that the Ministry should take up the issue with Ministry of Finance and Department of Public Enterprises for raising the authorised share capital of the Corporation so that the funds earmarked for the Corporation for the financial year 1998-99 is utilised fully.

Reply of the Government

5.2 Approval of the Cabinet is being obtained shortly in this regard, clearance/concurrence of Ministry of Finance, Department of Public Enterprises and Planning Commission etc. have been obtained, funds earmarked for the corporation for financial year 1998-99 will be released immediately on receipt of approval of the Cabinet. In view of the demand from various States pending with the Corporation, it will be expected that the funds to be released to the Corporation will be fully utilised during current financial year.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 11, Para 2.34)

5.3 The Committee note with concern that though the Supreme Court directed the Central Government as well as State Governments to specify the basis of applying the relevant and requisite socio-economic criteria to exclude socially advanced persons/sections ('Creamy Layer') from OBCs and the Central Government issued order for compliance with the judgement in the year 1993, the identification of 'Creamy Layer' has not been completed so far. The reply of the Ministry that a proposal to setup a Committee to review the income ceiling, etc. is under consideration in consultation with the Ministry of Home Affairs, Ministry of Finance, Department of Personnel & Training, etc. is not convincing to the Committee. In the opinion of the Committee the monitoring of the Ministry over the scheme has not been up to the mark. The Committee, therefore, strongly recommend to have a thorough monitoring over the scheme and ensure that the work relating to identification of 'Creamy Layer' amongst the OBCs is completed without further loss of time so that the benefit of the scheme reach the actually needy persons of the community.

Reply of the Government

5.4 The Government has identified the criteria to exclude socially advanced persons/sections (Creamy Layer) from OBCs. The criteria laid down by the Government in its office Memorandum No. 36012/22/93-Estt (SCT) dated 8.9.1993 has with the passage of time become ripe for review and for which a Committee is to be constituted with the approval of the Cabinet.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 12, Para 2.38)

5.5 The Committee note that National Minorities Finance and Development Corporation was set up in the year 1994 under Section 25 of the Indian Companies Act, 1956 to promote self-employment ventures among the minorities and also to help them in the upgradation of entrepreneurial and technical skills. The Committee further note that the authorised share capital of the Corporation is Rs. 500 crore out of which Central Governments is Rs. 125 crores. The rest of the contributions comes from States/U.T's and Institutions and Individuals

interested in the welfare of Minorities. Though an allocation of Rs. 41 crore was made in the Budget Estimate for the year 1997-98, no money was utilised out of the allocation due to the non-receipt of equity share capital contributions from States/UTs. The Ministry has further informed the Committee that a proposal was sent to the Cabinet to raise the Central Government's contribution from 25% to 60% as per the recommendation of the Working Group on Minorities for the Ninth Plan and the Cabinet approved the proposal subject to *pro-rata* contribution from the State Governments/State channelising agencies. The reply of the Ministry that there is no hope of any immediate contribution being available from the State Governments/State Corporations is not convincing to the Committee. The Committee therefore strongly recommended that the matter should be taken up at the highest level and effort should be made to persuade that State/Governments/State Corporations to come forward for their share so that the Corporations run smoothly. Steps taken and progress achieved in this regard should be communicated to the Committee with in three months time.

Reply of the Government

5.6 The State Govt's have been requested at the level of Minister and Secretary to contribute their share to the equity of National Minority Development and Finance Corporation. The matter is being constantly pursued.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 13, Para 2.46)

5.7 The Committee are distressed to note that though the Ministry has planned to launch the Kasturba Gandhi Swatantrata Vidyalaya Scheme to improve literacy among girl children belonging to disadvantaged and marginalised sections of the society such as Scheduled Castes, Scheduled Tribes, Other Backward Classes and Minorities and had allocated Rs. 250 crore in the Budget Estimates for the year 1997-98, the Ministry could not go ahead with the scheme due to administrative and procedural wrangles. The reply of the Ministry that the scheme could not be operationalised for want of approval/clearance from Cabinet, and Expenditure Finance Committee despite their best efforts is not convincing to the Committee. In their

opinion plenty of time has been wasted in the tussle between the Ministry of Welfare and Ministry of Human Resource Development over the question of integration of scheme with Mahila Samridhi Yojana. The Committee, therefore, strongly recommend that the Ministry of Welfare should monitor the scheme thoroughly and pursue the matter on priority with the Planning Commission so that necessary approval/clearance is obtained without further loss of time. Also vigorous efforts should be made by the Ministry to make the scheme functional during the financial year 1998-99. Steps taken and progress achieved in this regard should be communicated to the Committee within three months.

Reply of the Government

5.8 This Ministry has been pushing the matter on priority basis with the Planning Commission and other agencies in order to ensure that the necessary approval/clearance is obtained without further loss of time and the scheme is made functional during the current financial year.

While the Planning Commission was engaged in examination of the possibility of achieving integration of the various schemes of educational and socio-economic development of the girl children belonging to the various classes and other related matters, as per the directions of the Expenditure Finance Committee, another proposal of the Department of Women and Child Development regarding "Refinements, funding, etc. of the Balika Samridhi Yojana" came up for consideration before the Cabinet. The Cabinet decided on 15.7.1998 to refer the latter proposal to a Group of Ministers for examination of the proposal also keeping in view related schemes and for suggesting an appropriate frame-work with consequential additions/modifications to the proposal/schemes. The Group of Ministers in its meeting have recommended as follows insofar as KGSV scheme is concerned :—

- (i) There are at present several schemes like Girls Hostels for SCs, Girls' Hostels for STs, Educational Complexes in low literacy pockets of STs, Special Educational Development Programme for SC girls of low literacy level and Ashram Schools, which need to be integrated into the conceptual frame of KGSV. These should all be renamed after Smt. Kasturba Gandhi and be implemented as a single scheme.

- (ii) All educational institutions should be run by Department of Education. Ministry of Social Justice and Empowerment should construct hostels for SCs/STs for educational institutions being run by the Department of Education.
- (iii) There are already Ashram schools being run for tribal children. These may be run as KGSV schools and be transferred to the Department of Education.
- (iv) There should be KGSVs to be run on a pilot basis in identified pockets of low female literacy and with high concentration of population belonging to SCs, STs, OBCs, minorities, etc. where-as these schools should also be open to the extent of 30 to 40% to weaker sections, so that the Schools are run on an integrated basis.
- (v) These KGSVs should be run by the Department of Education. For Classes I to IV, all students should be day scholars. The residential schools can start from Class V onwards. It is not considered appropriate to put very young students in residential schools away from normal parental care. Vocational education should also be imparted in the KGSVs in close consultation with the Ministry of Social Justice and Empowerment.

5.9 The Expenditure Finance Committee which met on 17.11.98 has *inter alia* recommended that the Ministry of Social Justice and Empowerment could place the recommendation of the Group of Ministers before the CCEA for Consideration. The matter is accordingly being processed for final decision of Government.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 14, Para 2.56)

5.10 The Committee note that NSFDC provides term loan and seed capital assistances at concessional rates to SCs and STs whose family income from all sources is below double the poverty line criteria i.e. Rs. 22,000 per annum in rural areas and Rs. 23,700 per annum in urban areas. The Committee further note that the criterial

of poverty line was revised by the Planning Commission during the year 1991-92. The Committee, therefore, recommend that the Ministry should take up the matter with Planning Commission to review the criteria of income keeping in view the increase in price index for granting loans.

Reply of the Government

5.11 Planning Commission being addressed in the matter.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 17, Para 2.66)

5.12 The Committee note with pleasure that an allocation of Rs. 10.00 crore was approved by the Planning Commission for Special Ambedkar Centenary Celebrations Programme in the Eighth Five Year Plan. The Ministry, however, utilised more money than approved by the Planning Commission during the last three years. An allocation of Rs. 40.00 crores was made to the Foundation in the year 1997-98 considering the scheme as of a long-term and ongoing nature, which was utilised fully. The Committee are, however, concerned to note that some schemes like production of a Feature Film on Baba Sahib, establishment of Dr. Ambedkar Public Library in Delhi, putting up Memorial for Dr. Ambedkar, etc., have been relatively delayed. The Committee, therefore, strongly recommend that the Ministry should have a thorough monitoring over the Schemes and Programmes of the Foundation and ensure that the Schemes are launched during the current financial year.

Reply of the Government

(a) Feature Film on Dr. Ambedkar

5.13 The shooting of the full length film on Dr. Ambedkar was completed during April, 1998 and thereafter, the post-shooting formalities, such as, printing, voice dubbing, etc., were taken up during May to November, 1998. Since the film has to be of international standard, it was got printed at world standard laboratories of New York. Presently, the film is awaiting clearance from censor board and it will be ready for release within a couple of months from now.

(b) Dr. Ambedkar National Public Library

5.14 For Dr. Ambedkar National Public Library in New Delhi, the Ministry of Urban Affairs and Employment have allotted about four acres of land situated in the Institutional Area between Raisina Road and Dr. Rajendra Prasad Road adjacent of Hotel Le Meridien during April 1994. However, the physical possession of the allotted land could not be handed over immediately as the bungalows (13, 15, 17, 19 and 21 Janpath) which stand on the allotted land were occupied by the Members of Parliament. Physical possession of bungalow No. 21, Janpath, has been handed over to the foundation and efforts are going on for taking possession of remaining four bungalows. In this connection, it is stated that the Chairmen of the House Committees of the Lok Sabha and Rajya Sabha are demanding alternative bungalows in lieu of the said bungalows, because these bungalows are being occupied by the Members of Parliament.

(c) Dr. Ambedkar Memorial

5.15 Efforts are being made by the Ministry in taking physical possession of the land and property situated at 26, Alipur Road, Delhi. An amount of Rs. 7.12 crores have already been released to the Government of NCT of Delhi. The owner of property situated at 26, Alipur Road, has agreed to accept alternative site if allotted in lieu of their original property. The Government of NCT of Delhi is processing this matter vigorously with the Ministry of Urban Affairs and Employment, Govt. of India for locating an alternative site which could be offered to the owners of 26, Alipur Road, Delhi. Ministry of Social Justice & Empowerment has also taken up the matter at the Ministerial level for expediting the matter.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

Recommendation (Sl. No. 20, Para 2.73)

5.16 The Committee note with concern that Grants-in-aid to 16 NGOs has been stopped on account of complaints regarding misappropriation of funds. While viewing the situation with great concern, the Committee strongly recommend that Ministry of Welfare should make concerted efforts to recover the amount released to these NGOs through State Governments at the earliest and appropriate legal

action should be initiated against defaulting NGOs. The Committee are also of the view that the matter should be taken up at the highest level in persuading the State Governments to send their Inspection Report regarding functioning of NGOs in time. Steps taken and progress achieved in this regard should be communicated to the Committee within three months.

Reply of the Government

5.17 The matter regarding unsatisfactory performance of the 16 NGOs has been taken up by the Ministry with the concerned State Governments and CAPART which black-listed some of these NGOs. It has been reported that the Govt. of U.P. has since initiated criminal investigations against the concerned NGOs and investigations have also been carried out by the Govt. of West Bengal. The Ministry will take necessary action against the concerned NGOs on receipt of final reports from the concerned State Governments. Meanwhile grants to the concerned organisations have been withheld.

[Ministry of Social Justice and Empowerment O.M. No. 1/9/98-Cdn.
dated 4.2.99]

NEW DELHI;
March 12, 1999
Phalguna 21, 1920 (Saka)

HARIN PATHAK,
Chairman,
Standing Committee on Labour and
Welfare.

PRESENT

MEMBERS

Lok Sabha

2. Shri Surender Singh Barwala
3. Smt. Sandhya Bauri
4. Shri Jaysinhji Manshingji Chauhan
5. Shri Ajoy Mukhopadhyay
6. Shri Khagapati Pradhani
7. Shri Virendra Kumar
8. Shri Sita Ram Yadav
9. Shri Mansukhbhai Vasava

Rajya Sabha

10. Shri Vijay J. Darda
11. Km. Nirmala Deshpande
12. Shri Hiphei
13. Shri bagaru Laxman
14. Shri Jibon Roy
15. Shri P. Soundararajan
16. Miss Frida Topno

SECRETARIAT

- | | | |
|------------------------|---|------------------|
| 1. Shri Joginder Singh | — | Joint Secretary |
| 2. Shri J.P. Sharma | — | Deputy Secretary |
| 3. Shri R.S. Misra | — | Under Secretary |

2. At the outset, Hon'ble Chairman welcomed the Members to the sitting of the Committee. The Committee then took up the following Action Taken Reports for consideration and adopted the same without any modification:—

◆ ◆ ◆ ◆ ◆

- (ii) Draft Report on Action Taken by the Government on the recommendations/observations contained in Fifth Report of the Committee on Demands for Grants, Ministry of Social Justice & Empowerment-1998-99.

3. The Committee authorised the Chairman to present the above Reports to Parliament on their behalf.

The Committee then adjourned.

APPENDIX

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE FIFTH REPORT OF THE STANDING COMMITTEE ON LABOUR AND WELFARE (TWELFTH LOK SABHA)

	Total	Percentage
I. Total number of Recommendations	20	
II. Recommendations/Observations which have been accepted by Government (Nos. 1, 2, 3, 5, 8, 9, 10, 16 and 19)	9	45.00
III. Recommendations/Observations which the Committee do not desire to pursue in view of Government replies (Nos. 7 and 15)	2	10.00
IV. Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee (Nos. 4 and 18)	2	10.00
V. Recommendations/Observations in respect of which final replies of Government are still awaited (Nos. 6, 11, 12, 13, 14, 17 and 20)	7	35.00