

**COMMITTEE  
ON  
GOVERNMENT ASSURANCES  
(1990-91)**

**(NINTH LOK SABHA)**

**FOURTH REPORT**

*(Presented on 31 AUG 1990)*



**LOK SABHA SECRETARIAT  
NEW DELHI**

*July, 1990 / Sravana, 1912 (Saka)*

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LOK SABHA

C O R R I G E N D A

to the Fourth Report of the  
CGA ( 1990-91)

(Ninth Lok Sabha)

<u>Page No.</u>	<u>Para No.</u>	<u>Line</u>	<u>Correction</u>
5		5	<u>for</u> 'recently' <u>read</u> 'recently'
6	25	9	<u>for</u> 'the fulfill the assurance'
8	Sl. No.5	<u>read</u> 'to fulfill the assurances <u>for</u> 'Shri Mahadeepak Singh Shakya'	
			<u>read</u> 'Dr. Mahadeepak Singh Shakya'
8	Sl. No.6		<u>for</u> 'Shri Kusuma Krishna Murthy'
			<u>read</u> 'Shri Kusuma Krishnamurthy'
9	7	2	<u>for</u> 'ring' <u>read</u> 'bring'

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT  
ASSURANCES\*  
(1990-91)

- Dr. Vijay Kumar Malhotra — *Chairman*
2. Smt. Subhasini Ali
  3. Shri Het Ram
  4. Shri Kamal Nath
  5. Shri Mahabir Prasad
  6. Dr. Mahadeepak Singh Sakya
  7. Shri Haribhau Shankar Mahale
  - \*\*\*8. Shri V. Krishna Rao
  9. Shri Kusuma Krishnamurthy
  - \*\*\*10. Dr. P. Vallal Peruman
  11. Shri Amar Roy Pradhan
  - \*\*\*12. Shri Sanford Marak
  13. Shri C. Srinivasan
  14. Shri Ramji Lal Suman
  - \*\*15. Shri Surya Narain Yadav

SECRETARIAT

- Shri C. K. Jain — *Additional Secretary*  
Shri S. C. Gupta — *Joint Secretary*  
Shri Jyoti Prasad — *Under Secretary*

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\* The Committee was nominated by the Speaker *w.e.f.* January 19, 1990 *vide* para No. 125 of Lok Sabha Bulletin Part-II dated 19 January, 1990.

\*\* Nominated by Speaker *w.e.f.* 17 July, 1990 *vice* Shri Bhajaman Behera ceased to be a member of the Committee consequent upon his appointment as Minister of State *w.e.f.* 21 April, 1990, *vide* para No. 611 of Lok Sabha Bulletin Para-II dated 17 July, 1990.

\*\*\*Nominated by Speaker *w.e.f.* 8 August, 1990 *vice* Sarvashri J.P. Agarwal. Dr. Debi Prosad Paul and P.K. Thungan resigned from the membership of the Committee on Government Assurances, *w.e.f.* 7 August, 1990, *vide* para No. 680 of Lok Sabha Bulletin Para-II dated 8 August, 1990.

## INTRODUCTION

I, the Chairman of the Committee on Government Assurances, as authorised by the Committee, do present on their behalf this Fourth Report of the Committee on Government Assurances.

2. The Committee (1990-91) were constituted on 19 January, 1990.

3. The Committee (1990-91) at their sitting held on 6 March, 1990 took the evidence of the representatives of the Ministry of Welfare regarding non-implementation of the assurances given in reply to SQ. No. 991 on 9 May, 1984 and USQ. No. 458 on 25 July, 1984 about recommendations of High Power Panel on Minorities. At their sitting held on 30 July, 1990, the Committee considered and adopted the draft Fourth Report.

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

5. The conclusions / observations of the Committee are contained in Para 26 of the Report.

6. The Committee wish to express their thanks to the officials of the Ministry of Welfare who appeared before the Committee.

NEW DELHI;

DR. VIJAY KUMAR MALHOTRA.

30 July, 1990

*Sravana 8, 1912 (Saka)*

*Chairman,*

*Committee on Government Assurances.*

## REPORT

### *Assurance regarding Recommendations of High Power Panel on Minorities*

1. On 9 May, 1984, Shri G.M. Banatwalla, M.P. addressed the following Starred Question No. 991 to the Minister of Home Affairs:

“(a) the major recommendations contained in the report of the High Power Panel on Minorities; and

(b) details of action taken for the implementation of those recommendations?”

2. In reply to the above question, the then Minister of State in the Ministry of Home Affairs (Shrimati Ram Dulari Sinha) stated as follows:

“(a) and (b). The report of the Panel is under consideration of Government”

3. During the course of supplementaries, Shri G.M. Banatwalla put the following supplementary question:—

“By what time can the Government decision on the Report be expected? At what stage is the consideration of the Report? What steps are being taken to expedite taking of decision thereon and will this Report be placed on the Table of the House so that we may know what the major recommendations are?”

4. In reply to the above supplementary question, the then Minister of Home Affairs (Shri P.C. Sethi) stated as follows:

“Sir, first of all I would like to correct the Hon. Member that the Final Report of the High Power Panel on Minorities was submitted to the Government on 14.6.1983 and not on 14.6.1981. (Interruptions). As far as this Report is concerned this is now being referred for the consideration of the Cabinet Sub-Committee constituted by the Prime Minister. As soon as we have finished with these deliberations, we will certainly place it on the Table of the House and after placing it on the Table of the House, we shall send it to the State Governments for their views and recommendations.....”

5. The above reply to the question and the supplementary were treated as assurance and was required to be implemented by the Ministry of Home Affairs by 8 August, 1984.

6. On 25 July, 1984, Shri Ashfaq Husain, M.P. addressed the following Unstarred Question No. 458 to the Minister of Home Affairs:

“(a) whether he will place on the Table of the House the High Power Panel (Headed by Dr. Gopal Singh) report along with action taken report during this session of Parliament; and

(b) the reasons for delay?”

7. In reply to the above question, the then Minister of State in the Ministry of Home Affairs (Shrimati Ram Dulari Sinha) stated as follows:

“(a) and (b). The matter is under consideration of the Government”

8. The above reply of the question was also treated as an assurance and was required to be implemented by 24 October, 1984.

9. As both the assurances remained unfulfilled, the Committee took oral evidence of the representatives of the Ministry of Welfare at their sitting held on 6 March, 1990.

10. In a background brief furnished to the Committee on 1 March, 1990, the Ministry of Welfare have stated that the Government of India constituted a High Power Panel on Minorities, Scheduled Castes, Scheduled Tribes and other Weaker Sections *vide* Ministry of Home Affairs Resolution No. 3/4/A/80-CHC dated 10th May, 1980 with Hon'ble Dr. V.A. Seyid Mohammad, former Union Minister of State for Law — as its first Chairman and the following persons as its members:

- (1) Dr. Gopal Singh, former MP and Ambassador of India.
- (2) Dr. L. Bullayya, former Vice-Chancellor, Andhra University.
- (3) Shri Hokishe Sema, Former Chief Minister of Nagaland.
- (4) Shri Arvind Netam, MP (former Union Deputy Minister of Social Welfare).
- (5) Prof. N.C. Parashar, M.P.
- (6) Shri I.D. Jawahar Raj, Advocate.
- (7) Shri Khurshid Alam Khan, MP, Member-Secretary.

11. The Panel was entrusted with the following functions:

- (i) To ascertain if the benefits of various fiscal policies of Government, both Union and States really reach the Minorities, Scheduled Castes, Scheduled Tribes and Other Weaker Sections of society;
- (ii) To identify the constraints of bottlenecks whereby incentives, facilities and other encouragements are not being fully availed of by them;
- (iii) To suggest ways and means by which the various fiscal policies, incentives, facilities and other encouragements reach them;

(iv) To make recommendations with regard to other allied matters.

12. The Panel submitted its Interim Report on Minorities in India on January 31, 1981. It submitted its final Report in two volumes on 14th June, 1983 to the Home Minister as the Minister in Charge of the Administrative Ministry dealing with the High Power Panel.

13. On the resignation of Dr. Seyid Mohammad (on his appointment as India's High Commissioner in London), Dr. Gopal Singh, was appointed as its Chairman. Subsequently, Shri Khurshid Alam Khan, resigned and in his place Dr. Rafiq Zakaria, M.P. was appointed as its Member-Secretary. Shri Hokeshi Sema resigned in April, 1983 on his appointment as Governor of Himachal Pradesh. Some more Members were added. Thus, at the time of submission of the Report in June, 1983 the composition of the Panel was as follows:—

- (1) Dr. Gopal Singh, Chairman
- (2) Dr. Rafiq Zakaria, MP, Member-Secretary.
- (3) Dr. L. Bullayya, former Vice-Chancellor, Andhra University.
- (4) Shri Arvind Netam, MP (former Union Deputy Minister for Social Welfare).
- (5) Prof. N.C. Parashar, MP.
- (6) Shri I.D. Jawahar Raj, Advocate.
- (7) Shri J. Leon D'Souza, MP (former Mayor of Bombay).
- (8) Shri L.R. Naik, Ex-MP, and former Member, Backward Classes Commission.
- (9) Smt. Aloo J. Chibber, M.L.C., Maha'ashtra.
- (10) Ven'ble Lama Lebzang, Director Ladakh Budha Vihar.

14. An initial examination of the Report of the Panel by the Ministry of Home Affairs revealed that some of the recommendations related to issues which were not only beyond the terms of reference of the Panel but also touched upon very sensitive issues having a bearing on Punjab and Assam problems. It was, therefore, decided by Government to defer the consideration of the Report keeping in view the then prevailing conditions in Punjab and Assam. A detailed examination of the Report was taken up after Punjab and Assam accords had been signed. The subject matter of the Report of the Panel was transferred to the Ministry of Welfare in September, 1985.

15. When the Report was processed initially, the recommendations of the Panel (which are about 175) were grouped into six broad categories subject-wise, to facilitate easy processing and formulation of the final views of the Government before deciding upon tabling of the Report and Action



Taken Memorandum before the Parliament. The recommendations were accordingly referred to the concerned Ministries/Departments in clusters. However, a number of Ministries/Departments gave their general comments on the groups of recommendations. As more than one Department were concerned with some of the recommendations and the specific comments in many cases were not available, the Ministries/Departments were again requested to offer their specific comments.

16. As many as 22 Ministries/Departments noted below are involved.

- |  |  |
|--|--|
| 1. Civil Supplies                            | 12. Official Languages                         |
| 2. Urban Development                         | 13. Justice                                    |
| 3. Rural Development                         | 14. Banking                                    |
| 4. Agriculture                               | 15. Personnel, Public Grievances<br>& Pensions |
| 5. Public Enterprises                        | 16. Textiles                                   |
| 6. Development Commissioner<br>(Handicrafts) | 17. C C I & E                                  |
| 7. Co-operation                              | 18. D.G.E.T.                                   |
| 8. Revenue                                   | 19. Energy                                     |
| 9. Industry                                  | 20. Railways                                   |
| 10. Environment                              | 21. Labour                                     |
| 11. Education                                | 22. Home Affairs                               |

17. Replies have since been received from almost all Ministries/Departments. Some of the departments have not replied while some others have not commented on all the recommendations referred to them. On the basis of replies received, the comments of the Government on each recommendation are being drafted afresh. The processing will be completed in about a month.

18. After the processing is complete, a note for the Cabinet/Cabinet Committee will be put up proposing to table the Report in both Houses of Parliament. Recommendations in the Report affects almost all the major Ministries/Departments of the Government of India and any final action on any of the recommendations will have to be taken by the concerned Ministries/Departments. The action to draft the note for the Cabinet/Cabinet Committee is being speeded up. Only after the Cabinet/Cabinet Committee has considered the Report, the Government would be in a position to formulate its final views.

19. It is only after the completion of the examination of the Report and final decision of Government thereon is taken, the Committee was informed, the Ministry of Welfare would be in a position to fulfil the Assurances.

20. During the evidence, when asked about the reasons for delay in implementation of the assurances, the representative of the Ministry of Welfare stated:

“First, I would place before the Committee that we are very anxious to see that this is not delayed. We have already started taking action

which has also been mentioned in the report we have given to the Committee in advance. It is our expectation that we will complete every thing at the Ministry level within a month's time. We would seek the Committee's indulgence for another month. After I took charge recently, I have gone through the papers and as far as I could see there have been efforts to analyse the various recommendations. Now we are determined to see that the whole thing is completed in the course of next one month at Officers' level."

21. The Committee desired to know as to when the report was referred to various Ministries and Departments, the representative of the Ministry of Welfare stated:—

"Nothing can justify the time factor. As a matter of information various Ministries were addressed in June, 1987. Then, dividing them into individual recommendations, their comments were sought. As on some groups of recommendations, focus seemed to have been lost on specific information required and they were addressed again in 1988. Subsequently, they have been reminded. Now, I am going to contact all of them and on that basis, we are going to take it to the level of decision taking. Once that stage is also over, then the assurance can be fulfilled."

22. When asked specifically by what time the report of High Power Panel on Minorities would be placed on the table of the House, the representative of the Ministry of Welfare informed the Committee as follows:—

"Official level process will be over within one month. After we complete the official level process, there are certain levels where it has to go, namely Cabinet Committee on Political Affairs. After the official level process is over, we will definitely very clearly bring to the notice of the Cabinet Committee concerning about the feelings of the Hon'ble Committee about the time that has elapsed and the need for expediting the process. We will place all comments and observations of this Hon. Committee. But we cannot make any commitment on behalf of the higher bodies which have take certain decision..... There are 175 recommendations. So, a little deep thought has to be given and no hasty action can be taken,

23. When asked whether the representatives discussed the subject with their Minister before coming to the Committee, the representative of Ministry of Welfare stated:

"We have taken his clearance to the extent that the processing at our Ministry level will be done within one month. But beyond that, at this stage, it is still difficult for him to say."

24. In a note furnished to the Committee on 13 March, 1990, the Ministry of Welfare submitted the following clarifications about the steps taken towards the processing of the recommendations of the High Power Panel on Minorities:—

“The concerned Ministries/Departments were first asked to give their comments in June, 1987. The recommendations were again referred to the concerned Ministries and Departments in April, 1988.

Apart from written reminders at the official level, some of the offices were also contacted personally by DS(MC)/DO(MC).

Examination of the comments received from the ministries/departments was taken up in June, 1989. Comments from some Ministries/Departments are still awaited, which is being pursued.

The Ministry should be able to process the Report and submit a note for the Cabinet in a month's time.

Fulfilment of the assurance would depend on the directions of the Cabinet/Cabinet Committee after the note of the Ministry is considered by them.”

25. On 7 May, 1990, the Ministry of Welfare in a note submitted to the Committee informed that a note for the Cabinet Committee on Political Affairs (CCPA) had been sent to the Cabinet Secretariat on 24 April, 1990. On 6 June, 1990, the Ministry of Welfare further informed about the progress in the matter as follows:—

“CCPA has since approved the Ministry's proposal to table the Report of the High Power Panel on Minorities in both the Houses of Parliament. Accordingly, steps are being taken to table the Report in the forthcoming session of Parliament and the fulfill the assurance relating to this Report, also in the same session.”

The assurances are yet to be implemented.

26. The Committee note that the Government constituted the High Power Panel on Minorities, Scheduled Castes, Scheduled Tribes and other weaker sections in May, 1980 and the Panel submitted its final Report on 14 June, 1983. It is indeed most regrettable that even after lapse of seven years, Government have not found it possible even to lay the Report on the Table of the House much less the decision thereon. The very fact that the Government called it a High-Power Panel amply emphasises the importance of the matter as well as its urgency in the present context. The reasons advanced by the representative of the Ministry during oral evidence before the Committee tendered on 6 March, 1990 explaining away the delay in finalisation of the matter are, in the view of the Committee, totally unconvincing. The Committee do not wish to over-emphasise the importance of the matter and the need for Government's decision on priority basis, as

the long overdue measures in this direction, keeping in view the recommendations of the High Power Panel would go a long way in counteracting the divisive forces so active in different parts of the country and would help sustain the national unity and integrity. The Committee noting the statement of the representative of the Ministry that a note on the subject has been submitted for the consideration of the Cabinet Committee on Political Affairs on 24 April, 1990, earnestly hope that the Government would finalise their decisions early and lay them on the Table of the House alongwith the copy of the Report in fulfilment of the long outstanding assurance.

NEW DELHI;

30 July, 1990

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*Sravana 8, 1912 (Saka)*

DR. VIJAY KUMAR MALHOTRA,

*Chairman,*

*Committee on Government Assurances.*

**MINUTES**  
**FOURTH SITTING**

*Minutes of the fourth sitting of the Committee on Government Assurances held on 6 March, 1990 in Committee Room 'C', Parliament House Annexe, New Delhi.*

The Committee met on Tuesday, the 6 March, 1990 from 11.00 hours to 12.45 hours.

**PRESENT**

Dr. Vijay Kumar Malhotra - Chairman

**MEMBERS**

2. Shri Bhajaman Behera
3. Shri Het Ram
4. Shri Mahabir Prasad
5. Shri Mahadeepak Singh Shakya
6. Shri Kusuma Krishna Murthy

**SECRETARIAT**

1. Shri C.K. Jain - Joint Secretary
2. Shri S.C. Gupta - Director
3. Shri Jyoti Prasad - Under Secretary

**WITNESSES EXAMINED**

**MINISTRY OF WELFARE**

1. Shri P. S. Krishnan - Secretary
2. Shri D. Y. Manawwar - Additional Secretary
3. Shri Mata Prasad - Joint Secretary

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2. At the outset, the Chairman drew the attention of the witnesses to Direction 58 of the Directions by the Speaker whereunder their evidence could be treated as public and was liable to be published unless the witnesses specifically desired that all or any part of the evidence given by them was to be treated as confidential.

*Assurance regarding report of the High Power Panel on Minorities.*

3. The Committee took evidence of the representatives of the Ministry of Welfare regarding non-implementation of the assurances given on 9.5.1984 and on 25.7.1984 to Starred Question No. 991 and Unstarred Question No. 458 respectively regarding Report of the High Power Panel on Minorities.

4. The Committee enquired about the reasons for the delay in implementation of the assurance. The representative of the Ministry of Welfare stated:

“First, I would place before the Committee that we are very anxious to see that this is not delayed. We have already started taking action which has also been mentioned in the report we have given to the Committee in advance. It is our expectation that we will complete everything at the Ministry level within a month’s time. We would seek the Committee’s indulgence for another month. After I took charge recently; I have gone through the paper and as far as I could see there have been efforts to analyse the various recommendations. Now we are determined to see that the whole thing is completed in the course of next one month at officers’ level.”

5. The Committee desired to know when the report was referred to various Ministries and Departments. The representative of the Ministry of Welfare stated:

“Nothing can justify the time factor.....Various Ministries were addressed in June, 1987. Then, dividing them into individual recommendations, their comments were sought, as on some groups of recommendations, focus seemed to have been lost on specific information required and they were addressed again in 1988. Subsequently, they have been reminded. Now I am going to contact all of them and on that basis, we are going to take it to the level of decision taking. Once that stage is also over, then the assurance can be fulfilled.”

6. When asked specifically by what time the report of High Power Panel

on Minorities would be placed on the Table of the House, the representative of the Ministry of Welfare stated:

“Official level process will be over within one month. After we complete the official level process, there are certain levels where it has to go, namely, Cabinet or Cabinet Committee on Political Affairs.”

7. The witness further added:

“After the official level process is over, we will definitely very clearly ring to the notice of the Cabinet Committee concerning about the feelings of the Hon. Committee about the time that has elapsed and the need for expediting the process. We will place all comments and observations of this Hon. Committee. But we cannot make any commitment on behalf of the higher bodies which have to take certain decision.....There are 175 recommendations. So, a little deep thought has to be given and no hastily action can be taken.”

8. When asked whether the representatives discussed the subject with their Minister before coming to the Committee, the representative of Ministry of Welfare stated:

“We have taken his clearance to the extent that the processing at our Ministry level will be done within one month. But beyond that, at this stage, it is still difficult for him to say.”

9. The Committee desired to have a monthly report from the Ministry of Welfare about the progress in placing the matter before the Cabinet and so on. The representative of the Ministry promised to comply with the direction of the Committee.

10. The witnesses then withdrew.

\* \* \* \*

The Committee then adjourned.

**MINUTES**  
**NINTH SITTING**

*Minutes of the Ninth Sitting of the Committee on Government Assurances held on 30 July, 1990 in Committee Room 'B', Parliament House Annexe, New Delhi.*

The Committee met on Monday, the 30 July, 1990 from 16.00 hrs. to 16.50 hrs.

**PRESENT**

Dr. Vijay Kumar Malhotra - Chairman

**MEMBERS**

2. Smt. Subhashini Ali
3. Shri Het Ram
4. Dr. Mahadeepak Singh Shakya
5. Shri Haribhau Shankar Mahale
6. Shri Kusuma Krishnamurthy
7. Shri Amar Roy Pradhan
8. Shri Ramji Lal Suman

**SECRETARIAT**

1. Shri C.K. Jain - Additional Secretary
2. Shri S.C. Gupta - Director
3. Shri Jyoti Prasad - Under Secretary

\* \* \* \* \*

The Committee considered and adopted the draft Fourth, Fifth and Sixth Reports of the Committee.

The Committee then adjourned to meet again on 31 July, 1990 at 11.00 hrs.



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