



RAJYA SABHA COMMITTEES – A PROFILE (2012)

(Standing Committees and Department-related Parliamentary Standing Committees)

SUMMARY OF WORK DONE

**RAJYA SABHA SECRETARIAT
NEW DELHI**

May, 2013/Vaisakha, 1935 (Saka)

Hindi version of this publication is also available.

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(1st January to 31st December, 2012)



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May, 2013/Vaisakha, 1935 (Saka)

Committee Co-ordination Section

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Website:<http://www.rajyasabha.nic.in>
E-mail : rscoordcom@sansad.nic.in

PREFACE

This publication attempts to present, in a concise form, information about the activities of five Standing Committees as well as eight Department-related Parliamentary Standing Committees being administered by the Rajya Sabha Secretariat, for the period from 1st January to 31st December, 2012.

2. For the sake of better understanding, the material has been divided into thirteen chapters dealing with one Committee at a time. Each chapter gives information regarding composition of the Committee, subjects selected for examination, review of work done, Reports presented, etc.

3. After every chapter, Annexures containing details of the sittings of Committees and Sub-Committees, etc. have been appended.

NEW DELHI;
May, 2013

Shumsher K. Sheriff,
Secretary-General.

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CHAPTER-I
COMMITTEE ON SUBORDINATE LEGISLATION

I. Composition of the Committee

1. 1 The Committee was constituted on 29th September, 2010 and is continuing since then with the following composition:

- *1. Shrimati Maya Singh — *Chairperson*
2. Shri Jesudasu Seelam
3. Shri Vijay Jawaharlal Darda
4. Shri P. Kannan
5. Shri Prakash Javadekar
6. Shri Narendra Kashyap
7. Dr. K. P. Ramalingam
8. Dr. Janardhan Waghmare
9. Dr. Bharatkumar Raut
10. Shri Ahmad Saeed Malihabadi
- **11. Shri Shantaram Naik
- **12. Shri Bhupender Yadav
- #13. Shri Ali Anwar Ansari
- **14. Shri D. Bandyopadhyay
- **15. Shri Rabinarayan Mohapatra

* Nominated as Chairperson in place of Shri Kalraj Misra *w.e.f.* 28th March, 2012 against vacancy arising from his resignation as Member, Rajya Sabha *w.e.f.* 21st March, 2012.

** Nominated *w.e.f.* 9th May, 2012 against vacancies arising on retirement of Ms. Sushila Tiriya, Shri Syed Azeez Pasha and Shri M.V. Mysura Reddy *w.e.f.* 2nd April, 2012.

Retirement *w.e.f.* 2nd April, 2012 and re-nominated *w.e.f.* 9th May, 2012.

II. Subjects selected for examination

1.2 The Committee had identified the following subjects for detailed examination:—

S1. No.	Ministry/Department	Subject	Date of Identification
1.	Department of Atomic Energy	The Civil Liability for Nuclear Damage Rules, 2011	13.03.2012
2.	Ministry of Civil Aviation	Aircraft (Security) Rules, 2011	14.09.2012
3.	Ministry of Commerce and Industry (Department of Industrial Policy and Promotion)	The Ammonium Nitrate Rules, 2012	12.12.2012
4.	Ministry of Communications and Information Technology (Department of Telecommunications)	(i) The Telecom Consumers Complaint Redressal Regulations, 2012	14.09.2012
(ii) The Telecom Consumers Protection Regulations, 2012		14.09.2012	
(iii) The Reporting System on Accounting Separation Regulations, 2012		12.12.2012	
(iv) The Mobile Banking (Quality of Service) Regulations, 2012		12.12.2012	
(v) The Consumers Complaint Redressal (Digital Addressable Cable TV Systems) Regulations, 2012		12.12.2012	
(vi) The Standards of Quality of Service (Duration of Advertisements in Television Channels) Regulations, 2012		12.12.2012	
5.	Ministry of Corporate Affairs	(i) The Cost Accounting Records (Telecommunication Industry) Rules, 2011	14.09.2012
(ii) The Cost Accounting Records (Petroleum Industry) Rules, 2011		14.09.2012	
(iii) The Cost Accounting Records (Electricity Industry) Rules, 2011		14.09.2012	
(iv) The Cost Accounting Records (Fertilizer Industry) Rules, 2011		14.09.2012	
(v) The Cost Accounting Records (Pharmaceutical Industry) Rules, 2011		14.09.2012	
6.	Ministry of Finance (Department of Economic Affairs)	The Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011	13.03.2012
7.	Ministry of Finance (Department of Financial Services)	(i) The IRDA (Issuance of Capital by Life Insurance Companies) Regulations, 2011	14.09.2012
(ii) The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (Central Registry) Rules, 2011		12.12.2012	
8.	Ministry of Health and Family Welfare (Department of AYUSH)	(i) The Establishment of New Medical College (Opening of New or Higher Course of Study or Training and Increase of Admission Capacity by a Medical College) Regulations, 2011	14.09.2012

Sl. No.	Ministry/Department	Subject	Date of Identification
		(ii) The Indian Medicine Central Council (Minimum Standard Requirements of Ayurveda Colleges and attached Hospitals) Regulations, 2012	12.12.2012
9.	Ministry of Health and Family Welfare (Department of Health and Family Welfare)	(i) The Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011	13.03.2012
		(ii) The Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011	13.03.2012
		(iii) The Food Safety and Standards (Laboratory and Sample Analysis) Regulations, 2011	13.03.2012
		(iv) The Food Safety and Standards (Packaging and Labelling) Regulations, 2011	13.03.2012
		(v) The Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011	13.03.2012
		(vi) The Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011	13.03.2012
		(vii) The Food Safety and Standards Authority of India (Procedure for Transaction of Business of the Central Advisory Committee) Regulations, 2010	13.03.2012
		(viii) The Food Safety and Standards Authority of India (Transaction of Business at its Meetings) Regulations, 2010	13.03.2012
		(ix) The Food Safety and Standards Authority of India (Procedure of Scientific Committee and Scientific Panel) Regulations, 2010	13.03.2012
		(x) The Clinical Establishments (Central Government) Rules, 2012	12.12.2012
10.	Ministry of Human Resource Development (Department of Higher Education)	(i) The All India Council for Technical Education (Establishment of Mechanism for Grievance Redressal) Regulations, 2012	12.12.2012
		(ii) The All India Council for Technical Education (Information for Maintenance of Standards and Conduct of Inspection of Technical Entities of Universities) Regulations, 2012	12.12.2012
11.	Ministry of Law and Justice	The National Legal Services Authority (Legal Aid Clinics) Regulations, 2011	13.03.2012
12.	Ministry of Power	(i) The Joint Electricity Regulatory Commission (Distribution Code) Regulations, 2011.	13.03.2012
		(ii) Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012	14.09.2012
		(iii) The Energy Conservation (Energy Consumption Norms and Standards for Designated Consumers, Form, Time within which, and Manner of Preparation and Implementation of Scheme, Procedure for Issue of Energy Savings Certificate and Value of Per Metric Ton of Oil Equivalent of Energy Consumed) Rules, 2012	12.12.2012

Sl. No.	Ministry/Department	Subject	Date of Identification
13.	Ministry of Shipping	The Merchant Shipping (Regulation of Entry of Ships into Ports, Anchorages and Offshore Facilities) Rules, 2012	14.09.2012
14.	Ministry of Textiles	(i) The National Institute of Fashion Technology for the Post Graduate Degree, Under Graduate Degree, Diploma and Certificate Programme Ordinances, 2007	14.09.2012
		(ii) The National Institute of Fashion Technology Academic Programmes Ordinances, 2012	14.09.2012
		(iii) The First Statutes of National Institute of Fashion Technology, 2012	14.09.2012
		(iv) The National Jute Board Regulations, 2012	12.12.2012
15.	Ministry of Urban Development	The Bangalore Metro Railway (General) Rules, 2011	13.03.2012

III. Review of work done

(a) Sitzings of the Committee

1.3 During the year, the Committee held 8 sittings for 11 hours and 41 minutes. A statement showing the dates of sittings of the Committee held during the year 2012, the duration of the sittings and the subjects discussed is given in *Annexure-I*.

(b) Study Visits

1.4 The Committee undertook three study visits during the year to have on-the-spot study of the issues/subjects under its examination as per the details given below:-

Sl. No.	Dates	Places visited	Rules / Regulations Considered
1.	23.02.2012 to 29.02.2012	Kolkata, Port Blair and Chennai	<ol style="list-style-type: none"> 1. Regional Rural Bank (Appointment and Promotion of Officers and Employees) Rules, 2012 2. Colliery Control Rules, 2004 3. Insurance Surveyors and Loss Assessors (Licensing, Professional Requirements and Code of Conduct) Regulations, 2000 4. IRDA (Obligations of Insurers to Rural or Social Sectors) Regulations, 2002 5. Electricity Rules, 2005 6. Coastal Regulation Zone Notification, 2011 7. Jute and Jute Textiles Control Order, 2000 8. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2006 9. Andaman and Nicobar Island Municipal Services (Classification, Control and Appeal) Rules, 2008 10. Island Protection Zone Notification, 2011 11. BIS Hallmarking of Gold Jewellery Scheme

Sl. No.	Dates	Places visited	Rules / Regulations Considered
2.	24.06.2012 to 30.06.2012	Dharamshala and Srinagar	12. Implementation of 183rd Report of the Committee on Subordinate Legislation, Rajya Sabha on the Banking Ombudsmen Scheme, 2006 13. Petroleum Rules, 2002 1. Fruits and Vegetables Grading and Marking Rules, 2004 2. Implementation of 183rd Report of the Committee on Subordinate Legislation, Rajya Sabha on the Banking Ombudsmen Scheme, 2006 3. IRDA (Obligations of Insurers to Rural or Social Sectors) Regulations, 2002 4. Regional Rural Banks (Appointment and Promotion of Officers) Rules, 2010 5. Public Distribution System (Control) Order, 2001 6. First Statutes of National Institute of Fashion Technology 7. Indian Railway Catering and Tourism Corporation Rules 8. Railway Passengers (Manner of Investigation of Untoward Incidents) Rules, 2003 9. Gas Cylinder Rules, 2004 10. Electricity Rules, 2005 11. Border Roads Engineering Service Group 'A' (Amendment) Rules, 1988 12. IMCC (Post-graduate Unani Education) Regulations, 2007 13. Khadi and Village Industries Commission Rules, 2006
3.	04.11.2012 to 10.11.2012	Trivandrum, Mumbai and Hyderabad	1. CERC (Terms and Conditions for Tariff) Regulations, 2009 2. Rubber Board (General Provident Fund) Rules, 1966 3. Food Safety & Standard (Packaging & Labeling) Regulations, 2011 4. Security Interest (Enforcement) Rules, 2002 5. Aviation Turbine Fuel (Regulation of Marketing) Order, 2001 6. Tariff Authority for Major Ports (Medical Attendance and Treatment) Regulations, 2004 7. Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (Central Registry) Rules, 2011 8. Explosive Rules, 2008 9. PNGRB (Code of Practices for Emergency Response and Disaster Management Plan (ERDMP) Regulations, 2010 10. Civil Liability for Nuclear Damages Rules, 2011 11. IRDA (Obligations of Insurers to Rural or Social Sectors) Regulations, 2002

Sl. No.	Dates	Places visited	Rules / Regulations Considered
			12. IRDA (Issuance of Capital by Life Insurance Companies) Regulations, 2011
			13. Airport Authority of India (General Management, Entry for Ground Handling Services) Regulations, 2007
			14. E-waste (Management & Handling Rules, 2011

1.5 In addition, the Committee also undertook one local visit inside Delhi on subjects under its examination as given below:—

Sl. No.	Dates	Rules / Regulations Considered
1.	20.07. 2012	(i) The Petroleum and Natural Gas Regulatory Board (Conduct of Business and Investigation of Complaints) Regulations, 2007
		(ii) The Petroleum and Natural Gas Regulatory Board (Levy of Fee and Other Charges) Regulations, 2007
		(iii) The New Delhi Municipal Council (Sealing of Unauthorized Construction) Rules, 2008

IV. Reports Presented

1.6 During 2012, the Committee presented following Reports to the House:—

Sl. No.	Report No. and Date of Presentation	Subject
1.	197th (17.05.2012)	Statutory Orders Laid on the Table of the Rajya Sabha during its 223rd Session
2.	198th (03.09.2012)	Statutory Orders Laid on the Table of the Rajya Sabha during its 224th Session
3.	199th (03.09.2012)	Statutory Orders Laid on the Table of the Rajya Sabha during its 225th Session
4.	200th (03.09.2012)	(i) The Tuticorin Port Trust Employees (Recruitment, Seniority and Promotion) Regulations, 2008
		(ii) The Liquefied Petroleum Gas (Regulation of Use in Motor Vehicles) Order, 2001
5.	201st (14.12.2012)	Statutory Orders Laid on the Table of the Rajya Sabha during its 226th Session
6.	202nd (14.12.2012)	(i) The Railway Passengers (Manner of Investigation of Untoward Incidents) Rules, 2003
		(ii) The Customs (Compounding of Offences) Rules, 2005
7.	203rd (14.12.2012)	The Tea (Distribution and Export) Control Order, 2005

1.7 Minutes of the sittings of the Committee on Subordinate Legislation relating to various Reports presented to the House were prepared and presented to the House along with the relevant reports.

V. Summary of Recommendations

(a) 197th Report

Statutory Orders Laid on the Table of the Rajya Sabha during its 223rd Session

1.8 The Committee impresses upon all the Ministries/Departments to take immediate steps to ensure timely and proper laying of subordinate legislation. The Committee, accordingly, wishes to bring to the notice of all Ministries/Departments of the Government of India, particularly, the defaulting ones, the following recommendations, as contained in its 131st, 135th , 152nd and 192nd Reports:

“Orders required to be laid before the House should be laid (i) if the House is not in Session, during the Session immediately following the date of publication of the Order in the Official Gazette and (ii) if the House is in Session, on the date of the publication of the Order, during its continuance and in case the time lag between the date of publication and the date of the closing of the Session is less than 15 clear days, before the expiry of the Session immediately following the said Session. All the Ministries/Departments of Government of India should henceforth comply with this schedule in the matter of laying of the Orders issued under various Acts of Parliament on the Table of the Rajya Sabha.

*(131st Report)
(Presented on 15 December 2000)*

“The Committee has, time and again, emphasized that it is essential that in case there is a delay in the laying of Statutory Orders, the concerned Ministry/Department should invariably append a delay statement along with the notifications being laid so as to apprise Parliament of the causes of delay. The Committee desires all Ministries/Departments to take a note of this, since the intention is that through the process of formulation of a delay statement the Ministry is able to introspect, identify bottlenecks and devise remedial measures”.

*(135th Report)
(Presented on 27 July 2001)*

“In the opinion of the Committee, every notification should be assigned a distinctive number in order to give it a separate identity and similarly, no notification should be published/laid which does not carry a notification number. The Committee expects all Ministries/Departments of Government of India to exercise caution in this regard. In case where there are more than one notification under a single file, the Ministries/Departments should ensure that the file number on each notification should be suitably distinguished from one another.”

*(152nd Report)
(Presented on 26 August 2004)*

“In addition to the concern expressed by the Committee over delay in laying of Notifications on the Table of the House, the Committee also express their deep concern over delay in framing of rules/regulations under different Acts. The Committee in its 47th report presented to the House on 14.9.1981 has recommended that the rule-making process should be completed within a period of six months of the coming into force on an Act. The Committee has further recommended that in case a Ministry is not able to adhere to this time limit, it should seek extension of time for completing the rule-making process. The recommendation of the Committee reads as follows:—

“The Committee feels that the rule-making process could well have been completed within the time limit of six months which the Committee has laid down for making of rules under an Act after coming into force of that Act. Where however, a Ministry does not find it possible to adhere to the time limit, they should inform the Committee of the reasons why they cannot make rules within the time limit and seek extension of time for completing the rule-making process.”

The Committee is constrained to take note of the fact that the Ministries/Departments of Government of India are not complying with the Committee’s recommendation to complete the process of framing of subordinate legislation contemplated under various Acts of Parliament within a period of six months. At the same time, the Committee also does not receive requests for extension of time for completing the rule-making process in terms of its recommendations as above from most of the Ministries/Departments. The Committee takes a serious note of the prevailing situation in which the Ministries/Departments are neither able to complete the task of framing rules/regulations under different Acts within the given six months’ period nor do they suo-motu approach the Committee for seeking extension of time. The Committee further notes that in order to ensure timely framing of rules/regulations it has taken an initiative to monitor the progress of framing of subordinate legislation in respect of all legislations brought about by different Ministries/Departments of Government of India from the year 2003 onwards with a view to ensure that the framing of subordinate legislation is not delayed. The Committee, however, finds that the responses from the Ministries/Departments have not been prompt in this monitoring exercise undertaken on behalf of the Committee.

In view of the above position, the Committee once again reiterates its recommendation that the Ministries/ Departments should ensure putting in place subordinate legislation positively within a period of six months of coming into force of the Act. The Committee further recommends that in case the Ministry fails to meet with this deadline, they should invariably approach the Committee for seeking extension of time. The Committee further recommends that in cases where the time limit of six months is not adhered to, they should, while laying rules/regulations before the Parliament invariably lay a statement explaining the reasons why the framing of rules/regulations was delayed beyond six months so as to keep the Parliament apprised of the compliance of the Parliament's mandate conferred upon the Executive."

*(192nd Report)
(Presented on 26 August 2011)*

(b) 198th Report

Statutory Orders Laid on the Table of the Rajya Sabha during its 224th Session

1.9 The Committee impresses upon all the Ministries/Departments to take immediate steps to ensure timely and proper laying of subordinate legislation. The Committee, accordingly, wishes to bring to the notice of all Ministries/ Departments of the Government of India, particularly, the defaulting ones, the recommendations, as contained in its 131st, 135th, 152nd and 192nd Reports regarding timely and proper laying of notifications and reiterated its stand.

1.10 The Ministry of Health and Family Welfare have laid 17 Notifications (Sl. Nos. 153 to 169) out of which 8 Notifications have been delayed (Sl. Nos. 160-162, 166-169). Seven Notifications have been appended with delay statement and one Notification has no delay statement appended to it. The delay period ranges from 9 months to 1 year and 1 month. The reason for delay in laying of various Food Safety and Standards Authority of India regulations is given as under:—

"These Regulations, being issued for the first time, could not be laid within the prescribed time frame in view of the fact that FSSAI being a newly created statutory body, the required administrative structure was not in place. The organization is working on the strength of largely technical officers transferred from different Ministries/Departments in December, 2008/January, 2009 for implementing the Food Safety and Standards Act, 2006."

1.11 The Committee does not accept the reason given by the Ministry that the Food Safety and Standards Authority of India (FSSAI) being a newly created statutory body did not have the required administrative structure due to which the Notifications could not be laid in time. The organization has been working since December, 2008 and how it has taken more than one year to place the Notifications on the Table of the House. Moreover, laying is basically Ministry's obligation and if the Ministry had framed the rules and modified it; why would it not lay on the Table of Parliament as well. Thus the Committee feels that no serious efforts were made by the Ministry to lay the Notifications in time which is in contravention of its statutory obligation to Parliament. The Committee views it seriously and impresses upon the Ministry to take note of the fact that in case there is a delay in the laying of any Notifications, the same should be accompanied with a delay statement while it is being laid. The Committee also directs the Ministry to avoid recurrence of such delays in future and append delay statement so as to keep Parliament apprised of the reasons of delay.

(c) 199th Report

Statutory Orders Laid on the Table of the Rajya Sabha during its 225th Session

1.12 The Committee impresses upon all the Ministries/Departments to take immediate steps to ensure timely and proper laying of subordinate legislation. The Committee, accordingly, wishes to bring to the notice of all Ministries/ Departments of the Government of India, particularly, the defaulting ones, the recommendations, as contained in its 131st, 135th, 152nd and 192nd Reports regarding timely and proper laying of notifications and reiterated its stand.

1.13 The Ministry of Road Transport and Highways have laid 237 Notifications (Sl. Nos. 388-624). There has been significant number of Notifications which have been delayed. Out of 184 delayed Notifications only 20 Notifications (Sl. Nos. 540-543, 549, 551-554, 559-562, 581-582, 586-589 & 591) have been attached with delay statement and 164 Notifications have no delay statement appended. The delay period ranges from 5 Months to

19 months. In 58 cases, Notifications have been delayed ranging from 12 months to 19 months. The reasons given by the Ministry is that it took some time to collect the papers and complete the procedural formalities. Therefore, Notifications could not be laid in time on the Table of both the Houses of Parliament.

1.14 The Committee is not happy over such large number of delayed Notifications. This is just not acceptable to the Committee that 164 out of 184 Notifications delayed did not have the delay statements, delay period being more than one year six months in the case of some notifications. While there may be a reason for the delay, but there cannot be any reason for not furnishing reason for that. The Ministry must understand the implications for not doing so regularly and moreover in such a large number of cases.

1.15 The Committee does not accept the reasons of the delay given by the Ministry of Road Transport and Highways that it took some time to collect the papers and complete the procedural formalities. The Committee wonders how can it take such a long time to receive Notifications and to complete procedural formalities. The Committee feels that Ministry did not take adequate precaution to avoid the delay. The Committee further makes a point that Ministry should append a delay statement in each such cases so as to apprise the Parliament of the reasons of delay in laying of Notifications on the Table of the House.

(d) 200th Report

(i) *The Tuticorin Port Trust Employees (Recruitment, Seniority and Promotion) Regulations, 2008*

Relaxation of educational qualifications for promotion

1.16 The Committee noted that Regulation 31 of the Tuticorin Port Trust Employees (Recruitment, Seniority & Promotion) Regulations, 1979 provides that when a post is filled by promotion, the Departmental Promotion Committee may, subject to the approval of the Chairman, relax the academic qualifications, if the candidate to be promoted is otherwise suitable and qualified by reason of adequate experience. However, the new Regulations of 2008 have no such provision to relax the academic qualifications. The Committee felt that the provisions of the 1979 Regulations seem to be more desirable in this regard as it will go a long way in motivating the employees to perform to their fullest potential. Denying them the opportunity for promotion, when they are otherwise suitable, on the grounds of academic qualification, is not a desirable thing. The Committee, therefore, recommends that the provision of 1979 providing that when a post is filled by promotion, the Departmental Promotion Committee may, subject to the approval of the Chairman, relax the academic qualifications if the candidate to be promoted is otherwise suitable and qualified by reason of adequate experience, may be retained.

Cadre Restructuring in respect of Class II, Class III and Class IV employees and updating in the Schedule

1.17 The Committee recommends that cadre restructuring in respect of Class II, Class III and Class IV posts be completed immediately and the recruitment rules for Class II, Class III and Class IV posts should be included in Schedule-II of the Tuticorin Port Trust Employees (Recruitment, Seniority & Promotion) Regulations, 2008 at the earliest.

Reservation of posts for SCs/STs and OBCs

1.18 The Committee is happy to note that the Central Government directions on reservation of posts for SCs/STs and OBCs are being followed by the Port and directs the Ministry of Shipping to ensure that these are followed in letter and spirit by the Port management.

Updation of sanctioned strength in Schedule to the Regulations

1.19 The Committee noted the reply of the Ministry and recommends that the Schedule indicating the permanent and temporary strength of various grades be revised and updated immediately as soon as the strength in a particular grade is increased due to sanction of additional posts or decreased due to abolition of post.

Nomination of Members of Services Selection Committee

1.20 The Committee noted the reply of the Ministry that instructions of the Central Government issued from time to time are followed by the Port and directs the Ministry to ensure due compliance of such instructions by the Port management. The Committee, however, feels that in regard to nomination for representative of SC/ST & OBCs, minimum level/ rank of the officer nominated as representative should be mentioned as has been done for other Members of the Service Selection Committees for different levels of posts.

Selection Procedure

1.21 The Committee noted the reply of the Ministry but would like to stress that the instructions/rules regarding the selection procedure should be strictly followed by the Services Selection Committee. The Committee, accordingly, directs the Ministry and the Port Trust that they should ensure that instructions/rules regarding the selection procedure should be strictly followed by the Services Selection Committee so that undue controversies do not arise.

Departmental Promotion Committee (DPC)

1.22 The Committee noted that the instructions issued by the Central Government with regard to DPCs are followed by the Port. Noting the significant role being played by DPCs in the career of the employees and the need for DPCs to meet at stipulated intervals, the Committee would like to bring to the notice of the Ministry and Tuticorin Port Trust its recommendation as contained in its 38th Report regarding the functioning of DPCs which is reproduced as follows:

“The Committee finds that the Departmental Promotion Committees play significant role in the career of the service personnel. The Committee is astonished to learn that the Departmental Promotion Committees which are generally required to meet every year do not meet for years as a result of which service personnel suffer as these cases are not regularized. The Committee feels that the Ministry of Home Affairs should take such steps as it may deem proper to ensure that all the Ministries and Departments of the Government of India including the Union Territory Administrations adhere to the guidelines issued by them in regard to the meetings of Departmental Promotion Committees and in case of failure, strong ‘action should be taken against the erring Department/Ministry’ or the Union Territory Administration. Strict compliance of the guidelines and instructions issued by the Department of Personnel and Administrative Reforms should not be left to the concerned Ministries/Departments. A constant vigil is needed in this regard. At the same time the Committee would like to stress that the role of the Departmental Promotion Committees in various Ministries/Departments should be periodically reviewed to ensure that they do not go into tasks not assigned to them or assume powers that might come in the way of the smooth discharge of duties by service personnel. The burden on the Government, particularly the Department of Personnel is thus heavy to ensure that the service personnel work in an atmosphere free from fear and favour.”

(Para 17 of 38th Report)

(Presented on 28.3.1980)

Regulation 30-Interpretation

1.23 While the Committee accepts the position that the decision of the Chairman is final with regard to the interpretation of the Regulations, the Committee recommends that this should specifically be mentioned in the Regulations itself by adding the words, “whose decision thereon shall be final and binding” after the words “...,the matter shall be referred to the Chairman for a decision.”

Updating/Uploading of subordinate legislation on the website

1.24 The Committee directs that the Act, Regulations and other subordinate legislation concerned with the Tuticorin Port Trust should be uploaded immediately on the websites of both the Ministry of Shipping and Tuticorin Port Trust. In this regard, the Committee would like to reiterate its recommendation as contained in its 135th Report that the Ministries, as part of their e-governance initiative, put all subordinate legislation on their websites, preferably bilingually.

(ii) The Liquefied Petroleum Gas (Regulation of Use in Motor Vehicles) Order, 2001

1.25 The Committee is hopeful that the Ministry would carry out the recommendations of the Committee expeditiously under intimation to it. The Committee is also of the opinion that proper monitoring and inspections are essential for the proper implementation of the Order and stresses upon the Ministry to strengthen its enforcement mechanism to ensure that the objectives of the Order are achieved.

Definition of consumer

1.26 The Committee noted the facts as enumerated by the Ministry and recommends that the words 'as notified by Ministry of Road Transport & Highways' be added after the words 'with some other petroleum fuel' in Liquefied Petroleum Gas (Regulation of Use in Motor Vehicles) Order, 2001.

Procurement, storage and sale of auto LPG by the auto LPG dispensing station dealer

1.27 The Committee recommends that the Liquefied Petroleum Gas (Regulation of Use in Motor Vehicles) Order, 2001 be amended to incorporate that the permissions obtained by Auto LPG Dispensing Stations (ALDS) for keeping the premises, including the storage points, closed during working hours to be displayed well in advance to avoid hardship to the consumers likely to arise due to closure of dispensing stations.

Assessment and certification rating of parallel marketers

1.28 The Committee feels that just because no representation on the fees has been received, it does not mean that efforts should not be made to bring the fees in consonance with the Market forces. The Committee, therefore, recommends that the Ministry should review and, accordingly, revise the fee periodically after making an assessment of the market conditions and the need to protect the interest of the consumers.

1.29 The Committee while accepting the views of the Ministry was of the opinion that since the Ministry already had the experience of the implementation of the LPG (Regulation of Supply and Distribution) Order, 2000, hence, some basic guidelines for invoking para 11 should be framed by them. This would help check arbitrariness and help in deciding cases in which exemptions could be granted.

1.30 The Committee accepted the comments of the Ministry but were of the opinion that the principles on the basis of which the Marketing Discipline Guidelines are framed and the standard clauses included in the dealership agreements should be incorporated in the Rules itself to bring transparency which would also provide Statutory backing to them. The Committee, therefore, recommends that the Rules may, accordingly, be amended to incorporate the same.

1.31 The Committee recommends that regarding para 6(1)(b) a time limit for issue of rating certificate be incorporated in the Order. Also, the Committee feels that the status of the application should be put up on the website of the Ministry so as to ensure transparency.

1.32 The Committee is hopeful that the Ministry would carry out the recommendations of the Committee expeditiously under intimation to it. The Committee is also of the opinion that proper monitoring and inspections are essential for the proper implementation of the Order and stresses upon the Ministry to strengthen its enforcement mechanism to ensure that the objectives of the Order are achieved.

(e) 201st Report**Statutory Orders Laid on the Table of the Rajya Sabha during its 226th Session**

1.33 The Committee impresses upon all the Ministries/Departments to take immediate steps to ensure timely and proper laying of subordinate legislation. The Committee, accordingly, wishes to bring to the notice of all Ministries/Departments of the Government of India, particularly, the defaulting ones, the recommendations, as contained in its 131st, 135th, 152nd and 192nd Reports regarding timely and proper laying of notifications and reiterated its stand.

1.34 Ministry of Communication and Information Technology (Department of Telecommunications) have laid 14 Notifications (Sl. Nos. 24 to 37). Out of these, 5 Notifications have been delayed. The delay period ranges from 4 months to 6 months. One delayed Notification (Sl. No. 24) has no delay statement attached with it while other 4 Notifications (Sl. Nos. 26 to 29) are appended with delay statement. The reasons given by the Ministry for the said delay is reproduced as under:—

“The Telecom Regulatory Authority of India (TRAI) is a statutory body set up under the Telecom Regulatory Authority of India Act, 1997. In exercise of the powers conferred upon it under section 36 of the TRAI Act, 1997, the Authority may, by notification, make regulations consistent with the Act and the Rules made there under to carry out the purposes of the Act. Under section 37 of the Act, the regulations notified by TRAI are required to be laid before each House of Parliament.

The Telecom Regulatory Authority of India (TRAI) in exercise of the powers conferred by Section 36 read with sub-clauses (vii) of clause (b) of sub-section (1) and clause (c) of sub-section (1) of section 11 of the TRAI Act, 1997 notified these regulations were given for printing to Government Press on the same day they were issued. In spite of pursuing with the concerned officials of Government of India Press, the Gazette of India notified copies of the regulations were received by TRAI from the Government of India Press on 7th May, 2012. The Budget Session of Parliament ended on 22nd May, 2012 with last day allotted for Ministry of Communication & IT being 18th May, 2012. Hence the time available for laying these regulations in the Parliament was less than 15 days and the regulations could not be laid on the Table of the Rajya Sabha during the Budget Session 2012 of Parliament.”

1.35 The Committee notes with concern the delay of four to six months in laying of the Notifications mainly due to late receipt of printed copies from Government of India Press and time taken in completing the procedural formalities in the Ministry of Communication and Information Technology (Department of Telecommunications). In this context the Committee observes that it is the Ministry’s responsibility to ensure that the Notifications are laid before the Parliament within the prescribed time schedule and accordingly, it is for the Ministry only to ensure that they receive the same timely from the statutory bodies under them and complete all formalities of laying well before the House is adjourned. As for time availability being less than 15 days, it may be stated that had the Ministry been prompt, the Notifications could well have been laid even on the last day of the Session with the consent of the concerned Minister. The Committee recommends that the Department of Telecommunications may take necessary remedial measures to ensure that papers are laid well in time on the Table of the House. It is also impressed upon that all those Notifications which have been delayed should invariably be accompanied with delay statements.

1.36 Rules/Regulations/Orders/bye-laws are laid on the Table of the House under various provisions of parent Acts passed by Parliament. These Rules/Regulations/Orders/bye-laws are published in the official Gazette before being laid on the Table of the House. Even after they are laid, it is very difficult to get access to these notifications. The Committee recommends that such Rules/Regulations/Orders, etc. laid on the Table of the House should be invariably uploaded on the websites of respective Ministries immediately on the same day when they have been laid on the Table of the House, for information of Members of Parliament and people at large for their easy access.

(f) 202nd Report

I Railway Passengers (Manner of Investigation of Untoward Incidents) Rules, 2003

1.37 The Committee is happy to note that the Ministry has accepted the suggestions of the Committee by incorporating them in the Railway Passengers (Manner of Investigation of Untoward Incidents) Amendment Rules, 2007 as under:

- (i) By deleting Rule 2 (n) defining the term “technical survey”;
- (ii) In Rule 6(iii), by substituting the words “in-charge” with the words “Divisional Security Commissioner”;
- (iii) In Rule 7(2), by prescribing a time limit of 60 days for completion of investigation;
- (iv) By inserting new sub-rule (3) in Rule 10 prescribing that Divisional Security Manager shall submit the report to Divisional Railway Manager within 15 days of receipt of report by investigation;
- (v) In Rules 11, by prescribing 15 days for examination of report by Divisional Regional Manager; and
- (vi) By substituting Rule 13 and prescribing 15 days for the investigation report along with acceptance of Divisional Railways Manager to be sent to the claims office of the Zonal Railway where the incident has occurred.

1.38 On the remaining issues raised by the Committee, the Committee notes with satisfaction the explanation furnished by the Ministry.

II The Customs (Compounding of Offences) Rules, 2005

1.39 The Committee observes that one of the reasons for poor response to the Compounding Scheme is that the compounding amount is on the higher side. The Committee notes that the rules were framed with an intention on the

part of Government to minimize litigation. The results however, are far from encouraging as the objectives set for the rules have not been achieved due to lack of response. The Committee desired that the Ministry/ Department should go into the details of it and try to ameliorate the situation.

1.40 The Committee noted the under mentioned reasons for failure of the Rules:

- (i) Compounding amount is on the higher side as Rs. 50,000/- or Rs. Ten lakhs at the optimum level will be difficult to pay by the small violators. In case of small violators, penalty can be waived off.
- (ii) Cases are not pursued seriously by law council or Compounding Authority.
- (iii) There is no time for settlement. This is in contravention of the principle of natural justice. In the absence of a fixed time frame for arriving at a decision in compounding cases, affected parties shy away from the scheme.

1.41 The Committee suggested that the Department of customs should relook into the reasons for failure of the scheme and make it viable and attractive for those for whom it has been framed/ designed. In reply, the Ministry informed that after re-examining the provisions of the said Rules, it was felt by the Department that the compounding amount should be reduced to make the scheme more popular.

1.42 The Committee is happy to note that the Ministry have accepted the Committee's suggestions by amending the Rules *vide* notification No. G.S.R. 786(E) dated 12.11.2008 publishing the Customs (Compounding of Offences) Amendment Rules, 2008 (Annexure-IV) along with corrigendum (Annexure-V) to the amendment Rules. With this amendment the compounding amount for offences committed under section 135(1)(a), section 135(1)(c) and section 135(1)(d) of the Customs Act, 1962 has been reduced from "Upto 20% of the market value of goods or Rs. 10 lakhs, whichever is higher" to "Upto 10% of the market value of goods, subject to a minimum of Rs. 1 lakh". Similarly, for offences committed under section 135(1)(b) and section 135A of the Act, the compounding amount has been reduced from "Upto 20% of the market value of goods or Rs. 10 lakhs, whichever is higher" to "Upto 5% of the market value of goods, subject to a minimum of Rs. 1 lakh". It is felt that these provisions would make the compounding of offences scheme more popular.

1.43 The Committee also observed that cases are not pursued seriously by Law Counsel or Compounding Authority and that there is no time limit for settlement. The Committee notes with satisfaction that the Ministry *vide* Circular No. 20/2008-Cus dated 02.12.2008, have directed the field formations to dispose off the applications for compounding of offences within a period of 3 months from the date of receipt of such application. In addition, it has also been directed that in straight cases, where the importer/ exporter is caught red handed, prosecution may be launched immediately after seizure of the goods. In other cases, the process of deciding about launching of prosecution or otherwise shall be completed within a month of adjudication of the case. Further, the Committee is happy that cases of prosecution shall be pursued seriously with the respective Government Counsels and the Courts.

1.44 On rest of the points the Committee noted the reply of the Ministry.

(g) 203rd Report

The Tea (Distribution and Export) Control Order, 2005

Rule 1(2) Short Title and Commencement

1.45 The Committee feels that India occupies a leading position in tea export and, therefore, all efforts should be made to ensure that its eminent position is maintained. It accordingly urges the Ministry to update the concerned Acts and Orders at the earliest, if it has not been done till now, so as to provide a strong statutory basis aligned to the current global scenario.

Rule 8(4): Grant and refusal of business licence/permanent licence to exporters

1.46 The Committee after considering the comments of the Ministry recommends that the Order be amended to include a speaking order for recording the ground of a refusal of license in cases of rejection. It would provide more transparency to the working of the Order.

1.47 Rule 8(5): The Committee accepted the clarification furnished by the Ministry. However as a way of caution to prevent delays the Committee recommends that the Department should make a study of the appropriate time within which the required formalities can be completed and this should then be incorporated in the Order.

Rule 10(2): Grant and refusal of Certificate of Origin for teas designated as Geographical Indications.

1.48 The Committee is happy to note that the Ministry issues the Certificate of Origin within twenty four hours. However, the Committee feels that it would be more appropriate if the same is reflected in the Order and would therefore recommend that time-frame should be incorporated in the Order itself.

Rule 11(2): Grant and refusal of Non-Preferential Certificate of Origin

1.49 The Committee accepts the comments of the Ministry but would like to recommend that the process of submission of documents may be made on-line and the forms required to be submitted may be done in soft copy along with the scanned copies of the required documents. This would not only save time but would be more transparent and time saving method based on the latest technology.

Rule 12(1): Period of validity of business licence

1.50 The Committee accepts the comments of the Ministry but requests it to ensure that no business licence holder is adversely affected due to paucity of time.

Rule 17 (a) and (b): Fees for exporters

1.51 The Committee took into consideration the clarification furnished by the Ministry and also the fact that the last few years had been quite tough for Tea exporters. It was of the opinion that the validity period should be increased to five years to provide some more time to the licensee to convert his licence to a permanent one.

Rule 21 Explanations (2) and Rule 22 Explanations (2)

1.52 The Committee took note of the fact that disposal of tea waste was being governed by Tea Waste (Control) Order, 1959. It was of the opinion that lots of new technologies had come up since the Tea Waste (Control) Order, 1959 was framed. It therefore, reiterates that the Ministry should take a comprehensive view of the Tea Act and its concerned subordinate legislation and redraft them in the current perspective.

Rule 36: Power to approve inspection agency

1.53 The Committee notes that the Ministry did not state whether the concerned rules governing the composition, terms, tenure and functions of the Technical Committee had been framed. The Committee is of the opinion that it would be appropriate that necessary subordinate legislation should be framed in this regard, if these Technical Committees are of a permanent nature.

Rule 37: Power to approve tea tasters for constituting a panel

1.54 The Committee is happy that the Ministry has accepted its suggestion regarding specifying in the rule itself the validity period of the panel and for recording reasons in writing in case the approval granted to a tea taster is cancelled before the expiry of the validity period. It hopes that the Ministry would expedite the process of amending the Order to incorporate the recommendations of the Committee.

1.55 The Committee is hopeful that the Ministry would carry out the recommendations of the Committee expeditiously under intimation to it. The Committee is also of the opinion that proper monitoring and inspections are essential for the proper implementation of the Order and stresses upon the Ministry to strengthen its enforcement mechanism to ensure that the objectives of the Order are achieved.

VI. Secretariat

1.56 The Committee Section (Subordinate Legislation) headed by two Assistant Directors constitutes the Secretariat of the Committee. A Joint Secretary, a Joint Director and a Deputy Director remained in charge of the Branch.

1.57 To assist the Committee in its work, the statutory orders laid on the Table of the Rajya Sabha, Bills passed by the Parliament, representations / references received from individuals / Ministries and the material received from the Ministries / Departments / Various non-official organizations and individuals were studied from which points were culled out and questionnaires for written replies / evidence were prepared for the use of the Committee.

1.58 The Secretariat collected material for on-the-spot studies and prepared study tour notes.

1.59 The work relating to drafting of Reports of the Committee and their considerations and approval along with their presentation, laying, printing and distribution was undertaken. The Secretariat also dealt with the work relating to the scrutiny of action taken notes received from the Ministries concerned on the recommendations contained in the Reports of the Committee and preparation of Draft Reports of the Committee on the Action Taken Reports.

ANNEXURE I*(See Para 1.3)***Details of the sittings of the Committee on Subordinate Legislation during the year 2012**

Sl. No.	Date	Duration Hrs-Mins.	Subject
1.	24.01. 2012	1.12	Oral evidence of the Secretary, Ministry of Textiles and Director General, National Institute of Fashion Technology on the status of framing of subordinate legislation under the National Institute of Fashion Technology Act, 2006
2.	20.03.2012	1.00	Review meeting of the Committee's study visit to Kolkata, Port Blair and Chennai from 23rd to 29th February, 2012
3.	16.05.2012	0.30	To consider and adopt the 197th Report of the Committee on Statutory Orders laid on the Table of Rajya Sabha during its 223rd Session
4.	06.06.2012	2.31	1. Oral evidence of the Secretaries of Ministry of Parliamentary Affairs, Ministry of Finance (Department of Revenue) and Ministry of Finance (Department of Financial Services) on the issue of delay in laying of subordinate legislation on the Table of Rajya Sabha 2. Oral evidence of the Secretary, Ministry of Consumer Affairs, Food & Public Distribution (Department of Food & Public Distribution) on the Public Distribution System (Control) Order, 2001
5.	30.08.2012	0.45	To consider and adopt the 198th, 199th and 200th Reports of the Committee
6.	18.09.2012	1.55	Briefing meeting with the Secretary, Ministry of Health & Family Welfare (Department of Health & Family Welfare) on the following regulations: (i) Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011 (ii) Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011 (iii) Food Safety and Standards (Packaging and Labeling) Regulations, 2011
7.	19.10.2012	2.48	1. Oral evidence of the Secretary, Ministry of Micro, Small and Medium Enterprises on the issue of delay of framing of rules under the Micro, Small and Medium Enterprises Act, 2006 2. Oral evidence of the Secretary, Ministry of Agriculture on the issue of delay of framing of rules under the Protection of Plant Varieties and Farmers' Rights Act, 2001 3. Briefing meeting with the Secretary, Department of Atomic Energy on the Civil Liability for Nuclear Damages Rules, 2011
8.	12.12.2012	1.00	To consider and adopt the draft 201st, 202nd and 203rd Reports of the Committee

CHAPTER - II
COMMITTEE ON PETITIONS

I. Composition of the Committee

2.1 The Committee was constituted on the 29th September, 2010 and is continuing since then with the following composition:—

1. Shri Bhagat Singh Koshyari — *Chairman*
2. Shri Nandi Yellaiah
3. Shri Avinash Pande
4. Shri Rajaram
5. Shri Paul Manoj Pandian
6. Shri V. P. Singh Badnore
7. Shri P. Rajeeve
8. Shri Ram Vilas Paswan
9. Shri Murli Deora
10. Shri Darshan Singh Yadav

II. Petitions examined by the Committee

2.2 During 2012, the Committee had examined the following petitions:—

Sl. No.	From whom received	Counter-signed by	Subject matter of the petition	Date of admission by Hon'ble Chairman, Rajya Sabha	Date of presentation/report to the House and reference to the Committee
1.	Shri Ajay Kumar Mishra, r/o New Delhi	—	Petition praying for effective implementation of the concept of National Capital Region (NCR) to control both land use and development of infrastructure in NCR so as to avoid any haphazard development of the region	27.03.2012	29.03.2012 (Secretary-General)
2.	Shri Pushkar Raj, r/o Faridabad, Haryana.	Shri Veer Pal Singh Yadav, Ex-MP, Rajya Sabha	Petition praying for prevention of adulteration of food items and to ensure consumption of safe food in the country	02.05.2012	04.05.2012 (Secretary-General)
3.	Shri Prakash Javadekar, MP, Rajya Sabha	—	Petition praying for amendment in the Employees Pension Scheme, 1995	07.11.2012	23.11.2012 (Shri Prakash Javadekar, MP, Rajya Sabha)

III. Review of Work done

(a) Sitzings of the Committee

2.3 During the period under review, the Committee held 17 sittings which lasted for 21 hours and 17 minutes. A statement showing the dates of the sittings of the Committee held during the period under review, the duration of the sittings and the main agenda taken up during those meetings is given in *Annexure-II*.

(b) Study Visits

2.4 During 2012, the Committee did not undertake any study visit.

IV. Reports Presented

2.5 During the year 2012, the Committee presented two Reports to the House as per following details:—

Sl. No.	Report No.	Date of Presentation	Subject
1.	143rd	13.12.2012	Representations praying for payment of enhanced gratuity benefits to the retired executives of NTPC & BHEL <i>at par</i> with the retirees of Central Government and CPSEs.
2.	144th	19.12.2012	On the Action Taken by Government on the observations/recommendations contained in Hundred and Thirty-sixth Report on the petition praying for benefits of pay revision and pension to the VRS optees and retirees of IFCI.

V. Summary of Recommendations

2.6 Summary of important recommendations of the Committee made in its reports presented during 2012 is as under:—

(a) 143rd Report on Representations praying for payment of enhanced gratuity benefits to the retired executives of NTPC & BHEL *at par* with the retirees of Central Government and CPSEs

2.7 The Committee is constrained to note that despite its recommendations made over ten years back, enough action has not been taken by Government to evolve a foolproof and transparent system for the payment of gratuity to the employees of the PSEs following the IDA pattern which constitutes 96% of the entire workforce of the Public Sector employees. In Committees' view, the present set of representations that have come before it, is a consequence of insufficient action on the part of the Government to rationalize and streamline the payment of gratuity under the Payment of Gratuity Act.

2.8 The Committee takes note of the grievances of the representationists. Essentially, they, in their representations, have asked for gratuity under an enhanced ceiling of Rs.10 lakh by seeking parity with the employees of Government of India. The representationists have also sought parity with the Central Government employees as regards the cut-off date for the enhanced ceiling. With regard to the said request of the representationists, the Committee is of the view that drawing of such parity between the employees of the PSEs following CDA pattern or for that matter with the Central Government employees is unfounded. The Committee notes that payment of gratuity to the Central Government employees is governed under the CCS (Pension) Rules. The PSEs following CDA pattern are also regulated identically with the Central Government employees in the matter of payment of gratuity as far as the amount fixed for upper ceiling is concerned. On the other hand, the PSEs that are following the IDA pattern are governed by the Payment of Gratuity Act, 1972. Therefore, the Committee does not see any justification for granting any parity between two sets of employees who are governed by different sets of laws/rules. Accordingly, the Committee is not convinced with the plea of the petitioners seeking parity with the Central Government employees. The Committee incidentally in this context also takes note of the fact that the employees of the CPSEs following CDA pattern also got the benefit of revised ceiling of 10 lakhs *w.e.f.* 24.05.2010 after amendment to the Payment of Gratuity Act, 1972.

2.9 The Committee notes that the Department of Public Enterprises have not followed a uniform pattern in the matter of giving effect to revised ceilings of gratuity from time to time under the Payment of Gratuity Act, 1972. The representationists have sought to give effect to the revised ceiling of gratuity *i.e.* Rs.10 Lakhs *w.e.f.* 01.01.2006 instead of 01.01.2007. The Committee is of the considered view that any cut-off date is bound to put a dividing line giving coverage up to a certain point and exclusion of those beyond that point. Thus, there is always a scope that any benefit or entitlement getting extended to those falling within the cut-off date and those not covered within the cut-off dates, might stand excluded. However, the Committee notes that the Department of Public Enterprises has not followed a uniform pattern in the matter of fixing up of cut-off dates while enhancing the limit of gratuity from time to time, under the Payment of Gratuity Act. On the other hand, in case of the Central

Government employees, all pay revisions, etc., including enhancing of limit of gratuity, have taken place at a uniform interval of ten years and with effect from a definite date *i.e.* 01.01.1986, 01.01.1996 and so on. Having a definite cut-off dates for pay revision, etc., which is known in advance to the employees is a better dispensation as it does away with discretion and eliminates scope for grievance atleast the ones, that arise on account of decision on the cut off dates. The Committee, accordingly, recommends that the DPEs may create a linkage between the pay revision as well as revision of upper limit of gratuity in the case of employees of PSEs following IDA pattern on the lines of the pay commission for the Central Government employees. The Committee hopes that following of a uniform pattern for deciding a cut-off date for payment of gratuity in case of PSEs would bring a similar state of comfort to their employees as they will be able to foresee and plan their retirement. The Committee strongly recommends that a uniform pattern of fixing up of cut-off dates for payment of gratuity may be followed by the Department of Public Enterprises so that there is no scope for exercise of discretion causing similar grievances in future.

(b) 144th Report on the Action Taken by Government on the observations/recommendations contained in Hundred and Thirty-sixth Report on the petition praying for benefits of pay revision and pension to the VRS optees and retirees of IFCI

2.10 The Committee is unhappy over the adamant attitude of the IFCI Ltd. in the matter of implementation of the recommendations as contained in its 136th Report which was presented to the House as back as on 3rd July, 2009. The Committee is constrained to note that it pursued the matter with the Department of Financial Services as well as the IFCI Ltd. for over three years but has not been able to get a reasoned/logical for justified response from either of them.

2.11 It seems to the Committee that the IFCI Ltd. has already made up its mind not to agree to the Committee's recommendations and while toying that line they have come forward with all possible pleas like huge one-time and recurring financial implications, the autonomous character of the institution, the helplessness of the institution against the decisions taken in the Board of Directors of the Company, pending litigations on similar matters, etc. The Committee finds that all these pleas put up by the IFCI Ltd. are not supported by concrete facts and figures/records and hence they pretend for not accepting the Committee's recommendations.

2.12 The above observations of the Committee are based upon two findings; firstly, the learned Attorney General in his opinion dated the 8th December, 2010 has clearly ruled that the Government of India has a substantial interest in IFCI and it is an instrumentality of State under Article 12 of the Constitution of India. He added that Government had extensive financial investment in IFCI, had wide powers of control over IFCI and it nominated two Directors on IFCI's Board who played a role in the management of IFCI. This ruling of the learned Attorney General was forwarded to the Department of Financial Services on the 4th April, 2011. Secondly, the fact that the Government nominee on the Board of Directors of IFCI Ltd. recorded his note of dissent in the Board meeting dated 1st November, 2011 wherein the Board of Directors expressed its inability to accept the recommendations of the Committee. Both these findings lead to an inevitable conclusion that the IFCI Ltd. in this case has not acted with an open mind.

2.13 The Committee in this context also takes note of the recent communication dated 30.11.2012 of the Department of Financial Services which reveals that the Government of India shareholding in IFCI Ltd. is likely to come to around 55% and it would become a Government company. The Committee takes note of the fact that the recent developments in relation to IFCI Ltd. as stated above, go contrary to the stand taken by IFCI so far and they are supportive of the fact that the IFCI Ltd. in any case has a characteristics and features of a Government Company and hence it can not project its helplessness in fulfilling its obligation, statutory or otherwise, towards its erstwhile employees in the name of financial or functional autonomy.

2.14 The Committee strongly reiterates its earlier recommendations contained in paras 5.15 and 6.3 of 136th Report and recommends the Government to implement revision of pay scales and pensionary benefits with effect from 1st November, 2002 in favour of retired employees including VRS optees, who are on the pay roll of IFCI Ltd. as on 1st November, 2002 and also re-admission of VRS optees into Voluntary Welfare Scheme if they have contributed to Voluntary Welfare Fund for getting medical benefits.

V. Secretariat

2.15 The Committee Section (Petitions) which provides secretarial assistance to the Committee on Petitions has presently strength of one Assistant Director, three Sr. Assistants and one Attendant. A Joint Secretary, a Joint Director and a Deputy Director remained in-charge of the Branch.

2.16 To assist the Committee in its work, the background materials and other documents received from the Ministries/Departments/various Non-Governmental organizations and individuals was culled out for preparing questionnaires for written replies/evidence/report for the use of the Committee. Material from unconventional sources such as internet, news clippings, etc. were also utilized for examination and preparation of Report on the subject.

2.17 The Secretariat also dealt with the work relating to the scrutiny of action taken notes received from the Ministries concerned on the recommendations contained in the Reports of the Committee.

ANNEXURE-II

(See Para 2.3)

Details of the sittings of the Committee on Petitions during the year 2012

S1. No.	Date of Meeting	Duration Hrs-Mins.	Subject
1.	05.01.2012	2.45	To hear the petitioner on the petition praying for re-examination of the policy of making tunnel-based hydropower projects.
2.	13.02.2012	1.30	To transact the following business:— (i) To record oral evidence of the Secretary, Ministry of Power on the petition praying re-examination of the policy of making tunnel-based hydropower projects; and (ii) To record oral evidence of the representationists in the representation praying for payment of enhanced gratuity benefits to the retired executives of NTPC & BHEL at par with the retirees of Central Government and CPSEs.
3.	21.02.2012	0.55	To hear the petitioner on the petition praying to put a check on manufactures of spurious drugs in our country and other related issues.
4.	01.03.2012	1.15	To record oral evidence in the Secretary, Department of Pharmaceuticals (M/o Chemicals & Fertilizers) on the petition praying to put a check on manufactures of spurious drugs in our country and other related issues.
5.	10.04.2012	0.45	To consider Memorandum No.1 of 2012 on Action Taken by the Government on recommendations contained in its Hundred and Thirty-third Report of the Committee on Petitions on the petition praying for imposition of certain reasonable restrictions on the use of mobile phone.
6.	09.05.2012	0.20	To review pending items of work and to decide its future programme.
7.	15.06.2012	1.30	To record oral evidence in the Secretary, Ministry of Health and Family Welfare on the petition praying to put a check on manufactures of spurious drugs in our country and other related issues.
8.	02.07.2012	1.40	(i) To hear the petitioner on the petition praying for prevention of adulteration of food to ensure consumption of safe food in the country; and (ii) To hear the petitioner on the petition praying for effective implementation of the concept of National Capital Region (NCR) to control both land use and development of infrastructure in NCR so as to avoid any haphazard development of the region.
9.	17.07.2012	1.33	To record oral evidence of the Secretary, Ministry of Urban Development on the petition praying for effective implementation of the concept of National Capital Region (NCR) to control both land use and development of infrastructure in NCR so as to avoid any haphazard development of the region.
10.	30.07.2012	1.10	To record oral evidence of the Secretary, Ministry of Health and Family Welfare on the petition praying for prevention of adulteration of food to ensure consumption of safe food in the country.
11.	19.09.2012	1.00	To consider Memorandum No. 3 of 2012 on Action Taken by the Government on the recommendations contained in Hundred and Thirty-second Report on the petition regarding misuse of right to freedom of

Sl. No.	Date of Meeting	Duration Hrs-Mins.	Subject
			speech and expression by print and electronic media and the need restrict it under Article 19(2) of the Constitution and also review status of petitions under consideration of the Committee.
12.	28.09.2012	1.19	To record oral evidence of the Secretaries, Ministries of Environment & Forest and Water Resources on the petition praying for re-examination of the policy of making tunnel-based hydropower projects.
13.	11.10.2012	0.50	To record oral evidence of the Additional Secretary, Ministry of Power alongwith the concerned officers of NTPC and BHEL on the representations praying for payment of enhanced gratuity benefits to the retired executives of NTPC & BHEL at par with the retirees of Central Government and CPSEs.
14.	05.11.2012	0.55	(i) To consider Memorandum No. 2 of 2012 on the representation requesting for review and streamling of the policies framed by the NCC Directorate and other related issues; and (ii) To record oral evidence of the Secretary, Department of Public Enterprises on the representations praying for payment of enhanced gratuity benefits to the retired executives of NTPC & BHEL at par with the retirees of Central Government and CPSEs.
15.	16.11.2012	1.45	To hear the association/individuals on the petition praying to put a check on manufactures of spurious drugs in our country and other related issues.
16.	12.12.2012	0.25	to consider and adopt its draft Hundred and Forty-third Report on the representations praying for payment of enhanced gratuity benefits to the retired executives of NTPC & BHEL at par with the retirees of Central Government and CPSEs.
17.	17.12.2012	1.40	(i) To consider and adopt its draft Hundred and Forty-fourth Report on the action taken the observations/recommendations contained in Hundred and Thirty-sixth Report on the petition praying for benefits of pay revision and pension to the VRS optees and retirees of IFCI; and (ii) To record oral evidence of the Chairman, Railway Board, Ministry of Railways alongwith the Secretary Planning Commission on the progress made on recommendations/observations contained in the Hundred and Forty-first Report of the Committee on Petitions on the petition praying for development of railway networks in Uttarakhand, Himachal Pradesh and other Himalayan States.

CHAPTER – III
COMMITTEE ON GOVERNMENT ASSURANCES

I. Composition of the Committee

3.1 The Committee was constituted on 29th of September, 2010 and is continuing since then with the following composition:—

1. Shri Pyarimohan Mohapatra — *Chairman*
- #2. Shri Parvez Hashmi
- @3. Shri P. Bhattacharya
- @4. Smt. Renuka Chowdhury
- @5. Shri Dharmendra Pradhan
6. Shri Avinash Rai Khanna
7. Shri Veer Singh
- @8. Shri K.N. Balagopal
9. Shri T.M. Selvaganapathi
10. Shri Birendra Prasad Baishya

II. Subjects selected for Examination

3.2 The Committee examined the assurances pertaining to the following subjects:—

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
1. (i) USQ No. 4093 dated 23.4.2001 regarding proposal to revise the land rates in the capital and (ii) USQ No. 912 dated 30.7.2001 regarding revision of land rates in NCT of Delhi.	Urban Development	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
2. USQ No. 3886 dated 10.5.2007 regarding pulse scam.	Personnel, Public Grievances and Pensions	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note specifying chronologically about the efforts made so far to pursue the Letter Rogatories with countries to whom they had sent.
3. (i) USQ No. 1756 dated 29.8.2007 regarding Mercy Petition of Afzal and (ii) USQ No. 372 dated 28.7.2010 regarding Mercy Petition of Afzal Guru.	Home Affairs	The Committee did not accede to the request of the Ministry for dropping of the assurances on the ground that the case of Afzal Guru is pending in the Ministry and not with the President of India and directed that the Ministry be asked to furnish a Status Note indicating the efforts made so far to send the case of Afzal Guru to Hon'ble President of India.

Re-nominated *w.e.f.* 2.2.2012.

@ Nominated *w.e.f.* 9th May, 2012 against the vacancies arising on retirement of Shri Shadi Lal Batra *w.e.f.* 2.4.2012, Shri Narendra Budania and Shri Ramdas Agarwal *w.e.f.* 3.4.2012 and Shri Moinul Hasan *w.e.f.* 2.4.2012 who was nominated against Shri P. Rajeeve who was nominated to Committee on Petitions.

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
4. (i) USQ. No. 188 dated 20.11.2007 regarding casualty in the security area at Delhi Airport and (ii) USQ No. 331 dated 21.11.2007 regarding death of an Air Deccan female technician.	Home Affairs	The Committee acceded to the request of the Ministry for dropping of the assurances and the assurances were dropped.
5. SQ. No. 65 dated 19.2.2009 regarding functioning of SEBI (supplementary by Shri M. Venkiah Naidu, M.P.).	Finance	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
6. USQ. No. 1769 dated 20.7.2009 regarding hike in electricity tariffs by NTPC, Kanyakumari.	Power	-do-
7. USQ. No. 3704 dated 7.8.2009 regarding monitoring agency to look after the functioning of PDS.	Consumer Affairs, Food and Public Distribution	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
8. (i) USQ No. 589 dated 3.3.2010 regarding increase in industrial growth rate, (ii) USQ No. 3536 dated 28.4.2010 regarding National manufacturing investment zone and (iii) USQ No. 3551 dated 28.4.2010 regarding mega national manufacturing investment zones.	Commerce & Industry	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish a Status Note in the matter.
9. USQ No. 4393 dated 5.5.2010 regarding Darjeeling Gorkha Hill Council.	Home Affairs	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
10. USQ. No. 900 dated 3.8.2010 regarding CAG for more accountability of flagship schemes.	Finance	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
11. Supplementary put by Shri Prasanta Chatterjee, M.P. on SQ No. 362 dated 22.8.2006 regarding loss of fuel due to delay in landing of flights.	Civil Aviation	The Committee observed that if log book of each and every item of each aircraft was maintained then what prevents them in calculating the loss of fuel, aircraft wise. In view of this the Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the desired information and liquidate the assurance.
12. (i) USQ No. 12 dated 24.7.2006 regarding differential fee structure in professional courses; and (ii) USQ No. 2188 dated 22.12.2008 regarding private engineering colleges and (iii) SQ No. 431 dated 18.12.2009 regarding salary/wages of non-faculty employees of AICTE.	Human Resource Development	The Committee acceded to the request of the Ministry for dropping of the assurances and the assurances were dropped.
13. USQ No. 1922 dated 30.8.2007 regarding Common Entrance Test for universities.	Planning Commission	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
14. USQ No. 583 dated 23.11.2007 regarding National Blood Transfusion Authority.	Health & Family Welfare	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
15. Supplementaries put by Shri Debabrata Biswas and Shri Matilal Sarkar, MPs on SQ No. 342 dated 16.04.2008 regarding barbed wire fencing along international border.	Home Affairs	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish a latest Status Note in the matter.
16. (i) USQ. No. 589 dated 3.3.2010 regarding increase in industrial growth rate, (ii) USQ. No. 3536 dated 28.4.2010 regarding National manufacturing investment zone and (iii) USQ No. 3551 dated 28.4.2010 regarding Mega National Manufacturing Investment Zone.	Commerce and Industry	The Committee did not accede to the request of the Ministry for dropping of assurances and directed that the Ministry be asked to furnish a Status Note in the matter.
17. USQ. No. 1588 dated 9.8.2010 regarding collapse of BALCO chimney.	Power	The Committee was of the view that Ministry should furnish details about the investigating agency, details of investigation and directed that the Ministry be asked to furnish a Status Note with particular reference to filing of FIR, arrests made by the investigating agency and stage of investigation.
18. USQ. No. 1003 dated 4.3.2011 regarding loss to Government from grant of 2G licences.	Communication & Information Technology	The Committee considered the request of the Ministry in the light of the fact that two Parliamentary Committees namely the Public Accounts Committee and Joint Committee of Parliament are already examining the allocation and pricing of telecom licences and spectrum. After some discussion the Committee decided to drop the assurance.
19. (i) USQ. No. 684 dated 23.10.2008 regarding Nyaya Panchayat Bill, (ii) SQ No. 24 dated 15.11.2007 regarding Nyaya Panchayat Bill and (iii) USQ No. 3471 dated 4.8.2009 regarding Introduction of Nyaya Panchayat Bill.	Panchayati Raj	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish a Status Note detailing the issues raised by the Department of Legal Affairs in the matter besides the constitutional validity.
20. Supplementary put by Shri Bhagat Singh Koshiyari, M.P. on SQ No. 22 dated 23.2.2011 regarding infra-structural support for urban local body administrations.	Urban Development	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
21. USQ No. 926 dated 30.11.2006 regarding formation of Haj Committee.	External Affairs	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
22. Point raised on 29.11.2007 regarding violence by All Adivashi Students Association in Assam on 24th November 2007.	Home Affairs	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter giving specific details about the role of police in the matter as promised by the Home Secretary during his oral evidence before Committee on 17.1.2011.

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
23. (i) SQ. No. 22 dated 03.7.09 regarding Distribution of wheat and rice free of cost. (ii) USQ. No. 172 dated 3.7.09 regarding National Food Security Act. (iii) USQ. No. 176 dated 3.7.09 regarding Food Security Agenda. (iv) USQ. No. 179 dated 3.7.09 regarding Supply of rice and wheat to BPL families at Rs.3 per kilogram. (v) USQ. No 183 dated 3.7.09 regarding National Food Security Act. (vi) SQ. No. 104 dated 10.7.2009 regarding National Food Security Act. (vii) USQ. No. 2299 dated 24.7.09 regarding Number of beneficiaries under Food Security Act. (viii) USQ. No. 2302 dated 24.07.09 regarding BPL families in the country. (ix) USQ. No. 2305 dated 24.07.09 regarding Antyodaya Anna Yojana. (x) USQ. No. 2309 dated 24.07.09 regarding Food Security. (xi) USQ. No 2323 dated 24.07.09 regarding Implementation of National Food Security Act. (xii) USQ. No. 3078 dated 31.07.09 regarding Disagreement between the centre and states regarding determination of poverty level. (xiii) USQ. No. 3083 dated 31.07.09 regarding Food security and proper distribution of food grains. (xiv) SQ. No. 24 dated 20.11.09 regarding Ceiling on BPL beneficiaries under National Food Security Bill. (xv) USQ. No. 184 dated 20.11.09 regarding Deliberation on National Food Security Act. (xvi) USQ. No. 196 dated 20.11.09 regarding Food Security Act. (xvii) USQ. No. 199 dated 20.11.09 regarding Scheme for 25 Kg. rice at Rs.3 per Kg. (xviii) USQ. No. 953 dated 27.11.09 regarding Proper identification of BPL families.	Consumer Affairs, Food & Public Distribution	The Committee acceded to the request of the Ministry for dropping of the assurances and the assurances were dropped.

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
(xix) USQ. No.957 dated 30.11.2009 regarding Setting up of food security tribunals.		
(xx) USQ. No. 1734 dated 04.12.09 regarding Proposal under National Food Security Bill.		
(xxi) USQ. No. 2504 dated 11.12.2009 regarding Food Security.		
(xxii) USQ. No. 2516 dated 11.12.2009 regarding Implementation of NFSA.		
(xxiii) USQ. No. 3288 dated 18.12.09 regarding National Food Security Act.		
(xxiv) USQ. No. 1720 dated 12.03.10 regarding Continuous price rise.		
(xxv) USQ. No 1736 dated 12.03.10 regarding Legislation on right to food.		
(xxvi) SQ.No. 230 dated 12.03.10 regarding Food Security cover for APL families.		
(xxvii) SQ.No 239 dated 12.03.10 regarding National Food Security Bill.		
(xxviii) USQ. No. 2337 dated regarding 16.04.10 Exclusion of APL families.		
(xxix) USQ. No. 2354 dated 16.04.10 regarding Food Security Act.		
(xxx) USQ. No. 3896 dated 30.4.2010 regarding Food Security Reforms.		
(xxxi) USQ. No. 3110 dated 23.04.10 regarding Proposals under Food Security Bill.		
(xxxii) USQ. No. 4644 dated 07.05.10 regarding Food security to citizens.		
(xxxiii) USQ. No. 4653 dated 07.05.10 regarding Rejection of draft National Food Security Bill.		
(xxxiv) USQ. No. 4655 dated 07.05.10 regarding Proposed Food Security Bill.		
(xxxv) USQ. No. 4656 dated 07.05.10 regarding People living below poverty line.		
(xxxvi) USQ. No. 4658 dated 07.05.10 regarding Implementation of NFSA with present BPL cards.		
(xxxvii) USQ. No. 4670 dated 07.05.10 regarding Amount required for implementation of NFSA.		

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
(xxxviii) USQ. No. 598 dated 30.07.10 regarding National Food Security Law (xxxix) USQ. No. 617 dated 30.7.10 regarding Price rise of food-grains.		
(xl) USQ. No. 1379 dated 06.08.10 regarding Food Security to all.		
(xli) USQ. No. 2141 dated 13.8.2010 regarding Implementation of Food-Security system.		
(xlii) USQ. No. 2144 dated 13.08.10 regarding Setting up of Central Food Security Fund.		
(xliii) SQ.No. 388 dated 20.08.10 regarding Structural framework for National Food Security.		
(xliv) USQ. No. 2928 dated 20.08.10 regarding Entitlement of food grains to poor.		
(xlv) USQ. No. 2942 dated 20-08-10 regarding Inclusion of APL families under food security bill.		
(xlv) USQ. No 3397 dated 27-08-10 regarding Expansion of coverage of BPL under PDS.		
(xlvi) USQ. No 3397 dated 27-08-10 regarding Expansion of coverage of BPL under PDS.		
(xlvii) USQ. No. 1916 dated 6-11-2010 regarding Food insecurity in the country.		
(xlviii) SQ.No. 65 dated 12-11-10 regarding Revamping of PDS.		
(xlix) USQ. No. 506 dated 12-11-10 regarding Proposals of NAC on food security.		
(l) USQ. No. 522 dated 12.11.2010 regarding Differential pricing of grain for APL card holders.		
(li) USQ. No. 540 dated 12-11-10 regarding Implementation of Food Security Bill.		
(lii) USQ. No. 2708 dated 3.12.2010 regarding Implementation of Food Security Act.		
(liii) USQ. No. 3475 dated 10.12.2010 regarding Implementation of Food Security Act.		
(liv) USQ No. 3479 dated 10.12.2010 regarding Adoption of Tendulkar Committee.		

Sl. No. Assurance No. (with date) taken up for examination	Name of Ministry	Status
(lv) USQ No. 1129 dated 7.3.2011 regarding Entitlement for subsidized food grains.		
(lvi) SQ. No. 1 dated 1.8.2011 regarding Food Security Bill.		
(lvii) USQ. No. 21 dated 1.8.2011 regarding Clearance to Food Security Bill.		
(lviii) USQ. No. 23 dated 1.8.2011 regarding Food Security Bill.		
24. Calling Attention dated 28.7.2009 regarding increasing incidents of honour killings and honour related crimes and the role of self-proclaimed panchayats.	Home Affairs	The Committee observed that the Ministry have not mentioned anything about the Special Marriage Act while forwarding the request for dropping. The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a latest Status Note in the matter.
25. USQ No. 325 dated 28.7.2010 regarding Pilferage of ammunition from CRPF Group Centre, Rampur.	Home Affairs	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a latest Status Note in the matter.
26. SQ No. 331 dated 11.12.2009 regarding proposal to increase CIP of food grains.	Consumer Affairs, Food and Public Distribution	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a detailed Status Note in the matter as deferment does not mean dropped or disappearing of the proposal.
27. USQ No. 358 dated 3.8.2011 regarding acquisition of foreign submarines.	Defence	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a detailed Status Note in the matter and desist from guiding the Committee as to whether the reply given by the Minister constitutes an Assurance or not. The Committee further directed that previous decision may not be quoted as precedent.
28. USQ No. 517 dated 4.8.2011 regarding Meeting on Haj Pilgrimage.	External Affairs	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
29. USQ No. 940 dated 9.8.2011 regarding Allocation of fund under NCRP for Mindhola River.	Environment & Forests	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to obtain the revised DPR from the State Government and communicate the decision taken thereafter, to the Committee and also furnish a Status Note in the matter.
30. (i) SQ No. 329/18-8-2004 regarding inclusion of 'Tulu' language in Eighth Schedule of the Constitution.	Home Affairs	The Committee acceded to the request of the Ministry for dropping of the assurances and the assurances were dropped excluding Assurance given in reply to part (c) & (d) of SQ No. 282 dated 5-12-2007, regarding conferring classical language status to
(ii) SQ No. 301/13-12-2006 regarding inclusion of Rajasthani language in the Eighth Schedule.		

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status	
(iii) USQ No. 930/7-3-2007 regarding inclusion of languages in Eighth Schedule.		‘Kannada’. The Committee observed that the said assurance cannot be clubbed with other assurances regarding inclusion of languages in Eighth Schedule of the Constitution and directed that the Ministry be asked to furnish a separate Status Note in the matter of assurance given in reply to part (c) and (d) of SQ No. 282 dated 5-12-2007.	
(iv) USQ No. 1701/ 5-12-2007 regarding inclusion of languages in Eighth Schedule.			
(v) SQ No. 282/ 5-12-2007 regarding criteria for conferring classical language status.			
(vi) USQ No. 2974/16-12-2009 regarding Mohapatra Committee on languages.			
(vii) USQ No. 144/ 3-12-2003 regarding Tamil as official languages.			
31. (i) USQ No. 172/ 26-7-2005 regarding Raise in FDI cap in Domestic Aviation Sector.	Civil Aviation		The Committee acceded to the request of the Ministry for dropping of the assurances and the assurances were dropped.
(ii) USQ No. 429/ 28-7-2005 regarding facilities available to PIOs and NRIs.			
(iii) USQ No. 430 /28-07-2005 regarding investment policy with regard to NRIs and PIOs.			
(iv) USQ No. 603/29-11-2005 regarding Amendment in civil aviation requirement.			
(v) USQ No. 334/1-3-2007 regarding investment by NRIs.			
(vi) USQ No. 852/ 2-8-2005 regarding FDI policy for PIOs in aviation sector.			
(vii) USQ No. 870/ 2-8-2005 regarding guidelines for FDI in domestic civil aviation sector.			
(viii) USQ No. 1578/9-8-2005 regarding NOC to PIO for operation of air services.			
(ix) USQ No. 403/24-8-2005 regarding investment in domestic aviation sector by PIOs and NRIs.			
(x) USQ No. 403/24-8-2005 regarding investment in domestic aviation sector by PIOs and NRIs.			
(xi) USQ No. 3188/25-8-2005 regarding FDI policy with regard to PIOs.			
(xii) SQ No. 331/15-12-2005 regarding status of PIOs <i>vis-à-vis</i> NRIs.			
(xiii) USQ No. 3284/22-12-2005 regarding announcement at Pravasi Bhartiya Divas, 2005.			

Sl. No.	Assurance No. (with date) taken up for examination	Name of Ministry	Status
(xiv)	SQ No. 197/6-12-2005 regarding Pendency of investment in aviation sector by PIOs.		
(xv)	USQ No. 1058/ 2-3-2006 regarding parity of PIO card holders with NRIs.		
32.	USQ No. 1636/17-7-2009 regarding setting up of processing plants by SAIL.	Steel	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
33.	USQ No. 3474/21.12.2009 regarding withdrawal of criminal cases against M.F. Hussain.	Law and Justice	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
34.	USQ No. 481/2.3.2010 regarding Amendment in FRBM guidelines.	Finance	-do-
35.	USQ No. 925/5.3.2010 regarding research on agro products.	Environment & Forests	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
36.	USQ No. 2030/16.3.2010 regarding Buildings of SBI branches.	Finance	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
37.	SQ No. 483/7-9-2011 regarding funds granted for updating NRC in Assam.	Home Affairs	The Committee did not accede to the request of the Ministry for dropping of the assurance and observed that the Assam Accord was signed by the Central Government and therefore it cannot absolve itself from the responsibility. The Ministry should expedite the information from the Cabinet Subcommittee constituted by the State Govt. of Assam in the matter. The Committee directed that the Ministry be asked to furnish the latest Status Note in the matter.
38.	USQ No. 1822 dtd. 9.12.2002 regarding post closure settlement of BALCO.	Mines	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
39.	SQ No. 405 dtd. 31.7.2009 regarding CAG on wasteful expenses made by FCI.	Consumer Affairs, Food & Public Distribution.	-do-
40.	USQ No. 1574 dtd. 11.3.2010 regarding passport to nationals from Pakistan.	External Affairs	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
41.	USQ No. 4352 dtd. 5.5.2010 regarding setting up of a new shipyard by HSL.	Shipping	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
42.	USQ No. 3070 dtd. 7.12.2010 regarding oil and natural gas explorations in the country.	Petroleum and Natural Gas	-do-
43.	USQ No. 2040 dtd. 15.3.2011 regarding unearthing of black money stashed abroad.	Finance.	Committee was informed that Implementation Report has been received on the subject.

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
44. USQ No. 655 dtd. 5.8.2011 regarding Setting up of Ammonia-Urea Project in Ghana and Coal – Gasification in Indonesia.	Chemicals & Fertilizers	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
45. USQ No. 1519 dtd. 12.8.2011 regarding freight terminal at Sankrail.	Railways	-do-
46. USQ No. 209 dtd. 23.11.2011 regarding shortage of helicopters.	Defence	-do-
47. USQ No. 3140 dtd. 12.12.2011 regarding new aircrafts by IAF.	Defence	-do-
48. SQ No. 261 dtd. 10.3.2003 regarding scenes of domestic violence in films.	Information & Broadcasting	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter and decided to hear the Secretary, Ministry of Information & Broadcasting at a later date.
49. (i) SQ No. 470 dtd. 23.04.2003 regarding induction of defence personnel into other branches of Government.	Defence	The Committee acceded to the request of the Ministry for dropping of the assurances and the assurances were dropped.
(ii) USQ No. 2380 dtd. 27.08.2005 regarding Recommendations of Kargil Review Committee regarding ex-servicemen.		
(iii) USQ No. 745 dtd. 29.11.2006 regarding duration of posting of combatants at the front, and		
(iv) USQ No. 1667 dtd. 08.03.2006 regarding steps to keep the army young.		
50. SQ No. 130 dtd. 27.02.2006 regarding National Action Plan for Women.	Women & Child Development	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the detailed Status Note in chronological order in the matter.
51. (i) USQ No. 1756 dtd. 29.08.2007 regarding mercy petition of Afzal, and	Home Affairs	The Committee acceded to the request of the Ministry for dropping of the assurances and the assurances were dropped.
(ii) USQ No. 372 dtd. 28.7.2010 regarding mercy petition of Afzal Guru.		
52. Discussion on 12.12.2008 regarding the Post Graduate Institute of Medical Education and Research, Chandigarh (Amendment) Bill, 2008.	Health and Family Welfare	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
53. USQ No. 1978 dtd. 22.7.2009 regarding scam in purchase of ration at Northern Command Headquarter.	Defence	-do-
54. (i) USQ No. 3297 dtd. 26.4.2010 regarding capital and financial restructuring of Prasar Bharti, and	Information & Broadcasting	The Committee acceded to the request of the Ministry for dropping of the assurances and the assurances were dropped.
(ii) USQ No. 1151 dtd. 7.3.2011 regarding financial restructuring of Prasar Bharati.		

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
55. USQ No. 2078 dtd. 19.8.2011 regarding strengthening AICTE.	Human Resource Development	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the detailed Status Note in the matter.
56. USQ No. 2465 dtd. 24.8.2011 regarding allotment of land to recognized political parties in Delhi.	Urban Development	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
57. SQ No. 312 dtd. 14.12.2011 regarding roads constructed by BRO.	Road Transport & Highways	-do-
58. (i) USQ No. 119 dtd. 03.12.2003 regarding Chief of Defence Staff.	Defence	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note detailing the efforts made so far in chronological order in the matter.
(ii) USQ No. 353 dtd. 03.08.2011 regarding Appointment of CDS for single point.		
(iii) USQ No. 29 dtd. 23.11.2005 regarding Appointment of Chief of Defence staff and		
(iv) USQ No. 2968 dtd. 16.12.2009 regarding Appointment of CDS.		
59. USQ No. 59 dtd. 23.03.2005 regarding Power Project in TN involving inter-state issues.	Power	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
60. USQ No. 4381 dtd. 4.5.2005 regarding Corruption in armed forces.	Defence	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
61. USQ No. 4381 dtd. 4.5.2005 regarding Corruption in armed forces.	Defence	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
62. USQ No. 370 dtd. 21.11.2007 regarding implementation of Arjun Sengupta Committee in unorganized sector.	Labour and Employment	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
63. USQ No. 3553 dtd. 28.4.2008 regarding Courses through internet.	Human Resource Development	-do-
64. USQ. No. 272 dated 27.7.2006 regarding Banking facility in Post Offices.	Communications and Information Technology	-do-
65. SQ. No. 2220 dated 12.12.2006 regarding Russia's participation in Iran-Pakistan-India Pipeline Project.	Petroleum & Natural Gas	-do-
66. USQ No. 2750 dtd. 14.12.2009 regarding Self Sufficiency in power.	Power	-do-
67. USQ No. 1036 dtd. 05.03.2010 regarding Change of name of Railway Station.	Railways.	The Committee did not accede to the request of the Ministry for dropping the assurance and directed the Ministry to take up the matter with the Chief Secretary, Government of

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
68. USQ No. 325 dtd. 28.07.2010 regarding Pilferage of ammunition from CRPF Group Centre, Rampur.	Home Affairs	West Bengal at the level of the Chairman, Railway Board. The Committee also requested Shri P. Bhattacharya, Member of the Committee on Government Assurances to take up the matter with the State Government at his personal level. The Ministry was also directed to furnish a Status Note in the matter.
69. USQ No. 3046 dtd. 07.12.2010 regarding sick public sector enterprises.	Heavy Industries and Public Enterprises	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
70. (i) SQ No. 444 dtd. 10.12.2010 regarding Bungling in railway procurement land.	Railways	The Committee did not accede to the request of the Ministry for dropping of the assurance as the Committee did not accept the argument of the Ministry that such investigations take a long time and directed the Ministry to pursue the cases with the CBI and furnish the latest Status Note in the matter detailing the efforts made in a chronological manner.
(ii) USQ No. 1821 dtd. 11.03.2011 regarding inquiry into corruption charges.		
71. (i) SQ No. 299 dtd. 16.03.2011 regarding CBI investigation into Adarsh Co-operative Housing Society Scam.	Defence	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish a detailed Status Note in the matter.
(ii) SQ No. 211 dtd. 24.11.2010 regarding High rise building in Naval area in Mumbai;		
(iii) USQ No. 1443 dtd. 09.03.2011 regarding Progress of investigation of Adarsh Housing Scam;		
(iv) USQ No. 1444 dtd. 09.03.2011 regarding CBI inquiry into CBI Inquiry into Adarsh Housing Society Scam;		
(v) USQ No. 2223 dtd. 16.03.2011 regarding issue of NOC for construction of Adarsh Housing Society; and		
(vi) USQ No. 2353 dtd. 24.08.2011 regarding Investigations into Adarsh Housing Society Scam.		

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
72. USQ No. 916 dtd. 8.8.2011 regarding Major Irrigation Projects as National Projects.	Water Resources	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
73. USQ No. 43 dtd. 22.11.2011 regarding Proposal for Sovereign Wealth Fund.	Finance	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a detailed Status Note in the matter specifying further development so far.
74. USQ No. 155 dtd. 22.11.2011 regarding CBI enquiry into embezzlement of MGNREGS funds in Uttar Pradesh.	Rural Development	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
75. USQ No. 977 dtd. 30.11.2011 regarding increase in direct intake of 50 by AFHQ Civil Services.	Defence	The Committee did not accede to the request of the Ministry for dropping the assurance and asked the Ministry to furnish the present status in the matter specifying whether they have projected the vacancies to the UPSC for the year 2012 for recruitment.
76. USQ No. 1505 dtd. 05.12.2011 regarding NTPC's power projects in West Bengal.	Power	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
77. USQ No. 2612 dtd. 15.12.2011 regarding Infrastructure at Sanasar in J&K.	Tourism	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a detailed Status Note in the matter, giving the details of follow up action taken with the State Government.
78. USQ No. 3032 dtd. 20.12.2011 regarding problems facing Ayurveda College at Bolangir, Odisha.	Health and Family Welfare	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
79. (i) SQ. No.90 dtd. 25.11.97 regarding New Civil Aviation Policy;	Civil Aviation	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish the detailed Status Note as to what happened to the draft Civil Aviation Policy; the details of the recommendations of Group of Ministers (GOM), the outcome thereof and reasons for framing the New Civil Aviation Policy. The Committee was of the view that pending assurances be treated as continuation of assurances.
(ii) USQ. No.1355 dtd. 9.6.98 regarding New Civil Aviation Policy;		
(iii) USQ. No. 2909 dtd.14.7.98 regarding Status of Tata Singapore Airlines Alliance;		
(iv) USQ. No. 93 dtd.30.11.99 regarding formulation of new civil aviation policy;		
(v) USQ. No.2375 dtd. 12.12.2000 regarding role of aviation policy on international services;		

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
(vi) USQ. No.1681 dtd. 7.8.2001 regarding finalization of new civil aviation policy;		
(vii) USQ. No.618 dtd. 26.11.2002 regarding impact of new civil aviation policy;		
(viii) USQ. No.1663 dtd. 5.8.2003 regarding new civil aviation policy;		
(ix) SQ. No. 38 dtd. 6.7.2004 regarding regulator for Civil Aviation Sector;		
(x) SQ. No.22 dtd. 6.7.2004 regarding recommendations of Naresh Chandra Committee;		
(xi) USQ. No.243 dtd. 13.7.2004 regarding consumer oriented civil aviation policy;		
(xii) USQ. No. 211 dtd. 20.7.2004 regarding paid up capital for new entrants in aviation sector;		
(xiii) USQ. No. 1170 dtd. 14.12.2004 regarding recovery of dues from airlines;		
(xiv) USQ. No. 2176 dtd. 22.3.2005 regarding entry of private sector players in ATF supply at Airports;		
(xv) USQ. No. 114 dtd. 6.7.2005 regarding development of civil aviation sector;		
(xvi) USQ. No. 287 dtd. 14.8.07 regarding new aviation policy;		
(xvii) USQ. No. 304 dtd. 14.8.07 regarding new civil aviation policy;		
(xviii) USQ. No.900 dtd. 21.8.07 regarding vision 2020;		
(xix) USQ. No. 902 dtd. 21.8.07 regarding overseas operations by domestic airlines; and		
(xx) SQ. No.45 dtd. 21.10.2008 regarding new civil aviation policy.		
80. USQ. No.1922 dtd. 30.8.2007 regarding common entrance test for universities.	Planning Commission	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
81. SQ. No. 282 dtd. 5.12.2007 regarding criteria for conferring classical language status.	Home Affairs	-do-
82. USQ. No. 2222 dtd.13.8.2010 regarding Train accidents.	Railways	-do-

Sl. No.	Assurance No. (with date) taken up for examination	Name of Ministry	Status
83.	USQ. No. 2580 dtd.18.8.2010 regarding Unfair trade practices in cement industry.	Commerce & Industry	The Committee acceded to the request of the Ministry for dropping of the assurance and assurance was dropped.
84.	USQ. No. 983 dtd. 9.8.2011 regarding recommendations of the Committee of Chief Ministers on inflation.	Agriculture	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to inform whether the Report has been submitted by the Working Group on Food and Public Affairs and if not, give a tentative date by when it will be submitted and furnish a Status Note in the matter.
85.	SQ. No.73 dtd. 25.11.2011 regarding Railway Fly Overs in Rajasthan.	Railways	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note indicating the case-wise latest status of Road Over Bridges (ROB).
86.	SQ. No. 167 dated 2.12.2011 regarding financial irregularity in DFCCIL.	Railways	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
87.	USQ. No. 1359 dated 2.12.2011 regarding High Powered Safety Review Committee.	Railways	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
88.	USQ. No. 1472 dated 5.12.2011 regarding All India Judicial Service.	Law & Justice	-do-
89.	USQ. No. 2713 dated 16.12.2011 regarding Mobile based money transfer service by Post Offices.	Communications & IT	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
90.	USQ. No. 2712 dated 23.12.2011 regarding directions to PCO holders to maintain details of callers.	-do-	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
91.	USQ. No. 366 dated 15.3.2012 regarding Punjabi Youth Captive in Mauritania.	External Affairs	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
92.	USQ. No.423 dated 15.3.2012 regarding expansion of scheduled castes lists.	Social Justice and Empowerment	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
93.	SQ.No.280 dated 19.12.2003 regarding Law to protect traditional knowledge and thought.	Commerce & Industry	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish the detailed Status Note giving reasons for non-submission of the Reports by the inter-Ministerial Committee and sub-group of the inter-Ministerial Committee. The Committee also directed that the Ministry be asked to expedite the matter and submit Status Report of the development in WIPO.
94.	USQ. No.1354 dated 15.12.2004 regarding Establishment of separate Statutory Board	Home Affairs	The Committee acceded to the request of the Ministry for dropping of the assurance and the

Sl. No.	Assurance No. (with date) taken up for examination	Name of Ministry	Status
	for Konkan Region.		assurance was dropped.
95.	USQ. No. 1636 dated 18.7.09 regarding setting up of processing plants by SAIL.	Steel	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
96.	USQ. No. 2839 dated 29.7.2009 regarding Opposition from wildlife experts to widening of NH-7.	Road Transport and Highways	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the detailed Status Note in the matter.
97.	USQ. No. 1127 dated 8.3.2010 regarding reward to Journalists.	Information & Broadcasting	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
98.	USQ. No. 179 dated 23.2.2011 regarding setting up of Mega Leather Clusters.	Commerce & Industry	-do-
99.	USQ. No.470 dated 25.2.2011 regarding recommendations of Government Panel on farm production.	Agriculture	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
100.	USQ. No. 355 dated 3.8.2011 regarding illegal construction in Secunderabad Cantonment.	Defence	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note particularly mentioning the views of CBI stating that they (CBI) have nothing to say in the matter.
101.	USQ. No. 349 dated 24.11.2011 regarding MFN status to India.	External Affairs	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
102.	USQ. No. 587 dated 25.11.2011 regarding gauge conversion in Gujarat.	Railways	-do-
103.	USQ. No. 49 dated 13.3.2012 regarding hike in IT exemption limit.	Finance	-do-
104.	USQ. No. 1353 dated 26.3.2012 regarding achievements in JNNSM.	New & Renewable Energy	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
105.	(i) USQ. No. 1974 dated 30.3.2012 regarding setting up of a Medical College at Ahmedabad and (ii) USQ. No. 1212 dated 23.3.2012 regarding status of Medical Colleges.	Railways	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish a Status Note in the matter.
106.	USQ. No.2981 dated 3.5.2012 regarding destruction of images of Hindu Gods in Maldives.	External Affairs	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
107.	USQ. No.1261 dated 23.8.2007 regarding creation of a separate Ministry.	Environment & Forests	-do-
108.	i) USQ.No.1337 dated 1.12.2009 regarding Gas Corridors and (ii) USQ. No. 2716 dated 20.4.2010 regarding Authority for Petroleum and natural Gas Pipeline.	Petroleum & Natural Gas	-do-
109.	USQ. No.558 dated 2.3.2010 regarding National Gas Highway Development Authority.	Petroleum & Natural Gas	-do-

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
110. USQ. No. 1903 dated 26.11.2010 regarding enactment to protect consumers' interest.	Consumer Affairs, Food and Public Distribution	-do-
111. USQ. No. 3735 dated 7.9.2011 regarding Meeting of the NPC.	Commerce and Industry	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the detailed Status Note in the matter.
112. USQ. No. 1592 dated 7.12.2011 regarding ensuring transparency in functioning of DGR.	Defence	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the detailed Status Note in the matter.
113. USQ. No. 2129 dated 12.12.2011 regarding Indo-Pak agreement on Power Trading.	Power	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the Status Note indicating the efforts made by them to get the clearance from the Ministry of Defence and the Ministry of Home Affairs.
114. USQ. No.695 dated 20.3.2012 regarding NRHM Scam in U.P.	Health & Family Welfare	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note on the progress of investigation.
115. USQ. No. 777 dated 21.3.2012 regarding Faking Indian consumer goods by Chinese manufacturers.	Commerce & Industry	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter indicating the progress made in each case and the exact effort made by Embassy of India, Beijing.
116. USQ. No. 1574 dated 28.3.2012 regarding Trade talks with ASEAN countries.	Commerce & Industry	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
117. USQ. No. 3155 dated 4.5.2012 regarding identification of callers at PCOs.	Communications & IT	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a Status Note in the matter.
118. USQ No. 2562 dated 18.03.99 regarding a new law to confiscate property of corrupt public servants.	Personnel, Public Grievances & Pensions	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
119. USQ No. 187 dated 18.07.2002 regarding allocation of rice to Andhra Pradesh.	Rural Development	The Committee did not accede to the request of the Ministry for dropping of the assurance. The Committee noted that in the reply given in the Rajya Sabha the Minister had informed that the State Government had taken action against the fair price shop dealers and officials who were involved in the irregularities while the final reply furnished by the Ministry talks only about the officials involved. The Committee directed that the Ministry be asked to furnish a Status Note indicating the progress made so far towards the cases which are under inquiry and also giving details of the action taken against the fair price shop dealers involved in the irregularities.

Sl. No.	Assurance No. (with date) taken up for examination	Name of Ministry	Status
120.	USQ No. 663 dated 24.02.2006 regarding Legislation for fee structure of private medical colleges.	Health & Family Welfare	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
121.	USQ No. 2617 dated 02.12.2010 regarding Indira Sagar (Polavaram) Project under AIBP.	Water Resources	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
122.	USQ No. 1594 dated 28.03.2012 regarding transfer of defence land for civic projects in Pune.	Defence	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
123.	USQ No. 2363 dated 26.04.2012 regarding Extradition Pact with Bangladesh.	External Affairs	-do-
124.	USQ No. 2413 dated 26.04.2012 regarding four laning of Shimla National Highway.	Road Transport & Highways	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
125.	SQ No. 326 dated 27.04.2012 regarding status of projects announced in Rail Budget.	Railways	The Committee observed that the grounds furnished by the Ministry for dropping the assurance does not reflect the true picture. It further observed that the primary responsibility of establishing the hospital and dispensary still lies with the Ministry of Railways as the assurance stands out in their name. It also observed that the Ministry of Railways could not shift their responsibility to Ministry of Health and Family Welfare in that way and directed that the Ministry be asked to furnish a Status Note in the matter.
126.	SQ No. 338 dated 27.04.2012 regarding utilization of surplus Railway land.	Railways	The Committee expressed its dissatisfaction at the ambiguous reasons given by the Ministry for dropping of the assurance. It observed that establishing Medical Colleges attached with Railway hospital is the primary responsibility of the Ministry of Railways. The Committee also expressed its dismay about the casual way in which the assurance is being treated by the Ministry. The Committee directed that the Ministry be asked to furnish a detailed Status Note in the matter.
127.	USQ No. 4924 dated 21.05.2012 regarding setting up electric substation in Kerala.	Power	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
128.	USQ No. 2456 dated 6.9.2007 regarding Coal Gasification Projects.	Coal	The Committee observed that it was a serious issue and did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
129.	USQ No. 325 dated 28.07.2010 regarding Pilferage of ammunition from CRPF Group Centre, Rampur.	Home	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
130.	(i) USQ No. 1328 dated 05.08.2010 regarding investigation against Lalit Modi,	Youth Affairs & Sports	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish the latest Status Note in the matter.

Sl. No.	Assurance No. (with date) taken up for examination	Name of Ministry	Status
	(ii) USQ No. 4608 dated 06.05.2010 regarding source of money used in IPL matches.		The Committee after reconsidering the reply given to SQ No. 221 dated 25.11.2010 regarding Committee to enquire IPL scam decided to treat the reply as an assurance and directed that the Ministry be asked to fulfill the same.
	(iii) USQ No. 1326 dated 05.08.2010 regarding Enquiry into IPL controversy.		
	(iv) USQ No. 4611 dated 06.05.2010 regarding Cricket a lucrative business.		
131.	USQ No. 2906 dated 29.8.2011 regarding Status of proposals and DPRs under RGGVY.	Power	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
132.	USQ No. 2161 dated 12.12.2011 regarding Teesta water sharing.	Water Resources	-do-
133.	SQ No. 416 dated 21.12.2011 regarding Commissions / Committee set up on anti-sikh riots.	Home Affairs	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
134.	USQ No. 2232 dated 25.04.2012 regarding recruitment of IPS from CMPFS.	Home Affairs	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
135.	SQ No. 2611 dated 27.04.2012 regarding installing fire and smoke alarm system.	Railways	The Committee observed that "on going process" could not be the ground/justification for dropping the assurance and therefore did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
136.	USQ No. 2622 dated 27.04.2012 regarding irregularities into dedicated freight corridor project.	Railways	The Committee did not accede to the request of the Ministry for dropping of the assurance. The Committee observed that it is the duty of the Ministry to pursue with the CBI to expedite the investigations till the Charge Sheet was filed. The Committee directed that the Ministry be asked to furnish the latest Status Note in the matter.
137.	USQ No. 3851 dated 10.05.2012 regarding difficulties faced by tourists at Gateway of India.	Tourism	The Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note in the matter.
138.	USQ No. 1078 dated 30.11.2011 regarding regularization of unauthorized colonies in Delhi.	Urban Development	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
139.	USQ No. 2606 dated 15.12.2011 regarding setting up of steel plant in Bihar.	Steel	-do-
140.	USQ No. 381 dated 15.03.2012 regarding Indian workers in Nigeria.	Overseas Indian Affairs	-do-

Sl. Assurance No. (with date) No. taken up for examination	Name of Ministry	Status
141. USQ No. 423 dated 15.03.2012 regarding expansion of scheduled castes lists.	Social Justice and Empowerment	The Committee observed that the Ministry in its request for dropping the assurance given details about the procedure being followed for inclusion of castes in the Scheduled Castes list without indicating any progress made towards actual inclusion of castes in various States as mentioned in the reply to Question. The Committee therefore did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish the latest Status Note indicating the state-wise status of proposals received and the action actually taken on them by the Government.
142. USQ No. 589 dated 19.03.2012 regarding NTPC's power projects.	Power	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
143. (i) USQ No. 615 dated 19.03.2012 regarding silt and erosion control machinery and	Water Resources	The Committee did not accede to the request of the Ministry for dropping of the assurances and directed that the Ministry be asked to furnish the latest Status Note in the matter and expedite the finalization of the amendment in the Brahmaputra Board Act, 1980 and also indicate by when it would be introduced in Parliament.
(ii) USQ No. 607 dated 19.03.2012 regarding revamping of Brahmaputra Board.		
144. USQ No. 2034 dated 24.04.2012 regarding commercial release of Bt. Brinjal.	Environment and Forests	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.
145. SQ No. 341 dated 30.04.2012 regarding share of Yamuna water from Okhla.	Water Resources	-do-
146. USQ No. 3226 dated 04.05.2012 regarding anti collision devices.	Railways	The Committee observed that it was a very important project of the Railways and once successful, it was going to be a tremendous achievement for Railways. The Committee, therefore, directed that pilot project and trial for ACD may be expedited. In view of the above, the Committee did not accede to the request of the Ministry for dropping of the assurance and directed that the Ministry be asked to furnish a detailed Status Note in the matter.
147. USQ No. 4687 dated 18.05.2012 regarding project on soil health and fertility management.	Agriculture	The Committee acceded to the request of the Ministry for dropping of the assurance and the assurance was dropped.

III. Review of Work Done

(a) Sitzings of the Committee

3.3 During the year 2012, the Committee held 14 sittings and the time spent in those meetings amounted to 14 hours and 25 minutes. Statement showing the dates of sittings of the Committee held during the year 2012, the duration of the sittings, and the subject discussed are given in *Annexure-III*.

(b) Study Visits

3.4 During 2012, the Committee undertook two study visits to Bengaluru-Mumbai-Ahmedabad and Hyderabad-Visakhapatnam-Bhubaneswar-Kolkata as per the details given below to hold discussions with the managements of certain institutions/organizations etc. on the matters under its examination:

Place	Name of the Organisation	Subject
Bengaluru, Mumbai Ahmedabad from 15th to 21st January, 2012	(i) Managements of Corporation Bank, Syndicate Bank and Vijaya Bank.	(i) Assurances arising from USQ. No. 215 dated 2.8.2011 regarding contract/casual labourers in public sector banks.
	(ii) Management of Karnataka Antibiotics and Pharmaceuticals Ltd.	(ii) USQ. No. 3016 dated 30.8.2011 regarding delivery mechanism of direct cash subsidy.
	(iii) Management of HMT Ltd.	(iii) USQ. NO. 1750 dated 11.3.2011 regarding FDI in pharmaceuticals sector.
	(iv) Managements of Bharat Earth Movers Ltd., Bharat Electronics Ltd. and Hindustan Aeronautics Ltd.	(iv) USQ. No. 3046 dated 7.12.2010 regarding sick public sector enterprises.
	(v) Chief Secretary, Government of Karnataka alongwith the representatives of the Ministries of Agriculture (Dept. of Animal Husbandry, Dairying & Fisheries) and Power and Rural Electrification Corporation.	(v) SQ. No.240 dated 17.8.2011 regarding promotion of indigenous industries in Defence.
	(vi) Managements of Canara Bank and State Bank of Mysore.	(vi) USQ. No.2036 dated 19.8.2011 regarding expansion of Honnavar Fishing Harbour in Karnataka.
	(vii) Chief Secretary, Government of Maharashtra alongwith the representatives of the Ministries of Agriculture, Consumer Affairs, Food and Public Distribution and Home Affairs.	(vii) USQ. No. 2917 dated 29.8.2011 regarding sanctioning of power projects in Karnataka.
	(viii) Managements of Jawaharlal Nehru Port Trust and Mumbai Port Trust.	(viii) SQ. No.278 dated 22.7.2009 regarding Protection/safety of key/ eye witnesses.
	(ix) Managements of Union Bank of India, IDBI Bank and Bank of Maharashtra.	(ix) USQ. No.1706 dated 11.3.2011 regarding suicide by farmers.
	(x) Managements of New India Assurance Company Ltd., United India Insurance Co. Ltd., Oriental Insurance Co. Ltd., National Insurance co. Ltd., Bajaj Allianz General Insurance Co. Ltd. and ICICI Lombard General Insurance Co. Ltd.	(x) SQ. No.183 dated 6.8.2010 regarding formula for sugarcane pricing.
	(xi) Management of Nuclear Power Corporation of India.	(xi) USQ. No.3500 dated 4.8.2009 regarding Illegal import of banned materials.
	(xii) Management of Nuclear Power Corporation of India.	(xii) USQ. No. 927 dated 16.11.2010 regarding collision of two ships in Mumbai Port.
	(xiii) Managements of Indian Oil Corporation Ltd., Hindustan Petroleum Corporation Ltd. and Bharat Petroleum Corporation Ltd.	(xiii) USQ. No. 2935 dated 30.7.2009 regarding Report on Emigrant workers.
	(xiv) Management of Bank of India and Central Bank of India.	(xiv) USQ. No.311 dated 24.2.2011 regarding Atomic energy project in Jetapur.
	(xv) Chief Secretary, Government of Gujarat alongwith the representatives of Ministries of Home Affairs and Defence.	(xv) USQ. No. 1868 dated 18.8.2011 regarding Green signal to Jetapur Nuclear Project.

Place	Name of the Organisation	Subject
Hyderabad, Visakhapatnam-Bhubaneswar-Kolkata from 23rd to 28th July, 2012	(xvi) Representatives of IFFCO, KRIBHCO, GNVFC Ltd., GSFC Ltd. and representatives of State Govt. and Ministry of Chemicals & Fertilizers.	(xvi) USQ. No.118 dated 9.11.2010 regarding free cooking gas connections for
	(xvii) Managements of GAIL India Ltd., ONGC Ltd., Gujarat Gas Company Ltd., Oil India Ltd. and Reliance Industries Ltd. and	(xvii) USQ. No. 126 dated 9.11.2010 regarding LPG connections for BPL families.
	(xviii) Managements of bank of Baroda and Dena Bank.	(xviii) SQ. No.221 dated 17.8.2011 regarding Setting up of Coast Guard Stations.
		(xix) USQ. No. 649 dated 5.8.2011 regarding Reimbursement of additional VAT.
		(xix) USQ. No.558 dated 2.3.2010 regarding Natural Gas Highways Development Authority
		(xx) USQ. No. 2716 dated 20.4.2010 regarding Authority for Petroleum and Natural Gas Pipeline.
	(i) Representatives of INCOIS, Hyderabad and Ministry of Earth Sciences.	(i) Assurances arising from USQ. No.407 dated 3.3.2005 regarding equipments to predict earthquakes
	(ii) Managements of SAIL	(ii) USQ. No.1221 dated 5.8.2010 regarding warning of earthquakes.
	(iii) Managements of Andhra Pradesh Power Generation Corporation Ltd. Alongwith the representatives of Ministries of Coal and Power.	(iii) SQ. No. 133 dated 22.3.2012 regarding SAIL talking over of Brahmini Steel.
	(iv) Chief Secretary, Government of Andhra Pradesh, management of Andhra Bank, State Bank of Hyderabad and NABARD.	(iv) USQ. No. 5 dated 26.7.2010 regarding Coal linkage for Thermal Power Station at Vodarevu in Andhra Pradesh
	(v) Managements of Visakhapatnam Refinery of Hindustan Petroleum Corporation Ltd.	(v) USQ. No. 3016 dated 30.8.2011 regarding delivery mechanism of Direct Cash subsidy, USQ 668 dated 20.3.12 regarding transfer of subsidy to farmers and USQ 1429 dated 27.3.2012 regarding lending to small and marginal farmers.
	(vi) Managements of Rashtriya Ispat Nigam Ltd.	(vi) USQ. No. 1670 dated 16.8.2011 regarding Limiting supply of LPG cylinders for cooking purposes.
(vii) Managements of Visakhapatnam Port Trust and Dredging Corporation of India Ltd.	(vii) USQ No. 323 dated 11.12.2009 regarding setting up of Ultra Mega Steel Projects.	
(viii) Representatives of the Airport Authority of India.	(viii) USQ No. 454 dated 24.11.2011 regarding modernization plan for ports and USQ.1354 dated 11.8.2011 regarding Ports Regulatory Authority.	
(ix) Managements of Coal India Ltd., Mahanadi Coal Field Ltd. and NTPC Ltd.	(ix) USQ. No. 448 dated 4.8.2009 regarding New Airports in Orissa.	
(x) Management of Paradeep Port Trust.		
(xi) Management of National Aluminium Ltd. (NALCO).		
(xii) Chief Secretary, Government of West Bengal alongwith the representatives of Ministries of Railways, Power and REC.		

Place	Name of the Organisation	Subject
	(xiii) Management of Tea Board.	(x) SQ. No. 28 dated 27.7.10 regarding New World Class Airports in the country.
	(xiv) Management of Kolkata Port Trust.	
	(xv) Managements of Allahabad Bank, UCO Bank and United bank of India.	(xi) USQ. No. 1240 dated 19.11.2010 regarding Expansion of steel capacity.
		(xii) USQ. No. 1014 dated 29.11.07 regarding allotment of coal blocks.
		(xiii) USQ. No. 1018 dated 29.11.2007 regarding Regulatory Authority for Coal Sector.
		(xiv) USQ.No. 785 dated 8.8.2011 regarding coal production.
		(xvi) USQ. No. 3426 dated 5.9.2011 regarding coal reserves.
		(xvii) USQ. No. 621 dated 28.11.2011 regarding performance of CIL.
		(xviii) USQ. No. 623 dated 18.11.2011 regarding problem of land acquisition by CIL in Orissa.
		(xix) USQ. No. 637 dated 28.11.2011 regarding shortage of coal in Thermal Power Stations.
		(xx) USQ. No. 1331 dated 22.11.2010 regarding setting up of National Mining Regulatory Authority.
		(xxi) USQ. No. 1036 dated 5.3.2010 regarding change of name of railway station.
		(xxii) USQ.No. 2906 dated 29.8.11 regarding status of proposals and DPRs under RGGVY and.
		(xxiii) SQ. No. 261 dated 12.12.2011 regarding electrification of villages under RGGVY.
		(xxiv) SQ.No. 219 dated 28.3.2012 regarding Special package for small tea growers.
		(xxv) USQ. No. 161 dated 14.3.2012 regarding funds earmarked for production of orthodox tea.

The Study Notes were prepared and got approved from the Chairman, Committee on Government Assurances on both occasions.

IV. Reports Presented

3.5 During 2012 the Committee presented the following Report to the House:—

Sl. No.	Report No.	Subject	Presented on
1.	66th	Review of progress of implementation of assurances	19th December 2012

V. Summary of Recommendations

66th Report

3.6 The Committee observes that as per the original proposal of the Government, 30 Mega Food Parks were to be set up during the 11th Plan period. However in-principle approval were given to only 15 projects out of which 6 could take off though they are still in nascent stage. Remaining 9 Mega Food Parks are yet to take off. Further 15 Mega Food Parks out of 30 have been carried over to be finalized under the 12th Plan project. The Committee feels that there is a clear lack of will power on the part of the Government resulting into inordinate delay in approving the Mega Food Parks as envisaged by the Government. In view of the insufficient capacity of food processing industries in the country, a huge quantum of fruits, vegetables etc. go waste. It is, therefore, incumbent upon the Government to expedite the finalization of the Mega Food Parks by putting the process on fast track and liquidate the assurance.

3.7 The Committee observes that the thrust of the assurance was that the Report of the interlocutors was under consideration which obviously means whatever decision is taken after consideration will be communicated. Instead, the reply was sent that the report is in public domain, website etc. The Committee has time and again emphasized about the importance of fulfilling the assurances in totality. It has been observed that the Ministries do not adopt this approach while fulfilling the assurances. Before forwarding the Implementation Report, it must be ensured that all aspects of the Question have been replied to. Part-fulfillment of an assurance defeats the objective with which the question was asked. In the instant case, the Ministry have forwarded incomplete reply, prompting the Committee to treat the assurance as part-fulfilled. The Ministry are advised to expedite the reply and liquidate the assurance.

3.8 The Committee observes that BVFCL is the only fertilizer plant in North East region and starting of fourth fertilizer unit in BVFCL would be a positive step towards consolidation of efforts for development of the region. The model suggested by Planning Commission for starting the fourth unit of BVFCL is yet to be approved. Further, the Committee has also not been apprised about finalization of urea policy on which the approval of the fourth unit is based. The Committee is of the opinion that undue delay is being caused in starting the fourth unit of BVFCL. The Committee, therefore, recommends that an early decision on the issue may be taken to liquidate the assurance.

3.9 The Committee observes that the Ministry have forwarded the Implementation Report without replying to the main thrust of the Question, which is the primary pre-requisite for forwarding an Implementation Report. The objective of setting up of Science Magnet Schools was to bring in an integrated approach to science education which is facing diminishing interest in the country. Any delay in execution of the Scheme is detrimental to the future of students who have a genuine interest in the science. The Committee hopes that the Government would expedite the setting up of these Schools to build up a scientific temper amongst the masses.

3.10 The Committee reiterates that the Ministries/Departments should fulfill the assurances in totality. In the instant case the Ministry have displayed a lackadaisical approach in fulfilling the assurance. The assurance specifically pertained to the outcome of the investigation conducted by Delhi University. The Ministry have ignored this part of the assurance and have just mentioned that the matter has been referred to CBI, without giving any details of the findings of the investigations. Delhi University is a prestigious educational institution in the country and these kinds of irregularities besides tarnishing its reputation play havoc with the future of the students. The Ministry should therefore be extra vigilant while dealing with such types of cases.

3.11 The Committee expresses its displeasure at the attitude of the Ministry in furnishing an incomplete Implementation Report regarding such an important issue. Irregularities in a premier institution like PGI, Chandigarh reflect a serious lacuna in the Government policies whose primary aim is to make available quality medical education accessible to the population. Unscrupulous elements lose no time in exploiting the loopholes in the Government policies to their advantage, jeopardizing the future of thousands of students who are deprived of admissions in reputed institutions due to such illegal activities. The Ministry should apprise the Committee with the findings of the Inquiry Committee at the earliest and liquidate the assurance.

3.12 The primary objective of the Committee on Government Assurances is to ensure that the assurances given on the floor of the Rajya Sabha are implemented in totality. It pains the Committee to note that the schemes launched by the Government with much fanfare for the benefit of the underprivileged and the marginalized

sections of the society are not implemented with the same zeal and enthusiasm and take years to materialise. In the instant case, the Government launched the RGGLVY with the noble intention of making the rural population self-reliant. But long delays would defeat the very objectives of the scheme. The Committee recommends that the Government should expedite the process so that the LPG distributorship could be set up at Hajipur, District Hoshiyarpur, Punjab, at the earliest.

3.13 Coal is a vital component required for power generation and delay in finalizing the projects leads to considerable delay and loss of power generation leading to severe shortage of power especially in the rural areas. The Ministry of Power should expedite the process and recommend the projects to the Ministry of Coal and liquidate the assurance. The Committee observes that at present the country is passing through an acute phase of coal shortage for thermal power plants in the country. It is an irony that even after having abundance of coal in the country our plants are running much below capacity with bare minimum reserves. The coal blocks were given to private players but there is hardly any extraction by them to allay the shortage. Besides there are issues pertaining to land acquisition, displacement, statutory clearance, forest etc. which adds to delay in coal production. In view of this shortage, the power plants including the one in public sectors have to opt for imported coal. The Committee therefore feels that there is a need to re-look at the whole gamut of coal production. The issue should be discussed with all the stakeholders to find out ways to increase production. The private operators who have not commenced coal production should be given a time frame to start production.

3.14 The Ministry have furnished the Implementation Report without co-relating the earlier development in the matter. No information has been provided regarding the details of the request of the Government of Odisha for allotment of coal blocks. The Ministry have ignored a vital part of the question, showing utter disregard to the mandate of the Committee. The Committee understands that the Auction by Competitive Bidding of Coal Mines Rules, 2012 have been notified but how they can be applicable to the proposals already under submission to the Ministry. The Committee feels that these rules are supposed to have prospective application.

3.15 The Committee observes that apart from raising displacement challenges, coal mining is a major cause of ecological imbalance, soil erosion, dust, noise and water pollution. To meet the challenges the Government has taken steps to monitor the impact of coal mining on environment. Therefore, obtaining environmental clearances has been made mandatory for coal mining. The Committee urges that the Ministry should resolve the issues involved in obtaining the environmental clearances for the balance six open cast mines in consultation with Ministry of Environment and Forests at the earliest.

3.16 The Committee feels that preparation of the Geological Report being the pre-requisite of the project, the Government should expedite its finalization and fulfill the assurance at the earliest.

3.17 Provision of goods handling facility at Liliya Mota station will be a boon for the farmers in the area as the existing rake facility is situated at a distance of 150 kms at Bhavnagar causing great inconvenience to the farmers as well as fertilizer manufacturers. The Committee expresses its dismay that the project is yet to be started; even the land has not been acquired, yet the Ministry have forwarded the Implementation Report ignoring part (b) of the question which pertains to funds allocated and the time frame for completion of the project. This attitude on the part of the Ministry amply demonstrates lack of seriousness on the part of the Ministry in fulfilling the assurance. In respect of conversion into broad gauge line at Amreli, further course of action has not been mentioned nor the cost of conversion has been given. The Committee directs the Ministry of Railways to apprise the Committee with a clear picture on the issue.

3.18 The Committee observes once again that the Ministry have furnished incomplete information on an important issue like this. National Highways are the lifeline of the country. A dilapidated bridge, apart from safety aspect involved especially on a National Highway is also a cause of concern to the general public. By merely mentioning that sanction had been granted for construction of a new bridge and the amount of money allotted for the construction, does not amount to fulfilling an assurance. The entire spectrum of issues involved in the Assurance has to be kept in view while forwarding the Implementation Report. The Committee hopes that the Ministry would fix a time frame for completion of the project and liquidate the assurance.

3.19 The Committee observes that Cashew is one of the major cash crops in the country and a major commodity being exported. Setting up of the Cashew Board on the lines of other commodities Board would streamline cashewnut production and trade. This would also benefit the large cashew growers as well as small ones as they would have access to new technology and method of cultivation which would definitely help in increasing

production. In the absence of a Cashew Board the cultivators especially the small growers are at a disadvantage as they are unable to derive benefits of new technology. The issue of formation of Cashew Board was raised way back in 2008. It is unfortunate that even after four years the proposal is yet to materialise. This tardy pace of taking decision reflects poorly on the functioning of the Ministry/Planning Commission. It is high time that the formation of the Cashew Board is expedited and the assurance be fulfilled.

3.20 The Committee is pained to observe that a reply has been sent to the Committee without taking care whether the issue has been taken to its desired conclusion. There was no point in sending the Implementation Report before the reversal of the Committee of Secretaries' decision if re-look at the proposal was warranted. The Committee recommends that the Ministry should take a final decision in the matter and then communicate to the Committee and desist from sending unresolved issues to the Committee.

3.21 In spite of incurring expenditure to the tune of crores of rupees on cleaning the Ganga River there has been no satisfactory results. The Committee is surprised to note that the National Ganga River Basin Authority set up by the Government in 2009 has held only three meetings till date. This reflects a sorry state of affairs. While the project warrants vigorous action on the part of the Government, the attitude of the Government displays a contrary stand. The Committee directs the Ministry to apprise the Committee with the outcome of the Report prepared by the Indian Institute of Technology and Wild Life Institute of India and proposed actions thereon.

3.22 The Committee hopes that keeping in view the mismanagement resulting in depleting water resources in the country and the effects of climate change it is imperative to finalize the National Water Policy to ensure proper management, judicious utilization and conservation of water. The Committee recommends the Government to expedite the finalization of National Water Policy.

3.23 The Committee observes that incidents of paid news are dangerous trend in a democratic polity as it influences the electors in an unfair manner. Besides the role of the Government to severely tackle the issues of paid news there is an equal responsibility on Media to not to accept or encourage paid news for sustenance of a vibrant democracy. The Committee directs the Ministry to expedite the investigations and apprise the Committee with the outcome and liquidate the assurance.

3.24 The Committee is constrained to observe that without realizing the import of the question and the assurance the Ministry has forwarded the Implementation Report. Even after submitting the Implementation Report, the fact remains that the project has not yet been approved. The Ministry should therefore be careful in sending the information to the Committee and must ensure that the information is complete in all respects. It is beyond doubt that Metro has proved to be an effective mode of public transport particularly to the cities choking with congestion due to lack of public transport hence the Government should expedite the decision in the matter so that the people of Kochi can derive the benefits of mobility provided by metro.

3.25 The Committee notes with dismay that such a long time has passed since the Government initiated the exercise to bring in a legislation to regulate the activities of builders and promoters but the Bill has not been finalized so far. This clearly implies that the Government is not enthusiastic about resolving the issues faced by the common man in search of economical housing. The demand for housing has increased manifold in the capital and due to lack of any regulations the builders and promoters are having a field day due to which a house in the capital and its vicinity has gone out of reach of the common man. The Committee directs the Ministry to bring in the legislation at the earliest so that the problems of the people could be alleviated to a large extent.

3.26 The Committee notes that Banks are the cornerstone of the economy therefore it needs to be ensured that they are capable of meeting the challenges of the rapid changes and growth of economy. Adequate manpower is of utmost importance for operating and expanding an efficient banking system. Lack of manpower is also one of the reasons for absence of banks in rural and remote areas, causing great inconvenience to the population residing in these areas. The Committee recommends that the Government should expedite the filling up of the vacant posts in the public sector banks as well as Reserve Bank of India, IDBI, NABARD etc. so that the banking sector could go beyond the target of financial inclusion fixed by the Government.

3.27 The Committee impresses upon all the Ministries and Departments to approach the fulfillment of assurances with utmost seriousness as it is a constitutional obligation on them to honour the commitment made to the legislature. A lackadaisical approach defeats the very objectives of the Committee that works in the larger interest of the nation.

3.28 The Committee impresses upon the Ministries to apprise the Committee with the details of the progress being made in fulfillment of the assurance whenever extension of time is sought. It has also been observed that at times the Ministries seek extension of time citing same grounds for years together. "Information is awaited", "Information is being collected" or "it is impossible to fulfil the assurance in three months" are some such words used by the Ministries to seek extension of time. In spite of being reminded from time to time to desist from doing so, they continue seeking extension of time in the same manner. The Committee recommends that the Ministries/ Departments should give in details the progress being made in the fulfillment of the assurances and provide cogent reasons for seeking extensions.

3.29 It is reiterated that it is for the Committee to decide whether the replies given in the Rajya Sabha constitute an assurance or not. The Ministries/Departments do not have any say in the matter. The Committee also advises the Ministries to forward the Status Notes with the approval of the concerned Minister. It is needless to say that all the communications regarding assurances to the Rajya Sabha Secretariat have to be duly approved by the Minister.

3.30 The Committee appreciated the role of the Central Pharmaceutical Undertakings in providing affordable medicines to the common people and impressed upon the representatives of the Ministry to keep the interests of poor in mind while taking any decision in the matter as it had an impact on the health care of the masses in the country. It was strongly felt by the Committee that *Jan Aushadhi* stores needed to be popularized in the country to generate the trust of people and the doctors as well.

3.31 The Committee observes that the queries/objections raised by Ministry of Environment and Forests on various issues concerning Costal Regulation Zone in respect of ports should be dealt with by the Ministry of The Committee hoped that the Government would take up the revival plans of HMT Ltd. including HMT watches and Chinar watches with all seriousness. It was also felt that these companies should regain their past glory by excelling in a fiercely competitive market. Further, the Committee recommended that the production of HMT Tractors be increased manifold as the brand was still having its credibility and could compete with any other tractor available in the market in terms of quality as well as price.

3.32 The Committee expressed concern at the gap between imports and domestic production and hoped that the Ministry and public sector undertakings would work towards bringing down this gap in favour of indigenous production. The Committee observed that all out efforts should be made to encourage indigenous production in the defence sector as it had a direct bearing on national security. For this the first step would be to step up research and development activities. It felt that micro small and medium enterprises could not undertake research and development activities, but generally they would need some patronage by organizations such as HAL, BEML, BEL which would result in indigenizing the production base.

3.33 The Committee observed that the State Government must get a comprehensive view on the Witness Protection Programme. The witnesses need to be assured of their security to expedite the finalisation of sensitive cases that remain pending for years due to the unwillingness of key/eye witnesses to attend the trials or turning hostile in the absence of any assurance of their and their families' security. The Committee also observed that the issue of farmers' suicide was also required to be addressed with all seriousness as after all the issue was central to agrarian peace. Even after the abolition of share-cropping it was still continuing in a big way and the demand and recovery of 'fixed' rentals by land owners were also causing suicides. Regarding pricing of sugar, the Committee observed that if cost of production of sugarcane was linked to the cost of sugar, then it was not going to work. It felt that a viable mechanism needs to be developed for proper pricing of sugar cane. The Committee observed that the Government should expedite resolution of the issue as it is detrimental to the growth of the industry as well as to the farmers who are dependent on the industry for their sustenance. The sugarcane growers have been demanding a fair price for sugarcane as they were unhappy with the price of sugar cane and its linkage to sugar yield and wanted the by products to be also taken into account while fixing the price and had demanded deregulation of sugar industry.

3.34 The Committee expressed concern over the plight of the large number of Indians going abroad for employment mainly unskilled and semi-skilled workers who face numerous problems regarding non-payment delayed payment of wages, changes in contracts, termination of employment etc. in the absence of any safeguards. Therefore, 'Pravasi Bhartiya Bima Yojana' (PBBY) was a right step to address the issues of emigrant workers. However there was a need to spread awareness regarding the PBBY scheme through awareness camps and also to initiate online portal for issuing such policies. Responding to a suggestion for increasing the premium, the Committee

felt that increasing the premium was not a solution as it would benefit the private sector. Instead the premium should be deposited with the Protector of Emigrants (PoE), which would automatically come to public sector companies.

3.35 The Committee is by and large convinced about the safety of nuclear plants. However, there was a need to create more awareness about safety measures amongst people especially the local people in adjoining areas. NPCIL should be careful in opening the investments to PSUs as the vested interests would push through them.

3.36 The Committee was surprised to note that states such as Gujarat which are always facing the brunt of terrorism from across the border are taking the Law Commission Report so lightly and felt that the State Government should expedite comments on the issue as it was very essential for the security of the state's assets and boundary. The Committee understands that the delay in handing over the land for Coast Guard Station was due to price of the land. The Government of Gujarat is charging the present day price of the land whereas the Coast Guard is insisting on the price prevalent at the time when they made the application for land. The Committee hopes that the issue is resolved at the earliest in the larger interest of the country.

3.37 The Committee observed that the issue of additional VAT charged on urea is a little complex one. The subsidy issue should be handled by the Central Government so that the farmers do not end up paying more for a bag of urea in Gujarat than their counterpart in other states, which has actually happened in Gujarat. Regarding reimbursement of additional VAT the Committee was of the opinion that it should be resolved by the Central Government at the earliest in consultation with the concerned states.

3.38 The Committee observed that a decision about the need for a separate authority for gas pipeline may be taken at the earliest. The Committee further observed that integration of state gas highways with the national gas highway needed to be kept in view while implementation of the project of Gas Highway.

3.39 The Committee was also given an impression that such guidelines had been issued by the Ministry of Finance to all Banks. The Committee was surprised to note that if this was the case then why the banks were following different procedures for payment of wages to the contract labour. The Committee took exception to the reply furnished by some of the Banks wherein they had mentioned that the Banks had not engaged Contract Labour but in reality contract labourers were engaged through contractor/agency. Further as per law, the outsourcing agency is only the secondary employer; first employer is always the one who is paying. The Committee categorically told the representative of Ministry of Finance that if the Banks are fulfilling the assurance in that way it would not be accepted by the Committee.

3.40 The Committee noted that Banks are doing a good job in achieving the targets of financial inclusion given to them. However, the Committee observed that a lot more is required to be done in this field of financial inclusion with a view to extend institutional benefits to the people at large. The subsidies on various commodities and services are primarily intended to augment welfare of vulnerable sections of the society. But at present the system of delivery of subsidies is riddled with problems. The undeserving persons corner the benefits while the deserving ones are deprived of them. To strengthen the service delivery, the Government has decided to go for direct transfer of subsidies to the targeted group viz., people below poverty line.

3.41 The Committee observed that effective implementation of the guidelines was of great importance to minimize the loss of life and property due to earthquakes and a high level of coordination was required between the various agencies to achieve the objective. The Committee was of the view that *panchayats* too should be involved in the implementation of the guidelines as the rural areas faced maximum damage due to earthquakes. The Committee was also of the view that a research should be undertaken to study the traditional knowledge used by the tribals to predict earthquakes besides studying the behavior of birds and animals for prediction of earthquakes.

3.42 The Committee observed that SAIL should not go for expression of interest only on the basis of newspaper reports and proper investigations should be carried out prior to submitting expression of interest.

3.43 The Committee observed that there were many issues that needed to be looked into Smart Card management such as cloning of smart cards, to ensure that the actual beneficiaries were benefited. In regard to the Direct Subsidy Scheme the Committee is of the opinion that it is a laudable scheme to plug the leakage in subsidized commodities being provided by the Government to a targeted section of the society. However the Committee feels that while implementing the scheme it should be ensured that the money that is required to be transferred to the beneficiary should not be delayed as the targeted section is financially cramped and it would be difficult for them to keep purchasing subsidized commodities at normal rates for a long time. The Committee was of the opinion that since the

term Ultra Mega Steel Plant has not been used in Steel policy and there is no universal definition it would be better if the term is defined first before moving further in the direction of setting up of UMSP.

3.44 The Committee observed that to meet the challenges offered by international competition, it was important that the steel production in the country was increased. The major States which have raw materials should be consulted for joint ventures and setting up of Green Field Steel Plants has to be encouraged. Apart from this, the other issues like rail linkage, availability of water and power needed to be addressed on fast track basis. Further there should be best use of available land and technology emphasis towards energy conservation besides low water consumption in setting up of Steel plants.

3.45 The Committee observed that DCI should be more cautious while utilizing the funds as the allocation of funds would be to the minimum extent in the 12th Five Year Plan and emphasized that DCI should not depend on the existing infrastructure with so much competition in the sector and advised DCI to go for modernization. The Committee commended Visakhapatnam Port Trust for its efficient performance which the other ports could replicate and noted that keeping in view the development needs of the existing ports most of which were set up during the pre-independence period, it was necessary to modernize the ports. The Committee urged the Government to expedite the draft Regulatory Authority Bill taking into account the apprehension that the Bill intends to take away the autonomy and freedom of maritime states in promoting investments in port sector.

3.46 The Committee did not appreciate the views of AAI and asked the representatives of AAI to take up the matter with the State Government with more seriousness. The Committee opined that the cost of land had doubled in the last six years and delay in acquiring land would mean rise in cost of investment. Therefore there was an urgent need to address the issue.

3.47 The Committee expressed concern at the slow progress on the proposals for expansion and construction of airports in Odisha. In view of the fact that a lot of economic activities were concentrated in Odisha, and a large number of tourist destinations and functional ports were located in the State, international traffic was bound to increase. Therefore it was important to expedite the expansion and construction of airports in Odisha. More than Rs 10 lac crores investment was being made in the State therefore there was a demand for setting up world class airports in Odisha to meet the demand of increase in air traffic. The Committee opined that AAI may like to consider setting up of Special Purpose Vehicle in collaboration with State Government and private parties.

3.48 The Committee was surprised to note that the representatives were unaware of the Rehabilitation Policy formulated by the Government of Odisha in 2005 and emphasized that there should be widespread awareness about the Policy.

3.49 The Committee noted that displacement is a major risk factor of any large scale project and in many cases the tribals are the worst hit. Being the primary dwellers of the forests they face a lot of hardships in the event of displacement. Apart from losing their habitat and occupations, they face severe problems in assimilating to new habitats and life, which of course, is a basic human trait but it has long term ramifications as the future generations too are affected.

3.50 The Committee observes that the economy is developing at a very rapid rate and the ports play an important role in the commerce and trade of the country. Therefore, it is necessary to develop and modernize the existing ports to meet the needs of the rapidly developing economy. Paradip Port Trust should keep the Ministry of Shipping and the State Government informed about the developments as it was in the larger interest of the port trust. The Committee recommends that there should not be any delay in modernization Plan of Paradip Port and the Port should protect its interest. The Committee advises that the states should be taken on board instead of adopting a conflicting mode on the issue of Ports Regulatory Authority.

3.51 The Committee was of the opinion that the wide gap between production and capacity of thermal power plants and the loss in power generation due to shortage of coal were serious issues. The Committee observed that a high level of coordination between the Ministries of Coal and Power was required to resolve the crisis.

3.52 As regards the R&R Policy of MCI/CIL the Committee pointed out that the ground reality of rehabilitation was totally different than what was being projected. The figures on papers were far from reality stating emphatically that the people were not adequately compensated and there was a need to revisit many of the compensation and rehabilitation cases. The Committee observed that there was a need to modify the policies. Due care should be given to environmental and health issues in the areas located near the mines. There was a need to change the mindsets in implementing the Rehabilitation Policy by coal extraction companies. The Committee further observed that it was time to amend the Coal Bearing Area Act with a view to save the tribal population living around the coal bearing areas from severe hardships.

3.53 The Committee observed that RGGVY was launched by the Government for electrification of rural areas and even after so many years there were still large numbers of areas that did not have access to electricity. There were numerous problems in implementation of the RGGVY and there was a need to resolve the issues to ensure effective implementation of the Scheme.

3.54 The Committee expressed concern at the problems being faced by small tea growers as compared to large tea growers who were at an advantage due to availability of funds and modern technology. The small tea growers are unorganized. Due to the scattered and fragmented nature of the holdings, the small growers and their workers remain at the very bottom of the value chain. Lack of money and improper functioning of Small Tea Growers Societies due to absence of proper training, poor post-harvest management of green tea leaf, absence of adequate number of processing units are some of the issues faced by small tea growers. The ground realities of small tea growers were totally different than what was being projected. For small growers there was no proper price for tea and they were giving it to companies. There was no hospital and basic amenities for plantation workers. The Committee recommends that the Tea Board should develop a mechanism to solve the problems of plantation labourers in close coordination with the State Government, and also urged the Government to take steps to protect the small tea growers so that they too could reap the benefits of Government schemes and incentives.

3.55 The Committee was of the view that the subsidy schemes launched by the Government needed to be implemented with utmost care to achieve their potential and to benefit the families living below the poverty line. There was a need for a monitoring mechanism to ensure its reach to the targeted section of the society as it was felt that there was a lot of wastage and the subsidies given by the Government were appropriated by people other than the targeted beneficiaries.

3.56 The Committee observed that Kolkata Port Trust being a riverine port has its advantages in many ways and was full of potential to achieve new heights in port activities. The Committee advises Kolkata Port Trust to have a vision to achieve those heights.

VI. Secretariat

3.57 The Committee Section (Government Assurances) headed by an Assistant Director constitutes the Secretariat of the Committee. A Joint Secretary, a Director and Joint Director remained in-charge of the Branch.

3.58 To assist the Committee in its work, material received from the Ministries/Departments/Various non-official organizations and individuals was studied from which points were culled out and questionnaires for written replies/evidence prepared for the use of the Committee.

3.59 The Secretariat also collected material for on-the-spot studies and gave inputs during the study visits undertaken by the Committee.

3.60 The work relating to drafting of the Reports of the Committee along with their presentation, laying, printing and distribution was also undertaken by the Secretariat.

3.61 The Secretariat also studied material like Parliamentary Debates, answers to Parliamentary Questions etc. relevant to the subjects under examination of the Committee.

ANNEXURE-III

(See Para 3.3)

Details of the sittings of the Committee on Government Assurances during the year 2012

Sl. No.	Date of Meeting	Duration Hrs.-Mins.	Subject
1.	06.12.2012	0.40	The Committee considered requests for dropping of Assurances received from various Ministries.
2.	21.02.2012	0.40	The Committee considered requests for dropping of Assurances received from various Ministries.
3.	06.03.2012	1.05	The Committee considered requests for dropping of Assurances received from various Ministries.
4.	28.03.2012	1.00	The Committee considered requests for dropping of Assurances received from various Ministries.
5.	21.05.2012	0.30	The Committee considered requests for dropping of Assurances received from various Ministries.
6.	14.06.2012	0.50	The Committee considered requests for dropping of Assurances received from various Ministries.
7.	28.06.2012	1. 30	The Committee considered requests for dropping of Assurances received from various Ministries and also discussed its future programme.
8.	11.07.2012	1.15	The Committee considered requests for dropping of Assurances received from various Ministries.
9.	03.08.2012	1.15	The Committee considered requests for dropping of Assurances received from various Ministries.
10.	05.09.2012	0.50	The Committee considered requests for dropping of Assurances received from various Ministries.
11.	14.09.2012	1.30	The Committee considered requests for dropping of Assurances received from various Ministries.
12.	24.09.2012	1.10	The Committee considered requests for dropping of Assurances received from various Ministries.
13.	11.10.2012	1.00	The Committee considered requests for dropping of Assurances received from various Ministries.
14.	18.12.2012	1.00	The Committee considered and adopted the 66th report and also discussed its future programme.

CHAPTER-IV
COMMITTEE ON PAPERS LAID ON THE TABLE

I. Composition of the Committee

4.1 The Committee was constituted on 29th September, 2010 and is continuing since then with the following composition:—

- *1. Shri Tariq Anwar — *Chairman*
- **2. Shri Mukut Mithi
3. Dr. E. M. Sudarsana Natchiappan
4. Dr. Vijaylaxmi Sadho
- **5. Shri Parshottam Khodabhai Rupala
- **6. Shrimati Kusum Rai
7. Shrimati Gundu Sudharani
- **8. Shri Derek O'Brien
9. Dr. Barun Mukherji
10. Dr. Ashok S. Ganguly

II. Subjects selected for examination

4.2 **Functions:** The main function of the Committee Section (COPLLOT) is to provide secretarial assistance to the Committee on Papers Laid on the Table, Rajya Sabha. The Section consists of one Assistant Director, one Committee Officer, One Research Assistant and Two Senior Clerks. The work of the Section is supervised by the Joint Secretary, Director and Joint Director respectively in-charge of the Section. The Section assists the Committee in its mandated functions, viz: —

- (a) Examining the Annual Reports and Audited Accounts of Government Companies, Public Sector Undertakings, bodies created by an Act of Parliament, Cooperatives, Institutes and Societies framed and financed by the Government. Nearly 1325 such Organisations/Government Companies, etc., are under the purview of the Committee;
- (b) Ensuring that all the Papers/Government Notifications, complete in all respects, are laid within the time prescribed by the relevant statutes and also in compliance with the provisions of the Acts governing laying of papers of these organisations; and
- (c) Monitoring the implementation of the recommendations of the Committee set out in various reports of the Committee.

Mandate of the Committee on Papers Laid on the Table under Rule 212 H—

After a paper is laid before the Council by a Minister, the Committee considers:—

- (a) Whether there has been compliance with the provisions of the Constitution or the Act of Parliament or any other law, rule or regulation in pursuance of which the paper has been so laid.
- (b) Whether there has been any unreasonable delay in laying the paper before the Council and if so, (i) whether a statement explaining the reasons for such delay has also been laid before the Council along with the paper, and (ii) whether those reasons are satisfactory;

* Resigned from the Chairmanship of the Committee on Papers Laid on the Table *w.e.f* 9th November, 2012.

** Nominated *w.e.f* 09.5.2012 in place of Shri G. Sanjeeva Reddy, Shri Vijaykumar Rupani, Shri K. B. Shanappa & Shri Mahmood A. Madani.

- (c) Whether the paper has been laid before the Council both in English and Hindi and if not, (i) whether a statement explaining the reasons for not laying the paper in Hindi has also been laid before the Council along with the paper, and (ii) whether those reasons are satisfactory.

In addition to the abovementioned functions, the Committee performs such other functions in respect of the papers laid on the Table as may be assigned to it by the Chairman from time to time.

III. Review of work done

(a) Sittings of the Committee

4.3 During the year 2012, the Committee held 11 sittings lasting for 11 hrs, 15 minutes. A statement showing the dates of sittings of the Committee held during the period under review, the duration of the sittings and the subjects discussed are given in *Annexure-IV*.

4.4 The Committee examined 392 requests received from the Ministries for grant of extension of time for laying the Annual Reports/Audited Accounts of Government Companies/Organisations and granted extension. In addition to the aforesaid work 484 paper laid on time cases were submitted by the Committee Section to the senior officers. The Committee also undertook local visits and held discussions with the managements of the concerned Government organizations. The representatives of some Ministries and organizations were also invited for oral evidence before the Committee.

(b) Study Visits

4.5 During the year 2012, the Committee visited the following Organisations to discuss with the management regarding the delayed laying of their Annual Reports and Audited Accounts on the Table of the Rajya Sabha: —

Sl. No.	Dates of visits	Companies/Organisations visited
1.	23.02.2012	(i) Cashew Export Promotion Council of India, Kochi (ii) Lakshadweep Development Corporation Ltd. (LDCL), Kavaratti.
2.	24.02.2012	(i) Lakshadweep Building Development Board, Kavaratti. (ii) Lakshadweep Sarva Shiksha Abhiyan State Mission Authority, Lakshadweep.
3.	26.02.2012	Bharat Petroleum Corporation Ltd., and Kochi Refineries Ltd., Kochi

IV. Reports presented

4.6 During the year 2012, the Committee presented the following Reports to the House:—

Sl. No.	Report Nos.	Dates of Presentation	Subjects
1.	140th	24.8.2012	Laying of the Annual Reports and Audited Accounts of Maharashtra Agro Industries Development Corporation Ltd. (MAIDC), Mumbai; Mormugao Port Trust (MPT), Goa; and Goa Meat Complex Limited (GMCL), Panjim.
2.	141st	24.8.2012	Laying of the Annual Reports and Accounts of Rajghat Samadhi Committee (RSC), New Delhi; Central Adoption Resource Authority (CARA), New Delhi; and Kumarakruppa Frontier Hotels Pvt. Ltd., New Delhi.
3.	142nd	24.8.2012	Laying of the Annual Reports and Audited Accounts of Handicrafts and Handlooms Exports Corporation of India Ltd., New Delhi; Bharat Petroleum Corporation Ltd (BPCL), Mumbai and Lakshadweep Building Development Board (LBDB), Kavaratti.

V. Summary of Recommendations

(a) 140th Report

Maharashtra Agro Industries Development Corporation Limited, Mumbai

4.7 The Committee took note of the factors delaying the finalization of Audited Accounts of the Maharashtra Agro Industries Development Corporation Limited as highlighted by its Managing Director. The Committee was not informed of any initiative taken by the Ministry of Agriculture in this regard. The Committee would appreciate if both the Ministry and the Corporation work out a time-schedule for timely laying of the Annual Reports and Audited Accounts. Problem areas pointed out by the Corporation needed to be addressed at the earliest.

4.8 The Committee views with serious concern the delayed laying of Annual Report and Audited Accounts of the Corporation from the year 2000-01 onwards. The Committee was constrained to observe that the Ministry failed to approach it for extension of time in this regard. The Committee does not appreciate the non-adherence to the prescribed norms for laying of papers in Parliament in time. The Ministry of Agriculture should invariably approach the Committee, sufficiently in advance, for seeking extension of time, by giving cogent reasons for the delay.

4.9 The persistent delays in laying the papers was a matter of serious concern, for which the Ministry and the Corporation were accountable. The responsibility for the persistent non-compliance of the statutory requirement and Committee's recommendation in this regard should be fixed.

4.10 The Committee noted that the Maharashtra Agro Industries Development Corporation Limited had already started computerization of its accounts. This would certainly help in finalization of accounts in time. The Committee hoped that accounts would also be maintained on computer. The Corporation should have sufficient staff trained in using the web based IT.

Mormugao Port, Goa

4.11 The Committee expresses its satisfaction over the timely laying of the Audit Reports & Annual Accounts of MPT, however, the audited accounts of Port Trust for the year 2006-07 had not been laid along with the Annual Report of the Port Trust, which does not conform to the recommendation of the Committee contained in Para 26 of its 1st report, stating that Annual Reports & Audit Accounts must be laid simultaneously.

4.12 The Committee notes that almost 80% of work is done online and the Port Trust is fully equipped with Computers and the required software. The Committee would like to impress that the Ministry and the MPT may keep themselves abreast of the fast speed innovations/changes/improvements in the field of Computer and information technology and arrangements may be made to impart regular training to the staff to keep them updated.

4.13 The Committee observes that the review of the performance of the Port Trust made by the Ministry should be analytical instead of being a routine statement. Therefore, the Committee recommends that the Ministry in their Review Statement should comment upon the financial and functional performance of the Port Trust and also apprise the Parliament of the achievements made by the organisation, against the set annual targets.

Goa Meat Complex Limited, Panjim, Goa

4.14 The Committee noted that in cases of delay, the Ministry never approached it to seek extension of time, disregarding the Committee's recommendations in this regard. The Committee takes it seriously and urges upon the Ministry to be careful on such counts.

4.15 The Committee is constrained to observe that Annual Reports and Audited Accounts of the Goa Meat Complex Limited for 2008-09 and 2009-10 had not yet been laid in Parliament. What was more disturbing that the Ministry of Agriculture also did not bother to get the process completed in time. The Committee reiterates that in the event of delay, the Ministry should take all the steps for timely laying of Papers in Parliament. The Ministry should also invariably approach the Committee, sufficiently in advance, for seeking extension of time.

4.16 The Committee also recommends that the GMCL and the Ministry should work out a mechanism so as to ensure timely laying of Annual Reports and Audited Accounts. Whenever inordinate delay occurs in laying the papers, responsibility should be fixed.

(b) 141st Report**Rajghat Samadhi Committee**

4.17 The Committee observes that though a schedule has been prepared but it has seldom been adhered to by the Rajghat Samadhi Committee. The Committee express displeasure over the fact that the Ministry has not addressed the reasons causing the delay in laying the papers. It recommends that Ministry/Rajghat Samadhi Committee must ensure timely approval of Annual Reports/Audited Accounts.

4.18 In case of delay, the Ministry should furnish a statement containing the reasons for the delay, which should invariably contain information, in chronological order, about the date of finalisation of Annual Accounts, appointment of Auditors, forwarding the accounts to the Auditor, completion of audit, submission to C&AG, adoption of report by the Rajghat Samadhi Committee, completion of translation and printing and forwarding the papers to the Ministry. Such a statement should, necessarily, be laid along with the papers being laid on the Table of the House, so as to enable the Committee to identify the stages, causes and extent of delay and suggest remedial measures, wherever required.

4.19 The Committee further suggests that the Ministry should take up the matter of delay caused in the office of AGCR and evolve an effective mechanism to streamline the process.

4.20 The Committee also recommends that the Government Review laid on the Table of the House, along with the Annual Reports and Audited Accounts of the Rajghat Samadhi Committee, should be comprehensive. In addition to broad annual performance of the Rajghat Samadhi Committee, the Government's Review must have separate para on the utilization of grants, achievement of objectives for which grants were given etc.

Central Adoption Resource Authority (CARA), New Delhi

4.21 The Committee found that the reasons given by the Ministry and the CARA for unduly long delays were not satisfactory and excusable. It took note of the steps taken by the Ministry and CARA to streamline the working of the CARA which could tend to ensure timely laying of the papers on the table of the House. The Committee not only hopes that in future papers are laid in time and delays are positively avoided.

4.22 The Committee express anguish over the CARA and the Ministry having been in limbo for a long time before they swung into action for taking remedial steps, to restructure the Authority and to remove bottlenecks, hampering its functioning, causing prolonged, undue and unwarranted delays in laying of Annual Reports and Audited Accounts of CARA.

4.23 The Committee takes a serious view over the non-compliance and flouting of the statutory provisions regarding laying papers in time on the Table of the House and not seeking extension of time well in advance from the Committee. The Committee therefore emphasizes that in the event of delay, the Ministry should invariably seek extension of time for laying of Papers in the Parliament. The Ministry should approach the Committee sufficiently in advance for seeking such extension.

4.24 The Committee also enjoins upon the Ministry to ensure that responsibility is fixed in cases of inexplicable delays.

Kumarakruppa Frontier Hotels Private Limited, New Delhi

4.25 The Committee takes a serious view of such a long and protracted delay in laying of the Annual Reports and Audited Accounts of M/s Kumarakruppa Frontier Hotels (P) Ltd. and for not bothering to seek extension of time in case of unavoidable delay.

4.26 The Committee fails to understand the fact that the Company almost caught up with time schedule for laying of the reports in 2004-05 and relapsed into the much worse condition in laying the Papers pertaining to the pre 2004-05 period. Clearly enough when the Company came into existence, it must have faced its initial glitches and with the passage of time its functioning is supposed to be smoother than that in the past. Secondly, though the remedial measures initiated to address the issue are appreciated, huge time taken to come out with solutions is hardly commendable. It shows either shoddy approach or lackadaisical attitude towards statutory provisions.

4.27 The Committee also finds it strange to create such a shell Company that serves almost no purpose. Instead, the funds generated through the demerger should directly be transferred to the Ministry of Tourism.

4.28 One of the main reasons for delay in laying the papers that was cited was shortage of staff. This reason is not acceptable to the Committee. Clearly, those who were at the helm of affairs are to be blamed. The Committee would like responsibility to be fixed for ignoring the statutory obligators and recommendations of the Committee as far as laying of papers is concerned.

4.29 The Committee impresses upon the Ministry to follow a proper procedure and approach the Committee, sufficiently in advance, for seeking extension of time in event of any delay in the laying of the papers, by citing convincing and cogent reasons and lay the papers, on the Table of the House within the extended period.

(c) 142nd Report

Handicrafts and Handlooms Exports Corporation of India Limited (HHEC), New Delhi

4.30 The Committee observes that the Ministry should play a proactive role to ensure timely laying of the papers. It cannot be a passive spectator for the delayed laying of Annual Reports and Audited Accounts of the organizations under them. It should formulate a strict schedule for the preparation of the papers, in coordination with the Corporation, and see that the schedule is strictly followed by the Corporation.

4.31 The Committee is constrained to note that in spite of considerable and persistent delay, the Ministry of Textiles failed to comply with the long standing directive of seeking extension of time, on valid grounds, well in advance. The reason adduced for not seeking the extension of time is not convincing. The Committee, therefore, recommends that in case of delay in laying the Annual Reports and Audited Accounts of Handicrafts and Handlooms Exports Corporation the Ministry should approach the Committee sufficiently in advance for seeking extension of time.

4.32 The Committee reminds the Ministry that in case of delayed laying of Annual Reports and Audited Accounts on the Table of Rajya Sabha, it should lay a statement giving reasons for not laying the same.

4.33 The Committee notes that the Annual Report and Audited Accounts for the same years were laid in time, but there have been persistent delays for the years 2000-01, 2001-02, 2007-08, 2009-10 and 2010-11 which indicates that both the Corporation and the Ministry failed to adhere to the time schedule prepared by them. Committee, accordingly, advises both the Corporation and the Ministry to put in place a mechanism to monitor the preparation of Annual Report and Audited Accounts, so that the laying of the same are ensured in time.

4.34 The Committee observes that the Ministry failed to lay the papers of the Corporation in time due to one reason or the other. As reported by the Corporation, this has happened due to lack of manpower. The initiative taken to fill up the post of by officials was not found sufficient. The post of Company Secretary was still vacant and as informed, Deputy Manager (Finance) had joined recently. The Committee, therefore, impresses upon the Ministry to evolve a system to attach suitable personnel and fill-up the vacant post without wastage of time. In case of difficulties in recruitments assistance from some Government agencies may be obtained.

4.35 The Committee notes with disappointment that a lot of time has been consumed in translation and printing of Balance Sheet during the year 2000-01 and 2001-02. The Committee, therefore, feels that in the present era of IT translation, printing related work and Balance Sheets, etc., can be got done from out source agency, using the e-mail facility also when marked. The Committee hopes that the Ministry and the Corporation would monitor the translation and printing work, ensuring timely completions of process of laying the papers in future.

4.36 Further, Computerisation of the accounts of the Corporation should be expedited, so that the accounts are processed in time and Annual Reports and Audited Accounts are laid on the Table of Rajya Sabha within the stipulated period of nine months, from the date of closure of accounts.

Bharat Petroleum Corporation Limited (BPCL), Mumbai

4.37 The Committee is pleased to know that the Ministry of Petroleum and Natural Gas has been laying the Annual Report and Audited Accounts of the Bharat Petroleum Corporation (BPCL) generally in time. The Committee appreciates the efforts of the corporation in assessing their audits in a systematic manner by adopting the revised pattern of audit, as initiated by the C&AG. It needs to be seen as to how far the revised pattern of audit has improved the audit mechanism, resulting in timely submission of annual accounts within the prescribed time limit.

4.38 The Committee notes that the Ministry of Petroleum and Natural Gas laid the Annual Reports and Audited Accounts of BPCL for the years 1996-1997, 2000-01 and 2005-06 belatedly. The Ministry did not seek extension of time also from the Committee for the delayed laying. The Ministry must be aware that the extension of time has to be sought from the Committee whenever delay is expected in laying the Annual Reports and Audited Accounts. The Committee urges upon the Ministry to be careful in future.

4.39 The Ministry of Petroleum and Natural Gas laid Annual Reports and Audited Accounts of the Kochi Refineries Ltd. (KRL) upto 1999-2000 and, thereafter, no Papers of that corporation were laid. The Committee understands that the K.R.L. was merged with BPCL in 2006 and, thereafter, the Ministry has been laying the Annual Report and Audited Accounts of both the corporations collectively. The Committee notes that it is a serious lapse on the part of the Ministry in keeping the Committee in dark about the merger and the revised pattern of audit accounts of both the corporations.

Lakshadweep Building Development Board (LBDB), Kavaratti

4.40 The Committee express displeasure over the fact that since 2000, the Ministry failed successively in laying the Annual Reports and the Audited Accounts of the Lakshadweep Building Development Board (LBDB), Kavaratti in the House within the prescribed time-limit. The persistent delays in laying the papers was a matter of serious concern, for which the Ministry and the Board were accountable. The responsibility for the persistent non-compliance of the statutory requirement and Committee's recommendations in this regard should be fixed.

4.41 The Committee observes that there have been delays in preparation of expenditure summary and audit accounts for audit, due to the delay in collection of data from the administrative units of various islands. There have also been delays in furnishing the draft audit reports, and subsequently in furnishing the replies thereon to the Accountant General, Kerala. The Committee feels that the Lakshadweep Building Development Board (LBDB), Kavaratti should make utmost efforts to reduce the time taken in the preparation of expenditure summary and audit accounts and submission of draft report to the Accountant General, Kerala.

4.42 The Ministry of Housing and Urban & Poverty Alleviation did not seek extension of time for submitting the Annual Reports and Audited Accounts of the Lakshadweep Building Development Board (LBDB), Kavaratti. The Ministry must be aware that the extension of time has to be sought from the Committee whenever a delay in laying the Annual Reports and Audited Accounts is expected. The Ministry should be careful in future.

4.43 In case of delay, the Ministry should furnish a statement containing the reasons for the delay, which should invariably contain information, in chronological order, about the date of finalisation of Audit Accounts, preparation, completion and submission of audit accounts of the LBDB and forwarding the same to the Accountant General, Kerala, adoption of report by the Lakshadweep Building Development Board (LBDB), Kavaratti, completion of translation/printing and forwarding the Annual Accounts and Audit Reports papers to the Ministry. Such a statement should, necessarily, be laid along with the papers being laid on the Table of the House, so as to enable the Committee to identify the stages, causes and extent of delay and suggest remedial measures, wherever required.

4.44 The Committee notes that the Lakshadweep Building Development Board (LBDB), Kavaratti had already started computerization of its accounts. This would tend to help in finalization of accounts within prescribed time. The Committee appreciates the efforts of the Board for initiating the computerization of their accounts. The Committee hopes that accounts would also be prepared and submitted within time to the Accountant General, Kerala and then to the Ministry.

VI. Secretariat

4.45 The Committee Section (COPLLOT) consisted of one Assistant Director, one Committee Officer, one Research Assistant, and two Sr. Clerk who provided the Secretariat assistance to the Committee. The Joint Secretary, Director, and Deputy Director remained incharge of the Branch.

4.46 To assist the Committee in its work, the Annual Reports and Audited Accounts of various Government Companies/Organisations laid on the Table of Rajya Sabha and the material received from the Ministries/Departments/Government Companies/Organisations were studied, on the basis of which points were culled out and questionnaires/Memoranda /points for discussion on the subject for evidence/visits were prepared for the use of the Committee.

4.47 The works relating to drafting of reports by the Committee, their consideration and approval along with their presentation, laying, printing and distribution were undertaken.

ANNEXURE-IV*(See Para 4.3)***Details of sittings of the Committee on Papers Laid on the Table during the year 2012**

S1. No.	Dates of Meeting	Duration Hrs. - Mins.	Subjects
1.	16.01.2012	0.40	(i) The Committee considered two Memoranda No. 9/2011 and 10/2011 relating to Action Taken Replies on the recommendations contained in 130th & 133rd Reports. (ii) The Committee also considered a Memorandum No. 11/2011 on delayed laying of AR/AAs of Lakshadweep Building Development Board (LBDB),
2.	31.01.2012	1.15	(i) Delayed laying of Annual Reports and Audited Accounts of Handicrafts and Handlooms Exports Corporation of India Ltd. (HHEC), New Delhi and (ii) Sangeet Natak Akademi, New Delhi.
3.	10.02.2012	0.40	Delayed laying of Annual Reports and Audited Accounts of Central Adoption Resource Authority, New Delhi.
4.	07.3.2012	1.40	(i) Delayed laying of Annual Reports and Audited Accounts of National Institute of Social Defence, New Delhi and (ii) Medical Council of India, New Delhi.
5.	17.05.2012	0.40	Welcome of nominated members and discussion on its future Programme.
6.	31.05.2012	1.30	(i) Delayed laying of Annual Reports and Audited Accounts of Organising Committee of the Commonwealth Games, 2010, New Delhi and (ii) Indian Institute of Mass Communication (IIMC), New Delhi.
7.	8.06.2012	1.00	(i) Delayed laying of Annual Reports and Audited Accounts on the working Protection of Civil Rights Act, 1955 and (ii) The Scheduled Castes and the Scheduled Tribes Prevention of Atrocities Act, 1989 and (iii) Delayed laying of Annual Reports and Audited Accounts of Coal Mines Provident Fund Organisation (CMPFO), Dhanbad, Jharkhand.
8.	13.07.2012	0.45	Delayed laying of Annual Reports and Audited Accounts of Institute of Applied Manpower Research (IAMR), New Delhi.
9.	01.08.2012	1.25	(i) Delayed laying of Annual Reports and Audited Accounts of Padmaja Naidu Himalayan Zoological Park, Darjeeling and (ii) Rashtriya Madhyamik Shiksha Abhiyan (RMSA) for all States and UTs.
10.	04.09.2012	0.40	(i) Delayed laying of Annual Reports and Audited Accounts and on the Working and Administration of the Companies Act, 1956. (ii) The Committee considered Action Taken Replies furnished by the Ministry of HRD and Women and Child Development on 129th & 138th Reports of the Committee.
11.	19.10.2012	1.00	Delayed laying of Annual Reports and Audited Accounts of National Council for Cooperative Training (NCCT), New Delhi.

CHAPTER-V
COMMITTEE ON ETHICS

I. Composition of the Committee

5.1 The Committee was constituted on 29th September, 2010 with the following composition:—

1. Dr. Karan Singh — *Chairman*
2. Shri S. S. Ahluwalia
3. Shri Satish Chandra Misra
4. Shri Sitaram Yechury
5. Shri Shivanand Tiwari
6. Shri Tiruchi Siva
7. Shri Tariq Anwar
8. Shri Pyarimohan Mohapatra
9. Shri Mohan Singh
10. Dr. V. Maitreyan

5.2 The Committee continued till 28th December, 2012 when it was re-constituted with the following composition:—

1. Prof. Ram Gopal Yadav — *Chairman*
2. Dr. E.M. Sudarsana Natchiappan
3. Shri Ravi Shankar Prasad
4. Shri Satish Chandra Misra
5. Shri Sitaram Yechury
6. Shri Shivanand Tiwari
7. Shri Mukul Roy
8. Shri Tiruchi Siva
9. Dr. Janardhan Waghmare
10. Shri Shashi Bhusan Behera

II. Review of work done

(a) Sitzings of the Committee

5.3 During the year 2012, the Committee held two sittings lasting for one hour and forty-two minutes. A statement showing the date of sitting of the Committee held during the period under review, the duration of sittings and the main agenda taken up is given in *Annexure-V*.

(b) Study Visits — Nil

III. Reports Presented —

5.4 During the year 2012, the Committee did not present any report to the House.

IV. Secretariat

5.5 The Committee Section (Ethics) headed by an Assistant Director constitutes the Secretariat of the Committee. Additional Secretary, Director and Joint Director remained incharge of the Branch.

5.6 The work of maintenance of the Register containing information of “Members’ Assets and Liabilities” under the Members of Rajya Sabha (Declaration of Assets and Liabilities) Act, 2004 and the “Register of Members’ Interests” in terms of Rule 293 of the Rules of Procedure and Conduct of Business in the Council of States, was undertaken by the Section.

5.7 During the period under reference, fourteen complaints and one writ petition alleging breach of Code of Conduct were received. The complaints and the petition were examined as per the provisions of the relevant rules.

5.8 The Section also processed sixty-two requests received from the CPIO, Rajya Sabha Secretariat for supply of information under the Right to Information Act, 2005. The requisite information was furnished within the stipulated time.

5.9 During the year, information as contained in the Register of Members’ Interests was provided to one applicant with the permission of Chairman, Committee on Ethics, under Right to Information Act, 2005 and Rule 293(3) of the Rules of Procedure and Conduct of Business in the Council of States.

ANNEXURE-V

(See Para 5.3)

Details of the sittings of the Committee on Ethics during the year 2012

Sl. No.	Date	Duration Hrs.-Mins.	Subject
1	2	3	4
1.	03.05.2012	1.00	The Committee considered Memorandum No.1/2012 regarding “Furnishing the information of the “Register of Members’ Interests” to Hon’ble Chairman, Rajya Sabha for its effective use in the functioning of the Council”.
2.	21.11.2012	0.42	The Committee considered Memorandum No.2/2012 on “Need for evolving a mechanism for smooth functioning of the Rajya Sabha to overcome frequent disruptions of the proceedings and adjournments of the House due to unruly behaviour of the Members of Rajya Sabha”.

CHAPTER-VI
COMMITTEE ON COMMERCE

I. Composition of the Committee

6.1 The Committee was constituted on 31st August, 2011 and continued till 30th August, 2012. The Committee consisted of the following members:—

Shri Shanta Kumar — *Chairman*

Rajya Sabha

- *2. Prof. P. J. Kurien
3. Shri V. Hanumantha Rao
4. Dr. E.M. Sudarsana Natchiappan
5. Shri K.N. Balagopal
6. Shri Ishwarlal Shankarlal Jain
7. Shri Prem Chand Gupta
8. Shri Y. S. Chowdary
- %9. Shri Rangasayee Ramakrishna
- ^10. Shri Kiranmay Nanda

Lok Sabha

11. Shri G. S. Basavaraj
12. Shri Kantilal Bhuria
13. Shri C.M. Chang
14. Shri K. P. Dhanapalan
15. Shri Anant Gangaram Geete
16. Shri Shivarama Gouda
17. Prof. Sk. Saidul Haque
18. Shrimati Kaiser Jahan
19. Shri Dilip Singh Judev
20. Shri Nalin Kumar Kateel
21. Shri Dayanidhi Maran
22. Shri Vishnu Deo Sai
23. Shri M. I. Shanavas
24. Shri Jagdish Sharma
25. Shri Rajaiah Siricilla
26. Shri Dinubhai Boghabhai Solanki
27. Shri K. Sudhakaran
28. Shri Dharmendra Yadav
- @29. Shri Modugula Venu Gopala Reddy
- &30. Shri K. Jayaprakash Hegde
31. Vacant

* Retirement *w.e.f.* 1st July, 2012 & re-nominated *w.e.f.* 16th July, 2012.

% Nominated *w.e.f.* 4th May, 2012 against the vacancy arising on retirement of Shri Arun Jaitley *w.e.f.* 2nd April, 2012.

^ Nominated *w.e.f.* 15th May, 2012 against the vacancy arising on retirement of Shri Jai Prakash *w.e.f.* 2nd April, 2012.

@ Nominated *w.e.f.* 25th November, 2011.

& Nominated *w.e.f.* 18th May, 2012.

6.2 The Committee was re-constituted on 31st August, 2012 with the following composition:—

1. Shri Shanta Kumar — *Chairman*
Rajya Sabha
2. Shri Vijay Jawaharlal Darda
3. Shri Shadi Lal Batra
4. Shri P. Bhattacharya
5. Shri Rangasayee Ramakrishna
6. Shri K.N. Balagopal
7. Shri Ishwarlal Shankarlal Jain
8. Shri Prem Chand Gupta
9. Shri Birendra Prasad Baishya
- °10. Vacant
Lok Sabha
11. Shri J.P. Agarwal
12. Shri G. S. Basavaraj
13. Shri Kuldeep Bishnoi
14. Shri C.M. Chang
15. Shri Jayant Chaudhary
16. Shri K. P. Dhanapalan
17. Shri Shivaram Gouda
18. Prof. Sk. Saidul Haque
19. Shri S.R. Jeyadurai
20. Shri Dilip Singh Judev
21. Shrimai Putul Kumari
22. Shri P. Lingam
23. Shri Bajjayant 'Jay' Panda
24. Shri Kadir Rana
25. Shri Vishnu Dev Sai
26. Shri Jagdish Sharma
27. Shri Adagooru Vishwanath
28. Shri Arun Yadav
- #29. Shri Nalin Kumar Kateel
- @30. Shri Nama Nageswara Rao
31. Vacant

\$ On account of resignation of Ms. Anu Aga *w.e.f.* 20th December, 2012

Nominated *w.e.f.* 14th December, 2012

@ Nominated *w.e.f.* 14th December, 2012

II. Subjects selected for Examination

6.3 During 2012, the subjects taken up by the Committee were as under:—

Sl. No.	Subjects Taken up for consideration/ bills referred	Status
1.	FDI in Pharmaceutical Sector	The Committee is in the last leg of threadbare examination of the subject.
2.	Performance of Plantation Sector- Tea and Coffee Industry	The 102nd Report on Performance of Plantation Sector—Tea and Coffee Industry was presented/laid in both the Houses on 09.08.2012.
3.	Activities and Functioning of India Trade Promotion Organisation (ITPO)	The Committee has so far held two meetings on the subject and the deliberations on the same also took place at Kolkata during the Study Visit of the Committee to North Eastern Region in the month of February, 2012.
4.	'India's engagement with Free Trade Agreements: Challenges and Opportunities'	The Committee has scheduled a meeting to hold preliminary discussions on the subject in January, 2013.
5.	'Industrial Policy in the Changing Global Scenario'	-do-

III. Constitution of Sub-Committee of the Committee on Commerce

The Committee did not constitute any Sub-Committee during the year.

IV. Review of work done

(a) Sittings of the Committee

6.4 Till December 2012 the Committee held 22 sittings lasting for about thirty three hours and eight minutes. The details of the meetings are given in *Annexure VI*

6.5 Verbatim record of proceedings of each sitting of the Committee, in which evidences were taken, was kept.

(b) Study Visit (s)

6.6 During the year, the Committee undertook two on-the-spot study visits to various institutions/project sites, etc., as per the details given below, in connection with the subject(s) under examination:—

Sl. No.	Dates of visits	Places visited	In connection with (subjects)
1.	21.02.2012 to 28.02.2012	West Bengal, Assam and Meghalaya	'Performance of Plantation Sector—Tea and Coffee Industry' and 'Activities and Functioning of India Trade Promotion Organisation (ITPO)'
2.	06.06.2012 to 12.06. 2012	Tamil Nadu, Kerala and Karnataka	Performance of Plantation Sector—Tea and Coffee Industry

V. Reports presented

6.7 During the year 2012, the Committee presented/laid the following Reports in both the Houses:

Sl. No.	Number of the Report (s)	Date (s) of Presentation/ Laying in Rajya Sabha/ Lok Sabha	Subject
1	2	3	4
1.	100th	30.04.2012	Demands for Grants (2012-13) pertaining to Department of Commerce, Ministry of Commerce & Industry.
2.	101st	30.04.2012	Demands for Grants (2012-13) pertaining to Department of Industrial Policy and Promotion, Ministry of Commerce & Industry.
3.	102nd	09.08.2012	Performance of Plantation Sector —Tea and Coffee Industry.
4.	103rd	04.12.2012	Action Taken by Government on the Observations/Recommendations of the Committee contained in its Ninety Eighth Report on Export of Foodgrains-Premium Non-Basmati Rice and Wheat.
5.	104th	04.12.2012	Action Taken by Government on the Observations/Recommendations of the Committee contained in its Ninety Ninth Report on Export Promotion of Agricultural and Processed Food Products.
6.	105th	04.12.2012	Action Taken by Government on the Observations/Recommendations of the Committee contained in its One Hundredth Report on Demands for Grants (2012-13) pertaining to Department of Commerce.
7.	106th	04.12.2012	Action Taken by Government on the Observations/Recommendations of the Committee contained in its One Hundred First Report on Demands for Grants (2012-13) pertaining to Department of Industrial Policy and Promotion.

6.8 Minutes of sittings of the Committee on Commerce relating to various Reports presented/laid in the Houses were prepared, along with the respective Reports.

VI. Summary of Recommendations

6.9 Summary of important recommendations of the Committee made in its reports presented during 2012 is as under:—

(a) 100th Report on Demands for Grants (2012-13) pertaining to Department of Commerce, Ministry of Commerce & Industry

6.10 The Committee hopes that after giving in principle approval to the new schemes the Planning Commission will allocate adequate funds for effective implementation of the new schemes. The Committee recommends the Department to engage the Planning Commission for requisite funds earnestly.

6.11 The Committee hopes that the Department has made a realistic assessment of the country's potential and also identified the various bottlenecks which need to be removed to achieve this target.

6.12 The Committee urges upon the Department to take up the matter with Ministry of Finance and the RBI impressing upon them the need to initiate measures necessary for ensuring stability in exchange rate with a little variation within a narrow band for the benefit of exporters. Such stabilization would boost the morale of all exporters.

6.13 The Committee firmly believes that the export figures must also be released in terms of quantity so that one can capture true picture of the state of exports in the country. This is all the more important since quantity-linked exports is one of the important bases for employment generation in the country. The Committee recommends that the Department release its export figures henceforth in terms of both value as well as quantity.

6.14 The Committee is of the view that marketing support needs to be extended to MSME sectors as being done in most of the countries. Aggressive marketing can provide a platform for future exports as in the present

scenario of global trade slowdown, exporters are not venturing into untapped markets in a big way. The cost of development of market is quite substantial for a small manufacturer and therefore, the Government should provide the much needed support. The Committee strongly feels that an Export Marketing Fund with a corpus of at least Rs. 1000 crore may be established to subsidize the marketing efforts of MSME segment.

6.15 The Committee expresses its deep concern over the decrease in the exports of handicrafts and carpets. Since the two sectors are labour intensive, any decline in the exports of these sectors will have an adverse effect on the labour of the country. The Committee, therefore, recommends that all possible efforts be made by the Department to promote the exports of handicrafts and carpets by providing special incentives and finding new markets.

6.16 The Committee also learns that the carpet industry is suffering due to imposition of excise duty on hand-made products. This excise duty on hand-made carpet industry has obviously created unnecessary hardships to carpet manufacturers and also eroded the competitiveness in terms of price in international market. It is also important to appreciate that the artisans involved in carpet making and other handicrafts work at homes. Their family owned crafts cannot handle documentation and other requirements, nor can they afford excise duty. The Committee desires the Department to take up the matter with Ministry of Finance on priority for waiver of excise duty for handicrafts and hand-made carpet industry.

6.17 The Committee is of the considered opinion that the Department of Commerce takes up the matter with Ministry of Finance/RBI to ensure that the Interest Subvention Scheme is continued.

6.18 The Committee recommends that maximum investment limit in Plant and Machinery of MSME units should, therefore, be increased from the existing level Rs.10 crore to Rs.25 crore so that the export units could increase their competitiveness in the global market.

6.19 The Committee appreciates the efforts of the Department towards achieving the goals set under Foreign Trade Policy. The Committee feels that the mechanism to monitor the growth trajectory of Indian exports can still be made more robust so as to sift the data of quantity of exports on real time basis. It recommends that the Department take necessary action in this regard.

6.20 The Committee recommends that EDI connectivity should be accorded priority as we have not achieved the desired levels in this area in the last five years.

6.21 The Committee is unable to appreciate the reply of the Department. It wants to impress upon the Department that upward or downward revision in allocation is not done by the Planning Commission/Finance Ministry without reason. The Committee would like the Department to spell out the reasons for the reduction in the Scheme outlay for the year 2011-12. The Committee in view of the significance of the Scheme is also of the considered opinion that a revolving fund head may be created for the Scheme so that the unspent allocations do not get lapsed and are carried forward for their utilization in future for the purpose.

6.22 The Committee feels that the funds available to the State Governments under ASIDE Scheme are not sufficient which is a constraint on creation of required infrastructure for exports. The Committee is of the considered view that a meeting of Inter State Trade Council may be convened at the earliest to make the Scheme more effective. It will also provide an opportunity to the Department to thrash out many pending issues with the State Governments so as to develop an effective policy initiative in close cooperation of State/UT Governments.

6.23 The Committee notes that the Foreign Trade Policy has notified many towns of export excellence, however, no substantive benefit is available to such towns. The Committee therefore recommends that the Department of Commerce may consider allocating 25% of the funds available under ASIDE Scheme for providing infrastructure support to towns, outside of metropolitan areas.

6.24 The Committee is apprehensive about the adequacy of the allocation for 2012-13 in view of the fact that up to Rs. 350 crore was provided during the financial years 2008-09 and 2009-10 to provide for short term covers to mitigate the effects of global crisis. Since the gloomy outlook of global economy has still not changed, the Committee wonders whether the present allocation has factored in the requirement arising for short term cover. The Committee, therefore, would like the Department to reorient its strategy and readjust its priorities while revisiting the adequacy of allocation made under NEIA for the year 2012-13.

6.25 The Committee is at a loss to understand the poor level of priority attached by the Department to schemes aiming to promote India's export on sustained basis, especially, in view of the envisaged target of doubling its share in world trade by 2020. The Committee strongly feels that there is a need for boisterous Government's support to schemes like Market Access Initiatives (MAI). The Committee expresses its concern over the pattern of expenditure under the scheme as till 29.2.2012, only Rs. 120 crore could be spent under the scheme. The 'March rush' saw an expenditure of Rs. 20 crore in mere fifteen days, thereby, bringing the expenditure to Rs. 140 crore on 15.3.2012 under the scheme. The Committee strongly disapproves the last minute rush in expenditure and recommends to the Department to take corrective measures for disbursement of funds under schemes run by it.

6.26 The Committee notes that the Non Plan allocation was reduced from Rs. 56 crore in 2010-11 to Rs. 50 crore in 2011-12. Even the reduced allocation has not been fully utilized by the Department since only 29 crore (58 per cent) could be spent till 15.3.2012. The Committee is not happy with the progress of expenditure under the Scheme and impresses upon the Department to utilize the allocation made in BE 2012-13 properly. On an analysis, the Committee finds that during last six years, the allocation under the Scheme has stagnated with a variation range of Rs. 2-6 crore every year. The Committee is of the opinion that if India has to reach the projected targets, the Department has to aggressively pursue such facilitation schemes. The Committee desires that an evaluation of the Scheme may be carried out by the Department to make it more efficacious.

6.27 The Committee strongly feels that the allocation of APEDA needs an enhancement in view of its multi-dimensional activities towards export promotion of scheduled agro-products and processed food products. The Committee is aware that assistance for efforts towards better research and development of agro-products for improvement in quality as well as the production has adversely been affected for want of funds. Also additional allocation was made to APEDA in 2011-12 to settle the claims under transport assistance scheme. An amount of Rs. 96.45 crore was disbursed till 23.03.2012 under Transport Assistance Scheme to mitigate the disadvantages of freight charges in export of APEDA governed products. In view of the urgency to effectively implement the various schemes and address ever growing challenge in world market for quality and hygienic food products, the Committee recommends the Department to take up the matter for enhanced allocation for APEDA with the Planning Commission and the Ministry of Finance at appropriate stage.

6.28 The Committee, nonetheless, is critical of progress of expenditure of the allocation of Rs. 180 crore for the year 2011-12. Out of Rs. 55 crore for disbursement as Grants-in aid, APEDA could spend nearly Rs. 19.75 crore till 29.02.2012. Similarly, against an allocation of Rs. 125 crore under the head subsidies, APEDA could spend only 106 crore by the end of the month of February. The Committee can very well understand that such poor pace of fund utilisation might have compelled the Planning Commission and Ministry of Finance to restrict the BE allocation for the year 2012-13 to the level of BE 2011-12.

6.29 The Committee appreciates the efforts of the Department and APEDA towards establishment of an efficacious organic certification system being recognised in important world markets. The Committee is optimistic that agreement with Canada, Japan and Taiwan would take place at the earliest. It desires that similar agreements may also be signed with other important markets like Latin America, Africa and CIS countries.

6.30 The Committee finds that the Tea Board was able to spend 70 per cent (Rs. 157.00 crore) of the Plan allocation till 29.02.2012. The progress of expenditure under subsidies component has been very disappointing. Out of an allocation of Rs 117.15 crore only Rs. 61.00 crore could be spent. The Committee finds the progress of expenditure of the allocation of Tea Board a matter of disconcert. It would like the Department to take necessary measures as the poor pace of utilisation of funds is symptomatic of ineffective planning and delivery by the Tea Board.

6.31 The Committee welcomes the move of the Department to come up with a full-fledged Scheme to help the small growers unlike the earlier attempts which were patchy and provisional in nature. The Committee notes that total number of small growers registered with the Tea Board is 89,484 (provisional). The Committee would like to impress upon the Department and Tea Board that the number of small growers are much higher. The Committee would like the Department to initiate a special drive to get more small growers registered with Tea Board so that maximum number of growers gets covered under the scheme.

6.32 The Committee welcomes the decision of establishing a separate Development Directorate for development of small growers which has been engaging the attention of the Committee for long. The Committee calls upon

the Department to ensure that the Directorate becomes fully functional within the proposed time-line of September 2012.

6.33 The Committee desires that the Department revisit the SPTF Scheme and find ways and means to achieve optimal results for replanting and rejuvenation of old and senile tea bushes.

6.34 The Committee notes that the Coffee Board has failed in timely utilisation of the allocation for the year 2011-12. Nearly 25 per cent of the total Plan allocation remained unspent as on 29.02.2012. The Committee desires the Department to look into reasons for slow pace of utilisation of funds. It would also like the Department to avoid last minute rush of funds. The Committee wishes the Coffee Board to maintain fiscal discipline in terms of utilisation of funds.

6.35 The Committee appreciates that the Department is aware of the problems dogging the coffee sector and it, accordingly, intends to modify the Scheme for Coffee Development in the Twelfth Plan while addressing the problems of growers and other infrastructure investments. The Committee would like the Department to engage the Planning Commission and the Ministry of Finance for adequate budgetary support on priority. The Committee is also of the considered view that benefits of replantation scheme may be extended to cooperatives in addition to the corporate sector as proposed by the Department.

6.36 The Committee is of the view that there is an urgent need to develop coffee-harvesting machines designed to local conditions along with development of plantation models congenial to mechanization. The Committee feels that mere provisioning for farm machines will not serve the purpose. It is important that due attention is paid to development of machines that are adapted to local conditions, otherwise, the Scheme for Support for Mechanization of Farm Operations will not be able to serve the purpose.

6.37 The Committee expresses its deep concern over the fact that the Price Stabilisation Fund Scheme has miserably failed to achieve the target of covering 12.77 lakh growers (upto 4 ha landholding) under it even after ten years of its operation. There has been no addition in the number of farmers in last six months. To add to the woes, not a single grower of tobacco has joined the cover. The Committee strongly feels that an effective evaluation of the Scheme needs to be done immediately so that it could be revised appropriately to cater the needs of farmers.

6.38 The Committee expresses its discontent over the fact that the Scheme instead of providing succour to the farmers in distress has seen the major chunk of expenditure being incurred to cater to administrative expenses. The Committee is of the considered opinion that this is not a happy situation and it recommends the Department to revisit the Scheme so as to make it farmer friendly and also create awareness about the benefits of the Scheme amongst the farmers.

6.39 The Committee is concerned over the slow rate of growth of spices production in India. The country has in last few years ceded its dominant position as grower of pepper and cardamom and the sector is facing immense competition from ASEAN region especially Vietnam. The Committee notes that the Spices Board is running replantation programme for both pepper and cardamom in collaboration with Ministry of Agriculture. The Committee desires the Department to make concerted efforts to carry out re-plantation scheme effectively and also enhance allocation to expand the area under replantation/new plantation/rejuvenation.

6.40 The Committee desires that the challenges noticed in the effective functioning of the SEZs may be duly addressed. The Committee would like the Department to furnish a note on the remedies devised in the matter to the Committee within three months of the presentation of the Report.

6.41 The Committee notes with concern the moderation in the growth rate of exports from SEZs. The Committee desires that the Department take appropriate policy measures to ensure that growth of exports from SEZs and domestic tariff area are increased and complement each other rather than working in exclusion.

6.42 The Committee is concerned over the de-notification of SEZ which is a reflection of policy deficit in guiding the SEZs. The Committee desires that the Department take necessary measures to make SEZs vibrant and to process the application strictly so that only genuine cases can get the approval. It has come to the notice of the Committee that though land were acquired for establishing the SEZ but no industries have come up there; only 154 SEZs have become operational out of 389 notified. Instead real estate business has become prosperous in the guise of SEZ and the rich fertile land of farmers' were being diverted without bringing real development in terms of establishing industry or IT units. This also belies the employment prospects/opportunities for the people of the area who were promised so while acquiring their land. The Committee recommends the Department to

check such a trend which defeat the objective of industrialisation and higher exports but also deny the country of scarce cultivable land resource, and impoverish the farmers.

6.43 The Committee is not happy over the progress of expenditure in terms of the allocations of Coffee Board, Spices Board and particularly the Rubber Board. The Committee calls upon the Department to impress upon the above Commodity Boards to maintain fiscal discipline and streamline fund utilization pattern. The Committee at the same time also feels that the richness of the region in terms of resources has not been fully appreciated. It desires that the Department carry out an exhaustive study of the region and identify its export potential on renewed basis.

6.44 The Committee appreciates the efforts made by the Department to promote ASIDE in the North Eastern region. The Committee impresses upon the Department to utilize the Scheme for creating infrastructure like landing stations, outposts, etc. in the area so that foreign trade can be facilitated from the region itself and there can be greater integration with Indo-China and the ASEAN trade zone. The Department should also identify other products from the North East having export potential and promote them.

6.45 The Committee is at a loss to appreciate the activities undertaken by the CEPC and the progress of utilization of funds as there is no mention of these in the information supplied by the Department. The Committee could not find any mention of quantifiable deliverables/physical outputs fixed for CEPC for any year of the Eleventh Plan. The Committee apprehends that the Department has nothing substantial to share about the activities/achievements of CEPC with the Committee. The Committee disapproves of the lackadaisical attitude of the Department over promotion of cashew exports. It would like the Department to come up with a framework for promotion of cashew exports within three months of the presentation of this Report and revert back to the Committee with its detailed plan of action.

6.46 The Committee strongly feels that the Department would have done better by being a little serious about cashew sector of the country. The Committee is of the view that the EFC note should have been prepared well in time for placing it before the Planning Commission. The Committee, nonetheless, recommends the Department to look into the adequacy of allocation as well as the working of the institutional mechanism responsible for promotion of cashew exports and take necessary action to improve the situation.

6.47 The Committee is a little perturbed over the long drawn process for taking a decision on matters of national interest. The Committee desires to impress upon all stakeholders that Allocation of Business Rules is a mere procedural convenience and is not a permanent fixture. No Ministry/Department should take it as a sanctum that cannot be disturbed. The interest of cashew growers and workers of the country are paramount and any move that intends to benefit them must be respected. The Committee strongly recommends the Department to do the needful as desired by the Planning Commission on highest priority so that the Cashew Board may be established at the earliest to help strengthen much-needed inter-linkages between production, processing and marketing activity for the overall development of the cashew sector in the country.

6.48 The Committee is of the considered view that iron ore is the wealth for our future generation also. Our endeavour should be to attain technology to value-add the mineral resources and export the finished products. The Committee strongly feels that efforts should be made to expand our domestic steel making capacity inasmuch as to consume what is mined. Till the time, the necessary advances are made, the mining of our iron ore and other scarce resources may be limited to our domestic requirement. The Committee wonders as to why no efforts have been made to access the technology to process and value-add the iron ore fines whereas countries like China have been doing the same for years now. The Committee strongly feels that the Department may promote export of our agricultural products but exports of iron ore or similar resources which are scarce and limited should be stopped. The Department can learn from China which despite enjoying huge iron ore reserves has been preserving them for future. It has only been importing the iron ore, processing and value adding it, and selling it at a premium to the world. The Committee recommends the Department to sensitize other line Ministries/Departments about the views of the Committee and come back to the Committee with their response on the subject within three months of the presentation of the Report.

6.49 The Committee also recommends the Department to come up with policy/guidelines for promotion of exports of value added product made of mineral resources in coordination with Ministry of Mines, Ministry of Steel, Ministry of Finance, banking sector, Department of Industrial Policy and Production and Department of Heavy Industries on priority basis.

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6.50 The Committee observes that the industrial growth has not shown a consistent pattern in the last three years. The Committee feels that such inconsistency does not augur well for the overall growth of the economy. The Committee desires that the Department revisit the industrial policy and introduce necessary corrective steps so that industrial growth does not succumb to global pressures.

6.51 The Committee is unhappy to note that even this reduced Plan allocation of Rs. 1107 crore and Non-Plan allocation of Rs. 192.74 crore could not be spent by the Department.

6.52 The Committee is of the considered opinion that the poor progress in utilisation of funds is mainly due to framing up of half-baked schemes, poor evaluation and monitoring mechanism and ineffective appraisal before appointment of Implementing Agencies. The Committee hopes that the Department will review these schemes with a view of overcome these constraints so that the enhanced outlay for the financial year 2012-13 will be fully utilised.

6.53 The Committee welcomes the initiatives proposed by the Department for the Twelfth Five Year plan. It recommends that the Department engage the Planning Commission and the Ministry of Finance with all seriousness for the necessary allocation for its proposals. The Committee also expects the Planning Commission and Ministry of Finance to extend all cooperation and assistance to the Department so that the above mentioned projects among others may be taken up in right earnest.

6.54 The Committee is of the view that failure on the part of industrial clusters to achieve the envisaged milestones is the result of poor monitoring of the Project Management Agencies (PMAs) who seem to have failed in assisting the SPVs in executing the projects in a specified time-frame. The lackadaisical attitude of the Department is also evident in its failure to utilise even this reduced allocation of Rs. 58.50 crore; merely Rs. 27.12 crore (less than 50 per cent) of the allocation could be spent upto February, 2012. The Committee deprecates the listless approach of the Department towards infrastructure upgradation of industrial clusters in the country. The Committee recommends to the Department to be more pro-active towards optimum and timely utilisation of the allocation under the scheme.

6.55 The Committee hopes that the Department will take all necessary measures to optimally utilise the allocation for 2012-13 so that there is no pendency in execution of any of the components of the Scheme else off-take of the proposed modification of the Scheme will be unduly delayed.

6.56 The Committee expresses its concern over the tardy pace of implementation of the scheme and it recommends the Department to review the monitoring system placed under IIUS since half of the projects sanctioned before the modification of the scheme are yet to be completed. The fact that less than 1/3rd of the central grant has been released under the modified IIUS is also an alarming situation. The Committee is of the considered view that the Department needs to adopt a more pragmatic approach and get its act together to successfully implement the scheme to enhance the competitiveness of Indian industry in general.

6.57 The Committee feels that the allocation earmarked for the projects in industrially less developed States needs to be augmented since the scheme has predominantly been confined to Tamil Nadu, Gujarat, Madhya Pradesh, West Bengal and Maharashtra. The Committee recommends the Department to continue the special allocation during the Twelfth Plan and make sincere efforts to spread the scheme in industrially less developed States in a time-bound manner.

6.58 The Committee is disappointed to note that even this reduced allocation may remain unspent as Rs. 52 crore (29 per cent) were lying unspent till the beginning of March, 2012. The Committee is dismayed over the slow pace of progress of different projects under ILDP. It would like the Department to take necessary steps to ensure that the funds allocated under the scheme are utilised properly on time.

6.59 The Committee expresses its displeasure over the callous handling of the sub-scheme "Establishment of Leather Tanning Complex at Nellore (Andhra Pradesh)" that was provided Central assistance of Rs.29 crore during the Eleventh Plan period for setting up of state of art tanning complex at Nellore. Though Rs. 15 crore was released by the Department for the purpose but all efforts has turned into farce. The Committee is convinced that had the Department been guarded while appraising the proposal of the SPV for establishment of Leather Complex at Nellore, it could have easily avoided the embarrassment. The Committee is of the considered view that there can be no

compensation to the loss of time (five years) and it deprecates the whole development which is a blow to the leather industry in general and the leather industry of Andhra Pradesh, which is already facing difficult times, in particular. The Committee recommends the Department to ensure that such a situation does not recur in future.

6.60 The Committee hopes that the Department will put in place effective monitoring mechanism and Project Management Consultants (PMC) to ensure that the funds allocated for the sub-schemes are utilised fully and properly during the financial year 2012-13.

6.61 The Committee reiterates its recommendation in its 94th Report to install CETPs in all States. It would like the Department to set up the approved CETPs within stipulated time. The demand for CETPs is even more justified in the backdrop of Mega Leather Clusters. The Committee opines that an allocation of Rs. 380 crore for the sub-scheme of Upgradation/installation of infrastructure for environment protection in leather sector (renamed Leather Technology, Innovation and Environmental Issues) for Twelfth Plan may not be adequate. It, therefore, recommends that Department seek higher allocation for this component from Planning Commission and the Ministry of Finance.

6.62 The Committee appreciates the efforts of National Institute of Design (NID) in making itself financially independent by way of generating the non-plan revenue expenditure on its own. The Committee, however, is wary of increase in fees by the Institute. It is of considered opinion that hike in fees should not affect meritorious and deserving students from Economically Weaker Sections in getting admission to the Institute.

6.63 The Committee would like the Department to examine the reasons behind for such poor response and carryout necessary amendments to make it attractive. The Committee is also of the considered view that the Department take up the matter for additional allocation with Planning Commission for setting up the new institutes with due earnestness. The Committee also feels that the fund requirements for the institutes may also be explored under National Manufacturing Policy.

6.64 The Committee would like the Department to ensure that these centres get easier clearances, smooth approval mechanisms and suitable taxation systems to maximize the gains towards achieving higher trajectory for manufacturing sector.

6.65 The Committee welcomes the DMIC Project and hopes that the entire spectrum of activities envisaged under it will give real fillip to industrial scenario in the country. The Committee, however, is apprehensive about the progress of various components under the project which might fail in absence of effective monitoring. This project was launched with much fanfare, but unfortunately seems to have got mired in bureaucratic apathy and delays. The Committee, therefore, strongly recommends that the Department marshal its resources for effective monitoring and timely completion of the project. The Committee also recommends the Department to explore the opportunities of setting up similar NMIZs in other parts of the country which are industrially backward but has huge potential. The Committee would like the Department to come up with a framework in this regard and place it before the Committee within three months of the presentation of this Report.

6.66 The Committee is alarmed at the reduction of allocation for schemes other than transport subsidy in RE 2011-12. It is of the view that non-maturing of claims is symptomatic of default in targets. The Committee recommends the Department take necessary measures to ensure that the funds allocated in BE 2012-13 are utilized properly.

6.67 The Committee observes that the employment generated under various interventions for industrialization under NEIIPP 2007 is negligible and much is desired to be done in view of high incidence of poverty and unemployment in the region.

6.68 The Committee understands that in the light of the above audit and study pointing out the irregularities and weaknesses afflicting the scheme, a note for revision of the scheme is under consideration. The Committee calls upon the Department to expedite the review and get the revised scheme approved before piloting the supplementary batches of grants.

6.69 The Committee feels that pending restructuring of the Tariff Commission, the expenditure incurred under Non-Plan head to pay salary and allowances to employees without any real accountability is a drain on the treasury.

6.70 The Committee strongly feels that time has come to take a final call on the matter keeping in view the demands of various stakeholders for competitiveness and fairness in goods and services. The Committee recommends that final decision on the matter may be taken within three months of the presentation of this Report.

6.71 The Committee finds that the National Productivity Council (NPC) has essentially remained non-productive in terms of its role and mandate. The Committee is of considered view that the proposal to reinvent the NPC must be carried out on urgent basis. It would be happy to see the NPC engaged vigorously with the industry for providing consultancy and related services and also tailor relevant training programme for managers and workers aimed at increasing industry productivity. The Committee hopes that this will enable the NPC to generate its own resources so as to sustain itself financially and reduce dependence on the Department for Non-Plan allocation. The Committee strongly feels that the Department after hand-holding autonomous organizations/institutions for few years should practically stop footing the wage and salary bills of the establishment of these organizations.

6.72 The Committee appreciates the efforts of the Department towards making e-Biz a successful project. It, however, expresses its concern over the delays occurring on account of lack of desired cooperation from other Departments/State Governments. The Committee desires that the Department impress upon the other stakeholders about the urgency of the project and the desirability to shift towards single window clearance system and reduction in transaction costs. The Committee urges the Department to aggressively pursue for approval of all pending proposals and services so as to begin automated payment gateway by March, 2013. The Committee finds that despite approvals from partner Departments, services could not be integrated as desired under the project due to lack of required hardware and system software. The Committee recommends the Department utilize the enhanced outlay to plug such difficulties. It also feels that the present allocation may not be sufficient to cater to various components of the project. It, accordingly, recommends the Department seek additional funds for the purpose.

6.73 The Committee is of the view that over the years the expenditure under the scheme has been around Rs. 90 crore year. The Committee desires that the Department take every step to popularize the scheme in the special category States so as to create a robust industrial environment in these States. The Committee recommends extending the special category status to States like Bihar, Orissa, Jharkhand so that these industrially backward States may also avail the benefit of this and other similar scheme run by the government. The Committee learns that the special category status to States like Himachal Pradesh and Uttarakhand is ending in June 2012. The Committee strongly recommends that the special category status to these States may be extended.

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6.74 The Committee feels that it is high time that the Department of Commerce and the Tea Board should take note of the reality and shrug the complacency that seems to have set in their efforts. It recommends the Department to analyse the reasons behind our failings and take necessary action to redeem the situation.

6.75 The Committee is of the considered view that such a scenario calls for the necessity to carry out replantation/rejuvenation of our old/senile tea bushes on priority.

6.76 The Committee feels that the Department has to become innovative in its approach towards raising the production of tea since there is strong demand of our tea overseas and the supply side is also under further pressure due to rising domestic consumption which has also started witnessing demand for premium quality tea. There is need to increase tea cultivation area, treat old/senile bushes with appropriate interventions, undertake research to enhance productivity with maintenance of quality, provide effective extension services along with maintenance of soil health and organize the production on professional lines.

6.77 The Committee is of the considered view that had the Department and the Tea Board made concerted efforts towards scientific development of the tea sector in non-traditional areas and had also tried to organize the small growers through Self Help Groups or cooperatives and given necessary assistance, the production as well as productivity of tea would have increased substantially. The Committee recommends the Department to take necessary steps in this regard. It also recommends the Department to undertake appropriate researches to find the best cultural practices for increasing the productivity of tea in the country.

6.78 The Committee desires the Department to take appropriate interventions to reclaim the quality of top soil and promote introduction of integrated farming practices for tea cultivation. The Committee recommends promotion of rational use of fertilizer in the plantation.

6.79 The problem of increasing cost of fertilizers as well as its erratic supply was brought to the notice of the Committee. It was informed that the benefits of nutrient based subsidy were not being extended to growers. The Committee feels that the problem of increased cost of fertilizers with no subsidy benefit is one of the main factors behind less productivity and also high cost of production. This high cost of production would adversely affect our price competitiveness in world market. The Committee would like the Department to ensure that fertilizers subsidy is available to growers and it also engage the State Governments for timely availability of fertilizers for them.

6.80 Since the export is dependent on production, the Committee recommends the Department to take necessary measures to increase the tea production in the country with emphasis on tea quality. This will help prevent a toll on our exports since we are perceived as poor quality tea supplier and our reliability as supplier needs to be spruced. Also, in view of the fact that the orthodox tea fetches more earnings in global markets, it will be in fitness of thing that Orthodox tea production in the country be increased. The Committee is happy that the Department is supporting orthodox production through Orthodox Subsidy Scheme. The Committee appreciates the efforts of the Department in this regard and feels that the Department should continue to encourage the Orthodox tea production. The Committee also desires the Department to find a solution to bring economy in the cost of our market entry which is relatively high and engage the Ministries/Departments concerned in order to reduce the cost of freight and infrastructure bottlenecks.

6.81 The Committee is gravely concerned on the unpreparedness of the Department to deal with the unscrupulous exporters importing cheap tea from other countries and re-exporting it without any significant value-addition under false certificate as Tea of Indian Origin and eating away the value of Indian tea by under quoting the genuine exporters of Indian tea. The Committee opines that the apathy of the Department towards such practices has seriously undermined the image as well as value of Indian tea in the export market. It strongly recommends the Department to take urgent steps to redress the situation through a strict monitoring of the quality of tea being exported. The Committee would therefore like the Department to evolve an appropriate monitoring mechanism in respect of import of tea for exports and ensure that the licenses are issued only to individuals/organisations with proven credentials.

6.82 The Committee would like the Department to look into this problem of lesser possibility of remunerative price realization once the product goes through auction. The Committee also notes that business at all the tea auction centres has been made electronic. This causes problem to the sellers who are not electronically connected. The Committee shares the concern since internet penetration and access to computers are still a problem for many in the country. The Committee recommends the Department to revisit the e-auction system and come out with an optimal solution.

6.83 The Committee believes that the price of any commodity depends upon its quality. It, accordingly, recommends the Department and the Tea Board to concentrate upon improving the quality of tea in South India. It also desires that the Department must take appropriate action to enlarge the customer base to at least 100 customers for participating in the auction.

6.84 The Committee notes that the Special Purpose Tea Fund (SPTF) Scheme has failed to yield the desired results mainly due to high rate of interest on loans, inadequate subsidy, loss of revenue due to long gestation period for new fruits and non-cognizance of specific local conditions arising out of difference in terrain and agro-climatic conditions of the tea growing regions while framing the Scheme. Also various restrictions like ban on usage of earth excavators, restrictions on irrigation, uncertainty about the lease tenure, etc. have affected the success of the scheme.

6.85 The Committee is of the considered view that unit cost for calculating the subsidy must take into account inflation rate, increasing labour cost, crop loan, time factor of gestation period, market facilities, etc. and must be made subject to revision on regular basis accordingly. Further, it must also take into account crop losses and reduced revenue for the garden in the initial years. The Committee, accordingly, recommends that the subsidy provided under this Scheme needs to be enhanced to appropriate level. Also, it is desired that the Department revisit its credit component under the Scheme and the same should be simplified inasmuch as to reduce the rate of interest on loans under SPTF at par with banks or the beneficiaries may be allowed to access the banks directly for loans for replantation/rejuvenation. The Committee desires that the Department take up the matter with the Planning Commission for adequate outlay for the Scheme during Twelfth Plan.

6.86 The Committee finds that though Internal Monitoring of the scheme is carried out through the Sub-committees of the Board but interactions with relevant stake-holders, which hold the key to achieve the desired targets are not held regularly. The Committee, therefore, recommends that meetings of these sub-committees with the representatives of the tea growers should be convened more frequently and on regular basis in order to make this scheme result oriented.

6.87 During its Study Visit to CSIR complex in Himachal Pradesh, the Committee learnt that the CSIR has developed a technique called “Rejuvenation Pruning” whereby the old bushes are cleaned up removing all unproductive branches and are revived without uprooting the plant. The Committee understands that the payback period for replanting varies from 9-12 years while for rejuvenation pruning the payback period is only 3 years. The Committee recommends the Department to consider “rejuvenation pruning” to revive the health, vigour and yield of tea bushes in addition to total uprooting of plants. The Committee also desires that productivity evaluation of both the techniques may be made by the Department to decide the most efficacious mode for increasing the production/productivity of tea plants under the Scheme. The Committee recommends a compensation package for the growers undertaking uprooting and replantation and also for the workers who are laid off during the gestation period.

6.88 The Committee desires that the Department take up the difficulties with the State Government and find a solution to the problems afflicting the development of tea in the State. It is also of the considered view that the necessary assistance and infrastructure may be provided to the small holdings to enable them carry tea cultivation on scientific lines. The possibility of forming cooperatives of small holdings may also be explored to bring economy and efficiency in production in the State.

6.89 The Committee feels that cooperatives of small holdings may be encouraged for taking up cultivation of organic tea. There is also an urgent need for dissemination of knowledge regarding standard agro techniques on all aspects of tea management practices from cultivation to marketing. The Committee, therefore, recommends the Department to firm up a special package for revitalization of tea industry in Himachal Pradesh and share the blue-print within three months of the presentation of the Report.

6.90 The Committee finds this development worrisome and recommends the Department to collaborate with other institutes of repute including agricultural universities to develop sound mechanization basis for the industry on priority.

6.91 The Committee during its interaction with the industry found that huge backlog of subsidy payable under the Quality Upgradation and Product Diversification Scheme (QUPDS) has been pending for long. Also, Subsidy for Orthodox tea production in many cases has been pending from the calendar year 2009, while, the subsidy on incremental production is pending from the calendar year 2008. The Committee takes a serious note of undue pendency in release of subsidy since it takes away the commercial viability of a proposal. The Committee strongly recommends that such pendency may be cleared on priority.

6.92 During its Study visit, the Committee noticed consistent demand for inclusion of tea stacking machines which helps the factories as well as the warehouses for proper storage of teas thereby protecting the quality of tea as an eligible item for subsidy under Quality Upgradation and Product Diversification Scheme (QUPDS). The Committee, accordingly, recommends for inclusion of tea stacking machines and other suitable machineries/equipments under the eligible list for subsidy benefits under QUPDS.

6.93 The Committee is of the view that market promotion efforts should translate into increased exports of Indian tea especially with due safeguards for quality in the international market. In this regard, the Committee recommends that a Tea Promotion Council for Exports comprising of growers, exporters, traders, warehouse owners and representatives of the Tea Board may be constituted by the Department with an objective to ensure (i) exports of tea at a reasonable price; (ii) effective quality control for tea exported; and (iii) proper monitoring of tea being imported for re-export.

6.94 The Committee strongly feels that tea has all the necessary elements like ancient history, health benefits and richness of range/variety in flavour, colour and mode of preparation so as to make it an ideal drink for being popularized as a global beverage. The Committee, therefore, calls upon the Department that apart from its routine promotional measures, it must also direct its efforts towards value addition of tea by way of blending, packaging, tea bagging, etc. and intensify its research for finding/developing new varieties and variants of teas and introduce the same in a cost effective manner in the international market.

6.95 The Committee appreciates the Department's efforts to obtain Geographical Indications registrations and protection of Darjeeling tea in key export markets and also the creation of various logos and word marks like Darjeeling, Assam, Nilgiri, Indian Tea, Doors-Terai, Assam Orthodox, Nilgiri Orthodox to link teas with region/origin.

6.96 The Committee is not satisfied with coverage level of beneficiaries as well as the quality of the training programme. The Committee is of the opinion that the Board should accord priority to the training of small tea growers. The Committee recommends that the Board should tie up with National Skill Development Commission to tailor details regarding the best practices in the training module of small tea growers and plantation workers. This will equip them to address the quality concerns of our tea cultivation.

6.97 The Committee desires that the Department make all efforts to adopt the formula recommended by the Inter-Ministerial Committee on sharing of social cost since productivity of a worker is interlinked with his working conditions and his welfare including sanitation, hygiene, education and sports facilities for their wards etc. It also recommends the Department to impress upon the concerned State Governments to participate in sharing of social cost and also urge them to effectively implement the provisions relating to labour welfare activities under Plantation Labour Act.

6.98 The Committee takes notice of the fact that the welfare schemes run by the Government in their present form like Indira Awas Yojana are primarily targeted for below poverty line category population and they are not extended to plantation workers in a tea estate. Further, these workers are denied the benefits under schemes like Indira Awas Yojana (IAY) as they do not have the ownership right on the land under tea cultivation. The Committee recommends that the matter should be taken up with the concerned Department/Agency by the Government and if necessary suitable amendment should be brought in the Plantation Act so that plantation workers could avail of the benefits of the IAY Scheme and basic amenities like housing could be ensured to them.

6.99 On the issue of medical facilities being extended to the plantation labour, the Committee is of the view that extension of services of Referral Hospitals needs to be institutionalized. The Committee recommends that the Government should take appropriate action so that the recommendations of O.P. Arya Committee in this regard may be implemented.

6.100 The Committee was given to understand that the Swajaldhara Scheme is currently extended to only some selected sectors of the plantations. The Committee recommends that the Government should take up the matter with the concerned Department/Agency to ensure that the facilities of this scheme should be extended to all the plantations. The Committee has noticed that the condition of the school buildings is not up to the mark. Hence, the maintenance work should be carried out by the Tea Board under the Scheme of HRD run by it.

6.101 The Committee feels that growing instances of higher MRL and declining soil productivity are concern areas demanding immediate attention. The Committee desires that the Department take necessary action to redress the situation. It needs to devise suitable production practices including rationalization of fertilizer application by promoting bio-fertilizers and alternate control mechanism for pest and disease, pruning, plucking, manuring etc.

6.102 The Committee is also concerned over the challenges to the tea industry on account of climate change. The Committee is fully convinced that there is an urgent need to develop a strategy aimed at improvement and sustenance of tea productivity as well as its quality and direct our research to find solutions to problems like prolonged drought arising due to climate change. The Committee learns that issues on climate change like - weather tower installation, carbon dioxide flux etc. and their impact on tea need to be addressed in a collaborative research programme. The Committee recommends the Department to take steps in this direction and collaborate with International Tea Research Institutes and ICAR on the matter. The Committee is, never the less, happy to note that the Department has included a research proposal on climate change on tea plantation under Twelfth Plan. The Committee further feels that the Government should give more thrust to the development of high yielding planting materials that can withstand the biotic and abiotic stresses under the changing climatic scenario and help in bringing down the gestation period from 5-6 years to 2-3 years.

6.103 The Committee is of the view that the findings of scientific research are not being transmitted to the growers in true sense. The problem is more severe in case of small tea growers whose holdings are small in size and are scattered. The Committee, therefore, recommends that the Government should take necessary action to ensure that

these results/findings are shared at grass root level so that the overall performance of the tea industry could improve.

6.104 The Committee is of considered opinion that instead of suspending MGNREG Scheme, the Department should in consultation with Ministry of Rural Development identify works that may be done in tea plantations as an eligible item of work under the scheme. This will ensure that the tea workers are able to avail of the benefits of MNREG Scheme without migrating to other places.

6.105 The Committee also feels that mechanization of all operations of tea is imperative for the growth of tea industry in the light of scarcity of labour and increasing cost of labour which alone accounts for about 60% of the total cost of production. The Committee would like the Department to prepare a blue print for mechanization and modernization of operations of tea industry under a time bound programme. Expertise of other institutions/agencies should also be taken into consideration.

6.106 The Committee strongly underlines the need for developing harvesting machines suitable to the terrains in which the plantations are grown as no substantial savings of labour has been noticed from the existing machines. The Committee, therefore, recommends that a separate department be established for designing indigenous machinery suiting to our terrain and topography.

6.107 The Committee is of considered view that the Department should make all efforts to complete the survey of small growers and register them within a fixed time frame of three years and provide necessary assistance for their overall development and participation in Indian tea industry on sustained basis.

6.108 The Committee understands that the provisions of Tea Act, 1953 for planting permit were framed keeping in view the obligation of India in terms of the International Tea Agreement (ITA) which was in force at the time of enacting Tea Act. The said ITA was put in place to regulate the production and to avoid over production and glut in the global market. As per the Agreement each producing country was allotted a quota as to the area to be under tea and the volume to be exported. The Committee observes that the agreement expired in 1956 and the relevance of indicated quotas of production from different countries and the corresponding planting permission no longer exists. However the said provision for planting permission prior to planting in a new area still continues to be enforced by the Tea Board of India and that too to such extent that during the last two decades, several thousands of small tea growers have planted tea in their small holdings without taking planting permission from Tea Board. The Committee would like the Department to come forward with the necessary amendment in the Act without any further delay to facilitate the regularization of planting already carried out by the growers.

6.109 The Committee hopes that creation of Small Grower Development Directorate would be able to provide effective extension services, better management from plantation to marketing, improvement of quality and value addition, development of export potential of small growers, enable better price realisation by the small tea growers, and help in the overall development of the sector. The Committee would like the Department to commission the functioning of the Directorate within the current financial year.

6.110 The Committee welcomes the initiative of issuing the Identity Card to the small growers for enabling them avail the assistance. The Committee, however, is of the view that these cards do not solve the moot problem since a significant number of small growers do not have documentary evidence as to the legal ownership of the land. The Committee desires the Department to engage the State Governments on this issue and find out a workable solution to the problem of small growers with no land *pattas*.

6.111 The Committee feels that most of the small tea growers are new in the business and the size of their holdings being very small, they suffer from lack of technical knowledge and credit support, poor price realization etc. due to which a set of leaf-agents have emerged in the system making high margin in green leaf prices without adding any value. The Committee recommends that the Government should take firm action to eliminate the role of the middle-man impeding the growers to realize the actual price available in the tea market. It is rather of the view that the Government should consider the setting up of an 'Exclusive Market Federation' by providing marketing support and protection for the small tea growers.

6.112 The Committee feels that the small tea growers being new in the business needs more attention patronage of the Tea Board. The Committee also feels that the Government should take necessary action for imparting training to these growers of the modern farm practices so as to enable them to increasing their production and climb up the ladder of success. There is an urgent need for introduction of an institutional framework for advisory

and extension services Also, the information pertaining to the developmental schemes should be made available to the small growers in the local languages. The Committee is of the opinion that small growers should also be included under the insurance scheme to protect their incomes.

6.113 In view of the above, the Committee would like the Department to consider declaring tea as a “National Drink” keeping in mind the growing demand from the stake-holders of the industry and the heritage value it carries. Also, its essential presence in the life of every Indian, directly or indirectly, assumes sufficient reason to declare it as a national drink. Its declaration as national drink would give it desired prominence in promotional schemes and activities strengthening the beverage’s association with India in global markets and helping in exports.

6.114 The Committee feels that the solution to the problem lies in formation of co-operatives and Self Help Groups wherein the small growers can pool in their limited resources and capability to fight the inherent constraints. It would bestow the small growers the opportunity to elbow the middle men and would also bring better bargaining power to them. The Committee desires that the Department should evolve a mechanism to promote the formation of co-operatives and Self Help Groups by way of incentives to any such efforts and extend the assistance available under its various schemes to such co-operatives and Self Help Groups.

6.115 The Committee would like the Department to look into the problem in a comprehensive manner and find a solution to it.

6.116 The Committee would like the Department to look into the two issues connected with Provident Fund and redress the problems mentioned.

6.117 The Committee recommends to the Department to provide subsidy on organic soil input so that organic soil management and organic tea farming could be encouraged. Incentives should also be given to encourage the growers achieve higher crop over target yield to attain higher productivity per hectare.

6.118 The Committee understands that the Tea Board had submitted this project proposal through the Food and Agriculture Organisation (FAO) aimed at development of technology and system of organic tea production by setting up model organic farms, for funding by the Common Fund for Commodities (CFC) as early as 2002 but the project could only start in 2009.

6.119 The Committee is concerned over the delay in firming up the package of best practices for organic tea cultivation as envisaged. The Committee desires that the Department come up with a comprehensive package of organic practices as recommended by Food and Agriculture Organization and also promote on-farm compost production which will significantly reduce the cost of production and enable economic sustainability of organic farming.

6.120 It is noticed that the Tea Board of India which has been designated as the accreditation agency for organic tea has not certified a single small grower for organic tea cultivation. The Committee wonders as to why the small growers have been kept out of the organic tea movement despite there being huge prospect of promoting organic tea cultivation among small growers. These small growers already possess livestock on their plantations and have been in production of farm compost for long. Further, the financial constraints restraining their capacity to use chemical fertilizers and pesticides in their fields have made it easier for them to switch over to organic tea cultivation. The Committee strongly recommends that the Department take necessary steps to promote organic tea cultivation among small tea growers and include them too for training programmes on organic tea cultivation. It also desires that special incentives may be extended for formation of cooperatives of small growers for organic tea cultivation.

6.121 The Committee accordingly would like the Department to facilitate the growers in search of markets for organic tea through appropriate incentives to them.

6.122 The Committee is perturbed to note that Arabica which has a greater demand in the international market has not been given due attention for its desired growth and expansion. The share of Arabica which was around 70% during 1970s has come down to 30%. World over Arabica is the largest traded variety with nearly 70% of world coffee trade. Though Indian Arabica are grouped under ‘Other Milds’ category and compete with coffees from Latin American countries, the growing conditions are not as ideally suitable as in the case of Latin American countries. The Committee is of the considered view that though Indian Robusta is doing well presently, but this

positive trend may not continue for a long period of time as Brazil and Vietnam are going to increase Robusta output in a big way at much lower costs because of better natural conditions. The Committee would like to emphasise the other benefits of Arabica as it provides better livelihood to more number of labourers and also brings about an ecological balance for it requires more shade than Robusta. The Committee strongly recommends the Department to promote Arabica production in the country by providing suitable incentives for replantation and new planting. The subsidy for Replanting and expansion of Arabica should be at least 50% for the small growers and an appropriate level of support should also be provided to cooperatives and corporate, since Arabica is mostly cultivated by the large plantations. McKinsey's report of early 2000s also advocated a similar suggestion.

6.123 The Committee takes serious note of the fact that the data regarding coffee landholdings are being updated in an *ad-hoc* manner. It has, however, been informed that the Department proposes to update the data base on coffee holdings during XII Plan by employing modern tools like GIS based remote sensing application in collaboration with the ISRO. The Committee welcomes the proposal and recommends the Department to earnestly complete the survey of coffee landholdings so that schemes and policies for development of coffee plantations may be framed efficaciously.

6.124 The Committee also desires that all efforts must be made to expand the area under coffee cultivation. It recommends the Department to explore all the possibilities and carry out necessary survey in this regard.

6.125 The Committee recommends the Department to take up the matter with the Ministry of Environment and Forests, Government of India and the State Government and constitute a Task Force to examine the entire issue and also other such issues so as to find a solution to the problem.

6.126 The Committee is disappointed to note that during XI Plan the Coffee Board revised the original target downward to the tune of 65,000 MT and it still fell short by 62,100 MT of the revised target. In view of the non-realisation of the revised targets of production during XI Plan, the Committee desires that the Department take effective steps towards increasing the production of coffee in the country. It recommends that measures to increase the productivity per hectare be taken earnestly and the State Governments of non-traditional coffee growing States be engaged more vigorously to increase the area under coffee plantation.

6.127 The Committee is of the view that if the country has once attained the productivity of 960 kg/ha, then there is no reason that it cannot again achieve the same standard of productivity. The Committee is convinced that if appropriate cultural practices are followed along with replantation and rejuvenation of old and senile bushes, then the productivity can even surpass the highest ever productivity level. The Committee desires that the Department take appropriate steps specific to the requirements of each coffee producing state to enable them to increase the productivity of coffee. Also, it must make earnest efforts to evolve drought tolerant varieties and technologies for mitigating the effects of climate change as well as pay focused attention on evolving effective control measures against leaf rust, white stem borer, quality, etc.

6.128 The Committee is of the view that if the country were to maintain its share of exports as also to sustain the domestic market requirement, it has to grow at 5% per annum. Our preparedness, however, is yet to gain full momentum. The Committee, therefore, recommends that the Department concentrate on increasing the country's coffee production by increasing the area under cultivation where possible, increase productivity levels through relevant R&D activities for developing suitable varieties and extend intensive extension and development support for effective drought mitigation, efficient shade management and integrated pests/diseases management etc. to the growers.

6.129 The Committee desires that the Department take adequate steps to enhance value realizations through export of high value specialty coffees, value added coffees and certified coffees under the sustainable coffees category for which good demand exists in the global market.

6.130 The Committee is happy to note that the target for domestic consumption was achieved in the first four years of the XI Plan.

6.131 The Committee is of the considered view that the Coffee Board should play a more purposeful role in the years ahead, for which its organizational structure will have to undergo a transformation, from a bureaucratic structure to a knowledge based centre. The hierarchical structure may have to be replaced with professionals, experts and cultivators with specialization in their respective fields and capable of responding to the requirement and expectations of the different sections of the industry. The organization needs to engage specialists in areas

such as, research, post harvest management and processing, quality assurance including standards, export and domestic marketing, facilitation, market research and information systems. The conventional organizational structure will have to undergo complete modification with more and more professionals joining the organization.

6.132 The Committee is of the considered view that coffee promotion is an important task that cannot be discharged as an additional function. The Committee learns that proposal for creation of the post of Director of Promotion has been received from the Board and is under consideration of the Department. The Committee strongly recommends the Department to create the post of Director again and fill the same on priority.

6.133 The Committee wonders as to why there is a skeletal staff provision in Coffee Homes which are the showcase of Indian Coffee and Coffee Board. The Committee is of the considered view that the Department takes necessary measures to sanction sufficient number of regular posts for employment in Coffee Homes and also undertake facelift of the Coffee Homes which enjoy vintage locations in the cities of their operation. The facelift would certainly draw more people to Coffee Homes.

6.134 It was brought to the notice of the Committee that small growers of the State of Kerala has not got its representation on the Board for past decade. The Committee understands that small growers representatives of the three coffee growing states get representation on the Board. However, excluding representation of small growers from the State of Kerala for last 10 years is not appreciated. The Committee impresses upon the Department to redress the omission at the earliest. Further, the Committee also notes that the composition of Board membership is still reflective of its pre-free marketing era. After the opening of marketing, there has been no amendment in the Coffee Act to accommodate representation of roasters and exporters on the Board. The Committee recommends the Department to amend the Coffee Act to ensure representation of roasters/exporters on the Board.

6.135 The Committee recommends the Department to spruce up the functioning of Central Coffee Research Institute (CCRI) and add dynamism to it through collaboration and exchange programmes with reputed national and international research institutes/Universities so that the coffee industry could gain from the best practices available in the field.

6.136 The Committee was further dismayed to note that the scientists of CCRI have been put on lower pay scales in comparison to their counterparts working in other National Research Laboratories despite their similar/comparable qualifications, duties and nature of work. The Committee is of the considered view that this anomaly could be the main reason behind the high rate of attrition of meritorious researchers and scientists in CCRI. The Committee recommends the Department to take earnest steps to improve the working conditions of the researchers and scientists in CCRI and put their pay scale at par with those in National Research Laboratories. The Committee would like to be informed about the action in the matter within three months of the presentation of the Report.

6.137 The Committee is of the considered view that this arrangement of researchers and scientists doubling up as extension personnel is dangerous since it adversely affects the research and innovation activities and also their effective transmission to the fields. The Committee recommends the Department to carry out a special drive to fill the vacancies of extension personnel so that effective transfer of technology to the coffee plantations can be ensured.

6.138 The Committee recommends the Department to expedite the creation of Directorate of Extension at the earliest.

6.139 The Committee desires that CCRI should firm up its R&D Action Plan for the next five years which should include development of new High Yielding Arabica strains (resistant to leaf rust). The Committee recommends that Department make all out efforts for effective control of the White Stem Borer which is imperative to sustain Arabica production in India and to also prevent the conversion of Arabica estates into Robusta. The Committee also underlines the urgency of developing drought resistant varieties of Robusta to mitigate the dependency on irrigation. It also emphasizes the need to develop other more effective control measures for the Coffee Berry Borer in addition to Broca Traps and bio control agents. The Committee recommends that ICAR may also be roped in to undertake the essential researches in coffee sector.

6.140 The Committee takes a serious note of the tardy pace of replantation. It is of the considered view that the coffee sector will be adversely affected in the medium and long term if replantation is not carried out in mission mode. The Committee recommends that the Department revisit the subsidy component as well as quantum of replantation cost under the scheme. It is of the considered opinions that the replanting scheme be continued in

the XII Plan and subsidy to small growers may be enhanced to 50%. Further, the cooperatives and corporates should also be included with appropriate level of support under the Scheme. The Committee feels that additional incentives may be given to small growers to pool their resources as cooperatives and Self-Help groups. This will help in effective dissemination of subsidies and other assistance by the Coffee Board and the banks would also be inclined to extend loan for replantation and other infrastructure improvement projects.

6.141 The Committee is of the view that the Department must address this problem and come up with a replanting model with subsidy provision for the growers desirous of coffee replanting suited to mechanization.

6.142 The Committee, however, feels that the problem of non-availability of water is quite widespread in the plantations adversely affecting irrigation of crops and undertaking of spraying insecticides or wet process of the coffee harvested and the physical targets fixed under the scheme may be tripled in XII Plan with adequate financial outlay for the same. In the backdrop of non-availability of water as well as the benefits accrued on creation of water tanks to the entire surrounding village, the Committee is of the considered view that that the Scheme should be made applicable to all categories of growers irrespective of extent of land holdings. Further, the subsidy rate may be enhanced appropriately for the different categories of growers and the ceiling be fixed at actual cost.

6.143 The Committee recommends that the rate of subsidy may be enhanced to 50% for Quality Upgradation and the assistance may also be extended to cooperatives. The Committee is also of the view that ceiling be fixed subject to a maximum of actual cost of pulping unit, drying yard and godown.

6.144 The Committee is at a loss to understand the reasons behind excluding all categories of growers except those with a holding of less than 20 ha from taking the assistance under Pollution Abatement, which is pivotal to conservation of our environment and ecology. The Committee strongly desires that assistance under Pollution Abatement may be opened to all categories of growers irrespective of the size of holdings including cooperatives and corporate with appropriate level of subsidy support to all.

6.145 The Committee was informed during interaction with stakeholders that modern pulpers with least water consumption have come into the market, but the growers are not able to purchase them due to high costs. The Committee is of the view that there is an urgent need to upgrade the pulping facilities with modern eco-pulpers so as to prevent effluent generation and protect the environment. It, accordingly, recommends the Department to enhance the subsidy component to 70% to growers up to 20 ha and 50% to other categories of growers including cooperatives and corporate so as to enable them adopt the modern pulpers. The entitlement to enhance assistance should, however, be subject to adherence to the prescribed effluent treatment norms by the growers. The Department may engage the Ministry of Environment and Forests, Government of India and Coffee Growing States for effective implementation of the programme.

6.146 The Committee also finds that there is a frequent problem of erratic power supply to plantations which adversely affects the farm operations. The Committee desires that the Department encourage harnessing of solar energy for farm operations for which subsidy may also be extended to the growers for solar fencing of drying yard, solar lights for drying yards and solar pumps for drip irrigation, etc. The Committee desires to impress upon the Government about the efficacy of drip irrigation in high productivity of crops with less use of water. It can also be used very effectively in less use of fertilizer as shown in Brazilian/Israeli model of fertigation.

6.147 Nevertheless, the Committee feels that the pace of expansion of coffee coverage in North Eastern Region should have been faster for two strong reasons. Firstly coffee production is a source of gainful employment in remote and rural areas and secondly, the country's necessity to augment coffee production.

6.148 The Committee desires that the expansion in coffee area in North Eastern Region must be carried on scientific cultivation basis so that higher productivity could be attained.

6.149 Since the Non- traditional areas like Andhra Pradesh, Odisha and North Eastern Region hold immense prospect for Arabica cultivation, the Committee recommends the Department to extend all possible help in terms of timely supply of improved coffee seeds, shade tree saplings to establish/improve shade for coffee cultivation, quality improvement to prepare washed coffee and marketing support in these regions.

6.150 The Committee would also like the Department to seize the opportunity offered by coffee cultivation in the North Eastern Region where the cultivation is organic by default. It recommends the Department to take all

steps to obtain Organic Certification for the coffees of the region and help establish linkage with the exporters so that the coffee could be sold at premium helping the growers and workers alike. Such coffees could also be marketed as exotic coffees for *e.g.* Fair Trade coffee etc. and command premium price.

6.151 The Committee notes that the coffee expansion programme is successful in the State of Andhra Pradesh but it is not so in the State of Odisha as well as the North Eastern region. The Committee recommends the Department to take up the matter with the concerned State Governments on priority.

6.152 The Committee recommends that the programme may be continued in the XII Plan for capacity creation of more number of stakeholders in the sector.

6.153 The Committee is of the considered view that the support may be continued in XII Plan also with a target of bigger number of beneficiaries.

6.154 The Committee feels that the scheme of interest subsidy should be reframed since the requirement of having no less than 7% balance interest to avail the benefits is non-viable as most of the banks have reduced the interest rates on all working capital. It accordingly advises the Department to reduce the balance interest requirement to 4 per cent.

6.155 The Committee is of the considered view that the Board's Domestic Promotion activities should be continued to increase coffee consumption in the country, as it can act as an insurance against volatile coffee prices in the international market. Presently about 70% of the coffee grown in the country is exported and as such there is no fall back option to our growers when the international prices fall to non-remunerative levels. Creation of domestic demand would provide buffer to Indian coffee prices as the growers would be in a better position to fall back upon relatively higher domestic process arising out of higher consumption and demand within the country.

6.156 The Committee strongly feels that it is necessary that enough funds are earmarked for generic promotion of coffee consumption in India. One of the main reasons for the slower growth rate is the cumbersome process of making a good cup of coffee. To help out in making coffee much easier, it is appropriate to reduce the price of coffee filters, home espresso machines, home roasters, grinders etc. Subsidy may also be extended for purchase of equipments required for manufacturing Instant Coffee to small growers. The Department of Commerce may engage Ministry of Finance and the State Governments in the matter.

6.157 The Committee would like the Department address the concerns and lapses noticed during the implementation of the scheme and make the Rainfall Insurance Scheme for Coffee (RISC) attractive to the growers of all growing zones during the XII Plan.

6.158 The Committee is of the considered view that the incentive for export of Value Added Coffee as India Brand @Rs.2/- per kilogram and export of High Value Green Coffee to far off markets @Re.1/- per kilogram under the scheme on Promotion of Coffee Export may be enhanced to Rs.3 per kg and Rs.2 per kg respectively to help compete the exporters in the global market.

6.159 The Committee also feels that a grower is much better a stakeholder to tell "the Indian coffee and its biodiversity" story than anyone else, hence he may also be incentivised to participate in International Exhibitions and Fairs. The Committee is of the opinion that growers should also be sent by the Department for participation in international events. It hopes that such a move will bring more visibility and benefits to the image of Indian Coffee internationally.

6.160 The Committee is of the view that Coffee Board must make concerted efforts so as to broaden the coffee processing base in the country. The success of the scheme will certainly result in larger domestic consumption of coffee.

6.161 The Committee appreciates the efforts of the Department towards mechanization of farm operations but still a lot remains to be done to bring real mechanization of farm operations in coffee plantations. The Committee is of the view that since the cost of a machine remains same irrespective of the category of holdings, the Department may revise the ceiling level after taking into account the average price of all the essential machines required for coffee farm operations and fix them uniformly for all categories of landholdings. The subsidy component may vary according to the category of holdings of the growers.

6.162 The Committee learns that subsidy on purchase of tractors and tillers are presently extended to growers who own 20 ha and above only. The Committee desires that the concession may also be extended to small growers with a holding of less than 20 ha.

6.163 The Committee recommends that the subsidy scheme for mechanization be continued in the XII Plan with adequate financial outlay and more machineries like green bean separators, fertilizer applicators, drip irrigation equipment, etc. must be included under the Scheme for greater benefit of the growers.

6.164 The Committee welcomes the Coffee Debt Relief Package whereby a total of 1,35,040 small coffee growers have been benefited. It is, however, of the view that the relief extended could have been timelier as there has been little delay in its sanction and disbursement. The Committee desires that the Department should be more proactive towards relief and rehabilitation of the growers and the workers in future. It hopes that the remaining Rs. 8.25 crore towards pending claims was disbursed within the month of June itself.

6.165 During the study visit of the Committee, it was requested that the accumulated, capitalized and interest on the bank loans as on 30.03.2011 may be waived off and the principal may be rescheduled. The Committee recommends that the Department to look into the matter sympathetically.

6.166 The Committee recommends the Department to open a dedicated farm implements and machinery unit within CCRI or outside it so that adequate attention can be given to machinery requirement of coffee industry. The Committee finds that majority of the machineries imported for coffee industry are either exorbitantly priced or are not suited to local plantations. The Committee desires the Coffee Board to tie up with IITs and other reputed institutions for development of indigenous technology for such machines. It is further desired that equipments developed/identified should be used in actual plantation setting which also factor in appropriate differences of terrain in use so that it enables real evaluation.

6.167 The Committee is of the considered view that instead of withdrawing or suspending the MNREGA scheme during harvesting season, it may rather be extended to works in coffee plantations and the item of works like construction of water tanks, ground water and soil management work, etc. may be identified for being dovetailed with the list of work allowed under MNREGA. The Committee recommends the Department take up the matter with Ministry of Rural Development, Government of India. Further developing the infrastructure such as roads, electricity, schools, nursing homes should be made through Public Private Participation to enable the labourers get the basic necessities at their doorstep and, thereby, stop their migration to urban areas for the said facilities.

6.168 The Committee is concerned to note that there is a general reluctance amongst the growers to incur the social cost mandated under the Plantation Labour Act. This reluctance is mainly on account of rise in input costs of cultivation including the rise in wages of labour. Nevertheless, the Committee desires that the Department takes cognizance of the problem and take necessary action to redress the situation. It also recommends the Department to implement the Inter Ministerial report on sharing of social costs among the management, Central Government and the State Government in the ratio of 50:40:10. The Committee at the same time appreciates the efforts of the Coffee Board in extending welfare assistance to the children of workers engaged in coffee Plantations and coffee curing works as well as to the children of tiny coffee growers.

6.169 The Committee shares the concern of the growers and it desires that the Department take up the matter with Ministry of Labour and Employment on priority basis.

6.170 The Committee is of the considered opinion that formation of cooperatives of small growers would help these growers augment their infrastructure and bring economy in cost of production, undertake marketing of their produce and carry out value addition activities.

6.171 The Committee desires that the Department make all efforts to institutionalize cooperatives in coffee sector and extend all assistance to them to enhance their technical know-how and infuse professionalism in their working. The Committee recommends the Department to promote formation of cooperatives in the entire chain of production, processing and marketing. The Department may also approach National Cooperative Development Corporation (NCDC) to supplement Department's efforts and assistance in the matter.

6.172 The Committee appreciates the efforts of Coffee Board and hopes that real benefits would be extended to the members of SHGs for all necessary activities.

6.173 The Committee desires the Coffee Board to extend incentives to exporters of organic coffee for exports in traditional market and also help in finding new markets for organic coffee. It also feels that domestic promotion of organic coffee must be taken up earnestly.

6.174 The Committee agrees with the views of Coffee Board that practicing organic farming over the entire area and phasing out all chemical fertilizers, pesticides and fungicides would make coffee cultivation unviable and may result in elimination of coffee from the region. It will thus have very significant socio-economic impact on a big population dependent on coffee and other plantations. The Committee expresses its disappointment that the Expert Panel did not consult Coffee Board while giving their recommendations. The Committee desires that the Department take up the matter with the Ministry of Environment and Forests and discuss the matter threadbare since livelihood of a huge population will be at stake if the Report is implemented. The Committee would like the Department to undertake sincere measures to ensure that coffee cultivation in no way impact the ecosystem of the Western Ghats. It should ensure adoption of integrated sustainable cultivation in the region.

6.175 The Committee recommends the Department to take up the matter with Ministry of Environment and Forests and find the solution to the problem. It at the same time desires that the Department promote conservation of forest and plantations through the growers.

6.176 The Committee in light of these advancements that has taken place after the 2008 Notification feels that the procedure laid in the Notification may be reviewed. The Committee accordingly recommends the Department to engage Ministry of Environment and Forests and Central Pollution Control Board to review the said notification and stay the procedure laid therein.

6.177 In view of the growing demand for quality coffee, the Committee recommends the Department to extend necessary financial support to upgrade the curing industry and also take up the matter of import duties and other fiscal measures with Ministry of Finance to help reduce the import cost of high-end machines.

6.178 The Committee recommends that sale of coffee after processing at estate level or through the curing works should be treated as agricultural produce, since the process involved from fresh fruits to clean coffee is a normal agricultural post harvest process which cannot be considered as manufacturing process and should be exempted from Section 7B of Income Tax Act.

(d) 103rd Report on Action Taken by Government on the Observations/Recommendations of the Committee contained in its Ninety Eighth Report on Export of Foodgrains-Premium Non-Basmati Rice and Wheat

6.179 The Committee appreciates the measures taken by the Department of Agriculture and Cooperation to achieve food security in the country. It, however, is of the view that unless agriculture becomes a lucrative profession in true sense of the term, food security will always be under threat. The Committee, therefore, desires that apart from introducing Good Agricultural Practices (GAP) and building the required farm infrastructure, the recommendations of the Swaminathan Committee on Minimum Support Price be implemented completely to ensure remunerative price to farmers for their produce.

6.180 The Committee finds the response of the Ministry too routine and general in nature to inspire any confidence. It does not reflect any sense of realization of the sincerity expected on as important an issue of health norms. The Committee would appreciate if the Department had shared the specifics undertaken by it to resolve the issue of aflatoxin apart from ensuring that our foodgrains produced are within prescribed Minimum Residue Level (MRL). The Committee recommends that the Department take specific action to redress the concerns raised by the Committee and share with it the details of action plan, if any, envisaged in connection therewith.

6.181 The Committee is perturbed to note that no decision has yet been taken by the Government for introduction of direct subsidy coupons for the poor despite the fact that the foodgrains mandated for poor are often misappropriated by unscrupulous elements thereby, depriving the poor from their basic right to food. The Committee notes that it has been argued that the Central Government's responsibility ends with transportation of foodgrains up to the designated depots of the Food Corporation of India and operational responsibility of lifting and distributing the foodgrains to poor remains with the State Government. The Committee, in view of the fact that there is high incidence of wastage and leakage/ diversion of foodgrains both at FCI and Targeted Public

Distribution Shops levels, is of the considered opinion that issue of food coupons directly to the poor would ensure timely lifting of the allocated quota of foodgrains by the State Government and would help prevent wastage and check leakages/ diversion of foodgrains.

6.182 The Committee finds that the Department of Food and Public Distribution is silent about the efforts made by it to accord industry status to construction of warehouses. The Committee would like the Department of Commerce to persuade the concerned Departments including the Ministry of Finance and arrive at a decision on this issue at the earliest. The Committee hopes that till a decision is taken on according industry status to construction of warehouses, the Department of Food and Public Distribution would take all necessary measures to expedite the process of creation of required scientific storage capacity. However, the Committee is apprehensive that all necessary formalities required to be undertaken on behalf of the Department of Food and Public Distribution for augmenting the storage capacity might not have been taken since it is silent about the status of XII Plan Outlay for construction of warehouses inspite of the Committee's recommendation to enhance the outlay substantially during the Plan period.

6.183 The Committee recommends that a High Level Committee represented by the Secretaries of the concerned Ministry/Department of the Government and State Government may be constituted with a mandate to determine the quantum of surplus of foodgrains to be allowed for exports based on the periodical review of area under cultivation, production and availability of rice and wheat in the country. The Committee hopes that the Government will urgently set up such panel appreciating the need of a stable policy of the matter.

6.184 The Committee is of the view that the Department of Commerce should impress upon the Ministry of Agriculture to lay down clear guidelines / parameters for premium varieties of non-basmati rice as in the case of basmati rice. In that context, the expertise of the state-of-art laboratories of Export Inspection Council can be utilised for testing of qualities of non-basmati rice and those varieties that fulfil international norms may be encouraged for export.

6.185 The Committee is of the view that though the matter of payment terms for export is a commercial contract between the buyer and the seller yet it is the responsibility of the Government to ensure that the exporters of the country get their payments in lieu of exported commodities and any contract between the exporter and the importer is honoured by both the parties to the contract and the defaulter must be taken into task. During deliberations on the subject matter, the Committee was apprised of the difficulty arising on account of exports on clean credit basis (DA), it, accordingly, recommends the Department engage the RBI actively to review its monitoring mechanism and make it efficacious and result oriented so that our exporters could be protected from unscrupulous elements abroad.

(e) 104th Report on Action Taken by Government on the Observations/Recommendations of the Committee contained in its Ninety Ninth Report on Export Promotion of Agricultural and Processed Food Products

6.186 The Committee would like to know about the initiatives/efforts being undertaken/planned by Department of Agriculture and Cooperation to further increase the productivity of our crops, fruits and vegetables to make it comparable to world standards than merely giving details regarding increase in production and productivity over the year. The Committee recommends that concerted efforts may be made to increase the productivity of our crops, fruit and vegetables.

6.187 The Committee finds that flow of funds to desired level is still found wanting. Though certain initiatives like National Centre for Cold Chain Development has been undertaken but an allocation of Rs. 25.00 crore under the programme may not be sufficient to give the desired thrust for creation of cold storage/cold chains network in the country. The Committee desires that the concerned Departments/Ministry must take up the matter with Planning Commission so that adequate budgetary outlay may be ensured for this purpose.

6.188 The Committee, contrary to the view of Planning Commission, finds that 11th Plan Schemes for development of Food Processing Sector failed to evince keen interest of the stakeholders and beneficiaries during the Plan period. The Committee would like to be apprised about the basis upon which the Planning Commission reached its conclusion on the success of the schemes for food processing sector during the 11th Plan. The Committee has its apprehensions about any notable achievements made under the technology upgradation and quality assurance promotion scheme during the Eleventh Plan.

6.189 The Committee feels that the delay in seeking further allocation is a reflection of poor monitoring as well as implementation of the Schemes. The Committee recommends that Ministry of Food Processing Industries may revisit the components as well as procedural requirements laid for implementation of its various schemes and thrash out the irrational/inconvenient elements, crept therein so that the funds earmarked are utilized fully and the Ministry can seek release of next tranche of its outlay on time. The Committee, however, would like to know the reasons for the failure to ensure timely releases of the sanctioned grants by the Ministry of Food Processing Industries.

6.190 The Committee is disappointed to not find any mention of the efforts being taken by the Department to spread awareness about the Food Safety and Standards Act. The Committee is of the view that an efficacious scheme may be framed by the Department for the XII Plan to enable the small and medium enterprises handling agricultural and processed food products build up their capacity and expertise for strict compliance of the provisions of the Food Safety and Standards Act. The Department must also firm up its Exim policy in such a manner that due emphasis is accorded to food safety and standards provisions while extending any incentive or concession under its various schemes/programmes to the stakeholders.

6.191 The Committee appreciates the preparation of Vision Document by all the research institutes of ICAR and their efforts to transfer new technology and innovations through events like Kisan Melas and field demonstrations to various stakeholders. The Committee, however, is of the view that there is a need to change our approach towards the entire process of undertaking research, which at present seems to have shackled our scientists/researchers with lurking fear of loss in career progression, in the event of failure of their research. This has to a large extent stifled innovation and made our scientists cocoon themselves into comfort zone of not taking risk. The Committee desires that a policy re-jig is necessary to protect and encourage scientific temper and create a condition where there is no fear of failure for *bona fide* scientists/researchers and adequate provision for rewards/incentives for path breaking researches.

6.192 The Committee failed to find any reference to the action taken by the Department to link farmers' traditional knowledge with science-based innovation under an efficacious institutional-framework. The reply of the Government is more elusive in nature than factual. The Committee's emphasis in the above recommendation not only under-scores the need to protect our traditional farming knowledge but to also apply that knowledge in the field by amalgamation with scientific innovations. It is recommended that structural reforms be brought to achieve the above aims.

6.193 The Committee would like the Department to come up with a National Policy on Development of Food Processing Industry in the country so that all States would be able to get the benefit of the policies and schemes firmed up by the Ministry of Food Processing Industries.

6.194 The Committee finds no mention about the mechanism put in place or being so contemplated to enable carrying out of scientific market study-cum-planning of total production. Such a mechanism is necessary as it has come to the notice of the Committee that it takes long to open exports of agricultural products despite overflowing godowns and rotting food-grains. The Committee recommends that the Department should take up the matter at appropriate level to ensure that decisions on export are taken in timely manner.

6.195 The Committee did not find mention of measures taken to sensitise custom authorities for according high priority to perishable agro-products cargo since delay in their exports results in cancellation of overseas orders or return of the cargo on account of deterioration in quality. This causes immense hardship to farmers as they are denied remunerative price for their hard work. Also, concerns like non-uniformity in terminal charges and high inland freight cost have been left unaddressed. The Committee would like the Department to actively engage the concerned Ministries/Department on the matter and inform it about the action taken thereon.

6.196 The Committee is already aware of provision made under various micro-irrigation and GAP certification of Department of Agriculture and Cooperation as well as capacity building efforts being undertaken by APEDA. The Committee was looking forward to a specific and focused response on its suggestions but the Department has rather come up with a very general reply. The Committee desires that the Department revisit its existing scheme and make it more result-oriented and also extend the coverage of the scheme to the maximum number of stakeholders.

6.197 The Committee desires that the Department come up with a blue-print of the mechanism to ensure that the benefits incurred by the exporters by availing assistance under various schemes and activities by APEDA and DGFT also percolate to the farmers and tribal who as producers, standing at the end of a chain are usually overlooked when it comes to the sharing benefits. The Committee treat these producers as important stakeholders equally deserving benefit while we engage them in mainstreaming of our export promotion. They should be incentivized and encouraged to produce quality products and contribute in improving our export potentials.

6.198 The Department seems to have failed in appreciating the recommendation of the Committee which suggests for making efforts for increased availability of funds with DGFT, and not APEDA, for its Reward/Incentive Scheme. The Committee recommends the Department to look into the matter and ensure augmentation of allocation for Reward/Incentive Scheme implemented by DGFT.

6.199 The Committee expected that the Department would have firmed an action plan to help the *dal* processing units operating outside the SEZs than merely noting the problem. The Committee recommends the Department to save the *bona fide* processing units from getting shut down on account of prohibition to export the imported pulses after their processing.

6.200 The Committee is dismayed to note that the Department of Commerce has not taken any action to prevent the glut of concentrated apple juice in domestic market which has adversely affected the apple growers in the country. The Committee impress upon the Department to be sensitive to the fact that certain States' economy is heavily dependent upon its horticultural products and the marketability of these horticultural products may have its implications on the fragile economy of the poor farmer as well as the State. Until the domestic processing industry develops reasonably in the country so as to substantially consume the local production of such products, it would be in fitness of thing to place adequate safeguards from the onslaught of unbridled imports of them.

6.201 The Committee is not satisfied with bland reply offered in terms of implementation of programmes like INM and IPM under the NHM and HMNEM and promotion/up-gradation of laboratories for export testing by APEDA. The Committee feels that the existing INM and IPM measures need to be spruced up to bring a real push to organic movement. Further, there has been no significant improvement in the number of laboratories upgraded for export-testing. The Committee desires that substantive initiatives must be taken to encourage organic production of fruits and vegetables. The Committee also did not find any spelling out of initiatives by the Department in terms of extension of incentives for export of organic products through DGFT and APEDA. It is of the view that necessary measures must be taken to ensure that our organic products remain competitive in the world market.

6.202 The Committee notes that no details have been shared regarding the steps taken/being taken to augment domestic production of cashew. The Committee desires that the blue-print, if any, prepared for checking the decline in cashew production as well as increasing the production may kindly be shared with it.

6.203 The Committee finds it surprising that while many recommendations like the present one finds support of other Departments/Ministries, the Department of Commerce has remained silent as regards action taken by it on those recommendations. In the present case, the Committee would like to know the measures taken by the Department to address quality related issues and review the nature of restrictions imposed to address the concern of aflatoxin level compliances.

6.204 The Committee appreciates that APEDA is extending applicability of its Plan Scheme on Infrastructure Development for all products including livestock products in XII Plan. However, there is no mention of decision taken on opening exports of tallow. The Committee reiterates its recommendation to allow export of tallow at the earliest.

6.205 The Committee desires that transport assistance may also be extended to neighbouring countries which are High Freight Markets. The Committee would like to be apprised of the steps taken by the Department to extend transport assistance for exports to neighbouring country markets. However, if there is any difficulty in extending the same to neighbouring markets, the reasons for the decision may kindly be shared with the Committee.

(f) 105th Report on Action Taken by Government on the Observations/Recommendations of the Committee contained in its One Hundredth Report on Demands for Grants (2012-13) pertaining to Department of Commerce

6.206 The Committee is of the view that the Department can always identify a physical unit for its uniform application to various items constituting a principal commodity. This uniformity in units can be attained with the

help of conversion system. In case of difficulty in assigning a uniform unit to some items under the principal commodities, the Committee feels that these items may continue to be represented in their respective quantitative units and accordingly published in the publication 'Foreign Trade Statistics of India (Principal Commodities and Countries).

6.207 The Committee is not convinced with the reply of the Department since the assistance required to enable MSME sector to place themselves firmly in foreign markets would be much higher than what has been allocated under MDA and MAI Schemes. Further, these schemes also have to cater the demands of other categories of exporters alongwith MSMEs. The Committee reiterates that the Department explore ways and means to establish a dedicated corpus for extending assistance to MSME sectors for export purpose.

6.208 The Committee has not noticed any significant step being taken by the Department towards EDI connectivity amongst all the stake-holders since the presentation of its Report on the subject. It is of the view that necessary logistic support must be extended to National Informatics Centre (NIC) and a time-line of six months may be fixed to ensure compliance of the requirements by other agencies in bringing greater transparency and reduction in transaction time.

6.209 The Committee finds that the Department has tendered no response to the Committee's concern over the pleateauing of the allocation made under MDA during last six years. It is indicative of either the state of complacency or lack of proper monitoring in utilization of funds. Since the Market Development Assistance (MDA) Scheme aims to facilitate, stimulate and diversify the country's export trade, the Departments failure to enhance allocation under the scheme leaves too much to be desired. There is always some scope to extend the benefits under the scheme to more stake-holders in the process of facilitation and diversification of country's exports.

6.210 The Committee appreciates that Tea Board could fully utilise its allocation during the financial year 2011-12. However, this could be done only by resorting to 'March-rush' in contravention of Ministry of Finance instructions which provide that the expenditure for the month of March should be limited to 15 per cent of the budget expenditure. The Committee desires that the Department ensure that the expenditure are made within the time-line prescribed.

(g) 106th Report on Action Taken by Government on the Observations/Recommendations of the Committee contained in its One Hundred First Report on Demands for Grants (2012-13) pertaining to Department of Industrial Policy and Promotion

6.211 The Committee notes that the proposal of KPILC for Leather Tanning at an alternate site is under consideration of the Department. The Committee desires that the Department takes all necessary precautions so as to avoid unnecessary embarrassment suffered on account of non-commissioning of the complex despite its sanction. The Committee would also like the Department to prescribe time-line for implementation of its various schemes/programmes in order to obviate the impending delays and also simultaneously strengthen its monitoring mechanism for adherence of schedule so fixed.

6.212 The Committee understands that the four new NIDs that proposed to be established would not merely be confined to academic pursuits but would also offer practical solutions to the industry at large. So to negate the possibility of funding under National Manufacturing Policy does not hold good. Never the less, the Committee would like the Department to take necessary measures to commission the proposed NIDs at the earliest, preferably within one year so that they gain necessary experience and expertise by the time the National Investment and Manufacturing Zones (NIMZs) come up and they are in a position to give real fillip to industrial production in the country generally and through proposed NIMZs in particular.

6.213 The Committee is of considered opinion that every model of economic growth which envisages industrialization as one of the components for achieving such growth cannot discount the quantum and quality of employment generation as its end result since employment generation in turn results in greater consumption and sparks further growth of economy. The Committee is of the view that any industrialization without any positive fall out on employment generation is a sham. The Committee, therefore, strongly recommends the Department to ensure that quantum of employment generated by the industrial unit seeking benefits under various interventions for industrialization under NEMPP 2007 must be made an important criterion for extending benefits to these units. This is all the more important in view of the fact that North East Region is still one of the backwards

region of our country and every initiative of the Government must aim to better the living standard of the people there. The Department must become sensitive to the fact that in current situation the North East Region is not looking for mass production but for establishment of facilities for production by mass. The Committee, accordingly, recommends the Department to come up with suitable schemes/programmes in this regard.

6.214 The Committee is happy to note that the Department has proposed to continue the Scheme for the XII Five Year Plan in the special category States of Jammu and Kashmir, Himachal Pradesh and Uttarakhand. The Committee, however, is perturbed over the Department's silence over extending special category status to States like Bihar, Odisha and Jharkhand. These States have been demanding special status in view of the industrial backwardness prevailing over the years despite possessing rich mineral reserves. Extension of the scheme could help them in consolidating their industrial base and ameliorating the condition of people living in the region. The Committee, therefore, reiterates its recommendation for according special category status to these States in right earnest. It is also of the view that pending the special category status, the Department executes a Scheme/programme for industrial development of these states.

IV. Secretariat

6.215 The Committee Section (Commerce) headed by an Assistant Director constituted the Secretariat of the Committee. Joint Secretary, Director and Deputy Director remained incharge of the Section.

6.216 To assist the Committee in its work, materials received from the Ministries/Departments as also from other organizations and individuals were studied, and relevant points were culled out. Questionnaires for written/oral replies were prepared for use of the Committee.

6.217 To assist the Committee in its work, materials like Parliamentary Debates, answers to Parliamentary Questions, Budget Estimates, Economic Survey, Mid-Term Appraisal of the Eleventh Five Year Plan, Books, Journals, Newspapers, etc, relevant to the subjects under examination of the Committee were studied. The Secretariat also downloaded study material from websites on various subjects for use of the Committee Members and preparation of reports.

6.218 The Secretariat also collected material from on-the-spot studies and these inputs gained during the study visits undertaken by the Committee were used in the preparations of the reports.

6.219 The work relating to drafting, consideration and approval of draft reports by the Committee alongwith their presentation/laying, printing and distribution was undertaken.

ANNEXURE VI

(See Para 6.4)

Details of the sittings of the Committee on Commerce during the year 2012

Sl. No.	Date of meeting	Duration Hrs. Mins.	Subject
1	2	3	4
1.	17.01.2012	0.55	Discussions with representatives of Department of Economic Affairs on 'FDI in Pharmaceuticals Sector'.
2.	18.01. 2012	2. 20	Discussions with representatives of Competition Commission of India on 'FDI in Pharmaceuticals Sector' and representatives of United Planters' Association of Southern India (UPASI) on 'Performance of Plantation Sector - Tea and Coffee Industry'.
3.	25.01. 2012	1.08	Discussions with the Representatives of Federation of Medical and Sales Representatives' Association of India (FMRAI) on 'FDI in Pharmaceuticals Sector'.
4.	06.02. 2012	1. 50	Discussion with the representatives of Centre for Trade and Development (CENTAD) on 'FDI in Pharmaceuticals Sector'.
5.	11.04. 2012	2. 20	Discussion with the representatives of Department of Commerce, Ministry of Commerce and Industry on Demands for Grants (2012-13).
6.	12.04. 2012	2.00	Discussion with the representatives of Department of Industrial Policy and Promotion, Ministry of Commerce and Industry on Demands for Grants (2012-13).
7.	18.04. 2012	2. 20	Discussion with the representatives of Federation of Indian Chambers of Commerce and Industry (FICCI) and Associated Chambers of Commerce and Industry of India (ASSOCHAM) on Demands for Grants (2012-13).
8.	19.04. 2012	2. 24	Discussion with the representatives of Federation of Indian Export Organisations (FIEO) and Directorate General of Foreign Trade (DGFT) on Demands for Grants (2012-13).
9.	26.04. 2012	1.00	Consideration and adoption of Draft Reports on Demands for Grants (2012-13) pertaining to (i) Department of Industrial Policy and Promotion and (ii) Department of Commerce, Ministry of Commerce and Industry.
10.	30.04. 2012	0.55	Discussion with the Delegation from European Parliament for Relations with India.
11.	17.05. 2012	0.30	For considering the business pending before the Committee.
12.	29.05. 2012	1.02	Discussion with the representatives of Delhi Society for Promotion of Rational Use of Drugs (DSPRUD) on 'FDI in Pharmaceuticals Sector'.
13.	20.06. 2012	0.30	Selection of Subjects: (i) Export Promotion of Handicrafts and Handloom; and (ii) Infrastructure for Industrial Development: An appraisal.
14.	21.06. 2012	2.17	Discussion with Shri Amir and his team on 'FDI in Pharmaceuticals Sector'.
15.	02.07. 2012	1.50	Discussion with the representatives of Organisation of Pharmaceutical Producers of India (OPPI) on the subject 'FDI in Pharmaceuticals Sector'.

1	2	3	4
16.	18.07.2012	1.28	Discussion with the representatives of Department of Commerce, Ministry of Commerce and Industry on 'Performance of Plantation Sector-Tea and Coffee Industry'.
17.	01.08.2012	1.30	Consideration and adoption of Draft Report on 'Performance of Plantation Sector-Tea and Coffee Industry'.
18.	10.10.2012	0.30	First meeting of the Reconstituted Committee to consider its future programme.
19.	07.11.2012	1.53	Discussion with the representatives of Department of Commerce, Ministry of Commerce and Industry on functions and mandate of the concerned Department.
20.	08.11.2012	1.36	Discussion with the representatives of Department of Industrial Policy and Promotion, Ministry of Commerce and Industry on functions and mandate of the concerned Department.
21.	27.11.2012	0.55	Consideration and adoption of Draft Reports (i) 103rd Report on Action Taken by Government on 98th Report of the Committee on Export of Foodgrains-Premium Non-Basmati Rice and Wheat; (ii) 104th Report on Action Taken by Government on 99th Report of the Committee on "Export Promotion of Agricultural and Processed Food Products; (iii) 105th Report on Action Taken by Government on 100th Report of the Committee on Demands for Grants (2012-13) pertaining to Department of Commerce; and (iv) 106th Report on Action Taken by Government on 101st Report of the Committee on Demands for Grants (2012-13) pertaining to Department of Industrial Policy and Promotion.
22.	21.12.2012	1.55	(i) Discussion with the representatives of National Pharmaceutical Pricing Authority (NPPA) on the subject 'FDI in Pharmaceuticals Sector'. (ii) Finalization of two subjects viz. (a) India's Engagements with Free Trade Agreements; Challenges and Opportunities, and (b) Industrial Policy in the Changing Global Scenario.

CHAPTER-VII
COMMITTEE ON HEALTH AND FAMILY WELFARE

I. Composition of the Committee

7.1 The Committee was constituted on 31st August, 2011. The following was the composition of the Committee:

Shri Brajesh Pathak — *Chairman*

Rajya Sabha

- #2. Shri Janardan Dwivedi
3. Dr. Vijaylaxmi Sadho
4. Shri Balbir Punj
5. Dr. Prabhakar Kore
6. Shrimati Vasanthi Stanley
- @7. Shri Rasheed Masood
8. Shrimati B. Jayashree
9. Shri Derek O'Brien
10. Shri Arvind Kumar Singh

Lok Sabha

11. Shri Ashok Argal
- §12. Shrimati Harsimrat Kaur Badal
- *13. Shri Vijay Bahuguna
14. Shrimati Raj Kumari Chauhan
15. Shrimati Bhavana Gawali
16. Dr. Sucharu Ranjan Halder
17. Dr. Monazir Hassan
18. Dr. Sanjay Jaiswal
19. Shri S. R. Jeyadurai
20. Shri P. Lingam
21. Shri Datta Meghe
22. Dr. Jyoti Mirdha
23. Dr. Chinta Mohan
24. Shri Sidhant Mohapatra
25. Shrimati Jayshreeben Kanubhai Patel
26. Shri M. K Raghavan
27. Shri J. M. Aaron Rashid
28. Dr. Arvind Kumar Sharma
29. Shri Radhe Mohan Singh
30. Shri Ratan Singh
31. Dr. Kirit Premjibhai Solanki

ceased to be a member *w.e.f.* 27th January, 2012 and re-nominated to the Committee on 2nd February, 2012.

@ ceased to be a member *w.e.f.* 9th March, 2012 and re-nominated to the Committee on 4th May, 2012.

§ ceased to be a member *w.e.f.* 29th June, 2012.

* ceased to be a member *w.e.f.* 30th April, 2012.

7.2 The Committee was re-constituted on 31st August, 2012 with the following composition:—

Shri Brajesh Pathak — *Chairman*

Rajya Sabha

2. Dr. Vijaylaxmi Sadho
- *3. Dr. K. Chiranjeevi
4. Shri Rasheed Masood
5. Dr. Prabhakar Kore
6. Shri Jagat Prakash Nadda
7. Shri Arvind Kumar Singh
8. Shri D. Raja
9. Shri H. K. Dua
10. Shrimati B. Jayashree

Lok Sabha

- @11. Shri Ashok Argal
12. Shri Kirti Azad
13. Shri Mohd. Azharuddin
14. Shrimati Sarika Devendra Singh Baghel
15. Shri Kuvarjibhai M. Bavalia
16. Shrimati Priya Dutt
17. Dr. Sucharu Ranjan Haldar
18. Mohd. Asrarul Haque
19. Dr. Monazir Hassan
20. Dr. Sanjay Jaiswal
21. Dr. Tarun Mandal
22. Shri Mahabal Mishra
23. Shri Zafar Ali Naqvi
24. Shrimati Jayshreeben Patel
25. Shri Harin Pathak
26. Shri Ramkishun
27. Dr. Anup Kumar Saha
28. Dr. Arvind Kumar Sharma
29. Dr. Raghuvansh Prasad Singh
30. Shri P.T. Thomas
- #31. Shri Chowdhury Mohan Jatua

* ceased to be Member of the Committee *w.e.f.* 28th October, 2012.

@ ceased to be Member of the Committee *w.e.f.* 9th January, 2013.

nominated as a Member to the Committee *w.e.f.* 14th December, 2012.

II. Subjects selected/Bills referred for Examination

(a) Subject

7.3 No subject was selected during the year 2012. The subjects selected previously by the Committee which are pending before it are likely to be taken for examination and report during 2013. The subjects are as follows:

- (i) Issues arising out of the final report of the Committee appointed by the Government of India to enquire into "Alleged irregularities in the conduct of studies using Human Papilloma Virus (HPV) vaccine" by PATH in India;
- (ii) Introduction of the Bachelor of Rural Health Care (BRHC) course {now rechristened as Bachelor of Science (Community Health)};
- (iii) Functioning of All India Institute of Medical Sciences (AIIMS); and
- (iv) Functioning of Central Government Health Scheme (CGHS)

(b) Bills referred to the Committee

7.4 No Bill has been referred to the Committee during the year 2012. Report on a Bill referred to the Committee during the 2011, *i.e.*, the National Commission for Human Resources for Health Bill, 2011 was presented/laid to Rajya Sabha/Lok Sabha on 23rd November, 2012.

III. Constitution of Sub-Committees of the Department-related Parliamentary Standing Committee on Health and Family Welfare

7.5 The previous Committee (2011-12) constituted three Sub-Committees *viz.* Sub-Committee-I on AIIMS, Sub-Committee-II on CGHS and Sub-Committee on Draft Report. However, the present Committee did not constitute any Sub-Committee during the period (2012-13).

IV. Review of Work Done

(a) Sitzings of the Committee

7.6 During the year 2012, the Committee held 21 meetings lasting over 31 hours and 49 minutes. A statement showing the dates and duration of each sitting of the Committee with subjects discussed during this period is given in *Annexure-VII*.

(b) Sitzings of the Sub-Committee

7.7 During the year 2012, the sittings of the Sub-Committee-I on AIIMS; Sub-Committee-II on CGHS and Sub-Committee-III on Draft Reports of the previous Committee (2011-12) are given below:

- (i) The Sub-Committee-I held 5 meetings lasting over 10 hours and 05 minutes;
- (ii) The Sub-Committee-II held 1 meeting spreading over 30 minutes; and
- (iii) The Sub-Committee-III held 2 meetings spreading over 1 hour and 30 minutes. A statement showing the dates and duration of each sitting of the Sub-Committees I, II and III with subjects discussed during this period is given in *Annexures-VIII, IX & X*.

(c) Study visit

7.8 The Committee undertook one study visit to Leh and Srinagar from 18th to 21st June, 2012, in connection with examination of National Commission for Human Resources for Health Bill, 2011 and implementation of National Rural Health Mission (NRHM) and National AIDS Control Programme (NACP). The Committee also interacted with the representatives of State Government of Jammu & Kashmir on the implementation of the National AIDS Control Programme. The details of study visit of the Main Committee is given below:-

Places visited	Date	Agenda
Leh	18.06.2012	Assembly at Leh
	19.06.2012	(i) Interactions with the representatives of Sowa Rigpa Institute and discussions on Sowa Rigpa system of medicines.

Places visited	Date	Agenda
Srinagar	20.06.2012	(ii) Interactions with the representatives of Primary Health Centres and sub-centres and discussion on NRHM. (i) Interactions with the representatives of (i) State Government (ii) State Medical Council and (iii) Medical Colleges and discussion on the National Commission for Human Resource for Health Bill, 2011.
	21.06.2012	(ii) The Committee visited Primary Health Centres and sub-centres and other hospitals to examine NRHM and National AIDS Control Programme and discussion with the representatives of State Government on implementation of — (i) National Rural Health Mission; (ii) National AIDS Control Programme.

V. Reports Presented

7.9 During 2012, the Committee presented the following Reports to both the Houses of Parliament:-

Sl. No.	Report No.	Date of presentation / laying of Reports	Subject
1.	54th	26.04.2012 (Rajya Sabha) 25.04.2012 (Lok Sabha)	Report on Demand for Grants (2012-13) of the Department of Health and Family Welfare
2.	55th	26.04.2012 (Rajya Sabha) 25.04.2012 (Lok Sabha)	Report on Demands For Grants (2012-13) of the Department of AYUSH..
3.	56th	26.04.2012 (Rajya Sabha) 25.04.2012 (Lok Sabha)	Report on Demands For Grants (2012-13) of the Department of Health Research.
4.	57th	26.04.2012 (Rajya Sabha) 25.04.2012 (Lok Sabha)	Report on Demand for Grants 2012-13) of the Department of AIDS Control
5.	58th	08.05.2012	Report on Action Taken by the Government on the Recommendations/Observations contained in the Forty-fifth Report on “issues relating to availability of Generic, Generic-Branded and Branded Medicines, their formulation and therapeutic efficacy and effectiveness”.
6.	59th	08.05.2012	Report on the functioning of the Central Drugs Standard Control Organisation (CDSCO).
7.	60th	23.11.2012	Report on the National Commission for Human Resources for Health Bill, 2011.

7.10 Minutes of the meetings of the Department-related Parliamentary Standing Committee on Health and Family Welfare were prepared and enclosed with the relevant Reports at the time of the presentation to both the Houses of Parliament.

VI. Summary of Recommendations

(a) 54th Report

I. BUDGETARY ALLOCATION

Year	BE	RE	Actual Expdt.
2007-08	2985.00	2331.39	2183.83
2008-09	3650.00	3650.00	3008.40
2009-10	4450.00	3825.25	3261.90

(Rs. in crore)

Year	BE	RE	Actual Expdt.
2010-11	5560.00	5139.55	4666.04
2011-12	5720.00	4450.00	4101.41
Total – XI Plan	22365.00	19396.19	17221.58

7.11 From a scrutiny of the above Table, the Committee is constrained to observe that there was substantial and persistent under-utilization of the budgeted funds during the Eleventh Plan. That the savings occurred under the Plan head underlines the fact that the development activities have been curtailed. Though the Committee is supportive of the Department's demand for higher allocation of funds, it deprecates the Department for failing to optimally utilize its Plan Allocations over the last five years. The Committee observes that the underutilization of budgeted funds is indicative of slack monitoring on the part of the Department as well as formulation of the Budget Estimates in a ritualistic manner without application of proper financial yardsticks. The Committee, accordingly, impresses upon the Department to pay focused attention to streamlining its monitoring mechanism and ensure optimal and more efficient deployment and utilization of its financial resources for smooth execution of its Plan programmes.

7.12 The Committee observes that a shortfall in allocation of funds to the tune of Rs. 10507.53 crore *vis-a-vis* the proposed outlay for 2012-13 that too at a time when the Government has committed itself to raising its expenditure on health from roughly 1% of the GDP to 2.5% of the GDP by the end of Twelfth Plan is baffling, to say the least. The public expenditure on health in the country is one of the lowest in the world and total plan expenditure would need to rise substantially and consistently before the target expenditure level of 2.5% of GDP is achieved. The Committee, therefore, desires to know the reasons behind the substantially reduced allocation for 2012-13. The Committee also desires to know the rate at which the total Plan expenditure would need to grow annually, in order to meet the expenditure level of 2.5% of GDP by the end of the Twelfth Plan and what would be the share of the Centre and the States therein. The Committee, therefore, recommends that the Department should make all out efforts to convince the Planning Commission and the Department of Expenditure for enhancing the annual Plan allocation for the remaining four years of the Twelfth Plan and also at RE 2012-13 in such a way that the target of meeting expenditure level of 2.5% of GDP could be achieved.

7.13 From the information made available, the Committee gathers that some of the major programmes/heads which are likely to be affected due to substantially less allocation of funds include PMSSY, Financial Assistance for Strengthening and Upgradation of Medical Colleges, Establishment of New Medical Colleges in underserved States, Strengthening of tertiary care institutions like AIIMS, JIPMER, PGIMER, NIMHANS, Safdarjung Hospital and VMMC, RML Hospital, NPCDSC, Capacity Building for establishing Trauma Care Facilities in Government Hospitals on National Highways and the proposed National Urban Health Mission. The Committee is of the firm opinion that the above trend of allocation of funds would adversely impact the public health sector's ability to cater to the healthcare needs of the people at large. The Committee is also aware that the absorption capacity of the States has witnessed improvement and their spending capacity is expected to pick up during the Twelfth Plan. Besides, presently more than 9 crore people of the country have been categorized as urban poor, mostly residing in urban slums. The level of availability of health care facilities to these poor people is worse than that available to the rural poor. Their health indicators are also worse than those of the rural poor. The Committee, accordingly, opines that non-rolling of National Urban Health Mission on account of no provision of funds would further impact the health indicators of poor people residing in urban slums.

7.14 Taking all the above factors into consideration, the Committee recommends that the Department should once again assess its fund requirements realistically and thereafter move the Planning Commission for augmentation of financial resources for health sector for 2012-13 at RE stage. The Committee would like to be apprised of the follow-up action taken in this regard.

7.15 From a perusal of the utilization trend of the allocation as given in the Table above, the Committee infers that the Department has failed to meet broad committed objectives of the Eleventh Five Year plan. The Committee feels that the Department needs to introspect the reasons for underutilization of funds practically in all of its major initiatives targeted to be achieved during the Eleventh Plan period and take appropriate corrective actions accordingly. In addition to dedicated approach, advance action plans may also be drawn for completion of all the projects in hand within the targeted timelines.

7.16 The Committee's attention has been drawn to faulty planning of the National Programme for Prevention and Control Cancer, Diabetes, Cardiovascular Diseases and Stroke (NPCDCS). The Committee was informed that NPCDCS was launched in 2010 in 100 districts across 21 States. Under Cancer component of NPCDCS, various activities like early diagnosis of Cancer, Chemotherapy facilities etc. were envisaged. However, non-availability of adequate manpower, non-signing of MODs with State Governments, non-opening of Bank Accounts in States etc. led to reduction of BE of Rs.200.00 crore for 2011-12 to Rs.112.00 crore at RE stage and the actual expenditure was pegged even less at Rs.99.79 crore, which clearly reflects that the Department did not complete preparatory activities on time. From the information furnished the Committee gathers that Non Communicable Diseases (NCDs) are emerging as a leading cause of death in the country accounting for 42% of all deaths and that NCDs cause significant morbidity and mortality in population with considerable loss in potentially productive years of life. The Committee would, therefore, expect the Department to urgently initiate appropriate corrective measures to arrest shortfall in utilization of the budgeted amount for NPCDCS in future.

7.17 The Committee recalls the following recommendations it has made in its 39th Report:—

“The Committee takes note of the fact that the Department has taken measures like for non-recurring grants, no fresh releases are being authorized unless audited Utilization Certificate for grant released in the year prior to the last year (i.e. with a ‘grace period’ of one year) has been received, subject to the condition that the sanction for the earlier grant does not permit a longer period of utilization. Further, the provisions of the General Financial Rules, which require that in case of recurring grants, funds for same purpose beyond 75% of the next year's provision will not be released unless audited Utilization Certificate for the grants released in the previous year is received, are being strictly implemented. Impact of such measures does not seem to be very effective as number of pending UCs continues to remain very high. Not only this, such a trend also indicates that schemes are not being implemented as envisaged.” “The Committee notes that as a further effort to maximize liquidation of UCs, a communication has been sent by the Secretary (Health) to the Principal Health Secretaries of all the States. If need be, this exercise needs to be pursued further with higher authorities.”

7.18 The Committee is deeply disturbed that no heed has been paid to the Committee's above observations/recommendations, and a large no. of UCs are still pending under both the Centrally Sponsored and Central Sector Schemes. The additional measure taken by the Department by sending a communication from the Secretary (Health) to the Principal Health Secretaries of all the States has also been proved to be futile. The Committee, accordingly, recommends that the Department needs to have a serious introspection of the reasons for pendency of such a large no. of Utilization Certificates' and come out with clear and innovative action plans for liquidation thereof.

7.19 The Committee is constrained to note that to a pointed query to the Department in this regard, the Department has either merely stated that the ATN has been submitted to the Audit or the ATN is under preparation. The Committee rather desires that details of the Action Taken by the Department on the Audit paras should have been made available to the Committee. The Committee also takes note of the fact that action on audit paras dating as far back to years 2008, 2009 are still under preparation stage. The Committee calls for a speedy action on the observations as contained in audit paras. The Committee would like to be apprised of the action taken in this regard.

7.20 The Committee notes that the Eleventh Plan has concluded; however, the Twelfth Plan outlay of the Department is yet to be approved. The Committee feels that the delay in approval of the Twelfth Plan outlay is sure to impinge on the process of EFC/CCEA approvals which entails further delay in finalization and implementation of the Schemes/ Programmes of the Department for the Twelfth Plan. The Committee, therefore, recommends to the Government to hasten the approval of Twelfth Plan outlay and related proposals so that the Department is not hamstrung by lack of necessary approvals and the consequent delay in finalization and implementation of various schemes/ programmes in the Twelfth Plan period. The Committee desires to be apprised of the reasons for delay in approval of the Twelfth Plan outlay of the Department.

Central Government Health Scheme

7.21 Status of allocation of Plan funds and utilization thereof during the Eleventh Plan is as under:—

(Rs. in crore)

Year	BE	RE	AE
2007-08	40.00	40.00	35.20
2008-09	50.00	59.37	45.45
2009-10	51.00	66.64	58.02
2010-11	68.65	80.81	57.21
2011-12	78.00	78.00	61.67

7.22 The Committee is disappointed to note the continuous trend of under-utilization of Plan Funds during the last five years *i.e.* Eleventh Plan, more so when the Department has sought enhanced funds at RE stage during 2008-09, 2010-11 and 2011-12. The actual expenditure figures also indicate that the Department could not even utilize the funds allocated at BE stage except during 2009-10. The Committee, therefore, strongly recommends that the Department should devise strategies to utilize the allocated funds optimally before proposing the revised estimate so that the funds are not unnecessarily blocked and remain unspent.

7.23 The Committee observes that the Department has to undertake lot of ground work in CGHS and is of the view that for this purpose the targets need to be set, resources to be placed at the disposal in time and implementing agencies need to be made accountable for accomplishing the set targets from the very outset.

7.24 The Committee is given to understand that this deficit in allocation may adversely affect procurement of medicines. The Committee, therefore, recommends that the Department should try its best to convince the Planning Commission and Ministry of Finance, for enhancement of allocation at RE stage for procurement of medicines.

7.25 The Committee lauds the efforts made by the Department to bring about a significant reduction in pendency of reimbursement claims and hopes that the Department would strive to bring this figure further down with its sincere efforts. The Committee likes the Department to issue a circular intimating the simplified procedures and for dispelling any misgivings among the beneficiaries.

7.26 The Committee observes a lot of ambiguity in process of reimbursement of bills and the facts that are brought to the notice of the Committee are at variance. The Committee, therefore, recommends to the Department to issue a fresh circular in this regard addressing all the misgivings currently prevailing among beneficiaries.

7.27 The Committee notes the initiatives taken by the Department to simplify the bill reimbursement process under which the empanelled hospitals and diagnostic centers are required to submit their bills after discharge of the patient which will pay them the applicable amount as per the package rates for the treatment within 10 days. However, on the basis of feedback received from various witnesses, the Committee is dismayed on the poor outcome of the above mentioned scheme. The Committee is of the view that assessment of the scheme should be done to gauge its performance as also to take corrective steps for its smooth functioning.

7.28 The Committee notices the hardships the beneficiaries have to face in getting their bills reimbursed. The Committee would like to suggest that the Department should continuously monitor the claim reimbursement mechanism and also ensure the claim adalats meant for settling pending claims are regularly held. The Committee understands that third Thursday of every month is designated as claims settlement day for interaction with the beneficiaries to sort out pending reimbursement claims. The Committee impresses that the Department may try to settle more and more pending claims on this day.

7.29 Keeping in view the success of the scheme, the Committee feels that these facilities should be made available at all the Wellness Centers across the country so that more and more CGHS beneficiaries can avail these facilities. Secondly, the Committee also suggests the Department to have a monitoring mechanism to gauge the performance of Preventive Health Checkup Scheme at regular basis so as to maintain the quality standards of diagnostics and treatment procedures. While appreciating Department's, efforts to spread awareness about this

scheme, the Committee would like to suggest that Department should publicize it through audio-video aids; newspapers in regional languages, etc. in order to expand the scheme to a wide range. Also the Department should make efforts to ensure that CGHS beneficiaries should understand the importance of Preventive Health Checkup Scheme and opt for it.

7.30 The Committee appreciates the Department's effort to enable the provision of online connectivity of all CGHS Wellness Centers in the country which will enable CGHS beneficiaries to avail the healthcare services from any Wellness Centers across the country. The Committee observes that this is one of the revolutionary benefits accrued as a result of computerization and the Department deserves Committee's appreciation in this regard.

7.31 The Committee appreciates that the above scheme is primarily for non-CGHS areas and is of the firm view that if at all it is implemented, it should be over and above CGHS facility instead of replacing it.

7.32 The Committee feels that the purpose behind starting the double shifts in CGHS Wellness Centers was that the beneficiaries need not have to take leave from their offices to see the doctor in the morning shift and further, patients' load will also get distributed. Moreover, the Committee is of the view that double shift system needs an extended run along with wide publicity through local and print media. The viability of using same staff on rotation basis can also be looked into. In addition to this, the Department should be flexible and open to understand the reasons for low turnout and implement corrective action plan based on its assessment. The Committee, accordingly, impresses upon the Department to see the viability of implementing double shift system in other wellness centers also particularly those located at prominent places and catering to a considerably large number of beneficiaries.

7.33 The Committee appreciates the efforts made by the Department to expand the coverage of CGHS by increasing the number of Wellness Centers. The Committee is of the opinion that setting up of wellness centers at given location should be put on fast track with emphasis on time bound completion of the projects. Further, the Department should not limit the scope of CGHS healthcare facilities to Delhi and NCR but across the length and breadth of the country alongwith assessment of workload *vis-a-vis* capacity of Wellness Centers and taking necessary remedial measures accordingly.

7.34 Despite the Department's claim that the contractual appointments of retired doctors is being made to fill up the vacancies, Committee is constrained to observe on the basis of the feedback received from various stakeholders that there is still a huge gap between the doctors in position and the sanctioned strength. If all the vacancies had been filled up by contractual appointment as claimed by the Department, the vacancies would have ceased to exist. The Committee, therefore, observes that the Department should reassess the strategies adopted to fill up the vacancies and come up with realistic measures so that the shortage of doctors and para-medical staff in CGHS dispensaries can be overcome.

7.35 The Committee is constrained to note that the reluctance of the private hospitals and diagnostic centers for empanelment is because of the low rates quoted by the CGHS for the specialized treatment and diagnostic procedures due to which the CGHS beneficiaries are deprived of highly specialized medical care and diagnostic facilities. The Committee hopes that the Department would rationalize the new package rates as committed in the meeting.

7.36 One must not forget that the main objective of CGHS is to provide quality healthcare at economical rates to the targeted beneficiaries. The Committee, therefore, is of the view that the rates should be rationalized so that the beneficiaries should be able to avail high quality diagnostics, laboratories, specialized medical and surgical treatment in various private super specialty hospitals. The Committee, accordingly, recommends framing of a policy for revision of rates after every two years to realistically fix the rates of treatment as stated in 39th Report of the Committee on Demand for Grants 2010-11 and would like to be updated about the action taken by the Department in this regard.

7.37 The Committee is happy to note that the computerization of various facilities of CGHS has brought about transparency and accountability in administration of CGHS and has proved instrumental in identifying the malpractices and negligence in drug procurement procedure. The Committee is of the opinion that the punishment in these cases should act as strict deterrence for all functionaries of CGHS. The surprise visits by the concerned authorities to check the records and verify the details of demand, supply and consumption pattern of drugs in CGHS Wellness Centers can be also considered for regulating the functioning at CGHS. The Committee, therefore, recommends that

the Department should devise some checks and balances to ensure that incidence of fraud and corruption reported recently in media should not recur in future.

Safdarjung Hospital, New Delhi

7.38 The Committee is of the opinion that in view the various expansion activities proposed to be undertaken by the Hospital during the Twelfth Plan, there is a need for increased allocation for the Hospital. The Committee, therefore, recommends that if need be, the Department may approach the Planning Commission and Department of Expenditure to increase allocation at RE stage 2012-13 and also seek enhanced funds for subsequent financial years of the Twelfth Plan as per the requirements.

7.39 The Committee is very much concerned with the persisting vacant position in different categories of posts at the Hospital and VMMC. As per the information provided by the Department, the Committee finds that there is no noticeable change in the situation since 2010. As on 31.12.2010, out of total sanctioned strength of 4101 posts in different categories, as many as 582 posts were vacant and as on 31.12.2011, out of total sanctioned strength of 4056 posts, 487 are vacant in different categories. What is more worrisome is the shortfall in Group B medical posts have not changed since 2010. As many as 28 medical personnel are still required to be in place out of total strength of 56. The status of vacant posts presents a sorry state of affairs. The Committee is not aware about the status of filling up of Group A posts initiated by the Department. But from its past experience, the Committee can only conclude that it would be a long drawn affair. Looking at the ever-increasing attendance of patients in the Hospital which was 23, 22,152 in the year 2011, the Committee concludes that to cater to the healthcare needs of such a high load of patients, the actual requirement of the medical, paramedical and Group D staff at the Hospital is higher than the sanctioned strength. The Committee is of the opinion that vacancies, irrespective of its category, directly or indirectly have an adverse impact on the quality and quantity of services being rendered by the Hospital in addition to the overstressing of the existing manpower. It seems that the Department has not given due attention to the status of vacancy positions in different cadres at SJH. The Committee, therefore, would like to impress upon the Department to review the manpower requirements of the Hospital considering the patient load and put all the efforts together to not only fill up the existing vacancies at the earliest, but also put up its case for increase in staff strength.

7.40 The Committee is happy to note that Department has acted positively to the Committee's earlier recommendation and had taken steps to not only to fill up the vacant posts of Resident doctors but also after review of manpower *vis-a-vis* sanctioned strength had created more posts in different cadres. The Committee is of the opinion that the Department should take measures for reviewing the manpower strength year wise at a regular basis to ensure that the process of filling-up of the vacancies is initiated well in advance so that the duration of vacancy to any post is minimized to the lowest level and the ever increasing patient load in the hospitals is aptly tackled.

7.41 The Committee, therefore, would like to reiterate its earlier recommendation made in its DFG Report (2010-11) that the provision of the required accommodation facilities for nursing staff should be taken on priority basis and if feasible, it should be considered under the Re-Development Plan of the Hospital. In addition to this, the Committee is also of the opinion that the provision of transport facility from the hospital to staff quarter at Dwarka should be provided considering the distance of the hospital from Dwarka and the night duties of the nursing staff. The Committee should be updated in this regard.

7.42 Keeping in mind the achievement of the Re-development plan of SJH during Eleventh plan, the Committee recommends that the Department needs to have a serious introspection of the reasons for shelving the re-development Plan of SJH during Eleventh Plan. Further, the Department should take realistic measures and make all conceivable efforts so that the whole new re-development project gets completed within the given time period. For this to happen, from the very outset, targets need to be set, resources to be put to use judiciously and implementing agencies to be made accountable to accomplish the set targets.

7.43 The Committee fails to comprehend the reasons for the delay in recruitment of DM Nephrologist. Nonetheless, the Committee is surprised that no action has been taken in this regard so far and is dismayed that having invested so many funds in renovation of space, procuring equipments and training of staff for Renal Transplantation Unit, the project is yet to see the light of the day. The Committee feels that Department has failed to prioritize their activities before acting upon the projects. The Committee, therefore, is of the opinion that in spite of all good work done by the Department, the delay in filling up the post of DM Nephrology has superseded its effort in kick-starting the RT unit.

7.44 The Committee expresses its displeasure at unjustifiable delay in setting up of IVF Unit in SJH arising out of conflicting statements provided by the Department in this regard. The Committee feels that the development work has been carried out at snail pace and has failed miserably. The Committee would like to draw the attention towards Department's statement as mentioned in 39th Report on DFG 2010-11 wherein it has been stated that second floor of old Cardiology Wing had been selected as site for setting up of IVF Unit and inspection was also carried out in August, 2009 along with the go-ahead for carrying out necessary renovation work. Now, the Committee has been informed that space constraint is hampering operationalization of IVF Unit. This clearly shows lack of accountability on part of Department and improper planning and mismanagement of resources. The Committee, therefore, recommends that Department should channelize its efforts in doing realistic assessment to remove all the bottlenecks in setting up of IVF Unit and chalk out a time bound action plan with regard to funds allocated for the purpose.

Dr. Ram Manohar Lohia Hospital

7.45 The Committee is not happy with the slow pace of construction work and recommends that the Department needs to make serious introspection of the reasons for delay in execution of various projects envisaged during 2011-12 and take all measures to see that the same reasons do not crop up again and hinder the progress of various projects/ programmes envisaged in current financial year. A realistic assessment of targets and dedicated timelines for their achievements would be a right step in this direction.

7.46 The Committee would like to be apprised of the action plan for the construction of New Casualty Building, the physical and financial targets set therefor and the resources to be deployed w.r.t. the new projects. The Committee feels that the Department should strive to adhere to the time lines set for completion of various projects.

7.47 The Committee is disappointed on the continuance of a large number of vacancies in different categories of post. Although new posts have been created in the category Senior Residents (SR) and Group 'C' Nursing, the process of filling up of these posts has not been started yet. The Committee is unable to comprehend as to why there has been always a substantial number of vacancies at any given point in time. At least, in case of Resident Doctors (RD), the Department can pro-actively step into place the next batch of RDs well in advance. Since the hospital is catering to the health needs of ever increasing patients, the Committee can easily visualize the amount of burden on the existing manpower. In such scenario, it is really a matter of concern that such a large number of vacancies is allowed to persist. The Committee, therefore, keeping in mind the OPD, IPD attendance of the Dr. R.M.L. Hospital, would like to suggest that Department should consider necessary steps to expedite the process of filling up of newly created posts of senior residents and nursing category which are integral part of health care services to ensure smooth functioning of the Hospital on priority basis.

Central Institute of Psychiatry (CIP), Ranchi

7.48 The Committee is hopeful that the funds earmarked for the projects would be utilized judiciously and optimally so that the envisaged projects are accomplished as per the timelines set in this regard.

Kalawati Saran Childrens Hospital, New Delhi

7.49 On the issue of Hospital staff in place as per the sanctioned strength in various categories, the following information has been furnished:—

Sl. No.	Group	Sanctioned Post	Filled Post	Vacancy
01	A	44	30	14
02	B	150	137	13
03	C	589	426	163
04	D	170	157	13
	Total	953	750	203

7.50 From the plain reading of the above information, it can be found that a large number of posts are lying vacant in all the service categories (Group A, B, C & D). The Committee, therefore, recommends that Department should take urgent steps to fill up the vacancies at the earliest so as to fulfil the objective of providing better quality of patient care to all patients.

Lady Harding Medical College

7.51 In light of the activities undertaken by the Hospital, the Committee understands that underutilization of funds reflects that the Hospital has failed to accomplish the targeted activities during the Eleventh Plan. The Committee, accordingly, recommends that the Hospital should draw out definite action plan for realization of its targets and monitor construction of new hospital and other related buildings scrupulously.

7.52 The Committee impresses upon the Department to take up the matter with the UPSC for expediting recruitment of regular staff to fill up a large number of vacancies existing in the Hospital. The Committee would like to be apprised about the preparatory steps taken so far to fill up the additional sanctioned 810 posts, which would be filled-up on availability of additional facilities under CRP.

All India Institute of Medical Sciences (AIIMS)

7.53 The Committee notes the fact that in spite of lot of developmental work being undertaken, most of projects have gone beyond the targeted time-line. The Committee has been informed that the delay in execution of various infrastructure development project is attributed to delay in approval of Master Plan of AIIMS which is pending due to clearance from various agencies like MCD, NDMC, CPWD etc. The Committee feels that time overruns are certain to result in cost overruns. The Committee, therefore, recommends that the Department should chalk out a time bound Action Plan for the projects which are yet to be executed and also for the projects underway. Further, the Committee would like to be apprised of the current status of various approvals and also the extent of cost overruns likely to be caused due to the delay in completion of projects. The Committee would like to be apprised about the targeted timelines for all the underway projects planned in AIIMS.

7.54 The Committee is not convinced that opening of Burns injury facilities in salient districts in the country would in any case reduce the requirement of an additional burns unit at AIIMS since Safdarjung Burns Ward is already burdened with patients. The Committee, accordingly, recommends that the Department should reassess the requirement of Burns Unit at AIIMS.

7.55 The Committee is extremely disappointed with the vacancy position in different categories of posts in AIIMS. Out of total sanctioned strength of 10639, 1468 posts are lying vacant in various categories. The Committee is perturbed to note that 303 posts of Assistant Professors are lying vacant in such a premier institute and feels that this is bound to adversely affect the quality of healthcare services rendered by the premier Institute of the country. Besides, this would also adversely impact the quality of medical education being imparted at AIIMS.

7.56 The Committee observes that with a large number of posts lying vacant at Faculty level it would be practically difficult for the Institute to maintain the high standards of patient care and teaching for which it has been known for decades. The efforts made by Department to fill up the backlog vacancies came as sign of relief to the Committee. While appreciating the Department's efforts, the Committee would, however, recommend to the Department to make all out efforts to fill up all the vacant posts existing in faculty, nonfaculty and other categories in a time bound manner.

7.57 The Committee cannot remain a mute spectator to the appalling circumstances prevailing in such a reputed Institute like AIIMS which is a role model for all medical institutes across the country and implore upon the Department to take proactive steps not only to fill up the vacant posts on a war-footing but also to initiate a blueprint to ensure a decent doctor-patient ratio, which would help the Institute to achieve the overall aim of the Institute to provide tertiary care and path breaking research. The Committee feels that the above objectives can only be possible when there is adequate number of doctors who could besides delivering quality healthcare to the patients also devote quality time for research activities. Hence, a realistic assessment of available manpower *vis-a-vis* sanctioned strength of the Institute is urgently required.

7.58 The Committee is not convinced with the reply furnished by the Department. The Committee has merely opined that probability of utilizing the services of the students passing out from AIIMS may be explored in view of the huge vacancy position at AIIMS. However, it is surprising to note that an Institute like AIIMS has

expressed its inability to retain students passing out of the Institute after graduation. The Committee, therefore, expresses its displeasure that its earlier recommendations made in 27th and 39th Reports have not been given adequate weight and lack of seriousness required on the part of the Institute to implement the recommendation made by a Parliamentary Committee. The Committee implores upon the Department to explore the possibility of implementing its suggestion without any further delay.

National Institute of Mental Health and Neuro Sciences (NIMHANS), Bengaluru

7.59 The Committee finds although the Plan allocation is less than what was projected by the Institute, it should be utilized effectively by prioritizing the activities/expenditure without having significant impact on the performance of the Institute. Prioritization would enable phasing out lesser priority areas to the subsequent years of the plan period. However, if the Department finds itself hamstrung midway, the Committee recommends the Department to approach the Planning Commission and the Department of Expenditure seeking for more funds at RE stage, as per its requirements.

The Post-Graduate Institute of Medical Education and Research (PGIMER), Chandigarh

7.60 From the perusal of status of different projects envisaged during the Eleventh Plan 82 period, the Committee notes that in many areas no or negligible achievements have been made as against the targets set. The Committee observes that this state of affairs clearly reflect that Institute has not drawn out its action plans for achieving the goals set in right perspective and targets could not be achieved despite availability of adequate funds. The Committee, therefore, strongly recommends the Department to make a checklist of all approvals required before the execution of works and approach the concerned agencies for getting this same. The Institute should draw definite action plans and timelines for completion of all the projected works to avoid cost overruns.

7.61 The Committee is of the opinion that lack of funds should not hamper the progress of the projects and recommends that this could be achieved by proper monitoring and judicious utilization of the available funds. The Department should if required take up with the Planning Commission and Department of Expenditure for revision of funds at RE stage.

7.62 The Committee takes note of the measures taken by the Hospital to fill up the vacancies in different categories. The Committee would appreciate if these posts get filled up as scheduled.

North Eastern Indira Gandhi Regional Institute of Health and Medical Sciences (NEIGRIHMS), Shillong

7.63 The Committee is happy to note that the Department has chalked out a defined development plan of the Institute but has not been set any timelines/deadlines for the proposed initiatives. Since all the projects are under planning stage, the Committee would like the Institute to frame a time bound Action plan for execution of all projects emphasizing on judicious utilization of resources at the outset. The Committee, therefore, recommends to the Department to monitor execution of all the proposed new initiatives from the outset so that these are accomplished as targeted.

7.64 The Committee is hopeful that 93 vacant posts of faculty will be filled soon to cater to the healthcare needs of patients from deprived region of North-East.

7.65 The Committee notes that no further efforts have been made to fill up Group 'B' and 'C' Technical Posts which is evident from huge number of posts numbering 131 (Group B) and 190 (Group C) out of sanctioned strength of 608 and 352 lying vacant respectively. The Committee is unable to comprehend as to how the Institute is working effectively with such a large number of vacancies. The Committee opines that the manpower and infrastructure are two foremost requirements for smooth functioning of any Institute. The Committee, accordingly, recommends the Department to put relentless efforts to attract technical manpower by special incentives and special recruitment drives to facilitate early filling up of the vacancies. The Committee would like to be updated on the issue.

Pradhan Mantri Swasthya Suraksha Yojana (PMSSY)

7.66 The Committee observes that although the ground work under all packages more or less has been started, the completion has spilled over to 2012-13. It is self revealing situation to comprehend the correlation between pendency of work under the scheme and under-utilization of funds. The Committee is perturbed to note the slow pace of implementation of Pradhan Mantri Swasthya Suraksha Yojana (PMSSY) scheme, one of the key initiatives

of the Department launched with the objective of correcting regional imbalances in the affordable tertiary healthcare services as well as to augment facilities for quality medical education in the country. Almost all the projects proposed under the programme are running beyond schedule. The Committee observes that the delay in operationalization of this ambitious project would certainly lead to the cost overruns. The Committee, therefore, recommends to the Department to streamline monitoring of the progress of the project and strive to meet the new targets set under PMSSY.

7.67 The Committee recommends that the Department needs to have a serious introspection of the reasons which led to not only delay in completion of targeted projects but also resulted in underutilization of funds and cost overruns as the Department has to seek approval for the revised estimates for the project. The Committee expects that the Department would meet its deadline to start AIIMS like Institutes functional from this academic session 2012-13 *i.e.* August, 2012.

7.68 The Committee impresses upon the Department to learn from the hurdles being faced in the rolling out of Phase I of the project and make a serious effort to plug all the possible loopholes to ensure timely completion of the targeted projects.

7.69 From the perusal of the Details of Targets set and achieved, the Committee notes that percentage of work completed in respect of upgradation of State Government Medical colleges, is well below the targeted deadline. The Committee only hopes that the Department ensures to meet the new deadlines set in this regard.

7.70 The Committee appreciates the Department for taking timely suitable action to meet the faculty and equipments needs of the six AIIMS like Institutes. The Committee hopes that all the exercises would be completed well within the dedicated timelines and all the Institutes would be made functional from the current Academic session 2012-13.

Development of Nursing Services

7.71 The Plan funds allocated for the programme for 2012-13 are Rs.22.50 crore against the projected outlay of Rs.55.00 crore. Given the fact that the provisional expenditure exceeded the allocated funds during 2011-12, the Committee is surprised to find a huge gap of Rs.32.50 crore between the projected and budgeted funds for 2012-13. The Committee was also apprised of many on-going programmes and new schemes proposed under development of nursing services. Further, upgradation of RAK College of Nursing into Centre of Excellence is also under process. The Committee, therefore, recommends that additional funds be allocated at RE Stage so that lack of funds does not hamper the developmental activities undertaken by the Department.

7.72 The Committee is not happy with the slow pace of upgradation of RAK College on account of one reason or the other. The Committee feels that the Department should have acted in an earnest manner to get all the approvals in right time. The Committee had desired to be apprised of the timelines originally set for the project and the new proposed timelines but the Department has chosen to remain silent and non-committal in this regard. The Committee would like to be updated about the status of this project regularly.

7.73 The Committee feels that still much is to be achieved in this regard. The Committee, accordingly, recommends that concerted efforts need to be made by the Department to fill up the vacancies at the earliest.

7.74 The Committee reiterates its earlier stand on the matter of availability of accommodation for nurses. The Committee is now worried in the light of the fact that nothing significant has happened till now and it seems not enough attention has been paid to its recommendation as contained in its 39th Report on DFG (2010-11). The Department in its Action Taken Note on Committee's 39th Report has informed that the demand and availability of residential accommodation for nurses is being assessed in consultation with the concerned hospitals. The Committee would like to be apprised of the outcome of the said exercise, and also the follow-up action taken thereon. The Committee is of the opinion that if the Department does not pay proper attention to seriousness of the matter it would fail to get desired and significant results in the Twelfth Five Year Plan also.

7.75 The Committee, therefore, recommends that the Department should make adequate efforts to materialize the proposed initiatives during the Twelfth Plan and see that these are not bogged down by bureaucratic delays. The Committee would like to be updated on the progress made in this regard.

National Mental Health Programme

7.76 It is evident that the Department has not achieved the set targets during 2011-12. The Committee is of the view that unless the targets are met with the required pace, these backlogs are bound to happen and the spillover of components of programme to the next year is unavoidable. The Committee recommends that the Department needs to take proactive approach and try to bring all the States on board for effective implementation of the programme besides having regular interactions with them. It is high time that the problem areas hampering implementation of the programme are identified and suitable and timely action is taken accordingly.

7.77 The Committee is shocked to see the mismatch between requirement of manpower under NMHP and the personnel actually available. The Department has also stated that there is shortage of the qualified mental health manpower in the country. The Committee is unable to accept the Department's statement when so many efforts are being invested in strengthening and upgradation of the institutions, training of personnel and research activities. Further, the Committee also notes that the last National survey of Mental Health Resources was carried out a decade back in 2002, which clearly indicates casual attitude on part of Department in this matter. The Committee would like to be apprised of whether the Department is taking any steps to conduct the next National Mental Health survey and parameters on the basis of which such surveys are carried out by the Department.

7.78 The Committee notes that till date only 123 seats have been created under the scheme which is very small considering the actual requirement. The unsatisfactory level of performance of the overall programme and gaps in physical targets and achievements and above all the giant gap in in-position strength *vis-a-vis* the actual requirement of manpower further strengthens the point that the Department should take up the matter on priority basis and identify the loopholes in the action plan in the implementation of the schemes under the programme and should take necessary steps to expedite all the developmental projects in the field of Mental Health.

7.79 The Committee expresses its displeasure to note that although the Department has proposed to expand DMHP in all the districts across the country, final approval is yet to be given by bureaucratic authorities. With this fate of affairs, the Committee can visualize as to what would be the ultimate results. The Committee, therefore, directs the Department to take urgent and remedial measures to rectify the existing deficiencies and, if need be, approach the Planning Commission as and when it proposes to expand the Mental Health Programme.

7.80 Majority of districts in the country have not still been covered under DMHP, which was initiated way back in 1996. Almost 16 years have passed but the scenario seems to be at standstill. With about 500 districts still remaining outside the reach of this vital aspect of the programme, the Committee can only hope that the matter regarding extension of District Mental Health Programme to all the district of India would be taken up earnestly during the Twelfth Five Year Plan and the failure of the Department to extend the District MHP in the Tenth and Eleventh Plan would not be repeated. The Committee, therefore, recommends that the Department should make all out efforts to accomplish all the set targets within the set time line. The Committee would like to be apprised of breakthrough made in the programme.

Vaccine Manufacturing Units

7.81 The Committee, accordingly, would like to be updated on the measures that would be taken to increase the production of vaccines in these units to meet the national requirements simultaneously working upon fulfilling of cGMP norms.

7.82 The Committee is not convinced with the evasive reply given by the Department. The efforts or step taken by the Department to regulate the cost of vaccine finds no mention in the reply furnished by it. The Committee, therefore, impresses upon the Department to furnish realistic efforts being made by it to regulate the costs of vaccines.

7.83 The Committee fails to understand as to how the funds of the Department remain under-utilized even after undertaking so many activities in CRI, Kasauli. The underutilization of funds reflects mis-match between the targets set and achieved. The Committee feels that in order to step up production of vaccines at the Institute to meet the national requirements, optimum utilization of funds is required, which can only be achieved by chalking out foolproof action plans and dedicated timelines for all the activities envisaged in the Institute. The Committee hopes that the Institutes would make good use of the enhanced allocations.

Health Sector Disaster Preparedness and Management including Emergency Medical Relief

7.84 The Committee is not convinced with the reasons cited for not procuring one mobile Hospital due to the delay in refraining specification by Technical Sub-Committee which truly reflects no-preparedness on the part of the Department. The Committee, therefore, recommends the Department should even in the absence of any major disaster, acquire all necessary equipments and create the required infrastructure in order to get it fully equipped to face any disaster instead of waiting for the disaster to happen and then move forward for getting prepared to face the same. Almost cent percent under utilization of allocated funds indicates lack of seriousness and lacklustre approach on the part of the Department for any eventuality.

7.85 The proposals of capacity development for medical intervention in various types of disasters and developing Emergency Medical Services if rightly designed result in saving human life. The Committee would recommend the Department to take all necessary steps for initiation of these projects without any procedural delays and to keep a close watch on the progress of new initiatives from the outset so that these are accomplished as targeted. The Committee would like to be informed of the progress made with respect to the new initiatives on quarterly basis.

Assistance for Capacity Building

7.86 The Committee is constrained to note that during 2012-13, 46 out of 160 Government hospitals are yet to be identified to provide financial assistance for capacity building. This clearly indicates lackadissical attitude of the Department which ultimately results in delay in achieving the set targets. The Committee, accordingly, persuades the Department to play a proactive role in implementation of the scheme so the capacity building target in all 68 Government Hospitals including 46 new hospitals could be achieved well in time.

National Tobacco Control Programme

7.87 The Committee notes with concern that the allocations made at BE stage was reduced drastically at RE stage during the entire Eleventh Plan period except the year 2008-09. The Committee fails to comprehend the reasons for same. However, the Department could optimally utilize nearly complete reduced allocations made at RE stage. The Committee also feels that a lot more needs to be done to eliminate the scourge of Tobacco related diseases and Department should make all out efforts to utilize entire allocations made at BE stage for the year 2012-13.

7.88 The Committee, while appreciating the efforts made by the Department on the issue of setting up of Tobacco Testing Laboratories, expresses its displeasure as the laggard approach taken by Department on the matter of setting up of National Tobacco Regulatory Authority (NTRA). The Committee, therefore, recommends that the Department should prepare a blueprint by the time the said authority would be set up and keep the Committee regularly updated of the progress made in this regard.

The National Programme for Health Care of the Elderly (NPHCE)

7.89 The Committee is happy to note the activities undertaken under NPHCE and plans for the year 2012-13. The Committee feels that the inadequacy of funds available for elderly population of the country might create hurdles in implementation of planned activities. The Committee, therefore, is of the firm opinion that the paucity of funds should not block the progress of the proposed projects and Department should seek more funds, if required, for the timely completion of the projected endeavors at RE stage.

District Hospitals

7.90 The Committee, on the basis of physical targets achieved till date, is not convinced with the steps taken for monitoring utilization of allocated funds by various colleges. It seems as if the monitoring is being done on the basis of exchange of words only. The Committee, therefore, would like the Department to take some stringent measures to put a mechanism in place for checks and balances to ensure proper communication and coordination among the concerned authorities at Centre, State and college levels. Further, in view of the fact conceded by the Department that the formalities to be completed by college authorities would be time consuming, the Committee opines that measure to expedite the process of getting approvals from the authorities at various levels to accomplish the objectives of the scheme as envisaged should also be looked into. The Committee would also like to be apprised of the measures taken by the Department for encouraging utilization of allocations by the two colleges in the North Eastern Region who had received funds under this scheme. The mechanism put in place for active

monitoring of progress made by the colleges receiving funds under the scheme may also be communicated to the Committee.

Human Resources for Health

7.91 The utilization status of Plan funds allocated in 2011-12 shows reduction of Rs.100.00 crore at RE stage and even lesser actual expenditure by the year end. The reasons cited for this under-utilization of funds were non-receipt of proposals and MOUs from the State of UP, change in some districts proposed by the States. In view of consistently huge shortage of manpower in health sector, the Committee is not convinced with the progress of programme carried under development of human resources for health. It seems that Department's approach is 'Nursing- centric' as can be seen from the Department's strategies, as furnished to the Committee, about the proposed utilization of funds earmarked for 2012-13. The Committee is well aware of the looming shortage of manpower in Nursing category, but finds it strange that majority of expenditure is being allocated for Nursing profession when the availability of medical/paramedical professionals is also not satisfactory. Accordingly, the Committee, recommends that Department should strike a balance while allocating the scarce financial resources of the country.

7.92 The Committee is at a loss to understand how the Department would be able to achieve the huge and ambitious targets set, by 2020. The Committee, therefore, would like to be apprised of the detailed and comprehensive action plan the Department proposes to adopt from the year 2012 to 2020. The Committee is also apprehensive of how the Department would be able to retain the additional doctors so as to improve the doctor: population ratio to 1: 1000 from current 1: 2000 by 2020 when there is no mechanism to prevent migration of doctors to foreign pastures after completing their studies in home country. The Committee, therefore, recommends that in addition to preparation of detailed and comprehensive plan to increase human resources for health, the Department should also devise a mechanism for retaining such doctors who have been trained at subsidized and valuable financial resources of the country.

National Rural Health Mission (NRHM)

Budgetary Provisions

7.93 The Committee is constrained to observe that shortfall has been reported every year in the utilization of the allocated funds. Utilization has failed to keep pace with the allocation as indicated above. The Committee feels that such worrisome trends in the utilization of funds allocated does not augur well for a flagship scheme like NRHM which was designed to complement state efforts on the health front. The Committee observes that such a huge and persistent under-utilization of the budgeted funds is certain to have a bearing on the achievements of National Health Goals and calls for streamlining the existing monitoring of expenditure. The Committee, therefore, strongly recommends that the Ministry needs to take some innovative yet practical measures to streamline the monitoring mechanism of utilization of funds and ensure that the utilization of funds allocated is carried out in an optimal and judicious manner in the Twelfth Plan (2012-17) so that the Goal of the Mission, *i.e.*, to provide effective and quality primary healthcare to the rural population throughout the country with special focus on 18 states with weak health indicators and weak infrastructure could be fulfilled.

7.94 The Committee views with serious concern the trend of allocation of funds and utilization thereof in the year 2011-12 in some other crucial programmes such as National Programme for Control of Blindness(B.E.-Rs.261 crore, A.E-Rs.221.37 crore), Iodine Deficiency Disorder Control Programme (B.E.-Rs.47.00 crore, A.E-Rs.23.04 crore) and National T.B Control Programme (B.E-Rs.400.00 crore, A.E-Rs.264.62 crore) are some of the other programmes under which financial performance level during the Eleventh Plan so far has also been far from satisfactory. The Committee has been repeatedly cautioning the Department year after year to take remedial measures to ensure optimum utilization of funds but the situation has not improved. The Committee, therefore, recommends even at the cost of repetition that the Department should take appropriate measures to ensure proper utilization of funds allocated under the above heads and obviate large variations in approved allocation and actual expenditure. The Committee desires to be apprised of the steps taken in this direction and the success achieved in ensuring optimal utilization of the budgeted funds.

7.95 The Committee, at the same time, observes that the above programmes are too vital to be allowed to be plagued with under-funding which can have very serious implications for the access to quality healthcare for those who are residing in rural areas. The Committee, therefore, recommends that the fund-crunch should not be

allowed to come in the way of effective implementation of the above programmes and quantum of funding be enhanced for them.

7.96 The Committee feels that insufficient allocation of funds would needlessly affect schemes as mentioned above as these schemes are the bedrock for effective and efficient delivery of healthcare services to the rural population under the NRHM. The Committee, therefore, recommends favourably that the Ministry of Finance and Planning Commission should relook at the cutting down of plan allocations so drastically so as to ensure that these life line schemes of ensuring success of NRHM programmes remain on track. The Committee observes that enhancement of allocation under the on-going schemes of NRHM is also important from the point of view of raising public spending on health from the current 1% (roughly) of the GDP to 2.5% of GDP by the end of the 14th Plan. The Committee would like the Department to bring the above observation to the notice of the concerned authorities of Planning Commission and also acquaint it with their response in the matter. The Committee also recommends that the Department should strive towards deploying the available resources more efficiently so that the allocated funds are spent fully to justify higher allocation.

7.97 The Committee observes that 3861 number of pending UCs amounting to Rs.5171.06 (as on 29.02.2012) crore is too large to be comfortable with. The Committee had earlier recommended that the monitoring of pending UC's needed to be strengthened further. However, pending UCs do not show any improvement. The Committee feels that the Ministry of Health and Family Welfare should co-ordinate with the State Governments to appoint a senior officer in the various Health Departments of the respective State Governments to ensure timely submission of utilization certificates immediately on utilization of funds allocated, which would go a long way in ensuring fiscal prudence.

7.98 The Committee would like the Department to resolve the issue of pending utilization certificates in both the programmes as their pendency has a direct impact on the release of funds to be made to the States.

7.99 The Committee feels that these problems could have been addressed appropriately by now. At least in the second phase of the scheme, Government should concentrate on all these problems so that the Mission can be implemented with a meaningful results.

7.100 The Committee is not pleased with the stand taken by the Ministry that for continuation of all ongoing schemes from Eleventh Plan to Twelfth Plan, their appraisal and approval will be done at the appropriate stage. The Committee feels that the Department should set up realistic and time bound schedules for appraisal and approval of these schemes from Eleventh to Twelfth plan so as to ensure smooth functioning of the schemes set to be launched in the Twelfth Plan. The Committee, therefore, recommends that the deadlines be fixed for appraisal and approval so as to ensure that the Twelfth Plan Schemes do not suffer from teething problems.

Infrastructure Strengthening

Healthcare Units

7.101 The Committee, however, cannot feel complacent with the situation. Out of the total shortfall in the SCs, CHCs and PHCs, Bihar with a shortfall of 5263 Sub-Centres, 626 PHCs and 552 CHCs and Uttar Pradesh with a shortfall of 5823 SCs, 698 PHCs and 582 CHCs continue to be an eyesore and may lead to fallback of targets set in the NRHM to provide Universal Health Coverage for all. The Committee, therefore, impresses upon the Department to undertake special efforts in these States to ensure that the shortfall in setting up of SCs, PHCs and CHCs are taken on a war footing with dead lines fixed for completion of the same and penalties for non-completion of the deadlines set.

7.102 The Committee also notes with disdain that in the 129 District Hospitals sanctioned for renovation and upgradation in Uttar Pradesh, not even one has been completed as on 31st December, 2011. The Committee, therefore, impresses upon the Department to look into the reasons for the same and also depute a senior officer of the Department to personally take up the task of completion of the renovation/upgradation of these district hospitals with the State authorities within a designated time-line. The Committee should also be kept posted of the developments taking place in this regard on a regular basis. Furthermore, the Committee would also like to be kept apprised of the progress made towards the completion of all SCs, PHCs, CHCs and District Hospitals in all States on a six monthly basis so as to ensure continuity in completion of such infrastructure which is the most important aspect of provision of uniform healthcare for all under the aegis of NRHM.

Upgradation of PHCs/CHCs

7.103 The Committee expresses its anguish over such a sorry state of affairs. Though the intentions to provide critical healthcare to all under the aegis of NRHM is laudable, but what is needed is a proactive approach to convert intentions into actions. The Committee, therefore, recommends that in light of the fact that the first phase of NRHM has concluded, the Department should take a rational assessment of the factors responsible for drawbacks in making FRUs operational in many States as detailed above and take remedial measures accordingly to ensure more positive outlook in the second phase of NRHM (2012-17).

Rogi Kalyan Samitis

7.104 The Committee feels that this is yet another case of slack monitoring of the utilization of funds especially in high focus States, thereby creating gaps in critical health infrastructure. The Committee, therefore, impresses upon the Department to strengthen its monitoring network so as to keep a tab on the timely utilization of funds disbursed especially in the High Focus States. The Committee would like to know the details of the targets set vis-a-vis the achievements made under the Rogi Kalyan Samitis in the Eleventh plan. The Committee would also like to be apprised of the targets set for the Twelfth Plan especially with relation to the High Focus States as the situation there has not been very encouraging.

ASHA

7.105 The Committee would like to know the reasons as to why the training for ASHAs with respect to the 6th and 7th module is yet to take off. The Committee impresses upon the Department to direct these State Governments/UTs to speed up the process of training of ASHAs in the 6th and 7th module.

7.106 The Committee is of the view that the Department should take steps to ensure that these States start selection/training of ASHAs immediately so as to ensure uniformity in the selection and training modules vis-a-vis other States without further delay. The Committee would like to be of the State wise updated status of progress made in this regard.

Mobile Medical Units

7.107 The Committee is dismayed by the slow progress in procurement and provision of MMUs in the country and urges upon the Department to take immediate steps especially in High Focus States to ensure deployment of MMUs without further delay and also ensure proper monitoring of the same at regular intervals in States where they have already been deployed, so as to ensure accessibility of health care facilities to the masses in unserved and under-served areas.

RCH Flexible Pool

7.108 The Committee notes that none of the targets set by the Eleventh Plan for reduction in MMR, IMR and TFR has been met during the Eleventh Plan period. The Committee feels that the strategies adopted to achieve the goals of reduction in MMR, IMR and TFR need to be evaluated afresh so that with suitable modifications, they would correct the imbalance and help meet the targets set for MMR, IMR and TFR in the coming years.

7.109 The Committee welcomes the above measures contemplated by the Department for accelerating reduction in MMR, IMR and TFR. The Committee would, however, like the Department to put in a place a rigorous monitoring mechanism of evaluation of the effectiveness of the measures so taken.

7.110 The Committee would like to stress that though it is sympathetic to the Department's demand for higher allocation of funds and ready to give due relief in terms of its inherent powers, it would simultaneously like the Department to improve its financial administration. The Committee is of the opinion that the stiff targets set for achieving IMR, MMR and TFR would fall by way side, if the budgeted amount is persistently underutilised. The Committee, therefore, implores upon the Department to tighten its seat belts and ensure that the Department takes urgent and effective steps in order to ensure that the targets set do not remain a pipe dream.

Routine Immunization

7.111 The Committee regrets that a densely populated State like Bihar does not have cold chain equipment in majority of its PHCs/CHCs and States/UTs like D&N Haveli, Daman & Diu, Delhi and Puduchery have yet to open their account. The Committee feels that the Department should seriously direct these states to take immediate

steps to ensure setting up of cold chain equipment without further delay so as to ensure implementation of UIP in both letter and spirit and if need be more funds and expertise may be provided by the Department to such laggard States.

Pulse Polio Programme

7.112 The Committee appreciates that the Department has been able to eradicate polio in the country with one or two exceptions. However, the Committees feels that the Department should not feel complacent on the success and ensure that the scourge of polio is not allowed to rear its head again.

Janani Suraksha Yojana

7.113 The Committee is given to understand that in several cases, the ASHAs do not actually provide the required help and assistance and instead only add the numbers. In several cases, the mothers reach the hospital only after the delivery though they are shown to have been given institutional delivery. Such attitude of the Ashas should be strictly dealt with. A strict monitoring of the activities of the ASHAs should be kept. The Janani Shishu Suraksha Karyakram is also a good programme and all efforts need to be made to make it a success.

7.114 The Committee appreciates the joint efforts taken by the Ministry of Health and Family Welfare and Ministry of Women and Child Development to develop a mother and child protection plan. The Committee hopes that as informed by the Ministry all States and UTs would have completed the issue of such cards and recommends more funds should be allocated for such a scheme if need be as it would strengthen both maternal and child care protection for which funds and infrastructure should not be a constraint.

7.115 The Committee recommends that the gaps in implementation of the JSY Scheme highlighted by the said report may be removed at the earliest. The Committee desires to be kept apprised of the follow-up action taken on the findings of the Expert Group.

National Vector Borne Disease Control Programme (NVBDCP)

7.116 The Committee is at pains to understand that a period of 10 years was not enough to eliminate Kala Azar and the target date has been further set back by three years. The Committee feels that the initiatives taken earlier for Kala-Azar elimination did not have the desired impact. The Committee would, therefore, like to be enlightened about the shortcomings identified in the Kala Azar elimination programme and how the Department plans to re-orient its policies for achieving the desired results in terms of elimination of KalaAzar. The Committee also desires that an evaluation of the implementation of the programme may be undertaken.

Malaria

7.117 The Committee feels that there is still a considerable gap between what has been achieved and what needs to be achieved. The Committee is of the opinion that the Department has not been able to fill even the vacant sanctioned posts. The Department may also consider sanctioning the required number of posts. The Committee, therefore, recommends to the Department to closely monitor on a more proactive basis to fill the sanctioned manpower on an urgent basis and prepare a blue print to identify and create the required manpower on a war footing and if need be more funds and expertise may be provided to ensure that the huge backlog of cases could be eliminated.

Japanese Encephalitis

7.118 The Committee is not happy with the physical achievements under the programme. Though the fatal cases have reduced, but the Committee cannot be in oblivion to the fact that the number of cases have increased. The Committee feels that though the fund allocation has been increased five fold from Rs.3.11 crore during 2011-12 to Rs.15.60 crore in 2012-13, a lot needs to be done in terms of physical achievements on the ground. The Committee feels that there is a need on the part of the Department to improve its physical achievements by recruitment of more manpower especially in JE endemic States.

National TB Control Programme

7.119 A large number of posts are lying vacant in all the service categories (Group A, B, C & D). The Committee, therefore, recommends that Department should take urgent steps to fill up the vacancies at the earliest so as to fulfill the objective of providing better quality of patient care to all patients.

7.120 The Committee observes that the fact that India accounts for a fifth of the global TB burden is indicative of the magnitude of the problem and reminds of the challenges ahead. Though DOTS (Directly Observed Short Treatment Course) has been found to be highly efficacious, the Committee believes that the TB patients being treated in the private sector which is largely unregulated, go unmonitored and there is no regulatory mechanism in place to ensure that the well-established and validated treatment regimen is followed there. The Committee would, therefore, like the Department to pay attention to this aspect while formulating its strategies for the Twelfth Plan. The Committee also desires to be apprised if any assessment has been made regarding cases of default in treatment of TB.

National Leprosy Eradication Programme

7.121 The Department has further informed that the number of new cases reported by India shows a declining trend since 2003-04. The proportion of new cases accounted for by India is gradually reducing. During the year 2002-03, India accounted for 76.3% of the total Global cases and during year 2010-11 India accounted for 55.49% of the total number of new cases. There is no active search programme presently under way in the country; however, National Sample Survey to assess the Leprosy disease burden has been undertaken through National JALMA Institute, ICMR. The Survey has been completed in all the States/UTs. The report of the survey will be available by April, 2012. The Committee would like the Department to furnish the latest status update on survey conducted by National Sample Survey to assess the leprosy disease burden in the country.

7.122 The Committee is constrained to note that India still accounts for more than 50% of the new leprosy cases worldwide. The efforts made so far have still not yielded the desired results. The Committee would, therefore, strongly recommend the Department to monitor the measures taken so far to eliminate this disease.

National Trachoma and Blindness Control Programme

7.123 The Committee is not satisfied with the issue of substantial unspent balances remaining with States in the previous year *viz.* Rs.155.52 crores as on 31st March, 2012. On the one hand the Department seeks certain projected amount, on the other it is unable to monitor whether the States are able to spend the amount within the time frame. The Committee, therefore, impresses upon the Department to monitor effective and timely utilization of funds to justify seeking of enhanced allocations in the Budget.

National Iodine Deficiency Disorders Control Programme

7.124 The Committee is dismayed with the utilization of funds allocated for the programme. The Department did not utilize a substantial amount of funds allocated which is against the principles of fiscal prudence. Moreover, in the face of 303 districts out of 365 surveyed being endemic does not augur well on the physical achievements front as well. The Committee expresses its displeasure at the state of the things and emphasizes the need to overcome the bottlenecks in the proper implementation of the said programme.

7.125 The Committee also expresses its concern over the fact that out of 365 districts surveyed in the country, 303 were found to be endemic. If a survey is carried out in all the districts of the country it would not come as a surprise if the results throw a more alarming situation in hand. The Committee recommends that a focused intervention in all the States/ UTs need to be taken without undue delay in face of the spectre of Goiter looming over the country.

Integrated Disease Surveillance Programme

7.126 The Committee observes that on the one hand the Department seeks funds justifying it by stating that funds are needed for contractual posts to be filled up every year, while on the other a substantial amount of it is saved by way of under-utilisation, thereby weakening the basic idea of the programme. Without quality and reliable data, the entire Surveillance Programme would lose its relevance. The Department should, therefore, convey better sense in using its wherewithal for augmenting its physical parameters with the finances allocated to it in the future.

7.127 Though the progress being made on the training front is appreciable, but the Committee feels that the States have been slow with the additional lists of persons required to be trained. The Committee, therefore, recommends that the Department should sound the States not only to provide the list of additional persons to be trained on a priority basis but also to provide feedback on the number of persons required to be recruited under this programme in the Twelfth Plan.

New Schemes during the Twelfth Plan

7.128 The Committee while being appreciative of the new Schemes proposed to be launched under this flagship programme feels that the absorptive capacity of various State Governments to absorb the funds under the Mission in the XIth plan leaves much to be desired and the Department needs to seriously analyse the reasons, for, in the majority of Schemes there was a massive underutilisation of funds disbursed to the States. The Committee, therefore, feels that before introducing so many schemes in the XIIth Plan there is a need for the Department to seriously engage the States to shore up their infrastructure so that they are able to benefit in real terms and the funds percolate to them during the XIIth Plan.

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Budgetary Allocation

7.129 The Committee observes that despite the fact that a Zero Based Budgeting exercise which requires that budget request be evaluated thoroughly, starting from the zero base, was undertaken at the beginning of the Eleventh Plan, a substantial amount of Rs. 906.04 crore out of the total Eleventh Plan Outlay could not be utilized, which is a serious matter. The Committee takes note of the constraints, as pointed out by the Secretary, in utilizing the approved outlays and recommends that the Department should review the norms governing the Centrally Sponsored Schemes for the desired results and better financial performance. The Committee feels that the AYUSH sector with its impressive infrastructure has a very important role to play in achieving the National Health Outcome Goals of the country. The Committee, therefore, recommends that the share of AYUSH may sufficiently be raised in the total health outlay in the Twelfth Plan.

7.130 The Committee observes that long pending UCs and unspent balances are not something new. The Committee can also well-understand the limitations of the Department in getting the liquidation of pending UCs and unspent balances expedited by the State Governments. However, the Department could have anticipated these problems and accordingly made realistic projection for requirement of funds. Thus it is obvious that there are shortcomings in the budgetary planning of the Department and that the shortfall in utilization of the budgeted funds could have been avoided and the unspent amount utilized more gainfully somewhere else had the Department assessed requirement of funds properly for the purpose of making Budgetary Estimates as realistic as possible. The Committee, therefore, recommends to the Department to ensure that the entire requirement of funds is assessed realistically so that the quantum of unutilized funds is minimized in future.

7.131 The Committee notes that the unspent balance left with the implementing agencies is to the extent of Rs. 263.33 crore for 2008-09, Rs. 378.46 crore for 2009-10 and Rs. 302.93 crore for 2010-11. From the above, Committee infers that more emphasis is being laid on approving projects but completion aspect of the already approved projects is not getting the required attention. The Committee, therefore, recommends to the Department to immediately initiate corrective steps to strengthen the existing monitoring and evaluation mechanisms of the on-going projects so that the unspent balances are liquidated and the outcomes of the on-going projects are made available in the public domain. The Committee desires to be kept apprised of the follow-up action taken in this regard.

7.132 The Committee is aware of the fact that health needs of a vast and diverse country like India cannot be met by a single health care system of medicine and AYUSH health care systems have a very vital role in expanding the outreach of health care to the people because of their inherent advantages in terms of diversity, modest cost, low level of technological input, growing acceptance among the people, almost nil side effects etc. It is in this context that adequate allocation of funds for AYUSH assumes added significance and resource crunch should not be allowed to come in the way of achieving the envisaged objectives of AYUSH. Though the financial outlay allocated for 2012-13 is less than the projections made by the Department, the Committee recommends that depending on better financial performance and greater absorption capacity of the Department and the State Governments, quantum of funding for the Department of AYUSH be enhanced at the RE 2012-13 stage. Simultaneously, the Committee recommends that the Department should initiate and implement remedial measures for better financial discipline and ensure that the scarce resources do not remain locked up and surrendered later on.

Pending Utilization Certificates

7.133 The Committee feels concerned to note that the Utilization Certificates for funds released as far back as in 1997-98, 2000-01 and 2002-03 are still pending and a substantial amount of funds are involved therein. The

Committee feels that with the existing availability of information technology resources the Department should have been able to develop an effective system of coordination with the State Governments and remove the impediments in furnishing the UCs in time. The Committee, therefore, urges upon the Department to formulate an action plan in coordination with the State Governments for developing an effective and efficient coordination mechanism for the timely submission of UCs. This would also speed up execution of the projects well within the approved cost.

7.134 The Committee notes that though the Department has spelt out the measures it has taken to liquidate the pending UCs, it has remained silent about the efficacy of the measures so taken. The Committee, therefore, expects the Department to apprise it of the efficacy of the measures in liquidating the pending UCs.

Utilization of Plan Allocation for North-Eastern States

7.135 The Committee is not aware of any follow-up action taken so far on the measures suggested in the mid-term appraisal of the Eleventh Plan. The Committee, therefore, recommends to the Department that all possible efforts and follow-up action should be taken to take care of the above suggestions.

7.136 The Committee notes that the Eleventh Plan has concluded; however, the Twelfth Plan outlay of the Department is yet to be approved. The Committee feels that the delay in approval of the Twelfth Plan outlay is sure to impinge on the process of EFC/CCEA approvals which entails further delay in finalization and implementation of the Schemes/ Programmes of the Department for the Twelfth Plan. The Committee, therefore, recommends to the Government to hasten the approval of Twelfth Plan outlay and related proposals so that the Department is not hamstrung by lack of necessary approvals and the consequent delay in finalization and implementation of various schemes/programmes in the Twelfth Plan period. The Committee desires to be apprised of the reasons for delay in approval of the Twelfth Plan outlay of the Department.

Statutory Institutions

7.137 From the tables above, the Committee notes that as regards the updation of the Central Register of Homoeopathy, out of 24 States in respect of which information has been made available, as many as 12 States are lagging behind in sending updated information in respect of their State Registers and in respect of one State *i.e.* Nagaland, the Department has informed that the State Register appears to be made in violation of the State Act. As regards the status of updation of the Central Register of Indian Medicine, information in respect of only 15 States has been furnished and, that too is not up-to-date. The Committee, therefore, observes that in this era of advanced Information Technology when all such information should be made available in the public domain in an updated form on the touch of a button, such procrastination is not acceptable to the Committee. The Committee, therefore, exhorts the Department to take up the matter of updation of Registers with the State authorities at the highest level with a view to impress upon them the imperative need for updation of the State Registers.

7.138 The Committee would also like the Department to undertake a review of the entire process of updation of Central Registers of the Indian Medicine and Homoeopathy and take corrective action in the light of the findings thereof. The Committee desires to be kept apprised of the action taken in this regard.

7.139 The Committee also desires to be apprised of the time-lag between the receipt of information from the State Governments and its publication in the Central Registers of Indian Medicine and Homoeopathy. State-wise information may be furnished.

7.140 As per the information furnished in the Outcome Budget 2012-13, during 2011-12, 300 colleges of Ayurveda and 13 colleges of Unani were inspected by the CCIM for verification of their educational infrastructure and standards. Accordingly, recommendations were sent to the Department for issuing/not issuing letter of permission. The Committee desires the Department to furnish a detailed note in this regard, indicating therein whether the Department had accepted all the recommendations made by CCIM or there were cases in which the action taken by the Department was not in accordance with the recommendations of CCIM.

Hospitals and Dispensaries

All India Institute of Ayurveda (AIIA), New Delhi

7.141 The Committee takes note of the submission of the Department that the project is on track and it is expected to utilize the allocated amount during the Eleventh Plan period. However, the Committee is constrained to note that though the Eleventh Plan has concluded, the actual expenditure incurred till February 2012 is

Rs. 72.24 crore out of the total allocation of Rs. 150.00 crore. The Committee apprehends that despite the assurance of the Department that the project is on track, there is every possibility that this ambitious and vital project may witness time and cost overruns. The Committee would, therefore, like the Department to put in place a rigorous monitoring mechanism for the project and ensure execution of the project within the approved cost and designated time-line.

CGHS Expansion in Dispensaries

7.142 The Committee is constrained to note the policy paralysis in regard to opening of AYUSH dispensaries under the CGHS. On the one hand the DGHS had sent proposal for opening 13 new AYUSH CGHS units and on the other, the Department of Health and Family Welfare was not allowing any expansion of infrastructure of the CGHS in the name of introduction of a Health Insurance Scheme for the Central Government Employees and Pensioners. While taking a serious view in the matter, the Committee reiterates its earlier recommendation made in its 49th Report presented to Parliament on the 4th March, 2011 which is reproduced below:

“It is very strange that though the Mid-term assessment of Eleventh Plan had emphasised to provide AYUSH facilities in 10 CGHS dispensaries by 2011-12, the Ministry of Health and Family Welfare has decided to halt any further expansion of infrastructure in CGHS on the ground that a Health Insurance Scheme is being contemplated for Central Government Employees. At a time when the avowed objective of the Government is to bridge the gaps in health infrastructure and human resources, the Committee is at a loss to understand as to why such a retrograde decision has been taken, especially in view of the dismal picture of health infrastructure in the country. The Committee is of the view that even if the CGHS is restructured, Health infrastructure created under it would not go waste, but contribute to outreach of health care services in one way or the other. The Committee, therefore, recommends that the Ministry should shed its indecisiveness in the matter and take concrete action towards extending AYUSH facilities in CGHS dispensaries as per the Mid-term Appraisal of the Eleventh Plan.”

7.143 The Committee also observes that at a time when mainstreaming of AYUSH is being increasingly advocated so that it can contribute to achieving the National Health Outcome Goals, putting a moratorium on the further expansion of the CGHS infrastructure, and the concurrent ban on opening of the AYUSH units in the CGHS dispensaries in the name of introduction of a Health Insurance Scheme is not only bad policy but also something which the Committee is unable to comprehend.

Centrally Sponsored Scheme for Development of Ayush Institutions

Educational Institutions

7.144 The Committee notes that out of Rs. 537.61 crores RE for 2007-12, only Rs. 487.38 crores could be spent upto February, 2012. The Committee would like to know the actual expenditure during the Eleventh Plan period under this head. The Committee recommends to the Department that the targets set under this scheme for the Twelfth Plan period should be achieved at the earliest. For this purpose the Department should approach the Ministry of Finance for allocation of additional funds, if any. The Committee should be apprised of the efforts made by the Department in this direction.

National Institute of Ayurveda, Jaipur

7.145 The Committee is constrained to observe that with such a large number teaching posts remaining vacant in the NIA, the functioning of NIA would certainly be impaired. The Committee takes note of the measures being taken by the Department to wipe out the vacancies *i.e.* early notification of the vacancies to be filled by Direct Recruitment and filling of the vacancies kept for promotion along with the Direct Quota posts etc. However, the Committee feels that the measures are unlikely to result in bridging the gaps in manpower requirements immediately. The Committee, therefore, feels that the Department should consider roping in professionally qualified persons on short term contract or deputation basis so as to overcome the staff crunch in teaching posts.

National Institute of Homoeopathy, Kolkata

7.146 The Committee notes that the expansion of hospitals to 250 beds was targeted to be achieved during 2010-11. Almost a year has elapsed since then, but the target is yet to be accomplished. The Committee takes note of the reasons adduced by the Department for the delay *i.e.* non-completion of hospital building expansion. The Committee

is of the firm opinion that had the Department had a streamlined monitoring mechanism, the slippages in implementing the Project could have been avoided. The Committee also takes note of the fact that necessary approvals for construction of the Academic-cum-library building are yet to be obtained. The Committee would like to advise the Department to expedite obtaining necessary approvals for the project so that the budgeted funds for the Project do not get locked up for want of approvals. From the information furnished by the Department, the Committee notes that there are 32 vacancies in Groups A, 6 in Group B, and 37 in Group C posts. The Committee is constrained to observe that such a considerable number of vacancies would certainly impinge on the functioning of NIH. The Committee, therefore, exhorts the Department to make sustained efforts to fill up the vacant posts at the earliest. The Committee would like to be apprised of the outcome of the efforts made by the Department in this regard.

Morarji Desai National Institute of Yoga

7.147 The Committee is aware that Yoga is very effective in the area of Psychosomatic and lifestyle diseases, where conventional medical approach does not provide any effective solutions. The Committee, therefore, welcomes the enhanced allocation for MDNIY for the year 2012-13. The Committee's only concern is that the provisions so made should be utilized optimally and judiciously. The Committee, therefore, recommends that a mechanism be put in place to evaluate the outcomes of the funds spent on various Yoga projects.

7.148 From the information made available to the Committee, it gathers that a Committee was constituted by the Department of AYUSH on the 7th June, 2010 for evaluation of the physical performance of the 10 existing preventive Health Care Units of Yoga in various CGHS dispensaries to suggest strategies for further expansion of more such units and to recommend the measures for strengthening of the existing Yoga units. The Committee would like to be apprised of the findings of the above Committee and the follow-up action taken thereon by the Department for expansion of the scheme.

North-Eastern Institute of Ayurveda and Homoeopathy, Shillong, Meghalaya

7.149 The Committee expresses its serious concern at the tardy progress made towards full operationalisation of NEIAH. The Committee apprehends that the delay in achieving the targets within the designated timeline would lead to cost overrun. It is in this context that the Committee emphasizes the need to vigorously supervise and monitor the implementation of the project at a sufficiently higher level, identify the shortcomings and impediments and take corrective action simultaneously.

7.150 The Committee would like to be apprised of the progress made towards full operationalisation of NEIAH on a quarterly basis.

North Eastern Institute of Folk Medicine, Passighat, Arunachal Pradesh

7.151 The Committee is constrained to observe that this is a typical case of procrastination. The Project was first targeted to be completed by January, 2010. Subsequently, it was rescheduled to be completed by June 2011. The Committee notes that though almost a year has elapsed since then, yet only 35% work of the building construction could be completed so far. The Committee is constrained to observe that at a time when there is increasingly greater emphasis on optimal utilization of scarce resources, such inefficiencies in execution of the Project can no longer be overlooked. The Committee, therefore, feels that there is a case for spelling out monitorable goals in respect of operationalising the project and putting in place a mechanism for holding people responsible if the standards and targets are repeatedly not met.

7.152 The Committee also observes that this project cannot be operationalised in the true sense of the word until the requisite faculty and staff are appointed. The Committee, therefore, recommends to the Department to move quickly towards sanctioning and recruiting the requisite faculty and staff.

Assistance to accredited Ayush Centres of excellence in nongovernmental/private sector engaged in AYUSH education/drug development and research/clinical research/folk medicine etc.

7.153 The Committee is constrained to observe that this is yet another case of inefficiency in budgetary planning and calls for urgent corrective measures. The Committee would have been happy if the Department of AYUSH, instead of gloating over the under-utilization of budgeted funds in 2011-12, analyzed the reasons behind non-receipts of eligible proposals and taken corrective action accordingly. The Committee would, therefore, like the Department to analyse the reasons for non-receipt of suitable proposals under this head and take remedial measures

accordingly and also ensure expenditure monitoring and financial discipline so that the budgeted amount for 2012-13 does not meet the same fate.

Research and Development including Medicinal Plants Development of AYUSH Hospitals and Dispensaries and Mainstreaming of AYUSH

7.154 The Committee notes that by the end of the Eleventh Plan only 10% AYUSH hospitals could be upgraded. Upgradation work of AYUSH dispensaries is negligible. Work of supply of AYUSH drugs has been completed. The Committee observes that more than 90% of the upgradation work is yet to be completed. Since upgradation of AYUSH hospitals and dispensaries is main work under the Centrally Sponsored Scheme, the Committee strongly recommends to the Department to make all out efforts and take all possible measures to achieve the target of upgradation of all AYUSH hospitals and dispensaries in the first two to three years of the Twelfth Plan period. The State Government authorities should be pursued vigorously to achieve the target. In order to achieve the target the Department should approach the Ministry of Finance for allocation of more funds at RE 2012-13 stage as also for more funds for the next financial years so that the desired targets are achieved at the earliest.

7.155 The Committee is constrained to note that against the BE of Rs. 275 crore for 2011-12 sanctioned under the above head, the expenditure till February 2012 was Rs. 42.19 crore only. The Department has attributed the under-utilization to non-submission of UCs by the States. At a time when alignment of AYUSH programme with National Health Outcome Goals of reducing IMR, MMR, TFR, Malnutrition etc. is being increasingly discussed, suboptimal utilization of the budgeted funds under this head to such a large extent is a very serious matter and calls for a comprehensive review and reappraisal of the existing system of submission of UCs. The Committee would, therefore, urge upon the Department to put in place a dedicated mechanism for pursuing liquidation of pending UCs and addressing the procedural constraints witnessed in this regard.

7.156 The Committee further desires to be kept apprised of the outcome of the proposals made by the Department to the Department of Health and Family Welfare to include them in the NRHM Cabinet note.

7.157 The Committee would also like to advise the Department to continue to pursue with the State Governments the matter of establishment of a dedicated AYUSH Directorate/ Commissionerate in the State Health Department.

National Medicinal Plants Board

7.158 However, the Committee is dismayed to note that the Department is deafeningly silent about the specific query regarding the mechanism in place to check exploitation of medicinal plants resources by multinationals. Instead of giving a comprehensive reply, the Department has skirted the issue by merely stating that a Traditional Knowledge Digital Library has been set up and access to this data base has been granted to international patent office for patent search purposes. The Committee observes that India is home to 7% of the world's bio-diversity and this richness of bio-diversity should not be allowed to be exploited by the multinationals. Thus there is an imperative need to formulate appropriate policy measures for the protection and augmentation of this bio-diversity and sustainable harvesting of medicinal plants. The Committee desires to be further enlightened in this regard.

7.159 The Committee welcomes the move to fix and provide minimum support price to medicinal plant growers for their produce as the Committee is of the firm opinion that this would save farmers from the exploitation by the middlemen. The Committee is not aware of what forward movement has been made in this regard and whether any guidelines have been formulated for implementation of this Scheme. The Committee expects the Department to lend more clarity to this Scheme. The Committee further recommends that if needed the Department should make necessary arrangements for procurement of medicinal plants from the growers at the minimum support price, and make adequate arrangements for proper storage of the procured produce. The Committee observes that there is a huge potential for production and export of AYUSH medicines and herbals. The Committee, therefore, strongly recommends that the Department should explore and exploit optimum potential of production of Medicinal plants in the country.

7.160 For this purpose the Department should encourage cultivation of medicinal plants by providing adequate knowhow about its scientific cultivation, proper irrigation facilities, adequate soft-term credit, marketing facilities, voluntary certification for quality standards of medicinal plants, adopting organic certification of medicinal plants etc.

7.161 The Committee observes that three important posts of Director (Technical), Deputy CEO and Deputy Director (Medicinal Plants) have been lying vacant for quite some time, which is certain to have a bearing on the smooth functioning of NMPB. The Committee also notes the efforts made by the Department towards filling up of the vacancies. The Committee would recommend that apart from pursuing the approaches already adopted, the Department should also examine the desirability of appropriately revising the methods and conditions of recruitment without compromising the standards, for the purpose of overcoming the shortage of key officers in NMPB.

7.162 From the information furnished by the Department, the Committee notes that presently, only seven States, namely, Andhra Pradesh, Chhattisgarh, Gujarat, Karnataka, Kerala, Maharashtra and Tamil Nadu have full-fledged State Medicinal Plants Boards for proper implementation and monitoring of the Schemes and Programmes of NMPB and twenty seven SMPBs are registered as societies. The Committee would like to be apprised of the specific steps taken by the Department to encourage the other States to set up fullfledged SMPBs. The Committee also notes that NMPB has initiated 100% monitoring of all the projects under the Central Sector Scheme through Agricultural Finance Corporation. The Committee would like to be apprised of the number of projects monitored during 2011-12, its findings and the remedial measures taken thereon.

Quality Control of ASU&H Drugs

7.163 The Committee observes that the quality and standardization of ASU&H products and stringent implementation of the provisions of the Drugs and Cosmetics Act are very vital for the credibility of ASU&H drugs. However, the drug testing requirements of ASU&H drugs cannot be met without setting up adequate number of quality control laboratories and strengthening of the enforcement mechanisms of the States. The Committee also observes that the existing Drug Quality Control Scheme suffers from certain inherent inadequacies due to which the off-take under the Scheme in the Eleventh Plan has been very poor. The Eleventh Plan started in 2007 and has completed in March, 2012. The Department should have sorted out the constraints with needful modifications much before. The Committee expects that the Department would, atleast from this year onwards, act with greater promptness and iron out the hindrances in the implementation of the Scheme with a sense of urgency.

Development of Common Facilities for AYUSH Industry Clusters

7.164 The Committee observes that very important and essential activities were contemplated to be undertaken under the Scheme. However, the fact that till date only 9 AYUSH clusters have been established and the expenditure incurred till February, 2012 is Rs. 50.49 crore only against the Eleventh Plan outlay of Rs. 500.00 crore is indicative of very sorry state of affairs. In a vast country like India, there should be at least one AYUSH industry cluster in each State. The Committee accordingly exhorts the Department to demonstrate greater prudence in budgetary planning in future so as to avoid such instances of blockage of huge amount of funds as also to re-design the scheme to facilitate development of common facilities for AYUSH industry clusters in each State of the country.

Development of Institutions

7.165 The Committee notes that the Mid-term Appraisal of the Scheme-Development of AYUSH Institutions had pointed out certain implementation constraints and suggested corrective measures. However, the Planning Commission and Department of Expenditure did not support the proposals of the Department for amendments to the existing scheme. The Committee notes there has been massive under-performance of this Scheme, apparently due to constraints in its implementation and structure. The Committee is at a loss to understand as to how the Scheme would be able to fulfil its objective of bridging the critical gaps observed on compliance of the minimum standards and norms of CCIM and CCH if the constraints are not taken care of. The Committee, therefore, recommends to the Department to approach the Planning Commission and Department of Expenditure again for the purpose of obtaining their support for carrying out the amendments to the existing Scheme.

International Cooperation (IC)

7.166 From the information made available to the Committee, the Committee notes that though the Department has listed the meticulous details of efforts made by it towards resolving the issues arising out of THMPD, no substantive results could be achieved so far. The Committee feels that the above case underlines the need to restructure International Cooperation activities in the context of globalization and lay emphasis on promotion of research projects with international R&D institutions. The Committee would like the Department to formulate appropriate policy initiatives to address this issue at the earliest.

Research and Development

7.167 The Committee places on record its appreciation for the achievements made by the four Research Councils. However, the Committee is of the considered view that a lot remains to be done as far as the standardization of classical AYUSH formulations, AYUSH therapies and validation of classical AYUSH drugs are concerned. The Committee, therefore, recommends that the Department should formulate a comprehensive programme focusing on the above issues with a view to promote quality and holistic research in AYUSH and facilitate scientific validation of AYUSH remedies. The Committee would also like the Department to establish a national registry of all AYUSH research studies and get the health outcomes accruing from the research projects of the four Councils evaluated by an independent agency.

(c) 56th Report

Budgetary Allocation

7.168 The Committee is constrained to observe that there is a huge mismatch to the tune of Rs. 2379.43 crore between the Eleventh Plan outlay and the Plan allocations made for the Department of Health Research. The Committee feels that the financial outlay earmarked for the Eleventh Plan was based more on theoretical anticipation rather than factors like past trends of expenditure, stages of formulation/implementation of various projects, the status of pre-project approvals etc. The Committee would, therefore, strongly recommend that all possible measures should be put in place to exercise greater financial prudence for the purpose of earmarking realistic outlays for the 12th Plan Period.

7.169 The Committee also finds that there has been persistent and huge shortfall in utilization of the allocated expenditure under various heads of the Department during the last three years. The shortfall witnessed in utilization of funds allocated under the various heads for 2009-10, 2010-11 and 2011-12 is given below:

(Rs. in Crore)

1	2	3	4	5	6	7	8	9
	Human Resource Development for Health Research	Inter-sectoral coordination in medical, biomedical and health research	25		5	0	15	13.24
2	Grant in aid scheme for inter sectoral and convergence & Promotion and guidance on research governance Issues	Promotion & guidance on research governance issues Matters relating to scientific societies associations, charitable and religious endowments in medicine and health research areas. Coordination with Government/ organisations/ institutions	10 1 3		3 5	0 0 0	0.5 1 0.5	
3	ICMR		260 +40	399.5	360 +50	510	500	533
4	Managing epidemics and national calamities	Matter relating to epidemics, natural calamities and development of tools to prevent outbreaks	5		5	5	20	10
5	Development of Infrastructure for Promotion of Health Research	Promotion, coordination and development of basic, applied and clinical research	66		49		40	0
		International cooperation in medical and health research	5	0.25	8	0.12	6	0.05
Grand Total			420	399.8	500	515.12	600	564.05

7.170 It is evident from the above Table that except for ICMR, all other schemes witnessed massive under/nil financial performance in terms of utilization of BE allocations for 2009-10, 2010-11 and 2011-12. The Department has attributed the reasons for under/nil utilization of BE allocations to the non approvals of various schemes/projects for implementation. The Committee deprecates the Department for its failure in obtaining necessary approvals for implementation of the above schemes/projects and making projection of fund requirements in an unrealistic manner.

7.171 The Committee notes that the Department of Health Research was created in September, 2007 and became functional in November, 2008 with appointment of the first Secretary who is also the DG, ICMR. More than three years have elapsed since then and therefore the reasons for delay in obtaining the necessary approvals for implementation of various schemes/projects are beyond the comprehension of the Committee. Now that the in principle approval of the Planning Commission for all four Schemes has been obtained, the Committee would expect the Department to expedite the approvals for the remaining two Schemes and ensure that the Schemes are operationalized within the shortest possible time, the allocations made for the purpose are utilized optimally, huge variations in the Budget Estimates and the Actual Expenditure do not recur, and the scarce resources are not kept locked up and surrendered later. The Committee desires to be apprised of the measures taken in this regard.

7.172 The Committee notes that in-principle approval of the Planning Commission has already been obtained for most of the Schemes which could not take off during the 11th Plan due to lack of necessary approvals. The Schemes or sub-components of the Schemes, which have received Planning Commission's in-principle approval, include Promotion and Guidance on Research Governance Issues, Inter-sectoral Coordination in Medical, Biomedical and Health Research, Advanced Training in Research in Medicine and Health, Matters relating to Epidemics, Natural Calamities and Development of Tools; Coordination in the field of Health Research with Governments, Organisations and Institutes; Matters relating to Scientific Societies and Associations; Charitable and Religious Endowments in Medicine and Health Research areas etc. The Committee takes note of the submission of the Department of Health Research that the allocated funds for the year 2012-13 would be able to meet only part of the cost of the new activities and this resource crunch from the beginning would seriously affect the goals of Department, especially new activities. The Committee, therefore, views with serious concern the considerably reduced BE allocation *vis-à-vis* projected outlay for 2012-13.

7.173 Considering the fact that scientific knowledge generated through health and biomedical research is used to develop drugs, diagnostics, vaccines, and devices that ultimately find place in the health care delivery systems of the country as also the fact that health research has a vital role to play in discovery and development of indigenous health products, the Committee recommends that the allocation for the Department for 2012-13 be suitably enhanced at RE stage. The Committee would simultaneously recommend that the Department should deploy its resources in a more efficient manner and ensure optimal utilization of the allocated funds.

7.174 The Committee understands that the 12th Plan outlay of the Department is yet to be approved. The Committee observes that the delay in formal approval of the 12th Plan outlay has a direct bearing on the process of EFC/CCEA approvals of various schemes/programmes of the Department and their implementation. The Committee observes that the 11th Plan has already concluded in March, 2012 and the process of approval of the 12th Plan should have been completed much before so as to obviate procrastination. The Committee, accordingly, recommends to the Government to quickly complete all the formalities related to planning process and approve the 12th Plan outlay in right earnest so that the implementation of various schemes/programmes of the Department is not hampered by lack of approvals.

Indian Council of Medical Research (ICMR)

7.175 The Committee observes that the shortfall between the projected demand and the Budget Estimate for ICMR for 2012-13 is to the tune of Rs.1183.00 crore, which is massive by any standards and is certain to have an adverse bearing on the implementation of various intramural and extramural research projects of ICMR. Given the excellent trackrecord of ICMR in utilizing the budgeted funds, the Committee wonders as to what financial yardstick was applied leading to substantially reduced allocation of funds in BE 2012-13 *vis-a-vis* the projected demand. In view of the dynamic international health research environment and the current and future health challenges of the country, the role of ICMR is very crucial in generating new knowledge in frontier areas of research on health and related issues and if its projects are allowed to be plagued with under-funding to such a large extent, it can have very serious repercussions for generation of new scientific knowledge and undermine the desired outcomes in health sector. The Committee, therefore, recommends that more funds be allocated to ICMR. The Committee simultaneously impresses upon the Department to deploy its financial resources in a more efficient manner.

7.176 The Committee observes that in a resource-constrained country like India judicious utilization of funds is of paramount importance. Equally important is the fact that the attention should be focused on health outcomes rather than health outlays. The Committee would, therefore, like the Department to get all on-going research

projects, being funded, wholly or partially with government money, evaluated by an independent agency and place the findings in the public domain.

7.177 The Committee appreciates the achievements made by ICMR. However, for the sake of greater clarity, the Committee would like to recommend to the Department to introduce the above achievements into the public health systems of the country at the earliest opportunity. The Committee would like to be apprised of the progress made in this direction.

Development of Infrastructure for Promotion of Health Research

7.178 The Committee welcomes the initiatives taken by the Department for establishment of MRUs and MRHRUs. The Committee observes that while there is clarity about the fact that the government medical colleges would be given support for development of infrastructure in terms of establishment of multidisciplinary research units, there is lack of clarity on the policy stance of the Department about the model (*i.e.* government, private or PPP) to be adopted for establishing the MRHRU. The Committee expects the Department to remove this ambiguity.

7.179 The Committee notes that the above initiatives are targeted to bridge the gap in the availability of infrastructure for research in medical colleges and create infrastructure for transfer of technology to the beneficiaries in rural areas. From the information furnished by the Department, the Committee gathers that EFC for this scheme is yet to be approved whereas the Planning Commission has accorded its in-principle approval to it. For enabling operationalization of the Scheme at the earliest, the Committee would expect the Department to make vigorous efforts to get the clearance of EFC at the earliest and obviate further delays. The Committee desires to be apprised of the steps taken by the Department to get the EFC approval expedited.

7.180 The Committee apprehends that meagre outlay of Rs. 44 crore would not be sufficient to meet the requirement of funds under this head, specially in view of the fact that development of infrastructure is a capital-intensive activity and 60 proposals for establishment of MRUs and detailed proposals for establishment of MRHRUs from five States have already been received. The Committee, therefore, recommends that the Planning Commission have a re-look at the allocations made under the above head and revise it upwardly at RE stage.

Grant-In-Aid Scheme for Inter-Sectoral Convergence and Promotion and Guidance on Research Governance Issues

7.181 The Committee is not privy to the reasons adduced by the Planning Commission for pegging the BE 2012-13 at Rs.34.00 crore vis-a-vis the projected demand of Rs.200.00 crore under the above head. However, considering the fact that the EFC approval has already been accorded to the Scheme, the Committee feels that meagre allocation of Rs.34.00 crore would not be adequate to meet the fund requirements. The Committee, therefore, recommends to the Department to move the Planning Commission once again for allocation of more funds at RE Stage and apprise the Committee of their response thereto, indicating the reasons for not acceding to the request for enhanced allocation under the head.

7.182 The Committee observes that accomplishment of the targets set under the New Scheme would require involvement of a number of agencies/organizations. Anticipating this, the Committee in its 40th Report presented to Parliament on the 28th April, 2010, had *inter-alia* recommended to the Department to create an institutional coordination mechanism for synergizing the core competencies of the different research organizations/agencies. In pursuance of the Committee's recommendation, the Department has constituted a Group of Secretaries for the purpose of coordination. However, it is not clear as to whether it is an institutionalized mechanism or a stop-gap arrangement. The Committee would, therefore, like the Department to shed more light on the issue as also apprise it of the updated development in this direction.

7.183 The Committee observes that the activities envisaged under this head are of very vital importance. However, the real challenge would be witnessed in taking them to their logical conclusion in a time-bound manner. The fact that a number of activities under the above Scheme, which were targeted to be finalized during 2008-09, but could not be finalized even after lapse of 4 years, is indicative of the challenges ahead. The Committee, would therefore, like the Department to lay greater emphasis on the completion of the pre-project activities within a specific time-line.

7.184 The Committee takes note of the fact that the Scheme *inter-alia*, aims at making affordable health care available to the poor/marginalized groups/communities. The Committee observes that in the post Trade-related

Intellectual Property Rights (TRIPs) era, development of indigenous pharma products and medical devices are of momentous importance without which making affordable healthcare a reality to the marginalized sections of the society would remain a chimera. The Committee, would therefore, like the Department to sufficiently prioritize research activities which are oriented towards developing indigenous pharma products and medical devices.

Human Resource Development for Health Research

7.185 The Committee is supportive of the Programme and observes that without a strong human resource development base all other health research programmes would be rendered ineffective. The Committee, therefore, recommends that the resource crunch should not be allowed to come in the way of implementation of this important Scheme.

(d) 57th Report

Introduction

7.186 The Committee recommends that treatment should be recognized as a cornerstone of prevention activities explicitly by Department of AIDS Control. Outcomes of recent scientific studies show that if an HIV-positive person adheres to an effective antiretroviral therapy regimen, the risk of transmitting the virus to their uninfected sexual partner can be reduced by 96%. Studies suggest that antiretroviral therapy reduces the sexual transmission of HIV in generalized epidemics, especially among sero-discordant couples. There is also growing evidence of the impact of ART on community-level HIV transmission, both, in generalized and concentrated epidemics including among injecting drug users. Most importantly the availability of Treatment for Prevention will not only empower people to get tested for HIV, but also to disclose their HIV status, but significantly contribute to reducing the stigma and discrimination surrounding HIV. Therefore, it is crucial for Department of AIDS Control to recognise and use antiretroviral drugs as a prevention tool to control the epidemic in India. The Committee feels that to capitalize on the scientific evidence, continued investment in ART treatment is necessary in the coming five years to prevent new infections.

7.187 The Committee recommends all persons living with HIV should be offered and counseled to test for Hepatitis B and Hepatitis C by Department of AIDS Control. As a next step, clear guidelines, resources and training for the testing of Hepatitis in ICTCs and management of the Hepatitis co-infection should be provided to ART centres. Costs of Hepatitis drugs alone should not be a factor to refuse treatment of this co-infection that can cause liver cirrhosis. Efforts to boost local production of Hepatitis drugs and a variety of measures such as bulk procurement and health safeguards in the Patent law should be used to reduce prices.

7.188 The Committee clearly recommends that Department of AIDS Control strengthen TB infection control in ART centres to prevent transmission of TB among people living with HIV. The Committee also clearly recommends that with new tests that can detect DR-TB in less than two hours, it's a perfect time for Department of AIDS Control to take immediate action to boost diagnosis of DR TB in people living with HIV. At ART centres implementation of intensified TB case findings (active TB screening) has been abjectly neglected despite clear WHO recommendations. HIV+ patients often arrive in health facilities in very bad condition and even die before their DR TB treatment can be diagnosed and appropriate treatment can be started. The Committee feels that intensified case finding with access to culture/DST testing can increase access to early treatment of DR TB for people living with HIV in the public programme with appropriate drug regimens. Usually people living with HIV have already been treated in the private sector with inappropriate TB drug regimens. The Committee notes that recent studies in scientific journals like PLoS have documented the proliferation of TB formulations in the private market coupled with the casual over-the-counter sale of antibiotics, of which some are used for DR TB treatment, is fuelling the development of drug resistance, which is also affecting people living with HIV. There is an urgent need for Department of AIDS Control to work with RNTCP and the DCGI's office for regulatory control of sale and administration of TB drugs in the private sector in order to address the growing incidence of severe forms of DR-TB in India.

7.189 In Bihar, where HIV and visceral leishmaniasis (kala-azar) interact and co-infection is a problem, the Committee recommends as a first step-in areas that are endemic for kalaazar - Department of AIDS Control should consider actively screening people living with HIV for this life-threatening disease. Co-infected patients should then be given antiretrovirals as soon as possible after starting anti-kala-azar therapy.

Budgetary Allocation

7.190 The Committee notes with serious concern the continuance of this trend of underutilization of the budgeted funds and feels that the Department seriously needs to put in place a rigorous monitoring mechanism for ensuring financial discipline and optimal utilization of the budgeted amount.

7.191 The Committee notes that with focused intervention of NACO, there is a considerable decline in unspent balances available with the societies. The Committee would, however, like to point out that availability of unspent balances with some SACS like Andhra Pradesh SACS (Rs.17.59 crore), Karnataka SACS (Rs.21.09 crore), Madhya Pradesh SACS (Rs.15.02 Crore) and Tamil Nadu SACS (Rs.14.68 Crore) is still quite high. The Committee, therefore, recommends to the Department to introduce stricter monitoring mechanism and financial discipline so that funds do not get accumulated and remain unutilized. The Committee also impresses upon the Department to ensure fixing of responsibility to ensure proper accountability in utilization of funds.

7.192 The Committee would, however, like to point out that the efforts need to be sustained till the elimination of all the problem areas being faced by different States. The Committee is constrained to observe that there was downward revision of funds at the RE stage during 2011-12. The Committee does not find any merit in the justification put forth by the Department that the broad cut resulted in the downward revision of funds. In the Committee's opinion, opening balance of Rs. 206.32 crore at the beginning of 2011-12 seems to be the main reason for reduction of allocated funds during the year. The Committee would like to point out that various components under NACP deserve to be pursued vigorously and any cut in funds for the same would severely hamper the ongoing fight against the deadly disease.

7.193 The Committee would like to know what measures has the Department taken to ensure this decline in GFATM funds does not further affect the expansion and improvement of the treatment program for HIV. This is particularly important as the Department of AIDS Control's TRG on ART has recommended earlier treatment with better drugs that will keep patients alive longer and reduce new infections. This is in line with the latest studies that show that people under treatment not only benefit as individuals, but they are also less likely to transmit the virus to others-in effect, protecting the community.

7.194 Taking into view the above comments, the Committee is perturbed to note that the Twelfth Plan outlay of the Department is yet to be approved and conveyed to them by the Planning Commission. Perforce therefore, pending formal approval of the Twelfth Plan the Department is carrying on with their existing activities. Furthermore, the Department is also not in a position to initiate the process of seeking formal EFC/CCEA approval of schemes in the Twelfth Plan in the absence of approval of Sectoral and Plan allocation. The Committee is of the strong view that the process of approvals and clearances need to be streamlined with a view to cut delays in decision-making. It therefore, recommends the Government to hasten the approval of Twelfth Plan related approvals so that the Department is able to complete all the other formalities incidental to planning process and start implementation of its schemes in right earnest without any further loss of time.

Roll of NGOs

7.195 The Committee is dismayed to note that the Department has not been able to recover the unspent balances available with the discontinued NGOs. There appears to be some slackness on the part of the Department and other implementing agencies. The Committee, therefore, recommends imposing severe penalties on the NGOs which indulged in fraud or financial embezzlement. If need be the Department should sound the law enforcement agencies of the concerned States to proceed with action against such NGOs as fraud or financial embezzlement comes within the domain of penal offences requiring expertise and wherewithal of law enforcement agencies.

Setting up of new Blood Component Separation Units (BCSUS)

7.196 The Committee appreciates that the targets set by the Department under NACP-III for setting up of BCSUs have been achieved more or less. The Committee would, however, like to be updated regularly of the targets set and success achieved by these units.

7.197 The Committee notes that not only quantity but also quality matters. Blood transfusion is life-saving treatment in many situations. But transfusions can also be a quick and easy route for the transmission of infectious agents such as HIV, HBV, HCV, and malaria. NACO has been entrusted the task of setting up and expanding blood banks across the country. Several studies reviewing the current scenario in transfusion medicine (TM) in

India indicate an urgent need for restructuring the blood transfusion services with extreme variations in management and quality. These studies note that compliance with quality assurance and GMP is not ensured. A large number of blood banks are unlicensed. The Committee feels that since quality of blood banks is regulated under the Drugs and Cosmetics Rules, under schedule 'F', Department of AIDS Control and the DCGI should jointly come up with a plan to urgently address the issue of quality of blood banks in the private and public sector.

Setting up of New District Level Blood Banks

7.198 The Committee notes that against the target of setting up of 39 Blood banks during the Eleventh Plan, only 25 Blood Banks could be set up. When enquired about the reasons for non-completion of 14 blood banks, the Department has stated this was on account of various factors like non-completion of infrastructure, inadequate man-power, lack of equipments and non acquisition of license etc. But the Committee feels that the reasons illustrated by the Department are frivolous. It appears that the Department has not made sincere efforts to achieve the physical targets. The Committee desires that the Department should make concerted efforts to complete the processes as mentioned above by December, 2012, so that the new time line set by NACP-III is adhered to.

7.199 The Committee also recommends to the Department to take special cognizance of the underserved districts of Uttarakhand, Uttar Pradesh and Jharkhand. The Committee further recommends that the Department should keep assessing the requirements of Blood Banks based on the actual needs in various States due to migration and other factors.

7.200 The Committee is surprised that in spite of the Committee's recommendation made in its 42nd Report on Demands for Grants (2010-11), the Department has moved at a snail's pace which is evident from the fact that it has managed only to get the land allotted in November, 2011 for the four metro blood banks. The Committee is dismayed by the utter callousness on the part of the Department to disregard its recommendation to have a targeted approach in making the four metro blood banks functional at the earliest. The Committee expresses its displeasure at this sorry state of affairs and recommends that the Secretary of the Department should take personal interest to ensure completion of the four Metro Blood Banks at the earliest.

Integrated Counselling and Testing Centres (ICTCs)

7.201 The Committee is at a loss to understand the rationale on the basis of which the Department, in the first place fixes the target and fails to achieve the same year after year. A plain reading of the target set *vis-a-vis* the achievement shows that the Department is not following its own yardstick of fixing of target each year on the basis of achievement of the previous year, which shows poor foresight of planning by the Department. The Committee, therefore, enjoins upon the Department to seriously set realistic and achievable targets. Once targets are fixed, all efforts should be made to achieve them.

7.202 Also, testing of pregnant women raises several ethical questions. The Committee feels these ethical issues have to be addressed at the time of rolling out routine testing of pregnant women under NRHM. Testing with counseling is key. Support services for domestic violence and discrimination within the family and community are also crucial. Treatment needs of women who test positive should also be the top priority. Absence of these components will have an adverse impact on the uptake of ante-natal services if they are identified with routine HIV testing of pregnant women. The committee feels that a detailed study on the testing of women who are pregnant — their treatment and the discrimination they face — must be immediately undertaken and should be used to shape a more sensitive and humane testing programme for pregnant women.

Persons to be Counseled and Tested at ICTCS (target of 220 lakh per year)

7.203 As per information submitted by the Department, it has set a overall target of 220 lakh people per year (including pregnant women) to be counseled and tested in ICTCs at the end of NACP-III *i.e.* March, 2012. However, a plain reading of the figures furnished by the Department, reveals that the Department has not been able to achieve its scaled down targets. Further, as per information furnished by the Department, total approved number of posts of counselors in ICTCs is 4992 whereas the actual strength is 4774. Similarly the sanctioned strength of the post of lab technicians in ICTCs is 4702 whereas the actual strength is 4352. The Committee expresses displeasure that the Department has not been able to fulfil even its scaled down targets. However, the Committee supports any endeavour by means of which the Department would be able to achieve the targets fixed by it. If need be, it would support the Department to seek additional funds from the Finance Ministry/ Planning Commission so as to augment the manpower as well as number of stand-alone ICTCs with the rider that the Department makes serious efforts to achieve its yearly targets.

7.204 The Committee finds these are fleeting statements based on assumptions. Street children for example are sexually active at a very young age. New studies also establish that assumptions that young people below 15 years are not sexually active are not accurate. Interventions for young people are necessary to address the risk of STDs, HIV and Hepatitis and the Committee recommends that the Department make appropriate provision for capturing this risk group. Another scenario was presented before the officials during oral evidence- a long-haul truck driver/migrant labourer (the two highest risk-groups) contracting infection from a sex-worker and passing it on to his wife back in the village chances of the wife thus getting infected and becoming pregnant and being captured as a new case? The Committee for want of a satisfactory answer recommends that the Department take a very serious view of this critical gap in data generation as it feels that given the poor accessibility to health care in rural areas the chances of such cases being captured in data collection would be truly grim. The Committee feels that citing international norms and a one-size-fits-all kind of approach is neither adequate nor acceptable while capturing data in a truly diverse country like India. The Department must come up with more innovative solutions after consulting the various stakeholders so a more realistic picture is available for dealing with the HIV menace. The examples quoted are only illustrative and not exhaustive. The Committee would like to be kept apprised of the initiatives undertaken by the Department in this regard.

7.205 The Committee observed that HIV, Hepatitis B, and Hepatitis C share common modes of transmission. The Committee recommends the technical feasibility of ICTC centres expansion to test and counsel for Hepatitis in a phased manner should be undertaken immediately. This is important as many experts feel that there is a significant but under-recognized hepatitis-associated disease burden in this country. Despite that India does not have a Hepatitis disease registry, or information on the disease burden. For example, a Professor and Head of Gastroenterology at AIIMS, has stated studies reported from various parts of India estimate that about 20 million Indians are Hepatitis B carriers and about 8 to 10 million may have silent Hepatitis C virus infection. These individuals do not know that they have these infections and not only are at risk of transmitting this disease but also cannot access early treatment preventing late stage liver cirrhosis and liver cancer.

Anti Retroviral Treatment (ART) Centre

7.206 The Committee notes that stock out of ART medicines were reposted throughout 2011 in many States including UP, Bihar, Maharashtra, Manipur etc. The Committee fails to understand that how performance of RITES has been called satisfactory in such circumstances. The Committee recommends that the Department take a more serious note of such lapses and have closer monitoring mechanism in place since such gaps in supply only add to drug resistance apart from the obvious inconvenience.

7.207 The Committee has noted that throughout 2011, there have regular interruptions of stock out of HIV drug (first, second and pediatric doses) in different States, which has been reported by different PLHIV networks. The Committee feels that this is serious issue since, stock out mean drug interruptions which can lead to increased public health risks of HIV drug resistance. The Committee recommends that an investigation and report be undertaken to list the numbers of stock out and to document the reasons for the stock outs. NACO should also outline to this Committee what measures have been planned to prevent and to deal with incidents of stock outs. The role of the PLHIV Networks should be to continue this good work of monitoring HIV treatment at ART centres and reporting problems like stock outs to NACO. PLHIV networks should be further encouraged to continue reporting such incidents. Stock outs are related to inefficiencies such as poor planning, incorrect projections of local requirements, poor distribution and supply at treatment facilities, expiry of medicines as the stock that was received earlier is not distributed first. The Committee recommends that NACO immediately reform the pharmaceutical supply management system for HIV medicines as it is an important element in treatment programmes.

7.208 The Committee feels that the slow rate of scale up of ART treatment over the last decade has forced patients into the private sector where inappropriate HIV drug regimens are often prescribed, leading to a long term public health problem of drug resistance. Many economic and bureaucratic barriers have been noted in the eligibility criteria for enrolling in the programme for those needing alternative first line or second line HIV drugs. As a result, patient groups have had to approach the Supreme Court. These barriers must be addressed and must not be created for patients who will need third line HIV medicines. Currently the proportion of HIV patients who have failed to the second-line treatment is probably very small. The programme must start planning for ART Centres of Excellence to take in these few patients. This will control drug resistance. Cost alone should not be the only criteria. Failure to procure the third line drugs will have future public health complications as PLHIVs could

develop a very resistance HIV which could prove costly. Planning and treating third line in a few patients will build capacity and experience of public health facilities classified as centres of excellence by Department of AIDS Control.

7.209 The Committee feels it would be in the fitness of things to upgrade the Link centres to ART centres in order to increase the number of patients who can avail treatment as well as procure drugs near their residence which would go a long way in decreasing the staggering figures of patients who cannot avail treatment due to inaccessibility to the existing ART centres in the country.

7.210 The Committee is constrained to observe that the Department has not treated the matter of phasing out Stavudine with the urgency and seriousness it deserves. The Committee feels that the inordinate delay on the part of the Department in this regard is a sad commentary on the working of the Department and calls for introspection. The Committee, therefore, recommends that the Department should start phasing out of Stavudine in a time-bound manner. The Committee desires to be kept apprised of the action taken in this regard.

New Initiatives

(i) Setting up of National Blood Transfusion Authority (NBTA)

7.211 The Committee expresses its dismay over the fact that the Department of Expenditure has not sent its comments so far. Though the original timeline for starting NBTA was April, 2010, there is still no ray of hope of its being set up in near future. The Committee condemns such procrastinating attitude of the Government. The Committee impresses upon the Department that in order to ensure setting up of a National Blood Transfusion Authority, it is imperative that immediate steps should be taken to remove the legal infirmities raised by the Ministry of Finance along with seeking replies from respective Departments without further delay in view of the fact that the scheme which was to take wings in the Eleventh Plan is yet to take off.

(ii) Setting up of Plasma Fractionation Centre (PFC)

7.212 The Committee is disappointed by the snail's pace to set up Plasma Fractionation Centre which is still bogged down in bureaucratic red-tapism even though the Eleventh Five Year Plan has come to an end. The Committee, therefore, impresses upon the Department to make all out efforts for setting up of Plasma Fractionation Centre without any further delay.

Adolescence Education Programme (AEP)

7.213 The Committee is impressed that with consistent efforts of the Department, the programme is running in most of the States. The Committee feels that the Department should vigorously take up with the States where the programme is still under suspension, the reasons for the delay in implementation of the programme and resolve their apprehensions in this regard without any further delay, in view of the fact that HIV/AIDS is a hydra headed monster which usually attacks the vulnerable adolescent population due to lack of awareness of the devastating effects the disease could have on them. The States that have suspended should also reconsider their decision.

New Strategies

(i) Setting up of District AIDS Prevention and Control Unit (DAPCU)

7.214 The Committee appreciates the efforts being made by the Department to train the staff posted in different DAPCUs throughout the country. However, it feels that keeping in view the severity of the disease, there is a pressing need to provide training to more staff in order to ensure more focus on the preventive aspect of the disease control programme. The Committee emphasizes that the Department should not only strive to achieve the target fixed but depending on the requirement and situation, may also enhance both financial and physical targets.

(ii) Scheme of link workers in rural areas of category A and B districts

7.215 It may be recalled that in its previous Report on the Demands for Grants 2010-11, the Committee has recommended to increase the reach of the scheme to cover all the States in the country. However, as per information received from the Department in the context of the Demands for Grants 2012-13, the Department has covered only 209 Districts. The Committee, therefore, reiterates its earlier recommendations that the Department needs to assess the scheme so as to cover the remaining Districts and closely monitor the schemes as the success of this scheme is crucial for achieving the goal of halting and reversing the epidemic of AIDS.

(iii) Preferred private provider scheme for management of sexually infections among high risk groups

7.216 The Committee notes that the efforts made by the Preferred Private provider are successful in bringing about decline of STI prevalence among high risk group from 11.8% to 8.4% in the first three quarters of 2011-12. However, the Committee feels that there is a need to speed up management under this scheme as the figure of 8.4% is still on the higher side and much more efforts need to be undertaken on this front. The Committee would like to be regularly apprised of the action taken in this regard. The Committee also feels that these private providers should be trained in the rational prescription of antibiotics as this will address drug resistance issues in the long run.

National Pediatric Initiative

7.217 The Committee while appreciating the efforts made by the Department of AIDS Control in conjunction with the Ministry of Women and Child Development to start the scheme namely “National Scheme on Children affected by HIV and AIDS”, would like to be apprised about the number of children targeted to be covered under the said scheme and the financial and physical targets set under the Programme during the Twelfth Plan.

Information, Education and Communication (IEC)

7.218 The Committee is constrained to note that the Department could not utilize allotted fund during 2011-12 and as a result thereof it has not been able to do full justice to the programme. The Committee, impresses upon the Department to ensure that funds allocated during the current year be fully utilized as dissemination of knowledge for creating awareness about the disease is a *sin-qua-non* for eliminating it.

HIV/AIDS Bill

7.219 The Committee expresses its displeasure on inordinate delay in bringing about HIV/ AIDS Bill even though six years have lapsed since it was first drafted in 2006. The reasons given by the Department are not acceptable and frivolous and clearly indicate the manner in which it continues to sideline this crucial law that is aimed at not only protecting the rights of people living with HIV and marginalized populations but also to protect public health. The cases of discrimination in healthcare, education and within their families have not gone down and in fact continue to endanger the lives of millions of HIV+, while the Department delays action. The Committee, therefore, recommends that the Department should take urgent measures to speed up the process for introduction of the Bill as soon as possible, keeping in view the nature of the disease.

(e) 58th Report

7.220 The Committee is constrained to note the snail’s pace of progress made in setting up Jan Aushadhi Stores in the country. The Committee is pained to observe the lackadaisical approach and lack of sense of urgency on the part of the Department of Pharmaceuticals in ironing out the hindrances in establishing Jan Aushadhi Stores. The Committee also observes that between the 18th February, 2011 when the Secretary (Pharmaceuticals) first deposed before the Committee and the 3rd June, 2011 when the Committee last interacted with him, there was little progress in addressing the inadequacies from which the Jan Aushadhi Programme suffers. Though assurances have been made before the Committee to revamp the Jan Aushadhi edifice by way of finalising an integrated business plan, lack of any deadline for implementation of the integrated business plan gives an impression that the issue of promotion of generic drugs is being soft-pedalled. The Committee takes note of the fact that the issue of drug prices is intrinsically linked with the promotion of generic drugs and that in the Conference of State Health Ministers and Health Secretaries held on 12-13 January, 2011, the States have agreed to promote Jan Aushadhi Stores. The Committee, therefore, recommends that the Department of Pharmaceuticals should take credible initiatives towards settling the problems of supply, distribution and production chains and implementing the integrated business plan in a time-bound manner. The Committee desires to be kept apprised of the progress made in this regard.

7.221 The Committee observes that the Public Sector Pharma Units have a vital role to play in checking the possible monopolistic practices by the private sector drug companies and ensuring availability of quality drugs at reasonable prices to the people. It is in this context that the revival plan/modernization of public sector pharma units are of utmost importance and relevance. However, the Committee is constrained to observe that the nodal department (in this case the Department of Pharmaceuticals) seems to be in the grip of policy inertia which is evident from the fact that though IDPL was declared sick by BIFR in August, 1992 and almost 19 years have elapsed since then, yet its revival plan is still hanging fire. It is difficult to fathom how the Department of

Pharmaceuticals will be able to work out a robust integrated business model for supply of generic drugs through Jan Aushadhi Stores if the revival plans are not implemented. The Committee is convinced that the imbalance of absence of low cost medicines cannot be mitigated without the participation of Central Pharma PSUs. The Committee, therefore, recommends with all the power at its command that the nodal Department of Pharmaceuticals shed its indecisiveness and take all possible measures to speed up the revival of all Central Pharma Units, so that the all important objective of access to affordable and quality medicines to all could be realized. The Committee would like to be kept apprised of the progress made towards implementation of the revival plan of all public sector sick drug companies.

7.222 The Committee is constrained to observe that the production and sales turnover figures of KAPL and RDPL are more or less static in value terms for the years 2007-08, 2008-09 and 2009-10. Since there must have been some upward movement of prices since 2006, the Committee apprehends that the above figures are indicative of de-growth in volume terms. The Committee desires that Government may look into the matter and steps may be taken to improve the condition in real terms.

7.223 Scrutiny of the production and sales figures of HAL and IDPL for the years 2008-09, 2009-10 and 2010-11 reveal that the figures have actually gone down, which is a matter of serious concern for the Committee. The Committee strongly recommends that immediate efforts may be made to reverse the trend and improve the performance.

7.224 The Committee is amazed to note that the Department of Health and Family Welfare suggested to the State Drugs Control Authorities to grant licenses for manufacture of single drug formulations in generic name only, though it knew fully well that such an action on the part of the State Drug Licensing Authorities will not enjoy legal sanction till the Drugs and Cosmetics Act is amended with respect to the labeling requirements. The Committee would like to counsel the Department to focus on a more structured and reasoned policy for promotion of generic drugs than such a bizarre policy which is unlikely to result in positive outcomes.

7.225 The Committee notes that some forward movement has been reported towards formulating an effective essential drug supply policy which is evident from the fact that in the Conference of the State Health Ministers and Health Secretaries held on January 12-13, 2011 at Hyderabad, the States agreed to take effective steps in this direction. The Committee also observes that as of now only six States/Union Territories have given their responses on promotion of generic drugs and formulation of an essential drug supply policy. The Committee feels that non-receipt of the comments from other States is very serious and the Central Government should pursue the matter with all the States. The Committee expresses its dismay over the fact that major States like West Bengal, Jharkhand, Uttar Pradesh, Punjab, Madhya Pradesh, Chhattisgarh, Kerala, Karnataka and Andhra Pradesh have not responded. The Central Government may pursue the matter with them. The Committee desires that the Ministry may identify the shortcomings in the States that have not formulated the policy and commented on the Model policy and help them in this regard. The suggestions that were made in the above conference held at Hyderabad may be made use of and the Ministry may also pursue the implementation of the suggestions made therein.

7.226 The Committee notes that the Department of Health and Family Welfare has taken a number of initiatives towards promoting generic medicines like—motivating the doctors in the Government hospitals and CGHS dispensaries to prescribe generic medicines to the maximum extent possible, opening of a 24x7 medicine outlet in the premises of AIIMS, drawing up a common generic formulary containing 664 generic drugs, rate contract for additional 193 generic drugs, preparing a software containing generic equivalents of prescribed branded medicines and the revision of the Procurement and Operation Manual. Though the Committee welcomes the above initiatives of the Department, it has a word of caution in this regard. As is evident from para 32 of the Committee's 45th Report, going for a "generic only" prescription policy has its flip side as it would shift the power of prescription from doctors to the chemists and such a scenario would be worse than the current situation for the reasons outlined in para 32 of the 45th Report. The Committee, therefore, recommends that instead of focusing on a single strategy, the Department should follow a combination of policies including pharmaceutical pricing regulations for ensuring availability and affordability of quality medicines, both generic and branded.

7.227 The Committee welcomes the proposal of setting up the Central Procurement Agency as an autonomous society as it can help control drug prices through procurement process. The Department may move the Cabinet for its approval with a sense of urgency.

7.228 Now that the Working Groups have already submitted their reports, the Committee recommends to the Department of Pharmaceuticals to finalise the New Pharmaceutical Policy without further loss of time. The Committee desires to be kept apprised of the updated status in this regard.

7.229 The Committee would also like to be kept informed of the findings of the Task Force constituted by the Ministry of Health and Family Welfare and action taken thereon. The Committee notes that as of now there is no mechanism in place to regulate the prices of new patented drugs which are imported in the country and sold at supernormal profits, whereas prices of the same medicines are considerably lower in other countries. The Committee does not accept the submission made by the Secretary (Pharmaceuticals) that there is no price control of a patented drug for open market. The Committee would like to observe that India as a sovereign country has every right to decide the prices of drugs which are sold in the open market. The Committee therefore recommends to evolve an effective mechanism to control prices of imported patented drugs being sold in Indian Market.

7.230 The Committee also takes note of the submissions of the Secretary (Pharmaceuticals) to the effect that the issue of price regulation of imported molecules being sold in the country at high prices will be taken care of in the New Pharmaceutical Policy which is currently under finalization. The Committee feels that the issue at hand is too urgent to be left open-ended and, therefore, recommends that Department of Pharmaceuticals resolve this issue within a period of six months. The Committee would also like the Department to put in place an effective mechanism to enable the use of international price benchmarks in such cases and limit the price of an imported drug by comparison with the price of the same drug in other countries and thus check windfall profits made by importers on selling imported molecules at exorbitant prices in the country.

7.231 The Committee observes that serious anomalies exist in the law inasmuch as while there is a code of conduct for doctors forbidding them from accepting any gift, hospitality, trips to foreign and domestic destinations, no such legal provisions for penalizing pharma companies indulging in the unethical practices of bribing the doctors by way of offering expensive gifts, cash payments or sponsoring of pleasure trips, are in force. Keeping in view the fact that it is no secret that promotional costs are loaded into the price of prescription drugs and constitute a major part of the price of the drugs, the Committee welcomes the move towards framing a Uniform Code of Pharmaceutical Marketing Practices. However, the Committee is at a loss to understand as to why the Code has been made a voluntary code and not a statutory one. The Committee has been given to understand that the voluntary code has generally not been successful in curbing unethical practices and off-label promotion of drugs. The Committee notes that the Secretary (Pharmaceuticals) was not able to offer any valid reason for not making the Uniform Code a statutory provision.

7.232 The Committee therefore, recommends that the Department of Pharmaceuticals should take decisive action in making the Uniform Code mandatory so that effective check could be put on huge promotional costs and the resultant impact of the add-on costs on medicine prices.

7.233 The Committee observes that as of now the onus of checking unethical promotion of drugs by Pharma companies lies exclusively with the Department of Pharmaceuticals (which is primarily mandated to act as a catalyst for the growth of the pharma industry in the country) and the Ministry of Health and Family Welfare has no role to play in this matter, though protection of patients is the job of the latter. The Committee, therefore, fails to understand, much less appreciate, the reasons behind the Department of Pharmaceuticals dealing with this issue exclusively, though Code of Conduct in pharmaceutical marketing affects both doctors and patients. Keeping this in view and also the fact that all over the world, such activities are under the National Drug Regulatory Authorities, the Committee, recommends that the Ministry of Health and Family Welfare may also be involved in implementation of Code of Conduct in Pharmaceutical Marketing.

7.234 After the presentation of the report, the only action taken by the Department of Health and Family Welfare was that it had requested the Department of Revenue to examine this issue of penalizing drug companies indulging in unethical promotion of drugs. The Committee is not aware of any further development in the matter.

7.235 The Committee, therefore, recommends that the Department of Health and Family Welfare actively pursue the matter with the Department of Revenue.

7.236 The Committee observes that almost a year has elapsed since the Committee presented its 45th Report to the Parliament but except the constitution of a Working Group to look into the matter of pricing of medicines no forward movement on putting a cap on the profit margin of medicines has been reported.

7.237 It has been a well-documented fact in India that high medicine prices are one of the biggest obstacles towards access to affordable treatment. Availability of the quality-assured affordable medicines is a vital prerequisite for affordable treatment. But given the financial profile of the general masses in the country, leaving the prices of medicines unregulated and entirely to the mercy of the market economy is unlikely to achieve the public health objectives. In such a scenario, expecting the free market system to ensure access to essential medicines is unrealistic. The Committee, therefore, reiterates its earlier recommendation of initiating the process of examining the issue of a blanket cap on profit margins of all medicines across the board. The Committee also recommends to expedite the matter.

7.238 The Committee had recommended preventing takeover of domestic companies by MNCs and thus preserving in-house manufacturing capability in the country. Precious time has been lost due to delay on part of the Government to act in this regard and many more Pharma companies have since been taken over since the recommendation was made by this Committee. Even though the Committee feels the ideal route for regulating Foreign Direct Investment (FDI) in brown-field Pharma projects would have been through the FIPB, the Government in its wisdom has decided to achieve this through subjecting all such transactions to the scrutiny of the Competition Commission of India (CCI) after making necessary provisions in the operating norms to accommodate such transactions. The Committee partly welcomes this move as it feels that such a step would help create some system of checks and balances and therefore address public health requirements in India. At the same time the Committee observes that since most of such Mergers and Acquisitions in Indian Pharma Sector are done through Special Purpose Vehicles (SPVs), appropriate mechanisms will need to be put in place to strengthen CCI and enable it to oversee the FDI in the Indian brown-field Pharma companies without any threshold limit to be effective. The Committee desires to be apprised of the changes made in rules and regulations governing CCI to facilitate oversight by the CCI and check collusion and unfettered acquisition of Indian pharma companies.

7.239 The Committee feels that the country holds a strong position in producing generic drugs. Besides, the country has a strong distribution network not only in the country but also in other developing and underdeveloped countries. The Committee, therefore, strongly recommends that the Government should make all-out efforts to arrest the trend of acquisition of domestic pharma companies by the foreign multi-national companies. Besides, no stone should be left unturned towards developing and gearing up all the public sector pharma companies for production of cheaper quality generic drugs by giving them full functional autonomy and adequate financial support so that requirement of the country's public health sector may be met and the likely impact of the above acquisition of the domestic companies is neutralized.

7.240 The Committee, therefore, recommends with all the power at its command that the Ministry of Health and Family Welfare in consultation with the other Ministries/ Departments involved address this issue as a matter of top priority and revisit the FDI policy at the earliest.

7.241 The Committee while welcoming the move of conducting a study to assess the impact of takeovers on the domestic pharmaceutical industry recommends that keeping in view the urgency of the issue, the study may be completed at the earliest.

(f) 59th Report

Mandate and Structure of CDSCO

7.242 The Committee is of the firm opinion that most of the ills besetting the system of drugs regulation in India are mainly due to the skewed priorities and perceptions of CDSCO. For decades together it has been according primacy to the propagation and facilitation of the drugs industry, due to which, unfortunately, the interest of the biggest stakeholder *i.e.* the consumer has never been ensured. Taking strong exception to this continued neglect of the poor and hapless patient, the Committee recommends that the Mission Statement of CDSCO be formulated forthwith to convey in very unambiguous terms that the organization is solely meant for public health.

7.243 The Committee notes with serious concern that CDSCO is substantially understaffed. Of the 327 sanctioned posts, only 124 are occupied. At this rate, what would be the fate of 1,045 additional posts that have been proposed is a moot point. If the manpower requirement of the CDSCO does not correspond with their volume of work, naturally, such shortage of staff strains the ability of the CDSCO to discharge its assigned functions efficiently. This shortcoming needs to be addressed quickly. Consideration can also be given to employ medically qualified persons as Consultants/Advisers (on the pattern of Planning Commission) at suitable rank.

7.244 The Committee also gathers that the average time taken for the completion of recruitment process is approximately 12 to 15 months. The Committee, therefore, recommends that to overcome the staff shortage, the Ministry should engage professionally qualified persons on short-term contract or on deputation basis until the vacancies are filled up. Due to the very sensitive nature of regulatory work, great care will need to be taken to ensure that persons employed for short periods did not and will not have Conflict of Interest for a specified period.

7.245 At the same time, the optimal utilization of the current staff in the best interest of public is the responsibility of those who run the CDSCO. In a resource- constrained country like India, it is extremely difficult to meet the demands, however, genuine, of all the State entities in full. Hence, prioritization is the key. For example, work relating to an application for Marketing Approval of a New Drug that will be used by millions and thus have an impact on the well being of public at large in India for years to come, is far more important and urgent than giving permission to a foreign company to conduct clinical trials on an untested new patented, monopoly drug.

7.246 The Committee also observes that the strengthening of drugs regulatory mechanisms cannot be achieved by manpower augmentation alone. A host of issues involving capacity building of CDSCO like upgradation of existing offices, setting up of new offices, creation of new central drugs testing laboratories and equipping them with the state-of-the-art technology to enable them to carry out sophisticated analysis of drugs, upgradation of the existing 6 Central Drugs Testing Laboratories, skill development of the regulatory officials, implementation of an effective result-oriented pharmacovigilance programme drawing on global experience, increased transparency in decision-making of CDSCO etc. will have to be addressed before the desired objectives are realized.

7.247 In the absence of any reasons for unwillingness on the part of medically qualified persons to join CDSCO, the Committee is of the opinion that emoluments and perquisites may not be the main or only reason. It is noticed that minimum prescribed academic qualifications for the post of DCGI is barely B.Pharm. On the other hand for Deputy Drugs Controller (DDC), the prescribed minimum qualification is post-graduation for medically qualified persons. The stumbling block is the requirement that DCGI should have experience in the “manufacture or testing of drugs or enforcement of the provisions of the Drugs and Cosmetic Act for a minimum period of five years.” This requirement virtually excludes even highly qualified medical doctors from occupying the post of DCGI. Moreover the rule stipulates that doctors with post-graduation should be either in pharmacology or microbiology only, thus excluding post-graduates, even doctorates (like DM) in a clinical subject. Besides, highly qualified medical doctors may be reluctant to work under and report to a higher officer with lesser qualifications in a technology driven regulatory authority setup. Unless these concerns are addressed, it would be difficult to get the desperately required medically qualified professionals on the rolls of CDSCO.

Qualification and powers of DCGI

7.248 The Committee fails to understand as to how a graduate in pharmacy or pharmaceutical chemistry (B.Pharm) is being equated with a medical graduate with MD in Pharmacology or Microbiology. Apart from the obvious anomaly, with rapid progress in pharmaceutical and biopharmaceutical fields, there is urgent need to revise the qualifications and experience as minimum eligibility criteria for appointment as DCGI. The Committee is of the view that it is not very rational to give powers to a graduate in pharmacy, who does not have any clinical or research experience to decide the kinds of drugs that can be prescribed by super specialists in clinical medicine such as those holding DM and PhD qualifications and vast experience in the practice of medicine and even research.

7.249 On a larger plane, the Committee is disillusioned with the qualifications provided in the age old Rules for the head of a crucial authority like CDSCO. The extant Indian system is nowhere in so far as sheer competence and professional qualifications are concerned when compared with countries like USA and UK. There is, therefore, an urgent need to review the qualifications, procedure of selection and appointment, tenure, emoluments, allowances and powers, both administrative and financial of the DCGI. While doing so, the Government may not only rely on the Mashelkar Committee Report which recommended augmented financial powers to DCGI but also take cue from similar mechanisms functioning in some of the developed countries like USA, UK, Canada, etc. in order to ensure that only the best professional occupies this onerous responsibility. The Committee should be kept informed of the steps taken to address this issue.

7.250 In the considered opinion of the Committee, there can never be a more opportune time than now, to usher in these changes recommended by it. The post of DCGI is vacant as of now, with an official holding temporary

charge. They, therefore, desire that the government should take immediate measures in terms of their instant recommendations to ensure that CDSCO is headed by an eminent and professionally qualified person.

Role of the State Drug Regulatory Authorities

7.251 From an analysis of the above facts, the Committee concludes that shortcomings witnessed in respect of coordination with and between the States as also in implementation of applicable legislations in the States are primarily an offshoot of inadequacies in manpower and infrastructure in the States. Strengthening the regulatory mechanism in the States will remain a far cry unless these infirmities are taken care of.

7.252 Given the lack of adequate resources in the States it would be unrealistic to expect them to improve the infrastructure and increase manpower without Central Assistance for strengthening drug control system. The Committee, therefore, recommends that the Ministry of Health and Family Welfare should work out a fully centrally sponsored scheme for the purpose so that the State Drug Regulatory Authorities do not continue to suffer from lack of infrastructure and manpower anymore. The Committee desires to be kept apprised of the initiatives taken by the Ministry in this regard.

7.253 It is a matter of grave concern that there are serious shortcomings in Centre-State coordination in the implementation of Drugs & Cosmetics Act and Rules. This, the Committee notes, is despite the Ministry's own admission that Section 33P of the Drugs and Cosmetics Act contains a provision that enables the Central Government to give such directions to any State Government as may appear to it to be necessary for implementation of any of the provisions of the Drugs and Cosmetics Act and Rules made thereunder. The Committee understands that these provisions are meant to be used sparingly. However, there have been several situations which warrant intervention through Rule 33P. Therefore the Committee hopes that in future the Ministry would not be found wanting in considering the option of using Section 33P to ensure that provisions of central drug acts are implemented uniformly in all states.

7.254 As regards lack of databank and accurate information, the Committee would like to observe that given the information technology resources currently available, developing an effective system of coordination amongst State Drug Authorities for providing quality and accurate data could have been accomplished long back had the Ministry taken any initiative towards encouraging the States to establish a system of harmonized and inter-connected databanks. Evidently, no serious efforts seem to have been made in this regard. The Committee, however, expects that the Ministry would, at least now, play a more pro-active role in encouraging the States to employ modern information technology in the implementation of tasks assigned to them. At the same time a centralized databank (*e.g* licenses issued, cancelled, list of sub-standard drugs, prosecutions etc.) may be created to which all the State Drug Authorities should be linked.

Capacity-Building of Central and State Drug Testing Laboratories

7.255 The Committee agrees that the capacity-building of the Central Drugs Testing Laboratories is the need of the hour. In this era of newer innovations coming up at rapid pace, equipping the Drug Testing Laboratories with the high-end sophisticated equipments is very essential. However, the Committee is aware that monitoring the quality of drugs is primarily the responsibility of the State Drugs Authorities, supplemented by CDSCO, which play a major role in collection of samples and testing them. Without manpower augmentation and upgradation of State Drugs Testing Laboratories, the objective of ensuring availability of quality drugs to the public cannot be realized. The Committee, therefore, recommends strengthening of both Central and State Drug Testing Laboratories.

Provision of Requisite Infrastructure at Airport and Seaport Offices

7.256 The Committee agrees with the suggestion and recommends that the Ministry of Health and Family Welfare should take initiative towards addressing the shortcomings forthwith in coordination with the Ministry of Civil Aviation at all seaports/airports handling import and exports of pharmaceutical products. The Committee will like to be informed of steps taken to address this problem.

New Drugs Approval

7.257 The Committee is of the view that due to untraceable files on three drugs, it is not possible to determine if all conditions of approval (indications, dosage, safety precautions) are being followed or not. Moreover the product monographs cannot be updated in the light of recent developments and regulatory changes overseas. Therefore all the missing files should be re-constructed, reviewed and monographs updated at the earliest.

- 7.258 ...is matter needs to be reviewed to ensure safety of patients, fair play, transparency and accountability.
- 7.259 Unless there is some legal hitch, the Committee is of the view that there is no justification in withholding opinions of experts on matters that affect the safety of patients from public. Consideration should be given to upload all opinions on CDSCO website.
- 7.260 According to information provided by the Ministry, a total of 31 new drugs were approved in the period January 2008 to October 2010 without conducting clinical trials on Indian patients. The figure is understated because two drugs (ademetionine and FDC of pregabalin with other ingredients) were somehow not included in the list. Thus there is no scientific evidence to show that these 33 drugs are really effective and safe in Indian patients.
- 7.261 It is obvious that DCGI clears sites of pre-approval trials without application of mind to ensure that major ethnic groups are enrolled in trials to have any meaningful data. Thus such trials do not produce any useful data and merely serve to complete the formality of documentation.
- 7.262 The Committee recommends that while approving Phase III clinical trials, the DCGI should ensure that subject to availability of facilities, such trials are spread across the country so as to cover patients from major ethnic backgrounds and ensure a truly representative sample. Besides, trials should be conducted in well equipped medical colleges and large hospitals with round the clock emergency services to handle unexpected serious side effects and with expertise in research and not in private clinics given the presence of well equipped medical colleges and hospitals in most parts of the country in present times.
- 7.263 The Committee is of the view that taking into account the size of our population and the normous diversity of ethnic groups there is an urgent need to increase the minimum number of subjects that ought to be included in Phase III pre-approval clinical trials to determine safety and efficacy of New Drugs before marketing permission is granted. In most western countries the required numbers run into thousands. However since the major objective in India is to determine the applicability or otherwise of the data generated overseas to Indian population, the requirement should be re-assessed and revised as per principles of medical statistics so that major ethnic groups are covered. A corresponding increase in the number of sites so as to ensure a truly representative sample spread should also be laid down in black and white. Furthermore, it should be ensured that sites selected for clinical trials are able to enroll diverse ethnic groups. For domestically discovered drugs, the number of subjects should be revised as well. This can be easily achieved by changes in the Good Clinical Practice (GCP) guidelines.
- 7.264 A review of the opinions submitted by the experts on various drugs shows that an overwhelming majority are recommendations based on personal perception without giving any hard scientific evidence or data. Such opinions are of extremely limited value and merely a formality. Still worse, there is adequate documentary evidence to come to the conclusion that many opinions were actually written by the invisible hands of drug manufacturers and experts merely obliged by putting their signatures..... Is the Committee mistaken in coming to the conclusion that all these letters were collected by interested party from New Delhi, Mumbai, Chandigarh and Secunderabad and handed over to office of the DCGI on the same day? If so, it is obvious that the interested party was in the loop in the entire process of consultation with experts.....It is inconceivable that a letter dated 17-6-2005 from New Delhi will be delivered to the office of DCGI also in New Delhi after more than two months. The conclusion, as in aforementioned cases, is obvious.
- 7.265 If the above cases are not enough to prove the apparent nexus that exists between drug manufacturers and many experts whose opinion matters so much in the decision making process at the CDSCO, nothing can be more outrageous than clinical trial approval given to the Fixed Dose Combination of aceclofenac with drotaverine which is not permitted in any developed country of North America, Europe or Australasia. In this case, *vide* his letter number 12-298/06-DC dated 12- 2-2007, an official of CDSCO advised the manufacturer, Themis Medicare Ltd. not only to select experts but get their opinions and deliver them to the office of DCGI. No wonder that many experts gave letters of recommendation in identical language apparently drafted by the interested drug manufacturer.
- 7.266 In the above case, the Ministry should direct DCGI to conduct an enquiry and take appropriate action against the official(s) who gave authority to the interested party to select and obtain expert opinion and finally approved the drug.

7.267 Such expert opinions in identical language and/or submitted on the same day raise one question: Are the experts really selected by the staff of CDSCO as mentioned in written submission by the Ministry? If so how can they, situated thousands of miles away from each other, draft identically worded letters of recommendation? Is it not reasonable to conclude the names of experts to be consulted are actually suggested by the relevant drug manufacturers? It has been admitted that CDSCO does not have a data bank on experts, that there are no guidelines on how experts should be identified and approached for opinion.

7.268 The Committee is of the view that many actions by experts listed above are clearly unethical and may be in violation of the Code of Ethics of the Medical Council of India applicable to doctors. Hence the matter should be referred to MCI for necessary follow up and action. In addition, in the case of government-employed doctors, the matter must also be taken up with medical colleges/hospital authorities for suitable action.

7.269 There is sufficient evidence on record to conclude that there is collusive nexus between drug manufacturers, some functionaries of CDSCO and some medical experts.

7.270 On a more fundamental issue the Committee has come to the conclusion that when it comes to approving new drugs, too much is left to the absolute discretion of the CDSCO officials. There are no well laid down guidelines for determining whether consultation with experts is required. Thus the decision to seek or not to seek expert opinion on new drugs lies exclusively with the non- medical functionaries of CDSCO leaving the doors wide open to the risk of irrational and incorrect decisions with potential to harm public health apart from the possibility of abuse of arbitrary discretionary powers.

7.271 The Committee, therefore, strongly recommends that there should be non-discretionary, well laid down, written guidelines on the selection process of outside experts with emphasis on expertise including published research, in the specific therapeutic area or drug or class of drugs. Currently, the experts are arbitrarily chosen mainly based on their hierarchical position which does not necessarily correspond to the area or level of expertise. All experts must be made to file the Conflict of Interest declaration outlining all past and present pecuniary relationships with entities that may benefit from the recommendations given by such experts. The consulted experts should be requested to give hard evidence in support of their recommendations.

7.272 The Committee is of the view that responsibility needs to be fixed for unlawfully approving Buclizine, a drug of hardly any consequence to public health in India, more so since it is being administered to babies/ children. At the same time the approval granted should be reviewed in the light of latest scientific evidence, regulatory status in developed countries, particularly in Belgium, the country of its origin.

7.273 DCGI is expected to take action against those CDSCO functionaries who colluded with private interests and got the drug approved in violation of laws. The drug has since been banned by the Ministry for use in female infertility.

7.274 The Committee takes special note of this case of gross violation of the laws of the land by the CDSCO. First, in approving the drug for use in case of female infertility and thereafter, in exhibiting overt resistance in taking timely corrective steps despite very strong reasons favouring immediate suspension of use of letrozole for the said indication. Belatedly, the drug has been banned for use in female infertility.

7.275 The Committee is of the opinion that there must be some very good reasons for Danish Medicine Agency (Denmark) not to approve a domestically developed drug where an anti-depressant drug would perhaps be in greater demand as compared to India. Curiously, Deanxit is allowed to be produced and exported but not allowed to be used in Denmark.

7.276 The Committee feels that the DCGI should have gone into the reasons for not marketing the drug in major developed countries such as United States, Britain, Ireland, Canada, Japan, Australia just to mention a few. United States alone accounts for half of the global drug market. It is strange that the manufacturer is concentrating on tiny markets in unregulated or poorly regulated developing countries like Aruba, Bangladesh, Cyprus, Jordan, Kenya, Myanmar, Pakistan, and Trinidad instead of countries with far more patients and profits. Many of these developing countries are handicapped due to lack of competent drug regulatory authorities. Instead of examining and reversing regulatory lapses, DCGI has referred the matter to an Expert Committee to look at the isolated and restricted issue of "safety and efficacy" instead of unlawful approval in the first place.

7.277 The Committee recommends that in view of the unlawful approval granted to Deanxit, the matter should be re-visited and re-examined keeping in mind the regulatory status in well developed countries like Denmark, the country of origin; the United States, Britain, Canada, European Union and Japan etc. It is important to keep in mind that in Europe, there are two types of marketing approvals: Community-wide (cleared by European Medicine Agency) and individual regulators of member nations. EMEA is known to clear drugs after great deal of scrutiny while the competence and expertise of drug regulatory authorities of individual nations is not uniform and varies greatly from country to country.

7.278 The Committee recommends an enquiry into the said letter. The responsibility should be fixed and appropriate action taken against the guilty. The Committee should be kept informed on this case.

7.279 The Committee takes special notice of this case of persistent insolence on the part of CDSCO and hopes that never again shall the DCGI approve drugs in violation of laws, that too for use in neonates and young children.

7.280 The Committee expresses its deep concern, extreme displeasure and disappointment at the state of affairs as outlined above. The Ministry should ensure that the staff at CDSCO does not indulge in irregularities in approval process of new drugs that can potentially have adverse effect on the lives of people. It is difficult to believe that these irregularities on the part of CDSCO were merely due to oversight or unintentional. Hence all the cases listed above and cases similar to these should be investigated and responsibility fixed and action taken against erring officials whether currently in service or retired.

Drugs withdrawn/Discarded/banned Abroad

7.281 The Committee has noted that there are a very large number of alternative analgesics, antipyretics in the Indian market. With so many countries banning Analgin, not to mention unlawful over-promotion by manufacturers, the CDSCO should be directed to re-examine the rationality of continued marketing of Analgin.

7.282 It is to be kept in mind that a drug becomes a candidate for withdrawal not only due to serious side effects but also when safer, more efficacious drugs are launched. Unfortunately, no attention is being paid to this issue. This principle should apply to all cases and all drugs need to be evaluated periodically.

7.283 The documents submitted by the Ministry show that even in large developed countries with well developed drug regulation such as US the adverse reactions are not detected by spontaneous reports from doctors in practice. All major side effects were detected in large scale controlled, focused Post-Marketing Phase IV trials involving thousands of patients such as SCOUT on anti-obesity drug sibutramine (now banned) and the RECORD trial on rosiglitazone (now banned). Therefore to expect that any spontaneous reports from medical profession, either in private practice or even institutions (medical colleges, large hospitals) will pick up hitherto unknown side effects in India is not realistic. There is hardly any alternative but to take immediate cognizance of serious adverse drug reactions reported from countries with well developed and efficient regulatory systems. The health and lives of patients in India cannot be put to risk in the hope of detecting ADRs within the country.

7.284 The Committee feels that since the chances of picking up unknown serious adverse effects of drugs being marketed in the country are remote, therefore CDSCO should keep a close watch on regulatory developments that take place in countries with well developed regulatory systems in the West and take appropriate action in the best interest of the patients.

7.285 In most cases, most of these experts whether appointed by CDSCO or DTAB are from Delhi. The following facts reveal this pattern:

- Rimonabant was referred to a committee of six experts, all from Delhi.
- Levonorgestrel: Four out of five from Delhi.
- Letrozole: Four out of five from Delhi.
- Sibutramine: All five from Delhi.
- Rosiglitazone: All five from Delhi.
- A review of membership shows that one expert sat on 5 of the 6 committees. One wonders whether expertise on drugs is confined to Delhi.

7.286 The Committee strongly recommends that with some 330 teaching medical colleges in the country, there are adequate number of knowledgeable medical experts with experience who can be requested to give their opinion on the safety and efficacy of drugs. The need is to make such consultations very broad based so as to get diverse opinion. The opinions, once received, can be put in public domain inviting comments. Once the experts know that their opinions will be scrutinized by others, including peers, they would be extra cautious and give credible evidence in support of their recommendation.

Fixed Dose Combinations (FDCs)

7.287 Unfortunately some State Drug Authorities have issued manufacturing licenses for a very large number of FDCs without prior clearance from CDSCO. This is in violation of rules though till May 2002, there was some ambiguity on powers of the State Drug Authorities in this respect. However the end result is that many FDCs in the market have not been tested for efficacy and safety. This can put patients at risk.

7.288 To remove such unauthorized FDCs from the market, the Central Government can either issue directions under Section 33P to states to withdraw the licences of FDCs granted without prior DCGI approval or the Central Government can itself ban such FDCs under Section 26A.

7.289 The Committee was informed that DCGI has been requesting State Drug Authorities not to issue manufacturing licences to new FDCs and suspend licences of unauthorized FDCs issued in the past. However in exercise of powers under Section 33P specific directions have not been issued. The Ministry failed to provide any coherent reason for lack of action under this Rule. The Ministry informed the Committee that even if Section 33P was invoked, there was no provision to take action against States if directions were not carried out. If considered necessary, the Ministry may examine the possibility of amending the law to ensure that directions under Section 33P are implemented.

7.290 It is also possible to ban FDCs, not authorized by CDSCO by invoking Section 26A which empowers the Central Government to ban any drug to protect public health. The Committee was informed that the Government has not evoked Section 26A either so far. No explanation was offered for not using powers under Section 26A.

7.291 The Committee was informed that the issue regarding grant of Manufacturing Licenses for unapproved FDCs by some State Drug Authorities were first deliberated in 49th DTAB meeting held on 17 February, 2000 *i.e.* 11 years ago. It is a matter of great concern that even after a lapse of a decade, no serious action has been taken.

7.292 The Committee is of the view that those unauthorized FDCs that pose risk to patients and communities such as a combination of two antibacterials need to be withdrawn immediately due to danger of developing resistance that affects the entire population.

7.293 The Committee is of the view that Section 26A is adequate to deal with the problem of irrational and/or FDCs not cleared by CDSCO. There is a need to make the process of approving and banning FDCs more transparent and fair. In general, if an FDC is not approved anywhere in the world, it may not be cleared for use in India unless there is a specific disease or disorder prevalent in India, or a very specific reason backed by scientific evidence and irrefutable data applicable specifically to India that justifies the approval of a particular FDC. The Committee strongly recommends that a clear, transparent policy may be framed for approving FDCs based on scientific principles

Drugs Advisory Committees

7.294 The Committee feels that though the Ministry is forming DACs, which are given very important powers, there is no transparent procedure for the selection of experts of such Committees. The Committee also recommends that institutions from which experts are chosen should be from different parts of the country.

Similar Brand Names

7.295 The Committee strongly recommends that all such cases should be thoroughly reviewed in close coordination with State Drug Authorities. Specific procedures may be framed for approval of brand names. The procedure adopted by the Registrar of Newspapers to avoid duplication may be worth emulating. As a beginning, a data bank of all branded pharmaceutical products along with their ingredients should be uploaded on the CDSCO website and regularly updated.

Post-Marketing Surveillance

7.296 In order to scrutinize the compliance of this rule, the Ministry was asked to furnish PSURs in respect of 42 randomly selected new drugs. Since files in respect of three drugs were reportedly missing, PSURs should have been supplied for the balance 39 drugs. The Committee is, however, constrained to note that PSURs in respect of only 8 drugs were submitted by the Ministry. The Committee was informed that 14 drugs though approved were not being marketed or were launched lately and hence PSURs would be expected later. There was no explanation for not submitting PSURs in respect of rest of 17 drugs.

7.297 Out of 14 drugs that were reported to be either not yet launched or lately launched, the Committee discovered that, at least, two products (FDC of glucosamine with ibuprofen; and moxonidine) were indeed in the market for some time and concerned manufacturers should have submitted PSURs. But the Committee has not been given any explanation for non-submission of PSURs for these two drugs.

7.298 The Committee observed that even, in those cases where the PSURs were submitted, the frequency and/or format was not as per rules. In the case of two drugs of MNCs (dronedarone of Sanofi Aventis and pemetrexid of Eli Lilly), the PSURs were neither India specific nor in the approved format as required by law. Some companies submitted PSURs for the products being marketed in the country but very few PSURs were India-specific.

7.299 The Committee is of the firm view that there is a poor follow-up of side effects in Indian patients both by doctors and manufacturers. The objective of PSURs is to collect information about adverse effects on patients in India which would help to determine ethnic differences, if any and result in dosage adjustment, revision of precautions and warnings, if necessary. The Committee takes strong exception to such rampant violation of the mandatory requirements.

7.300 The Committee strongly recommends that the Ministry should direct CDSCO to send a stern warning to all manufacturers of new drugs to comply with mandatory rules on PSURs or face suspension of Marketing Approval. PSURs should be submitted in CDSCO approved format which would help track adverse effects discovered in Indian ethnic groups.

Pharmacovigilance

7.301 The Committee feels that the conventional system of locating side effects through spontaneous reporting by doctors to either drug companies or drug regulators has been found to be unsatisfactory. The most effective system is by controlled post-marketing Phase IV studies on a very large number of patients. In the past decade, all the major adverse effects that led to banning of drugs were identified in large scale Phase IV trials. The Ministry may wish to consider the possibility of using this format in the country.

Updation of Information on Marketed Drugs

7.302 The Committee feels that unless information on marketed drugs is continuously updated, there is risk of irrational or inappropriate use of medicines putting patients at risk. The Committee, therefore, recommends that immediate steps need to be taken to address this issue. The CDSCO should be directed to continuously update monographs based on information from regulatory authorities the world over.

Spurious/Sub-Standard Drugs

7.303 A drug can be categorized 'Not of Standard Quality' for a variety of both major and minor technical reasons such as not stating the name of the pharmacopoeia correctly, problem with quality of bonding agent, colouring agent, dissolution time, etc. However, there are other more serious cases, where the active ingredient is significantly less in quantity that can harm patients. Therefore, this problem needs to be addressed with all the seriousness that it deserves both by more rigorous checks in procuring bulk drugs (particularly from developing countries with not so stringent quality checks and export controls) and by in-house quality control by manufacturers or solving the problem in transportation and/or storage at distribution/retail levels.

7.304 By the time a sample is tested, a large number of packs get sold out with undeterminable injury to patients. There is no effective method of recalling unsold stocks lying in the distribution network. This cannot be allowed to go on.

7.305 The Committee feels that there should be severe punishment for manufacturing and for allowing sub-standard drugs to enter the distribution chain. Products with severe deficiencies should be penalized the same

way as producers of spurious drugs by amending rules. There is also a case to incorporate penal provisions for manufacturing misbranded and adulterated drugs.

7.306 It is known that retail chemists also stock and sell items other than drugs including chocolates, cold drinks etc. During summer these items are stored in the refrigerator while due to paucity of space temperature-sensitive medicines may be lying outside. When samples are picked up, tested and found to be sub-standard, the State Drug Authorities blame and prosecute manufacturers. Therefore the Committee recommends that specifically in the case of temperature sensitive products such as insulins, due consideration should be given to the reference samples of the same batch preserved by the manufacturers.

7.307 The Committee is extremely anxious on both counts: such hugely costly imported drugs losing their potency before use and the possibility of fakes entering the chain. It is strange that multinational drug companies that have well staffed marketing offices in India, instead of importing drugs from their overseas affiliates and selling them are using traders to handle this activity. Apart from risk to patients, there is leakage of revenue to income tax. While the promotional expenses on imported formulations are being paid by the Indian branch of MNCs thus reducing income tax liability, there is no corresponding income since traders are paying directly to overseas offices of MNCs. The Committee would like the Ministry to ensure that in cases where MNCs have offices in India, traders are not permitted to import formulations of such companies. The Committee would like to be kept informed of the steps taken on this issue.

7.308 The Committee recommends that once a batch of a drug is found to be sub-standard and reported to CDSCO, it should issue a press release forthwith and even insert paid advertisements in the newspapers apart from uploading the information on the CDSCO website. Retail chemists should be advised to stop selling unsold stocks and return the same to local Drugs Inspectors as per rules. The Committee understands that at least two State Drug Authorities, that of Maharashtra and Kerala, have taken the initiative to upload information on spurious and sub-standard drugs on their websites on a monthly basis. These are welcome measures worth emulating by other states and the Centre.

Advertising of Prescription Drugs in the Lay Media

7.309 The Committee would like the Ministry to take appropriate action against the companies that have advertised the above Schedule H drugs in the lay press. The provisions in the Drugs and Magic Remedies Act are not stringent enough with the result that manufacturers violate them at will. It also recommends that apart from giving sharper teeth to the Drugs and Magic Remedies Act, a provision should also be incorporated in the Drugs and Cosmetics Rules to ban such practices and penalize offenders. The Committee would like to be informed of the action taken to implement these recommendations.

Consumer Information

7.310 The Committee is of the firm opinion that accurate information on drugs for patients is absolutely essential to prevent inappropriate use more particularly in children, elderly, during pregnancy and lactation. The Committee recommends that the matter may be looked into to ensure that consumers have the required information to use medicines safely. Given the widespread internet connectivity, it is advisable to devise a system where patients can get unbiased information on drugs at the click of the mouse in any language.

Clinical Trials on New Drugs

7.311 Due to the sensitive nature of clinical trials in which foreign companies are involved in a big way and a wide spectrum of ethical issues and legal angles, different aspects of Clinical trials need a thorough and in-depth review. This Committee has, accordingly, taken it up as a subject for detailed examination separately under the heading 'Clinical Trials of Drugs'.

(g) 60th Report

7.312 The Committee takes note of the fact that even though it is more than sixty years since India attained independence, affordable healthcare and health education have been a distant dream for the common people of the country. Even though concerted efforts have been made by the Government, but due to substantial socio-economic and geographical inequalities, those efforts have not made the desired impact. The Committee expresses its concern over the acute shortage of qualified health workers including doctors in the country. It is constraining to note that as per 2001 Census, the estimated density of all the health workers (qualified and unqualified) in

India is about 20 per cent less than the WHO norm of 2.5 workers (doctors, nurses and midwives) per thousand population. This shows the substantial shortage of qualified health workers in the country. The Committee also notes the disparities between the rural and urban areas in respect of the availability of health infrastructure. Even though there is a steep increase in the number of medical colleges in the country, the cause of the concern for the Committee is that a number of colleges that have been opened are not evenly distributed. This has resulted in distorted distribution of the country's production capacity of health workers. The Committee also takes cognizance of the fact that the other health professions such as nursing, pharmacy, etc., are not in a promising state. The nursing education is also in a poor condition resulting in poor quality of the nursing professionals. Similarly, the nurses-doctors ratio in the country is only 0.8:1 as against the ideal ratio of 3:1. Adding to these woes is the criticism being made against some of the National Health Councils, leading to judicial censure on several occasions. The Committee, therefore, takes note of this background in which the Bill has been brought forward by the Government in the Parliament.

7.313 Taking note of the importance of the Bill and its likely impact on the availability of health professionals, health infrastructure and ultimately healthcare delivery for the common people of the country, the Committee took the views of a cross-section of the society and various stakeholders. The Committee feels that the need for reforms in health sector is long overdue so as to invigorate the health sector. But several stakeholders have raised serious apprehensions on various provisions of the Bill and effectiveness of various bodies that are proposed to be established under the Bill. In view of the apprehensions expressed by various stakeholders, the Committee, in its meeting held on 17 August, 2012, felt that the Bill, in the present form, cannot be recommended. The Committee, therefore, decided not to go in for clause-by-clause consideration of the Bill and to recommend to the Government to consider all shades of opinion and all the suggestions and bring forward a revised comprehensive Bill before the Parliament.

7.314 The Committee, however, makes the following general observations/recommendations to enable the Government to take necessary action at the time of revisiting the Bill: (i) The National Commission for Human Resources for Health, as proposed in the Bill, is mandated to take measures to determine, maintain and coordinate the minimum standards of and promote the human resources, in the disciplines of health education and training, commensurate with the requirement of such resources in different States and Union Territories. The Committee is aware that 'Health' is a State subject whereas 'Health Education' figures in the Concurrent List of the Constitution. However, the composition of the Commission gives no representation to the States. The Committee agrees with the viewpoint put forth by the State representatives that the States play a vital role in delivery of healthcare and medical education. States are well versed with existing medical education capacity and know their future requirements better. The Secretary, Department of Health and Family Welfare, during the course of his deposition before the Committee stated that he was open to giving greater representation to the States in the National Commission, the National Board and the National Evaluation and Assessment Committee. It is, in this context, that the Committee is of the considered view that a substantive role should be mandated for the States in the Commission. The Committee, therefore, recommends to revisit the institutions of National Commission, National Board and National Evaluation and Assessment Committee and give adequate representation to the States. Cooperation and coordination of the States is very essential for better provision of healthcare and health education in the country. Discussions may be held with all the State Governments before revising the Bill. Necessary modifications may, accordingly, be made in the Bill. (ii) Some stakeholders favoured strengthening of the existing Councils rather than overarching body as proposed in the Bill. They felt that sufficient safeguards should be provided in the present Councils to ensure their transparent functioning and accountability to the Central Government and the Parliament. The Committee also took note of their concern that the present National Councils have been relegated to maintaining the Central Register only, in the Bill. There was also a mention that in the National Commission, National Board and National Evaluation and Assessment Committee, the representation of several professions has not been indicated. The Committee notes the concern expressed by the Councils that their autonomy and democratic set-up have been taken over under the Bill. The Committee feels that these apprehensions need to be appropriately addressed by the Government in the Bill. There is a need for clarifying all these concerns. The democratic functioning of the National Councils should be appropriately protected, even if they are brought under the overarching body. As regards the existing functions of the Councils, the Committee suggests that Councils may be given the powers to consider all the proposals as per the existing functions and after their due consideration, the three bodies proposed under the Bill i.e the Commission, the Board and the Assessment Committee may be given the power to take final decision in the respective matters.

Besides, adequate representation should be given to all the professions in the proposed Commission, Board and Committee. (iii) Some of the stakeholders expressed their apprehensions that there is no element of election in the composition of the Commission, Board and the Assessment Committee. The Bill provides only for the appointment by the Central Government on the recommendations of the Selection Committees. In fact, this has been objected by the State Governments also. The Committee desires, that the apprehensions of stakeholders may be considered by the Government while revising the Bill. (iv) The Selection Committees proposed to be set up for recommending persons for nominations to the Commission, Board and the Assessment Committee have been questioned by some of the stakeholders. They felt that the selection process for the Selection Committees has been made very ambiguous stating that the Chairperson and Members shall be appointed in such manner as may be prescribed. The Committee agrees that this would lead to doubts in the minds of the people and this needs to be clearly spelt out. The Committee, in this regard, takes note of the Higher Education and Research Bill, 2011 in which composition of the Selection Committee has been clearly spelt out. The Committee recommends that a procedure on the similar lines be spelt out at the time of revising the Bill. The Committee also feels that the members of Selection Committee should be persons of eminence, preferably from the medical field. Besides, the Committee also recommends that there should be only one Selection Committee for all the three bodies. (v) The Bill provides that the Chairperson or a Member of the National Commission/National Board/National Evaluation and Assessment Committee can be removed by the Central Government at its pleasure which is very ambiguous provision and susceptible to misuse whereas the Higher Education and Research Bill, 2011 provides that the Chairperson or a Member of the National Commission for Higher Education and Research can be removed by the President. The Committee feels that a similar provision may be incorporated in the present Bill. The Committee recommends that adequate safeguards may be provided in the Bill so that the Chairperson and other Members of the Commission, Board, and the Assessment Committee are able to discharge their duties and responsibilities in a fair and objective manner. (vi) It has been brought to the notice of the Committee that though the Bill seeks to abolish the National Board of Examinations (NBE), it fails to define how the existing streams of health education run by the NBE are to be preserved and promoted within the ambit of the Bill. The Committee is given to understand that the NBE has provided standardized examination for post-graduate courses across the country and public sector hospitals like Railway Hospitals, Armed Forces Hospitals and some private sector hospitals like Sir Ganga Ram Hospital, Shankar Netralaya, etc. are participating for the post graduation courses. It has been impressed upon the Committee that India is very short of specialists and the NBE provides an opportunity beyond the medical colleges to train the specialists of higher order. The Committee agrees that the NBE performs very important functions and the post-graduate medical education of the highest order is being standardized by it, and if this stream disappears, it is going to affect the specialists, who have been awarded degrees so far. The Committee, therefore, recommends that the above apprehensions be adequately addressed and precise and explicit provisions be made while revising the Bill to protect the existing streams of PG education run by the NBE. (vii) The Committee also takes note of the apprehensions expressed before it about a potential conflict of powers between the Commission, the Board and the Assessment Committee due to lack of clarity regarding the powers of the three bodies. One of the apprehensions was that the Commission gives permission for new courses under Clause 17 of the Bill whereas Clause 30 gives an impression that the Board is fully empowered to recognize new courses and give accreditation to new courses. Similarly, it was also apprehended that there is conflict between Board and Committee regarding accreditation of Health Educational Institutes under Clauses 30 (2) (t) and 37 (1) respectively. The Committee strongly feels that there is a need to clearly demarcate the respective jurisdictions of the three bodies under the Bill. (viii) The Committee also takes note of the apprehensions expressed by some of the professional associations like physiotherapy, dental hygienists, optometrists, occupational therapists etc. They expressed the desire to have separate Council for each of the professions. For example, Dental Hygienists Association felt that they are always relegated to the background and they do not get sufficient prominence. They also felt that their profession has not been appropriately represented in the Bill. The Committee feels that many new fields have emerged in the health profession but the new fields are yet to be granted the status of separate Council so as to ensure their better growth, regulation and standards. The Committee, therefore, recommends that their grievances may also be taken care of and separate Councils may be provided for them, wherever feasible. (ix) The Committee takes note of the provision in Clause 17 (6) which provides that where no order on establishment of institution for imparting health education or a new course of study has been given by the Commission for a period of one year, the same shall be deemed to have been approved by the Commission in the form in which it has been submitted. The Committee expresses its serious doubts on this open-ended clause. The Committee feels that this clause is susceptible to misuse by allowing backdoor entry of health institutions or a

new course of study by stalling the decision for one year, which would automatically be treated as approval. The Committee recommends that this provision may be made more stringent and sufficient riders and safeguards may be provided in the clause. (x) The Committee is also of the view that there is no mention about the Medical Research in the preamble, powers and functions of the Commission nor has been defined under the definition in Clause 2. It has only been mentioned in Clause 30(1)(a) under the powers and functions of the National Board of Examination stating that it is one of the functions of the Board to maintain standards of Health Education and Research. Health Research is covered under the Higher Education and Research Bill, 2011 also. The Committee has noted that in the Higher Education Bill, 2011, Agricultural Education and Research has been kept out of its purview. A comparative perusal of contents of the provisions pertaining to jurisdiction and functions of the Commissions proposed under both the Bills reveals that both the Bills have identical jurisdiction and functions on various aspects of Medical Education and Research. Under such circumstances overlap and conflict of jurisdiction is inevitable. Wherever there is overlap and conflict of jurisdiction between more than one agency on a particular subject, the ultimate sufferer would be its objective i.e. development of medical education and medical research. The Committee is not in agreement with the Ministry's contention that Health Research requires a forum like National Commission on Higher Education. There is a separate department for Medical Research mandated with the responsibility of development of various aspects of Medical Research and coordination between various National and International Agencies engaged in Medical Research. In the given circumstances, the Committee is of the opinion that it would not be appropriate to keep Medical Education and Medical Research under the jurisdiction of more than one Agency and Ministry. It would not serve any purpose and rather it would hamper its development. The Committee, therefore, strongly recommends that both Medical Education and Medical Research should be brought under the purview of the proposed National Commission envisaged in the Bill. The Ministry may appropriately address this issue while revising the Bill. (xi) The Committee notes that the medical education and healthcare under AYUSH has not been brought under the Bill. The Committee, therefore, heard the views of the Secretaries of Departments of Health and Family Welfare and AYUSH. Both the Departments of Health and Family Welfare and Department of AYUSH desired to keep the Indian Systems of Medicine and Homoeopathy out of the ambit of the present Bill on the ground that the Allopathy and the Indian Systems of Medicine and Homoeopathy are completely different and the latter needs focussed attention for proper development. It was, therefore, proposed to be kept on a separate footing due to the apprehensions that if they were brought under one Commission, the focussed attention of the AYUSH may be lost. It was also brought to the notice of the Committee that a separate Department was created in 1995 for Indian Systems of Medicine and Homoeopathy to give focussed attention and later it was named as Department of AYUSH in 2003. A separate policy known as 'National Policy on Indian Systems of Medicine and Homoeopathy' was also formulated in 2002. The Committee cannot understand the rationale behind having two separate overarching bodies for two different systems of medicine within the country. The Committee is of the view that there should be only one overarching body and all the health/medical professions should be brought under one single umbrella though with separate Councils. The Committee, therefore, recommends that the Indian Systems of Medicine and Homoeopathy may also be brought under the jurisdiction of the National Commission for Human Resources for Health. The representatives of the Councils of the Indian Systems of Medicine and Homoeopathy may also be given representation in all the bodies, i.e., the Commission, the Board as well as the Assessment Committee so that their interests are well taken care of. (xii) The Committee notes that though Health Educational Institutions, Health Institutions and Health Education have been mentioned in the Bill, but Health Education has not been defined while Health Educational Institution or Health Institutes have been defined. The Committee desires that this may be amply clarified. The Committee also desires that health education should be replaced by medical education because it is not the Health Educational Institution, it is Medical Educational Institution which imparts various kinds of medical education. The Committee, therefore, recommends that Health Education, Health Education Institutions / Health Institution may be replaced by Medical Education / Medical Educational Institutions / Medical Institutions wherever they appear and Medical Education may be appropriately defined. (xiii) Similarly, distance education system as has been mentioned in Clause 2(r) is also not acceptable to the Committee. The Committee feels that Medical Education should not be imparted through distance education mode and it should be a regular course.

7.315 The Committee has received several suggestions from various stakeholders in the form of written representations, written submissions as well as oral evidence. The Committee has dealt with some important suggestions made by various stakeholders and appended all the memoranda/written submissions to the Report. The memoranda/written submissions received from various persons/bodies have been sent to the Ministry for

comments. The issues raised by various persons/bodies in the memoranda and the written submissions and the comments of the Ministry are appended. Some of the stakeholders have proposed amendments to various provisions of the Bill. The Committee recommends that the Ministry of Health and Family Welfare may carefully examine all the suggestions made by various stakeholders in the written memoranda, written submissions and oral evidence and also the recommendations made by this Committee while revising the Bill. All the apprehensions made by various stakeholders may be appropriately addressed. If need be, the Ministry may hold another round of discussions with all the stakeholders before finalizing the fresh Bill.

7.316 The Committee, accordingly, recommends that the Ministry may withdraw this Bill and bring forward a fresh Bill after sufficiently addressing all the views, suggestions and the concerns expressed. Before finalising the fresh Bill, the Ministry may hold discussions with all the stakeholders including the State Governments.

VI. Secretariat

7.317 The Committee Section (H&FW) headed by a Deputy Director constituted the Secretariat of the Committee. Joint Secretary, Director and Joint Director remained incharge of the Section.

7.318 To assist the Committee in its work, materials received from the Departments as also from other organizations and individuals were studied, and relevant points were culled out. Questionnaires for written/ oral replies were prepared for use of the Committee.

7.319 The Committee Secretariat also studied materials like Parliamentary Debates, answers to Parliamentary Questions, Budget Estimates, Economic Survey and Newspapers relevant to the subject under examination of the Committee. The Committee Secretariat also sent to Ministry of Health and Family Welfare to questions based on newspaper reports/articles alongwith the questionnaire based on Expenditure Budget and other relevant documents. The Committee Secretariat also examined downloaded study material from websites on various subjects for preparation of reports.

7.320 The work relating to drafting, consideration and approval of draft reports by the Committee along with their presentation/laying, printing and distribution was undertaken.

ANNEXURE -VII

(See Para 7.5)

Details of the sittings of the Committee on Health and Family Welfare during the year 2012

Sl. No.	Date of meeting	Duration Hrs. Mins.	Subject
1	2	3	4
1.	24.01.2012	1.20	The Committee heard the views of the Secretary, Department of Health and Family Welfare on the National Commission for Human Resources for Health Bill, 2011, referred to the Committee on 26th December, 2011 for examination and report.
2.	27.02.2012	1.31	The Committee heard the views of the Secretaries of the Departments of Health and Family Welfare, AYUSH and Health Research (Ministry of Health and Family Welfare) and the Secretary, Department of Legal Affairs and Additional Secretary of the Legislative Department, (Ministry of Law and Justice) on the issue of inclusion of various disciplines of AYUSH under the ambit of the National Commission for Human Resources for Health (NCHRH) Bill, 2011 and research related aspects in the Bill.
3.	20.03.2012	0.45	The Committee discussed the issue regarding inclusion of various disciplines of AYUSH in the ambit of the Bill.
4.	09.04.2012	5.45	The Committee heard the views of the Secretary of the Department of Health and Family (Health and NRHM sectors) on Demands for Grants (2012-13) of the Ministry of Health and Family Welfare.
5.	10.04.2012	2.19	The Committee heard the views of the Secretaries of the Departments of Health Research and AIDS Control in connection with examination of Demands for Grants (2012-13) of the Ministry of Health and Family Welfare.
6.	11.04.2012	2.19	The Committee heard the views of the Secretary of the Department of AYUSH in connection with examination of Demands for Grants (2012-13) of the Ministry of Health and Family Welfare.
7.	23.04.2012	0.30	The Committee considered and adopted draft 54th, 55th, 56th and 57th Reports on Demands for Grants (2012-13) pertaining to Departments of Health and Family Welfare, AYUSH, Health Research and AIDS Control, respectively.
8.	4.05.2012	0.30	<p>(i) The Committee considered and adopted draft 58th Report on action taken by the Government on the Recommendations / Observations contained in the Forty Fifth Report of the Committee on Issues relating to availability of Generic, Generic-Branded and Branded Medicines, their Formulation and Therapeutic Efficacy And Effectiveness and draft 59th Report on the functioning of the Central Drugs Standard Control Organisation (CDSCO);</p> <p>(ii) The Chairman apprised the Members of the progress made towards examination of the National Commission for Human Resources for Health Bill, 2011. The Committee felt that it would not be possible for it to complete all stages of examination of the Bill and present report thereon by the 31st May, 2012. The Committee, accordingly, decided to seek further extension of time till the last day of the first week of the Monsoon</p>

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			Session 2012 of the Parliament for presenting its Report on the Bill to the Parliament and authorized its Chairman to approach the Hon'ble Chairman in this regard; and
			(iv) The Committee also decided to take up the following four subjects for examination and report <i>viz.</i> (i) Implementation of Universal Immunization Programme, (ii) Working of Food Safety and Standards Authority of India (FSSAI), (iii) Collection of real time data-ICD-10 (WHO), and (iv) Implementation of National AIDS Control Organisation (NACO) and directed the Secretariat to call for comprehensive status notes on the above subjects from the Ministry of Health and Family Welfare.
9.	14.05.2012	0.30	(i) The Committee directed the Secretariat to call for the clarifications from the Ministry of Health and Family Welfare whether any vigilance cases were pending against Shri Vineet Chawdhry, former Joint Secretary of Health and Family Welfare when he was sent on deputation as Deputy Director (Administration), AIIMS;
			(ii) The Committee decided to undertake a study visit outside Delhi in connection with the examination of National Commission for Human Resources for Health (NCHRH) Bill, 2011, National Rural Health Mission (NRHM), etc., and directed the Secretariat to chalk out tour programme and authorized its Chairman to finalise a programme in the second half of June and take approval of Hon'ble Chairman, Rajya Sabha.
10.	07.06.2012	2.00	The Committee heard the views of the representatives of (i) Pharmacy Council of India (ii) Indian Nursing Council (iii) Central Council of Homoeopathy and (iv) Central Council of Indian Medicine on the National Commission for Human Resources for Health Bill, 2011.
11.	08.06.2012	2.30	The Committee heard the views of the representatives of the Board of Governors of Medical Council of India and Dental Council of India on the National Commission for Human Resources for Health Bill, 2011.
12.	05.07.2012	1.45	The Committee heard the views of the representatives Indian Medical Association, Delhi Medical Association, Indian Association of Physiotherapy (Central), and some other Physiotherapist Forums/Associations on the National Commission for Human Resources for Health Bill, 2011.
13.	17.07.2012	1.45	The Committee heard the views of the representatives of the National Board of Examinations; Indian Association of Physiotherapists, Mumbai; All India Dental Hygienist Association, New Delhi; Prof. Aseem Prakash Tikku, Faculty of Dental Sciences, Chhatrapati Shahuji Maharaj Medical University, Lucknow; and Dr. Rohit Khanna, Lucknow on the National Commission for Human Resources for Health (NCHRH) Bill, 2011.
14.	18.07.2012	1.00	The Committee heard the views of Prof. D.K. Gupta, Vice Chancellor, Chhatrapati Shahuji Maharaj Medical University, Lucknow, and Dr. H.N. Tripathi, Chief Medical Superintendent, Sahara Hospital, Lucknow, on the National Commission for Human Resources for Health Bill, 2011.
15.	30.07.2012	1.55	The Committee heard the views of Prof. R.C. Deka, Director, All India Institute of Medical Sciences, New Delhi; Prof. Y.K. Chawla, Director, Post Graduate Institute of Medical Education & Research, Chandigarh; Dr. P.H. Ananthanarayanan, Senior Professor & Head (Department of Biochemistry), Jawaharlal Institute of Post Graduate Medical Education & Research, Puducherry; and Dr. P. Satishchandra, Director-Vice-

1	2	3	4
			Chancellor, National Institute of Mental Health and Neuro Sciences (NIMHANS), Bangalore on the National Commission for Human Resources for Health (NCHRH) Bill, 2011.
16.	31.07.2012	1.15	The Committee heard the views of Shri Sanjay Mitra, Principal Secretary, Government of West Bengal and Shri Rajesh Kishore, Principal Secretary, Department of Health and Family Welfare, Government of Gujarat on the National Commission for Human Resources for Health (NCHRH) Bill, 2011.
17.	17.08.2012	0.45	The Committee heard the views of the Secretary and other officials of the Department of Health and Family Welfare on the National Commission for Human Resources for Health Bill, 2011, to seek clarifications in light of suggestions/comments received from various stakeholders/experts and evidence tendered by a number of stakeholders on the Bill.
18.	28.08.2012	0.15	The Committee considered and adopted draft Report on the National Commission for Human Resources for Health Bill, 2011. However, some Members felt that further discussions were needed to be held to have clarity on the Bill in view of the apprehensions expressed by various stakeholders. After some discussion, the Committee deferred the consideration of the Report. The Committee felt it would not be possible for it to complete all stages of consideration of the Bill and present its Report before 31st August, 2012 when the extended period of time for presentation of Report expired. The Committee therefore, decided to seek further extension of time till the last day of first week of the Winter Session of Parliament 2012, and authorized its Chairman to approach Hon'ble Chairman for the purpose.
19.	12.10.2012	0.30	(i) The reconstituted Committee discussed its future course of action. (ii) The Committee also discussed various health issues affecting the country and decided to seek a status note on the health scenario in the country from the Department of Health and Family Welfare. (iii) The Committee also directed the Secretariat to call the Secretary, Department of Health and Family Welfare alongwith the Chairperson, Board of Governors, Medical Council of India and the President, National Board of Examinations in its next meeting to hear their views on the National Eligibility-cum-Entrance Test proposed for under graduate and Post-Graduate Courses.
20.	19.10.2012	1.15	(i) The Committee considered and adopted its 60th Report on the National Commission for Human Resources for Health Bill, 2011 and decided to present the same to Hon'ble Chairman, Rajya Sabha as the Parliament was not in Session. (ii) The Committee heard the Secretary, Department of Health and Family Welfare along with Chairperson, Board of Governors, Medical Council of India and President, National Board of Examinations on the National Eligibility and Entrance Test (NEET).
21.	08.11.2012	1.25	The Committee heard the Secretary, Department of Health and Family Welfare along with Chairperson, Board of Governors, Medical Council of India on (a) the Bachelor of Science (Community Health)-B.Sc(CH) course and (b) clarification on the matter regarding National Eligibility-cum- Entrance Test (NEET).

ANNEXURE-VIII*(See Para 7.6)***Details of the sittings of the Sub-Committee-I of the Department-related Parliamentary Standing Committee on Health and Family Welfare on AIIMS during the year 2012**

Sl. No.	Date of meeting	Duration Hrs. Mins.	Subject
1	2	3	4
1.	28.02.2012	3.05	The Sub-Committee heard the views of (i) Sh. K. B. Saxena, Former Secretary, Government of India, (ii) Sh. D. Diptivilasa, Additional Secretary, Ministry of Urban Development alongwith representatives of Department of Health and Family Welfare and All India Institute of Medical Sciences (AIIMS) and (iii) Dr. M. K. Bhan, Secretary, Department of Biotechnology, Ministry of Science & Technology, on the various aspects relating to functioning of AIIMS.
2.	10.05.2012	0.45	The Sub-Committee heard the views of (i) Shri Manoj Joshi, Joint Secretary, Department of Personnel and Training, (ii) Shri Satish Chandra, Joint Secretary and Legal Advisor, Department of Legal Affairs, (iii) Shri Keshav Desiraju, Special Secretary, Department of Health and Family Welfare along with representatives of the Department and AIIMS on the issue of implementation of reservation policy for SCs, STs and OBCs in the All India Institute of Medical Sciences (AIIMS).
3.	21.05.2012	1.45	The Sub-Committee heard the views of Secretaries of Departments of Personnel and Training and Legal Affairs and Joint Secretary of Department of Health and Family Welfare along with Sub-Dean of AIIMS on the issue of implementation of reservation policy in the All India Institute of Medical Sciences (AIIMS).
4.	31.05.2012	1.45	The Sub-Committee heard the views of (i) Dr. Seema Rao, Ex-Assistant Professor, Pathology, MAMC; (ii) Dr. Kameshwar Prasad, HoD, Neurology, AIIMS; (iii) Dr. S.K Sharma, HoD, Medicine, AIIMS; and (iv) Dr. H.H. Dash, HOD, Neuro-anaesthesia, AIIMS on the functioning of All India Institute of Medical Sciences (AIIMS).
5.	08.06.2012	2.45	The Sub-Committee heard the views of (i) Dr. R. C. Deka, Director, AIIMS; (ii) Shri Vineet Chawdhry, Deputy Director (Admn.), AIIMS; and (iii) Shri Rakesh Yadav, Sub-Dean (AIIMS) on functioning of All India Institute of Medical Sciences (AIIMS).

ANNEXURE-IX

(See Para 7.6)

Details of the sittings of the Sub-Committee-II of the Department-related Parliamentary Standing Committee on Health and Family Welfare on CGHS during the year 2012

Sl. No.	Date of meeting	Duration Hrs. Mins.	Subject
1	2	3	4
1.	06.06.2012	0.30	The Sub-Committee took stock of the progress made towards examination of the functioning of CGHS and discussed its future course of action.

ANNEXURE-X

(See Para 7.6)

Details of the sittings of the Sub-Committee-III of the Department-related Parliamentary Standing Committee on Health and Family Welfare on Draft Reports during the year 2012

Sl. No.	Date of meeting	Duration Hrs. Mins.	Subject
1	2	3	4
1.	10.04.2012	1.30	The Sub-Committee considered the Action Taken Note (ATN) furnished by the Department of Health and Family Welfare on the Recommendations/ observations as contained in its 45th Report of the Committee on “Issues relating to availability of generic, generic-branded and branded medicines, their formulation and therapeutic efficacy and effectiveness”; and (ii) the functioning of Central Drugs Standard Control Organisation (CDSCO).
2.	11.04.2012	0.20	The Sub-Committee further considered the Action Taken Note (ATN) furnished by the Department of Health and Family Welfare on the Recommendations/ observations as contained in its 45th Report of the Committee on “Issues relating to availability of generic, generic-branded and branded medicines, their formulation and therapeutic efficacy and effectiveness”; and (ii) the functioning of Central Drugs Standard Control Organisation (CDSCO) and adopted the same.

CHAPTER - VIII
COMMITTEE ON HOME AFFAIRS

I. Composition of the Committee

8.1 The Committee was constituted on 31st August 2011. The following was the composition of the Committee.

Shri M. Venkaiah Naidu — *Chairman*

Rajya Sabha

2. Shri Rishang Keishing
3. Dr. N. Janardhana Reddy
- [∞]4. Shri Rajiv Pratap Rudy
- *5. Shri Satish Chandra Misra
6. Shri Prasanta Chatterjee
7. Shri Tariq Anwar
8. Dr. V. Maitreyan
9. Shri D. Raja
10. Shri Javed Akhtar

Lok Sabha

11. Shri L.K. Advani
12. Shri Sansuma Khungur Bwiswmuthiary
13. Shri Khagen Das
14. Dr. Kakali Ghosh Dastidar
15. Shri Ramen Deka
16. Shri Lagadapati Raja Gopal
17. Shri Mohammad Asrarul Haque
18. Shri Naveen Jindal
19. Shri Jitender Singh Malik
20. Shri Babulal Marandi
21. Shri Baijayant Panda
22. Shri Lalubhai B. Patel
23. Shri Natubhai Gomanbhai Patel
24. Dr. Nilesh N. Rane
- [#]25. Shri Navjot Singh Siddhu
26. Shri Adhi Sankar
27. Shri Hamdullah Sayeed
28. Shri Neeraj Shekhar
29. Shri Ravneet Singh
30. Shri Harsh Vardhan
31. Shri Dinesh Chandra Yadav

[∞] Shri Rajiv Pratap Rudy nominated *w.e.f.* 4th July 2012 *vice* Shri S.S. Ahluwalia ceased to be Member consequent upon expiration of term of membership from Rajya Sabha on 2nd April, 2012.

* Shri Satish Chandra Misra nominated *w.e.f.* 4th May 2012 *vice* Shri Naresh Chandra Agrawal who resigned from the membership of Rajya Sabha *w.e.f.* 13th March, 2012.

[#] Shri Navjot Singh Siddhu nominated *w.e.f.* 3rd January 2012 *vice* Shri Bishnu Pada Ray who was nominated to the Committee on Rural Development *w.e.f.* 3 January 2012.

8.2 The Committee was re-constituted on 31st August 2012 with the following composition:—

Shri M. Venkaiah Naidu — *Chairman*

Rajya Sabha

- ^2. Shri D. Raja
3. Shri Rishang Keishing
4. Shri Janardan Dwivedi
5. Shri Rajiv Pratap Rudy
6. Shri Satish Chandra Misra
7. Shri Prasanta Chatterjee
8. Shrimati Kanimozhi
- *9. Vacant
10. Dr. V. Maitreyan

Lok Sabha

11. Shri Anandrao Adsul
12. Shri L.K. Advani
13. Dr. Shafiqur Rahman Barq
14. Shri E. T. Mohammed Basheer
15. Shri Avtar Singh Bhadana
16. Shrimati Santosh Chowdhary
17. Dr. Kakoli Ghosh Dastidar
18. Shri Ramen Deka
19. Shri Sandeep Dikshit
20. Shri Naveen Jindal
21. Shri Aaron Rashid J.M.
22. Shri Datta Meghe
23. Shri Lalubhai Babubhai Patel
24. Shri Sanjay Dina Patil
25. Shri Lalu Prasad
26. Shri Rathod Ramesh
27. Shri Hamdulla Sayeed
28. Shri Neeraj Shekhar
29. Shri Navjot Singh Siddhu
30. Shri Ravneet Singh
31. Shri Dinesh Chandra Yadav

^ Shri D. Raja, Member, Rajya Sabha has been nominated *w.e.f.* 28th December 2012 to the Committee on Home Affairs due to the appointment of Shri K. Rahman Khan as Minister of Minority Affairs in Union Cabinet *w.e.f.* 28th October 2012.

* Due to the Appointment of Shri Tariq Anwar as Minister of State for *Agriculture and Food Processing Industries w.e.f.* 28th October 2012.

II. Subjects selected for examination

8.3 The Committee inherited the following subjects from the previous Committee which were identified in its sitting held on 11th May 2011 for detailed study and examination:-

Sl. No.	Ministry/Department	Subject
1.	Ministry of Home Affairs	Security at Airports in the country;
2.	-do-	Working of Immigration Division in the Ministry of Home Affairs;
3.	-do-	Working of <i>Sardar Vallabhbhai Patel</i> National Police Academy, Hyderabad;
4.	-do-	Disaster Management in the country;
5.	-do-	Administration of Union Territories;
6.	Ministry of DoNER	Infrastructure Projects and Economic Development in NE Region;
7.	Ministry of Home Affairs	Functioning of Civil Defence Training Institutes in the country;
8.	-do-	Coastal Security Management;
9.	-do-	Indo-Bangla Border Fencing;
10.	-do-	Problems faced by the Home Guards and their Working Conditions; and
11.	-do-	Law and order situation in Delhi. (The Committee in its sitting held on 18 July 2012 decided to change the nomenclature of the subject "Law and Order situation in Delhi." to functioning of Delhi Police in order to broaden the scope of the study)

8.4 In addition to the above subjects, Hon'ble Chairman, Rajya Sabha also referred the following Bills to the Committee for examination and report:—

Sl. No.	Date of reference	Name of the Bill
1.	13.01.2012	The Arms (Amendment) Bill, 2011
2.	13.01.2012	The Unlawful Activities (Prevention) Amendment Bill, 2011
3.	13.01.2012	The North-Eastern Areas (Re-organisation) Amendment Bill, 2011
4.	12.09.2012	The Constitution (One Hundred Eighteenth Amendment) Bill, 2012
5.	28.12.2012	The Governors (Emoluments, Allowances and Privileges) Amendment Bill, 2012
6.	28.12.2012	The Criminal Law (Amendment) Bill, 2012

8.5 Besides the above Bill, the Committee (2011-12) had also inherited the following Bill referred to it in 2010:

Date of reference	Name of the Bill
09.12.2011	The Citizenship (Amendment) Bill, 2011

III. Constitution of Sub-Committees of the Committee on Home Affairs

8.6 **Sub-Committees:** The Chairman, Department-related Parliamentary Standing Committee on Home Affairs constituted two sub-Committees to study in details the subjects relating to "North Eastern Region" and "Administration of Union Territories" on 18 May 2012 consisting of 8 Members each. The Composition of the sub-Committees is as below:

Composition of the Sub-Committee for North-Eastern Region (NER)

Rajya Sabha

- (1) Shri D. Raja — *Convenor*
- (2) Shri Rishang Keishing
- (3) Shri Prasanta Chatterjee

Lok Sabha

- (4) Shri Khagen Das
- (5) Smt. Kakali Ghosh Dastidar
- (6) Shri Ramen Deka
- (7) Shri Naveen Jindal
- (8) Shri Harsh Vardhan

Composition of the Sub-Committee for Administration of Union Territories**Rajya Sabha**

- (1) Shri Tariq Anwar — *Convenor*
- (2) Dr. V. Maitreyan

Lok Sabha

- (3) Shri Baijayant Panda
- (4) Shri Lalubhai B. Patel
- (5) Shri Natubhai Gomanbhai Patel
- (6) Shri Hamdullah Sayeed
- (7) Shri Neeraj Shekhar
- (8) Shri Ravneet Singh*

IV. Review of work done**(a) Sitzings of the Committee**

8.7 Statement showing the dates of sittings of the Committee held during the period under review, the duration of the sittings and the subjects discussed, is at *Annexure-XI*.

(b) Sitzings of Sub-Committees

8.8 Statement showing the dates of sittings of the sub-Committees held during the period under review, the duration of the sittings and the subject discussed, is at *Annexure-XII & XIII*.

(c) Study Visits:

8.9 The Committee undertook study visits to Chennai, Tamil Nadu from 13th to 16th June 2012 to have in-depth study of Coastal Security and Disaster Management set up in the State. The Committee also visited Andhra Pradesh from 6th to 10th November 2012 to assess the Coastal Security and Disaster Management set up there. The sub-Committee on Administration of Union Territories visited Union Territory of Chandigarh as part of the study of Administration of UTs from 26th to 28th July, 2012.

V. Reports Presented

8.10 During 2012, the Committee presented the following Reports to both Houses of Parliament:-

Sl. No.	Report No. and Dates of Presentation/Laying		Subject
	Rajya Sabha	Lok Sabha	
1	2	3	4
1.	157th 28.3.2012	28.3.2012	Arms (Amendment) Bill, 2011
2.	158th 28.3.2012	28.3.2012	North-Eastern Areas (Reorganisation) Amendment Bill, 2011

* Nominated to the sub-committee *w.e.f.* 19.07.2012.

1	2	3	4
3.	159th 28.3.2012	28.3.2012	The Citizenship (Amendment) Bill, 2011
4.	160th 28.3.2012	28.3.2012	The Unlawful Activities (Prevention) Amendment Bill, 2011
5.	161st 30.04.2012	30.04.2012	Demands for Grants (2012-13) of Ministry of Home Affairs
6.	162nd 07.05.2012	07.05.2012	Demands for Grants (2012-13) of Ministry of DoNER
7.	163rd 30.08.2012	30.8.2012	Working of Sardar Vallabhbhai Patel National Police Academy, Hyderabad
8.	164th 23.11.2012	22.11.2012	Constitution (One Hundred Eighteenth Amendment) Bill, 2012

VI. Summary of Recommendations

(a) Report No. 157 (Arms (Amendment) Bill, 2011)

Observation/recommendation of the Committee

8.11 The Committee, therefore, recommends that the proposed Bill may be referred to the Law Commission for detailed examination of the issues involved therein and to give its report. The Government, after receipt of report, may bring forward the Bill before the Parliament, if necessary a fresh Bill, in the light of the recommendations of the Law Commission.

(b) Report no. 158 (North-Eastern Areas (Re-organisation) Amendment Bill, 2011)

Clause 1, the Enacting Formula and the Title

8.12 Since, this Bill proposes changes which are administrative in nature, the Committee adopts the Bill without any change and commends for being passed.

8.13 The Committee also suggests that the issue relating to separate cadres for all other States of North-Eastern region may be considered in consultation with the concerned States. The Committee desire that a comprehensive Bill amending the North-Eastern Areas (Re-organisation) Act, 1971 may be brought forward in the Parliament after completing all consultations at the earliest.

8.14 The Committee also desires that the Bill for separate High Court for Tripura may be brought forward to the Parliament at the earliest.

(c) Report No. 159 (The Citizenship (Amendment) Bill, 2011)

8.15 The Committee notes the views of the Ministry of Home Affairs on the Srilankan Tamil Refugees and desires that the Government may give due consideration to the problems of Srilankan Tamils and take appropriate steps to resolve the issue at the earliest.

8.16 The Committee is of the view that the issue of “Bangladeshi refugees” may be suitably resolved by the Government within a stipulated time as these people are the victims of partition of the country. It is understood that the Citizenship Act requires certain documents to prove their valid migration. However, their lives being at sixes and sevens, it could have been difficult to preserve their requisite documents. Therefore, the Committee desires that the Government, without compromising the national interest, may consider the problems of Bangladeshi Refugees to ensure that the generation that is born in India can at least lead a happy life. Saying that the issue is very complex cannot be an excuse to procrastinate a decision on the issue. The Committee recommends that the issue may be studied in depth, if necessary by appointing a special committee, and a solution may be found soon.

8.17 The Committee is concerned to note that the West Pakistani refugees, who came to India, could become

citizens of the country but without any rights to vote to the State Legislative Assembly elections. Their children cannot get admission in certain Government educational institutions and they also cannot get any employment in the State Government. The Committee is given to understand that assurances had been given by the then Prime Minister to solve the issue. But nothing has emerged till now. The Committee recommends that the Government may take up the matter with J&K Government and a permanent solution may be found at the earliest.

8.18 The Committee also recommends that the issue of Chakma refugees, who migrated from Bangladesh to Tripura, may also be examined and an early solution may be found.

8.19 The Committee also desires that the issue of Riang tribal may also be examined. Further discussions may be held with the Governments of Mizoram and Tripura, and the problem be resolved at the earliest.

8.20 The Committee decided that sub-clause (c) of clause 3 of the Bill may be substituted by the following:—

“(c) explanation 1 may be read as under:

“An applicant shall be deemed to be ordinarily resident in India for the purposes of:—

(i) Clauses (a), (c), (f) and (g), if he has resided in India throughout the period of twelve months immediately before making an application for registration:

provided that if the Central Government is satisfied that special circumstances exist, it may, after recording such circumstances in writing, relax the period of twelve months specified above for a period not exceeding thirty days.

(ii) Clauses (a) and (c), if the applicant has also resided in India during the eight years immediately preceding the said period of twelve months for a period of not less than six years.”

8.21 Since the Home Secretary has agreed to the suggestion of providing OIC card to the foreign spouse of an OIC card holder and the Ministry was already in the process of approaching Cabinet for approval, the Committee recommends that an early decision may be taken in the matter and the final amendment may be brought before the Parliament at the time of the consideration of the Bill by the House.

8.22 The Committee Adopts the Bill as amended and commends that the Bill as amended may be passed subject to other observations made by it.

(d) Report No. 160 (The Unlawful Activities (Prevention) Amendment Bill, 2011)

8.23 The Committee is not convinced by the inclusion of ‘Hindu Undivided Family’ under the term ‘person’ in the Unlawful Activities (Prevention) Bill, 2011. Though the Home Secretary tried to convince the necessity of bringing HUF under the term ‘person’ in view of the similar definition available in the Prevention of Money Laundering Act (PMLA) and Income Tax Act, but the Committee feels that it should not be the reason to bring the similar amendment in the UAPA Act. The Committee feels that a person means a person only and the terminology should be so used which is generally used in the criminal law. The Committee also feels that the suggestion of the Home Secretary that instead of using the term ‘HUF’, it can be avoided by including persons, as defined in the PMLA Act, is also not tenable because it would ultimately amount the same interpretation. However, since the Home Secretary has agreed to change the definition, the Committee suggests that a *via media* may be found out under which HUF is not brought under the purview of UAPA Act.

8.24 Money laundering and terrorism are very closely linked nowadays because a lot of terrorism that the country faces is cross-border or international. A very large part of it is funded through some kind of money laundering but the Committee agrees with the apprehensions of some Members that bringing association of persons or a body of individuals under the definition of ‘person’ gives a leverage to the investigating officer. There could be a large number of cases of harassment of associations or unions due to which innocent people could be affected. The Committee is of the view that the Ministry may consider putting a rider and safeguards so that innocent people are not harassed.

8.25 The Committee feels that the objective to provide definition is to relate economic security with the terrorist organizations indulging in counterfeit currency and circulating them in a big way. This is necessary to support

the system. The Committee, therefore, recommends that the term 'economic security' may be defined in Section 2 of the Act before its insertion in Section 15. The Committee, however, felt that the minimum punishment should be increased to seven years.

8.26 The Ministry informed the Committee that the words 'or provide funds' in the proposed Section 17 after the words 'collect funds' were erroneously omitted.

8.27 In view of the above, the Committee suggests that the following amendments may be made in Clause 6 of the Bill:—

- (i) In line 13, after the words 'collect funds' add the words 'or provide funds';
- (ii) In line 19, the words 'five years' be substituted by the words 'seven years'.

8.28 The Committee further recommends that the quantum of fine may also be defined.

Enacting Formula and the Title

8.29 Clause 1, the Enacting Formula and the Title are adopted with some changes which are of consequential/drafting nature, namely "2011" and 'Sixty-Second' to be substituted by '2012' and 'Sixty-third' year, respectively.

8.30 The Committee adopts the Bill as amended and commends that the Bill as amended may be passed subject to other observations made by it.

(e) Report No. 161 (Demands for Grants (2012-13) of Ministry of Home Affairs)

Trends in Demands for Grants (2012-13)

8.31 The Committee feels that the officials of the Ministry should be provided training on internal audit, information system audit and fraud examination in acclaimed institutions. While giving enhanced financial delegation to field organizations, efforts should also be made to ensure that there are no leakages in the expenditure and delays in implementation.

Left-wing Extremism

8.32 The Government, therefore, should work in tandem with NGOs, local bodies, peoples representatives to spread awareness among the masses against the outdated ideology of Maoists which is undemocratic and which believes that power comes through barrel of the gun.

8.33 The Government should also explore the channels/agencies such as NGOs/Social Activists who can build pressure on the Maoists to eschew violence and come to the talking table and join the mainstream. The Committee feels that the schemes implemented by the Government are not yet yielding the desired results. Government may consider strengthening security forces of States on the lines of greyhounds in Andhra Pradesh. Joint elite forces can also be an alternative.

8.34 The Committee, therefore, recommends that the police personnel should be trained properly before sending them to the naxal affected areas. The Committee also recommends that these personnel should be equipped with all necessary modern weapons and gadgets.

North East

8.35 The Committee feels that there needs to be a change in the strategy adopted to deal with North East insurgency and militancy. Steps are required to be taken to bring the people into the mainstream of the society.

8.36 The Committee is of the view that counter-insurgency strategies in the North-East should be multi-pronged. Developmental ministries of the Government of India in tandem with concerned State Governments of North-East can play effective role in countering these insurgent groups. The Committee believes that fast pace of economic development in the region can be an effective tool to bring misguided people into the mainstream. Besides, the Committee believes that the police establishment, the army and paramilitary forces engaged in counter-insurgency operations in the region should be given special training. In all trade discussions with the countries bordering North East States, a clause should be included on closure of training camps for the insurgent groups being run on their land.

Terrorism in J & K

8.37 The Committee feels that the Government should not be complacent with the situation in Jammu and Kashmir which has improved in recent period in terms of the number of accidents and the number of casualties. The Committee cautions that the Government should keep vigil on the terrorist infrastructure functioning in “troubled neighbourhood”.

8.38 The Committee is of the view that the people of Jammu and Kashmir should be made to understand about negative consequences of terrorism and the Government of India should initiate more developmental measures in the State to bring back the misguided people who are misled into the mainstream. The Committee further believes that tourism is the backbone of the economy of the State which has the potential for huge employment to the population. The Committee, therefore, feels that efforts be made to boost tourism in the state. More development projects and industries should be taken up in the state giving it a development orientation.

Counterfeit Currency (FICN)

8.39 The Committee takes serious view of the fact that the country is flooded with fake currency notes and large amount of Fake Indian Currency Notes (FICN) are being seized. The Committee is concerned to note that despite the fact that the Ministry is working in tandem with various other government agencies to thwart the circulation of FICNs, the circulation of FICN continues unabated. The Committee recommends that all porous borders should be plugged to prevent smuggling of FICNs.

8.40 The Committee understands that all border checkposts and major international airports should be modernized to check the smugglers of FICNs. The Committee in this connection, recommends that the Reserve Bank of India should constantly upgrade security features of Indian currency and the people should be made aware on these security features to enable them to easily distinguish fake from real notes. The Committee recommends that note sorting machines should be installed at all bank branches to detect fake currency notes as soon as they enter the banking channel. Since, Nepal and Bangladesh are main transit points for smuggling of FICNs into India, the Committee feels that India should help train Nepalese and Bangladeshi customs officials in identifying and keeping watch over FICNs. The Committee also recommends that India should pursue these countries for the installation of hi-tech luggage scanners at their major airports and land check posts so that the baggages of passengers are thoroughly checked for counterfeit currency.

Narcotics

8.41 Trafficking of Narcotics, as an organised cross border crime has now become a threat to internal security of India because of its diabolic alliance with terrorist groups. The Committee is aware of the fact that the economy of Pak-Afghan frontier is dependent on the production of poppy and cannabis. The issue of drug trafficking needs to be taken up in bilateral and multilateral fora and discussions.

National Investigation Agency

8.42 The NIA should work in close co-ordination with other intelligence agencies such as Intelligence Bureau, Central Bureau of Investigation and Enforcement Directorate. The Committee understands that without strengthening capabilities of local police and building local intelligence resources, the country cannot fight against terrorism. The Committee recommends that the cases entrusted to the NIA should be dealt with at fast pace. The Committee also recommends that the office infrastructure for NIA offices should be put in place as soon as possible.

National Counter Terrorism Centre (NCTC)

8.43 The Committee takes note of the fact that the Chief Ministers of several States have objected to the proposed constitution of NCTC without consulting them. According to the State Governments, the proposed NCTC would infringe on the federal structure of the Constitution. The Committee is also given to understand that in a recent meeting of the Chief Ministers, this issue also was slated for discussion and some Chief Ministers objected to it being included in the larger agenda and desired that it be discussed separately threadbare. The issue is now reportedly slated for discussion on 5 May, 2012. In view of the objections raised by several Chief Ministers, the Committee is of the view that the matter may be discussed threadbare with the Chief Ministers in the next meeting and arrive at a consensus before taking a final decision in the matter.

Coastal Security

8.44 In view of the 26/11 terror attack on Mumbai where attackers entered the city through the sea route, the Committee understands the necessity of coastal security mechanism. Keeping in view that India has a vast coastline of more than seven thousand kms, the Coast Guard, the State police and the Navy have major responsibility for coastal security the country. The Committee therefore, recommends that foolproof arrangements may be made for coordination and synergy among different agencies.

8.45 The Committee impresses upon the Ministry to complete issuance of Bio-metric ID cards to fishermen as per the target. There should not be any delay in this regard. Appropriate technology for Automatic Identification system may be selected immediately after the study of the pilot project. Fast Interceptor Crafts (FICs) may also be procured at the earliest in a transparent manner.

Border Management

8.46 The Committee recommends that security at patches vulnerable to cattle smuggling identified by BSF should be tightened so that smuggling of the cattle heads from India could be checked. The Committee also strongly recommends that remaining works of fencing and flood lighting in border areas may be completed as per targets. The Committee also recommends that issues such as acquisition of land etc should be resolved as soon as possible to avoid delaying fencing and floodlighting works. The Committee also recommends that shifting of the border fencing within 150 yards along Indo-Bangla Border may be completed soon.

8.47 The Committee also recommends that construction of 1377 km road on Indo-Nepal Border should be undertaken in a time bound manner.

8.48 The Committee has noted that various works are under progress in all the proposed ICPs. Several targeted dates have been given for completion of various ICPs. The Committee recommends that there should not be any cost and time overruns. All the ICPs should be completed and they start functioning as per the targets fixed.

Central Police Forces

8.49 The Committee is also of the view that these armed personnel should be given opportunity for firing practices at regular interval so that they would be able to hone their skill of firing/shooting.

8.50 The Committee expresses its serious concern over large number of vacancies in the para military forces especially at lower levels which could hamper anti-insurgency, anti-naxal operations. The Committee expresses its concern that the forces are not able to fill up the required number of posts inspite of the advertisements made. The recruitment procedure needs to be relooked so that the vacancies can be filled up fully at regular intervals particularly at constable level. The Committee recommends that all vacant posts may be filled at the earliest.

CRPF

8.51 The Committee takes note of inordinate delay in raising of additional battalions for which sanction was made in 2009 itself. The Committee is of the view that the battalions proposed may be raised at the earliest. The Government should also fill up additional posts of 486 for Intelligence, 27 posts for Dog School and 269 posts at CRPF Academy without much delay.

8.52 The Committee is given to understand that the frequent transfer/posting of the CRPF personnel to such areas where they are not able to communicate due to language problem add to their woes and adversely affect their working proficiency. The Committee, therefore, recommends that a proper policy should be formulated on transfer/posting of the CRPF. The Committee further recommends that in order to give adequate relief to the personnel of all Central Police Forces a posting/transfer policy should be reflected on ground. The Committee is of the view that personnel working in CRP should be stationed in a particular place for, at least, three years without disturbance unless they are hard-pressed to go to some other area because moving from one place to other in a short span of time causes difficulties not only to them but also to their families. The Committee is also of the view that these personnel should be posted to the extent possible in the areas where they know the local language and culture so that there is no communication gap between the locals and the CRPF personnel.

BSF

8.53 The task of raising seven additional battalions during 2012-13 out of the 29 sanctioned battalions may be completed as per the proposal. Besides, other sanctioned posts should also be advertised and filled up at the earliest. The Committee hopes that augmentation, upgradation of existing training facilities for BSF personnel would be completed in time bound manner.

NSG

8.54 The Committee hopes that the increased allocation for Office Building under plan Head would be utilized in proper manner for creation of world class infrastructure of NSG Hubs at Chennai, Kolkata, Hyderabad and Mumbai and Regional Centre at Hyderabad as proposed. The physical and financial targets should be achieved and there should not be any cost/time overruns.

8.55 The Committee recommends that all necessary steps be taken to ensure that the awards to the deserving NSG Personnel should be started from the current year itself.

8.56 The Committee recommends that the sanctioned /proposed two new regional Centres at Hyderabad and Kolkata should be established at the earliest. The Committee feels that in the proposed plan, the whole northern and western part of the country is supposed to be looked after by the Delhi Head quarters. The Committee suggests that Government may consider setting up one more regional centre of NSG at appropriate location in northern India. The Committee takes serious note of the fact that country's counter-terrorist force NSG functioned without its top operations commander for almost six months. The Committee recommends that this kind of situation should not be allowed to emerge in future which could have demoralizing effect on the force.

ITBP

8.57 The Committee recommends that proposed new battalions, Frontier Head Quarters and Sector Head Quarters and proposed training Centres may set up in time bound manner. All the physical and financial targets should be achieved.

CISF

8.58 The Committee notes that the two reserve battalions which were sanctioned in 2010 are still under raising. The Committee finds that further delay in raising battalions would stretch existing manpower of CISF. Keeping in view the fact that the CISF has been assigned security responsibilities of all major airports and sensitive units of the country, the Committee recommends that the battalions be raised without further delay. Further procurement of arms and ammunitions for which Rs. 37.90 crores has been provided may be done without any delay.

Assam Rifles

8.59 The Committee notes that the Government has approved restructuring of Assam Rifles. The restructuring envisages creation of 1035 posts, three Sectors Head Quarters, one IG Head Quarters, one maintenance group and one workshop. The Committee recommends that the restructuring of Assam Rifles should be completed at the earliest and in a time bound manner for which a periodic review may be chalked out to avoid delay.

8.60 The Committee expresses its concern over the reported malpractices in purchases made by Assam Rifles, particularly in the 'less than Rs.25 lakh' category which have benefited some well connected businessmen. Though the Ministry has denied any such malpractices, the committee recommends that no scope should be left for any such complaints. A thorough investigation may be conducted into such complaints.

SSB

8.61 The Committee hopes that the target of additional battalions proposed to be raised in 2012-16 would be adhered. The SSB personnel may be equipped with modern weapons, force multiplier/ surveillance/ navigational/ communication equipments, bullet proofing of vehicles, induction of Light Armoured Troop Carrier, latest personal protective gears like BP jackets and Helmets etc. as envisaged. All gadgets should be of the international standards.

Delhi Police

8.62 The Committee is concerned over the fact that there are large number of complaints for not registering FIRs by the Police Personnel at the Police Stations in Delhi. The Committee recommends that there should be a separate cell of Delhi Police for registering such complaints where representatives of NGOs, local bodies etc. may be involved

so that people trying to lodge such complaints would do it. The Committee is of the opinion that non-registering of FIR complaint by Police personnel should be viewed as dereliction of duty as well as unbecoming of the police officers. The Government may consider setting up an authority to look into complaints against Delhi Police. The Committee is exasperated over the fact that although 877 and 941 such complaints were registered against non-registering of complaints in 2010 and 2011 respectively, however, only 33 and 46 cases were found to be genuine. The Committee is of the considered view that stringent action is required to be taken against the concerned officers for non-registering of FIRs.

8.63 The Committee takes serious view of the fact that 72 police stations out of 180 police stations are functioning without regular buildings. It is very unfortunate that in the Capital city of the country, the Police stations are functioning without regular buildings. The Committee recommends that the Government should take immediate steps to provide regular buildings to these 72 police stations at the earliest.

8.64 As regards crime figures, the Committee takes serious note of the increasing cases of molestation, rape and kidnapping during the last three years. The Committee is of the view that prevention of crime against women should be a priority issue of the Delhi Police. The Committee understands that most of the crimes against women go unreported due to non-cooperating attitude of police personnel in Delhi. In view of this, the Committee recommends that more and more women officers should be employed at lower as well as higher level in Delhi Police so that female victims would approach them without hesitation.

8.65 The Committee, takes note of the fact that the figures given by Delhi Police do not match the cases reported in media about rape and molestation. Stringent action should be taken against the culprits involved in harassing girls. The Committee understands that merely counting the number of incidents does not justify the general perception. The Committee believes that a mass campaign should be organised by Delhi Police against such incidents.

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8.67 The Committee takes serious view of the bomb blast in an Israeli Embassy car in a high-security area which occurred in Delhi using sticky bomb. The Committee recommends that proper security arrangements should be made by Delhi Police in Diplomatic areas so that this kind of incident does not happen in future.

8.68 The Committee is of the considered view that Installation of CCTV surveillance system at 38 locations in Delhi should be expedited.

Modernization of State Police Forces (MPF)

8.69 The Committee strongly recommends that additional funds sought by the Ministry should be allocated at RE 2010-11 stage for modernization of State police forces, which is *sin quo non* for internal security.

8.70 The Committee understands that police modernization scheme plays an important role in modernizing the police forces of states/UTs. In view of this, the earmarked provision for the scheme must be utilized fully and optimally by the concerned states/UTs. The Committee suggests that the State/UT Governments should submit utilization Certificates in time so that they could avail of the funds from the Centre under the scheme. The Committee is unhappy to note that States/ UTs have unspent balances of Rs.47.83 crore for 2008-09 and Rs.194.76 crore for 2009-10 lying with them. The Committee recommends that the Ministry of Home Affairs should take up this matter at Chief Ministers' level to impress upon the State Governments to fully utilize the fund under the scheme in a time bound manner.

8.71 The Committee notes the details of State-wise sanctioned and actual strength of total police force and the police population ratio and expresses its displeasure over the fact that some States are having vacancies of even more than 50%. The Committee recommends that the Ministry of Home Affairs should impress upon the State Governments for filling up vacancies at the earliest. The Committee desires that the Ministry of Home Affairs should link this issue with provision under scheme of Modernization of State Police Forces (MPF) and the fund for States lagging in filling vacancies may be deducted.

8.72 However, the Committee desires that the Ministry of Home Affairs may issue an advisory suggesting all the State/UT Governments to make their police force personnel undergo fire practices at regular intervals as in the case of CPFs personnel.

8.73 The Committee also recommends that the Ministry should impress upon the States to procure high-end weapons which could be from Indian Ordnance Factories or from other resources. The Committee desires that the Home Ministry should place its requirements of modern weaponry before Defence Ministry which could help improve products of Indian ordinance factories. The Committee understands that in addition to modern training facilities to state police forces, they should also be provided with modern arms, ammunitions, equipment, surveillance devices, better communications facilities, etc.

Housing Scheme

8.74 The Committee expresses its displeasure over undue delay in the construction of houses for CRPF personnel. The Committee therefore, strongly recommends that rest of the houses should be constructed at the earliest and there should not be any time/cost overruns.

8.75 The Committee notes the progress made in the matter of construction of accommodation under PPP model and recommends that all procedural formalities concerning construction of quarters in the 1st lot be completed at the earliest so that work on this could take off. Regarding construction of quarters in 2nd lot, planning Commission may be persuaded to commit funds for the purpose at the earliest.

8.76 The Committee recommends that the issue of the allotment of land for housing projects of Delhi Police may be taken up at the Minister level. The Committee also desires that besides GDA, Noida Authority, possibilities of land allotment may be explored in adjoining areas like Bahadurgarh, Faridabad, Gurgaon, Sonapat in Haryana and State Government of Haryana may be approached in this regard.

Criminal Investigation & Vigilance

8.77 The Committee, recommends that proper planning of the projects on CFSLs should be made and concerted efforts be made to complete projects within a time frame.

8.78 The Committee understands that upgradation of existing CFSLs, FSLs and creations of new ones would go a long way in revamping our Criminal Justice System. The Committee further recommends that efforts be made to set up Forensic Science Development regulatory Authority (FRDA) at the earliest. Consideration of the report of the Scientific Performance Audit Committee be completed at the earliest for implementation in the 12th Five Year Plan.

Education, Training & Research

8.79 The Committee takes note of the fact that six zonal branches of CDTs have not been sanctioned by the Government, but only two new CDTs (at Ghaziabad and Jaipur) have been sanctioned under 11th Plan period to meet the training requirements of Central States and Western States. The Committee does not understand as to why six CDTs were sanctioned by the Government initially but only two were sanctioned in the 11th Plan period. Even they are also not fully functional. This shows the causal approach of the Ministry. The Committee condemns this attitude and recommends that only viable projects should be proposed. Efforts may be made to make the CDTs already started, fully functional at the earliest.

8.80 The Committee understands that the Government should also not only pay attention on the arms/people training of Police Personnel but also train them for developing good interaction and communication skills with the public; discipline, attitude, behavior, responsibility and accountability quotient and motivation & morale levels. The Committee recommends that the Government should further involve BPR&D which is the premier police research organization in evolving a curriculum for sensitizing of Police Personnel. Regular refresher courses may be held in this regard.

8.81 The Committee takes serious note of the fact that there is a shortage of 1300 IPS officers in the country. Though a scheme of limited competitive examination is due to take place by UPSC to appoint IPS officers directly from State Police Officers and Para-military Police Officers to overcome this shortage, but this is not ultimate solution. Recruitment may be done as per requirement in the Civil services examinations.

8.82 The Committee is of the view that the examination system for recruiting IPS officers who head the Police Organisations of the States/UTs and Central Police Forces is not proper. The Committee is aware of the fact that the UPSC conducts examination for various group 'A' services and Indian Police Service is one of them. The people aspiring for IPS, do not know whether they will get into this or not. In the same way, the people not interested in IPS, do not know whether they will get IPS or other services. The Committee understands that the candidates opting for police service have to have/should have a different attitude which this examination system is not able to guarantee. It has been seen that people who do not like policing get into IPS. The Committee recommends the Government to explore the possibility of conducting a separate examination of IPS where the attitude and aptitude of the candidate must be thoroughly tested besides their mental makeup and inclination for policing. The Government may impress upon the UPSC to conduct a separate examination for recruiting IPS officers and SVPNPA may also be consulted in this regard.

Disaster Management

8.83 In view of the vulnerable geo climatic condition of the country, the Committee understands the need for disaster preparedness at the grass root level. The Committee takes note of the fact that most of the new projects such as National Cyclone Mitigation Project, Earthquake Risk Mitigation Project etc. are at the rudimentary stages and it seems it would take considerable time for these new projects to take off.

8.84 The Committee is constrained to note that a specialized force like National Disaster Response Force (NDRF) has 10 battalions only for entire country. In a vast country like India which is vulnerable to natural and man-made disasters, it is needed to raise more battalions of this force. The Committee feels that merely advising the States/UTs to have their own Specialist Response Force for responding to disasters will not serve the purpose. The Committee impresses upon the States/UTs to set up their own specialised force and train them for disaster preparedness and NDMA should play a pivotal role in helping the State/UT Governments in this regard.

8.85 The Committee, recommends that the offices and residential infrastructures of NDRF should be put in place at the earliest by enhancing allocation in 2012-13 at RE stage. Regarding provision for deputation allowance to the personnel of NDRF, the Committee is of the view that the Department of Expenditure, Ministry of Finance may consider this proposal and approve for this allowance as it would work as a motivating factor for them.

8.86 The Committee notes that to strengthen the process Disaster Risk Reduction (DRR), one of the various efforts contemplated is to mainstreaming corporate social responsibility in DRR. A mock drill was conducted by Delhi Disaster Management Authority in collaboration with NDMA and preceding this, a major earthquake preparedness exercise was also under taken. The Committee welcomes this move and recommends that necessary steps may be taken to rectify the shortcomings noticed during the mock drills. The Committee also notes that NDMA is in the process of preparing a template for conducting such mock drills across the country on the basis of the experience gained. The Committee recommends that the template may be prepared at the earliest for the benefit of all the State Governments.

8.87 The Committee appreciates that the NIDM has been helping the State/UT Governments in organising Mock Drill across the country which will go a long way in disaster mitigation. The Committee commends the initiative taken by the Centre to evolve the National Platform on Disaster Risk Reduction (NPDRR) which aims at bringing together organizations and individuals in diverse disciplines and sectors and assemble, synthesize, manage and further disseminate academic as well as practical knowledge on disaster management in all sectors including policy making and development plans of the Government.

8.88 The Committee notes with displeasure that NIDM is still functioning from a rented premises of Indian Institute of Public Administration. The Committee is unable to understand the inordinate delay in the matter of providing land to the Institute. Now that the land has been identified by Delhi Development Authority, the Government should take possession of the land at the earliest and start construction of the building without further delay. The Committee further recommends that all the 124 posts in NDMA be filled up at the earliest. The Committee also recommends that review of the Disaster Management Act may be completed at the earliest so as to have a more efficient and implementable legislation in the country.

Social Security & Welfare Rehabilitation

8.89 The Committee is of the view that Relief & Rehabilitation of Sri Lankan refugees should be given utmost priority and all the necessary relief items should be supplied to the refugees staying temporarily in 115 camps to improve their conditions.

8.90 The Home Ministry should impress upon the State Government for expediting construction of remaining units of transit accommodation meant for J&K migrants. The Committee also recommends that 3000 posts exclusively meant for Kashmiri migrants should be filled at the earliest. The Committee observes that the efforts of State as well as Central Government for the return of Kashmiri Pandit migrants to Kashmir are proving futile as only one migrant family has returned to the Valley even after two years of sanctioning of Prime Minister's package for their return and rehabilitation. The Committee is of the view that it is the responsibility of the Centre as well as state government for creating an atmosphere where these migrants could feel safe after their return to the valley.

Transfer to Union Territory Governments

8.91 The Committee feels that tourism has great potential for the growth of the economy of the UTs particularly Andaman and Nicobar Islands, Lakshadweep Islands and Daman and Diu. The Committee has been given to understand that several steps have been taken by respective UT administrations to boost tourism in their UTs. The Central Government, on its part also extended special LTC facility to Andaman and Nicobar Islands for the Government Employees for two years after Tsunami devastation. The Committee in this connection would like to suggest that such type of LTC facility may be extended to Andaman and Nicobar Islands again alongwith Lakshadweep and Daman and Diu UTs.

Daman & Diu

8.92 The Committee desires that the Government should raise the financial powers of the Administrator from Rs. 20 crore to Rs. 50 crore for Plan Schemes and from Rs.10 crore to 20 crore for Civil Works.

8.93 The Committee also makes the following recommendations:—

- I. The issue of release of industrial effluents by chemical units in Vapi being released in the Ganga river of Daman should be resolved soon.
- II. The Ministry should look into the demand for relaxation from CRZ regulation by putting Daman and Diu into CRZ- 2 and not in CRZ-I as it would help promoting hotel business in Daman & Diu and increase tourists inflow. However, while doing so environmental and other aspects should also be paid attention to.
- III. Seven bridges across the rivers and one signature bridge (cable stayed) connecting Moti Daman and Nani Daman which are at various stages of construction should be completed in time bound manner.
- IV. To promote tourism cruise ships based tourism between Daman and Diu and between Mumbai and Daman may be introduced for tourists at the earliest so that a large number of tourists may be attracted.
- V. The budgetary provision of Rs.10 crore for upgradation of the existing hospital at Marwad with additional 100 beds should be completed in time bound manner and the Ministry should impress upon the Union Public Service Commission (UPSC) for recruitment of doctors. MRI, CT scan and diagnosis services should be provided at the earliest in the Government Hospital of Daman & Diu. Steps may be taken to set up a medical college during the 12th Five Year Plan.
- VI. Drinking Water Supply Scheme costing Rs.45.50 crore for Daman envisages bringing water through pipe line from Madhuban dam was approved in 2011. The Committee recommends that all clearances and formalities be completed and the project completed at the earliest.
- VII. The Ministry should impress upon the Regulatory Commission of UTs to sympathetically consider the issue of decreasing Power tariffs in Daman & Diu particularly for domestic and agricultural consumers.

- VIII. The Ministry should impress upon UT administration for expediting the process of regularization of daily wage employees.
- IX. The Ministry may reconsider the demand of setting up Solar Power plants in the UT of Daman & Diu and explore possibility of acquisition of land for the purpose.
- X. The Ministry may take up with Ministry of Petroleum and Natural Gas the matter of providing additional quota of kerosene to fishermen of Diu at subsidised rates.
- XI. The Ministry at its level should impress upon the Ministry of Defence and DG, Coast Guard to start flights of small civilian aircrafts in Daman.

Serviceability of Helicopters

8.94 The Committee is constrained to note that Helicopters are not functional due to scarcity of spares. Such a situation should not have been allowed. Ideally India should diversify its supplies in terms of purchase of helicopters. The Committee, therefore, recommends that the Home Ministry should impress upon the Ministry of Defence to supply adequate number of helicopters to it so that it never faces problem of non-availability of helicopters alongwith a guarantee of spares.

8.95 The Committee takes serious view of the fact that despite MoU signed between MHA and MoD, the Airforce is not able to extend the required support in terms of pilots, technical manpower, spares backup and repair facilities to the Ministry of Home Affairs due to their own operational constraints. When MoU was signed, the Ministry of Defence should honour this without fail. The Ministry of Defence should plug these operational constraints.

Civil Defence

8.96 The Committee takes a serious note of the fact that allocation for civil defence (3601) has now been drastically decreased to Rs.74.39 crore in BE 2012-13 from Rs. 137.52 crore at RE stage in 2011-12, which needs to be seriously looked into. Though the Ministry has tried to explain the reasons, the Committee is not convinced with those explanations. The Committee desires that the two schemes namely, revamping of Civil Defence set up in the Country and Strengthening of Fire & Emergency Services in the Country may be completed in the next financial year as claimed by the Ministry. The Committee also recommends that the Government may expedite projects such as strengthening of physical infrastructure in remaining States, creation of New Training Institutes in 10 States, pilot project for involving civil defence in internal security matters in 40 towns.

8.97 The Committee appreciates Community Policing Models being implemented in various States of the country. The Committee is of the view that the other State/UT Governments should also emulate this model. The Committee, however, desires that the BPR&D should prepare a concept paper on Community Policing.

Modernisation of Prisons Administration

8.98 The Committee understands that the State/UT Government cannot go beyond a limit in modernizing their prisons due to financial constraints. Keeping in view the appalling condition of various jails in the country, the Committee is of the view that the Second Phase of the scheme of modernisation of prison administration should be given approval at the earliest because a lot of work is yet to be done through the scheme. The Committee, therefore, strongly recommends that the Planning Commission and the Department of Expenditure should give attention to this and approve the proposal of the Ministry of Home Affairs for Second Phase of scheme of modernization of prisons at the earliest.

(f) Report No. 162 [Demands for Grants (2012-13) of Ministry of DoNER]

8.99 The Committee, while taking note of the fact that against the projected demand of Rs. 1846.50 crore, only Rs. 1741.00 crore has been allocated under the plan scheme to the Ministry of DoNER, recommends that the Ministry of DoNER must impress upon the Planning Commission and the Ministry of Finance for allocation of Plan outlay as per the requirement to ensure the implementing of scheme/programme.

Comparative Study of 10th & 11th Five Year Plans

8.100 The Committee observes that against the total plan allocation made to the tune of Rs. 5800.00 crore in Tenth Five Year Plan, the actual expenditure was to the tune of Rs. 5767.58 crore; which can be termed satisfactory. However, during the Eleventh Five Year Plan against the Plan proposals of Rs. 14409.08 crore, the actual allocation has been confined at the level of Rs. 7705.22 crore. The drastic reductions in respect of NLCPR, NEC, Development of roads in NE States do not present good picture on the approach of the Government so far as development of NE States is concerned. This only indicates that either the Ministry of DoNER could not justify its proposals or after making proposals it was not able to implement the proposals. In both cases, the looser has been the laggard NE region. The Committee feels that reduction in the plan allocation in NE region defeated set target of the Government to put the socio-economic development of region on fast track. The Committee would, however, deal each scheme separately later in the report.

Twelfth Plan Proposals

8.101 The Committee strongly believes that the Ministry has made ambitious plans and recommends the Planning Commission to approve the proposals of 12th Five Year Plan as forwarded by the Ministry of DoNER.

North-Eastern Council

8.102 The Committee observes that allocated amount in BE 2012-13 under Major Heads 2552 and 3601 is intended to liquidate the liabilities created during 11th Five Year Plan and to take up new Schemes during 12th Five Year Plan. The Committee hopes that the earmarked allocation would meet gap areas from the regional economic development perspective and would achieve desired results and physical targets. The Committee also hopes that the Ministry of DoNER would act as a facilitator and co-ordinator between the NE States and central Government and the resilient NEC Monitoring mechanism would be quite helpful in achieving the financial and physical targets without any procrastination.

Construction/Improvement of Roads of Economic Importance

8.103 The Committee understands that economic importance roads are sine-qua-non for overall progress of the NE region. The Committee, however, wonders that work of construction of Mahadev-Tolloi-Pfutsero road still remain incomplete for want of takers *i.e.* denial by State Government of Manipur for completion of projects. The Committee does not understand why the State Government of Manipur refused to implement the project. All the States should cooperate to implement the projects for an even development in NE Region. Now that the Ministry of Defence has asked BRO to complete the balance work, the Committee hopes that the remaining work of the undertaken projects would be completed during current financial year for which Rs. 7.00 crore has been earmarked.

Non Plan Loans to North Eastern Handicrafts and Handlooms Development Corporation (NEHHDC)

8.104 The Committee underlines the pioneer role of NEHHDC in promotion and development of handicrafts and handloom in NE. Therefore, the first and the foremost priority of the Government in this sector should be higher budgetary provision for implementing the revival plan of the corporation. A token provision of Non-plan loan to the tune of Rs. 2.00 crore in RE 2011-12 as well as in BE 2012-13 is certainly not going to serve the intended purpose. The Committee hails the promotional role of NEHHDC in developing and proclaiming inputs for products and design developments, upgradation of technology and providing marketing infrastructure of the finished products which ultimately results in better benefits to weavers and artisans of the region. The Committee, therefore, strongly recommends that the Ministry of DoNER should leave no stone unturned in persuading the Planning Commission and the Ministry of Finance for allocating higher budgetary provision for revival scheme of the Corporation. The Committee hopes that the Corporation would get the green signal for revival plan which is presently under active consideration of the Board of Reconstruction of Public Sector Enterprises (BRPSE).

Loan to North Eastern Regional Agricultural Marketing Corporation (NERAMAC)

8.105 The Committee commends the pivotal role of NERAMAC in encouraging food processing units in NE and providing basic infrastructure for marketing of agricultural and allied products. The Committee also feels that involvement of NERAMAC in Post-Harvest Technology Mission, National Horticulture Mission and Bamboo Mission makes it necessary to expand the horizon of its activities. Although NERAMAC continues to be a profit-making organization with net profit of Rs. 1.47 crore during 2010-11 but meagre provision of Rs. 2.00 crore in RE 2011-12 and BE 2012-13 is not sufficient for growth plan of the organization. The Committee, therefore, recommends

that the Ministry of DoNER may pursue for higher budgetary allocation to the organization for its exponential growth.

8.106 The Committee is, however, constrained to express its displeasure to note that despite its recommendation made in 145th Report (Demands for Grants 2010-11) for early implementation of setting up cashew Processing Plant at Markachar, Assam, modernising and restructuring of Fruit Juice Concentration Plant at Nalkata; Tripura; setting up of a Multi Fruit Processing Plant at Silchar; setting up Central Packaging Centre at Chaigaon in Assam under NLCPR Scheme of Government of India, they are still in the pipeline at different stages. Therefore, the projects should be completed without further delay.

North Eastern Development Finance Corporation Limited (NEDFi)

8.107 The Committee notes that the corporation is projecting internal resource generation of around Rs. 290.00 crore, marketing borrowing of Rs. 125.00 crore and soft loan of Rs. 30.00 crore from Ministry of DoNER. The Committee also notes that limited resources at its disposal is posing a big constraint to meet the commitment of revised disbursement target to the tune of RS. 485.00 crore during the financial year 2012-13. The Committee recommends that adequate fund may be provided to NEDFi at RE stage to carry out its activities smoothly.

8.108 The Committee is given to understand that the corporation has fund requirement of Rs. 5184 crore during the 12th Five Year Plan to meet the projected sanctions of Rs. 6410.00 crore and disbursement of Rs. 4690.00 crore. The corporation has further requested for interest-free loan to the tune of Rs. 1000.00 crore from the Government during 12th Five Year Plan. Keeping in view the pivotal role of NEDFi, the Committee recommends that the Government should consider interest-free loan to the tune of Rs. 1000.00 crore for ensuring NEDFi to meet its financial and physical targets during the 12th Five Year Plan starting from current financial year.

Non-Lapsable Central Pool of Resources (NLCPR)

8.109 The Committee understands the tremendous role of NLCPR Scheme in developing infrastructure of NE region to ensure economic sustainability of the region. However, the Committee is constrained to express its displeasure to observe that till 31st March, 2012 a total of 1337.00 infrastructure projects worth Rs. 10863.29 crore were approved out of which only 645 projects worth Rs. 3531.00 have been completed which is just 48.24 per cent. The Committee further observes that several projects taken up since 1998-99 under NLCPR are lagging behind.

8.110 The Committee is not in agreement with the argument put forth for the delay in completion of projects under NLCPR *viz* delay in utilization and transfer of funds to implementing agencies by the State Government, problem being faced in acquisition of land, law and order situation including insurgency; delay in awarding the work/tender. The Committee is of the considered view that the Ministry of DoNER, as co-ordinator and facilitator must resolve issues concerning timely implementation of projects. For this, Ministry of DoNER should review the existing monitoring mechanism, which appears to be only on papers to ensure it to be more result oriented. The Ministry should also persuade all the State Governments in NE to co-operate in the implementation of NLCPR Schemes in the interest of economic development of the region.

8.111 The Committee is given to understand that there are about 729 on-going projects wherein grant of about Rs. 2309.00 crore is to be released for which higher allocation will be required. The Committee, therefore, recommends that the Planning Commission and the Ministry of Finance should assess the requirement of fund under NLCPR and accordingly accord approval of required fund.

Bodoland Territorial Council (BTC)

8.112 The Committee notes that out of sanctioned amount of Rs. 476.27 crore, an amount of Rs. 450.77 crore has been released. However, utilization certificates for an amount of Rs. 409.88 crore only have been received. The Committee recommends that BTC/State Government may be asked to submit utilization certificates in respect of the balance amount at the earliest and the issue of completion of remaining 16 projects be followed up proactively. The Committee welcomes additional BTC package of Rs. 250.00 crore and recommends that work on sanctioned 15 projects be completed at the earliest. The Committee further recommends that the State Government of Assam may be persuaded to expedite DPRs on the four remaining projects so that work on these projects could be started soon.

Advertising & Publicity

8.113 The Committee notes that the outcome budget 2012-13 of the Ministry also mentions that physical outputs in respect of Advertising and Publicity are not measurable/quantifiable. The Committee is not convinced with the submission of the Ministry. The Committee recommends that suitable mechanism may be evolved to ensure that physical outputs could be measurable in every Plan Scheme not specifically the scheme under reference.

8.114 The Committee notes that the Ministry has recommended for extension of LTC facility in lieu of Home Town beyond 1st May, 2012. The Committee also notes with appreciation that the facility has further been extended for years. The Committee, however, desires that relaxation in the matter of performing air journey by any airlines other than Air India, as has been extended in case of LTC visit to J&K, may also be extended to meet the demand of seats in flights.

Technical Assistance & Capacity Building

8.115 The Committee notes with displeasure that despite its recommendation in its One Hundred and Thirty third, One Hundred Forty First and One Hundred Forty Fifth Reports for early setting up of Pilot Training Institute at Lilabari, Assam, the project has been dropped after a long delay. It is extremely unfortunate that the proposal has been dropped without giving substantial reasons. Now, setting up a Composite Training facility for ground level staff for navigation & Aircraft maintenance has been proposed if AAI/ MoCA so wishes. The Committee is apprehensive that the new proposal may also face the same fate as there is a strong likelihood of it being caught in procedural delays. The Committee strongly recommends that the Ministry should draw a plan for setting up the training facility in a time bound manner so as to avoid inordinate delays.

North Eastern Region Livelihood Project (NERLP)-EAP

8.116 The Committee notes the explanation and justification tendered by the Ministry about the delay in the take off of the scheme. The scheme has been hanging fire for the last few years. Nevertheless, the Committee hopes that the scheme would be implemented vigourously in the current financial year. The Committee recommends that fool-proof arrangements for monitoring and auditing of the scheme should be made, as an in-built mechanism, to plug leakage of funds earmarked for improving living conditions of the poor. There should be no further delay in the implementation of the scheme.

Scheme under Special Fund for Infrastructure Upgradation in North Eastern Region

8.117 The Committee notes the submissions of the Ministry of DoNER with regard to timely completion of the projects, monitoring of the progress thereof as well as steps to ensure non-siphoning off of funds. The Committee desires that the financial targets should be achieved. All the projects proposed should take off and there should not be any delay.

Consultancy, Monitoring, Third Party Evaluation Charges etc. under NLCPR scheme

8.118 The Committee is pleased to note that in pursuance of its recommendation in its 149th Report, the Government has come forward with provision in the Budget for taking up Third Party monitoring of NLCPR projects during 2011-12. The Committee notes with concern that a total of 91 projects were sent to State Governments for taking up third party monitoring which are yet to be completed. The Committee also recommends that all the projects should be assessed without further delay and be subjected to monitoring.

Non-Lapsable Central Pool of Resources (NLCPR)- Central

8.119 The Committee welcomes the introduction of NLCPR-Central Plan Scheme. The Committee notes the justification of the scheme as in the present set up funding is not sufficient to speed up the infrastructure development in NER. The Committee hopes that all infrastructure projects would be completed within stipulated time-frame to further speed up development of NE States.

North Eastern States Roads Investment Programme

8.120 The Committee, expresses its concern that the project readiness activities could not progress as per the original schedule due to delays in the award of contract for Construction Supervision Consultant (CSC) by PIUs of State PWDs which is expected to be completed during first quarter of 2012-13. The Committee therefore strongly recommends that all such projects and projects which are to be freshly taken up during 1st quarter of 2012-13, should be taken up as per schedule.

8.121 The Committee also takes note of the inadequacy of the funds for the NERSIP which have been halved against its projected requirement. The Committee recommends that additional funds may be provided for the scheme at RE stage, if required.

8.122 The Committee feels that the road construction in the region has been unduly delayed either on account of issues concerning land acquisition or abandoning of work by contractors. These reasons are not very convincing to the Committee. The Committee is irked by the snail's pace in the works. The committee recommends that strong in-built penalty clause should be incorporated in the contractual agreement. The Committee hopes that the Ministry would meet the various deadlines as promised.

Implementation of NER Projects

8.123 The Committee notes that under the Non Lapsable Central Pool of Resources (NLCPR) scheme, the State Governments have reported completion of total 63 projects of total approval cost of Rs. 596.75 crore during the financial year 2010-11 and 2011-12. But out of these, only 3 projects were completed without time overrun while in another 4 projects time overrun was less than one year. It thus means that majority of projects ran behind schedule and there were time and cost over-runs in execution of projects, which seems to be a normal trend rather than being exceptions. The Committee observes that despite furnishing of Quarterly Progress Reports, inspection visits and examination of the Utilization Certificates, very little progress has been made in ensuring timely execution of projects. The Committee strongly feels that much is required to be done in this regard.

Connectivity

Civil Aviation

8.124 The Committee observes that a number of works are to be done for development of existing and operational airports. Acquisition of land from IAF and State Governments are yet to be done for development of airports. At some airports certain works are only at planning stage. The Committee further observes that in some cases, approval of Planning Commission is yet to be obtained, where as in others, approval of Planning Commission has been obtained and construction work will start soon. The Committee feels that coordination for all these wide ranging activities/works requires dedicated and focussed approach on the part of the Ministry. The Committee in this context would like to suggest that the Ministry may consider to set up a special cell in the Ministry to look after these activities till the completion of works/activities. All works need to be taken up on a fast pace to catch up with the development of the rest of the country.

8.125 The Committee is also disappointed to note that the region has very limited night landing facilities at airports and as of now there are no takers for night aircraft operations despite night landing approval given. The Committee does not understand the reasoning given. If the facility is provided there will definitely be passengers. The Committee recommends that Government should persuade the airline operators to use night landing facility at airports. The Government may consider providing incentives to them.

Railways

8.126 The Committee is disappointed to note that Byrnihat-Shillong route has not even physically started. It is unlikely to be completed by March 2016. Similarly, work on New Maynaguri-Jogighopa is also stopped. The Committee recommends that concerted efforts may be made to sort out land acquisition issues. Efforts may also be made to convince the local people about the necessity and importance of the projects for them.

8.127 The Committee also recommends that steps may be taken for timely completion of all the projects, particularly the projects which have been declared as National Projects. The Committee desires that the works may be taken up on a fast track mode so that they are completed in time.

Monitoring Mechanism

8.128 The Committee is not happy to note that the matter of creating of a separate wing of CVC exclusively for NER is still under examination. The Committee also notes that DoPT has taken up the proposal for creation of one post of Joint Director in CBI exclusively for NER and the cabinet had considered the proposal and the minutes of the meeting were awaited. The Committee in this background reiterates its recommendation made in 145th Report regarding setting up of a separate wing of CVC in NER. The Committee further recommends that early action may be taken in this regard.

8.129 The Committee also notes that there had been 15 projects for which 2nd or subsequent installment had to be stopped for want of physical progress commensurate with the financial progress. The Committee also notes that in a number of cases, State Governments have been asked to submit clarification. The State Governments may be requested to expedite their clarifications. The Committee would also like to suggest that a standard proforma or a format in this regard may be prepared so as to avoid the chances of seeking clarifications time and again. Regular meetings may be held with implementing agencies to ensure physical progress in the works.

Key Areas and Projects Under Look East Policy

8.130 Myanmar is an important neighbour which is strategically very crucial for the country, in general, and North-east India, in particular. Strategic and trade links with Myanmar require seamless flow of traffic between Myanmar and India. Keeping the Chinese presence in the region in mind, such projects are of national importance. Besides, they can also be used for people-to-people contacts in future, after Myanmar returns to full democracy. The Committee notes the current status of the Kaladan Multi-modal project and desires that the project may be completed on schedule by July, 2013. The Committee recommends that the DPR to be prepared by the IRCON for the entire road segment of project in Myanmar side be prepared as per schedule. The Committee also recommends that the Government of Myanmar may be persuaded to construct the road as per national highway standards.

8.131 The Committee is dismayed to note that the project of construction of Rhi-Tidim road had to be revisited and the project was proposed to be assigned to IRCON along with updation of DPR, while the project was earlier decided to be assigned to the Ministry of Construction of Myanmar, who agreed to build two lane highway at the same cost, which was estimated by Border Road Organization for a single lane highway. The Committee desires to know the reasons for this wide difference in the costs quoted by both sides. The Committee during discussions on Demands for Grant (2010-11) was informed that the project would span over a period of three years *i.e.* till 2013. Now, in the present circumstances it is highly unlikely that the project will meet its deadline. The Committee is extremely disappointed by the procedural delays, which reflect very poorly on the seriousness with which the development of the region is taken by different Ministries/Departments.

8.132 The Committee hopes that the Government of Bangladesh will accept India's offer of assistance for development of Ashuganj (Bangladesh) as port of call for the mutual benefit of both countries.

8.133 The Committee is of the view that direct bus service between Kolkata and Dhaka will benefit people of both the countries. The Committee recommends that all further necessary diplomatic steps may be taken for early start of the bus service.

8.134 The Committee notes the typical bureaucratic style so far as dealing with the project on tri-lateral highway connecting Moreh to Maesot (Thailand) is concerned in the light of the fact that Thailand and Myanmar have started work on their parts of the project with their own resources, while India is yet to take up the work. The Committee recommends that the Government may take immediate steps in this regard.

Hydropower in the Northeast: Potential and Harnessing

8.135 North East has huge potential for development of hydro-electric power, given its unique natural advantage. The Committee is disappointed to know that as on March, 2012, 93.06% of the capacity of the region still remains untapped. Slow progress of civil works, heavy rain, frequent bandhs etc. are cited as reasons for delay. The Committee, while taking into account the handicaps faced by the agencies, still believes that they cannot explain gross under utilization of power potential in the region even after six decades of independence of the country. The policy of reducing the eligibility to avail mega project benefits from 1000 MW to 700 MW in certain special category States of J&K, Sikkim and the seven States of North East is a step in right direction. The Committee would like to recommend that revised National Water Policy be finalized at the earliest. The Committee also recommends that the issues/constraints identified by the Inter-Ministerial Group and interventions suggested by it may be examined threadbare and necessary steps may be taken in this regard. The Committee also feels that there is a need to review the factors hampering the pace of the work and find solution for the problems. Necessary steps may be taken in this direction.

Providing More Attractive Incentives to the Officers Posted in NE region

8.136 The Committee recommends that an early decision on providing insurance cover and subsidized loan for housing to officials of All India Services posted in the North-east may be taken. The Committee feels that much more needs to be done in terms of service conditions so as to retain good officers in the region.

(g) Report No. 163 (Working of Sardar Vallabhbhai Patel National Police Academy, Hyderabad)**Director : Power and Functions**

8.137 There should be a well laid procedure for selection of the Director, NPA. The Committee also feels that the fixed tenure of the Director would give a certain period for him for planning and executing the set objectives. Since, the Directors of IB, CBI and RAW are given a fixed tenure, the Director of NPA should also be given a fixed tenure on the same analogy. Since the Ministry has agreed for careful selection with a fixed tenure, the Committee recommends that Government may lay down an appropriate selection procedure. The Committee agrees with the Ministry view point that the Director should be a serving officer.

8.138 The Committee takes note of the comparative position of delegated powers to Director, NPA and LBS NAA. The Committee is constrained to note that Director, NPA, is comparatively at a disadvantageous position so far the exercise of delegated financial powers are concerned even after the revision. The Ministry should have given similar powers to Director, NPA at par with Director, LBS NAA. Now that the proposal is already under consideration, the Committee recommends that an early decision may be taken in the matter.

Selection of Faculty

8.139 The Committee feels that since the nature and style of crimes are changing due to technological development, modernization and sophistication, faculty needs to be chosen with great care. Stringent yardsticks have to be laid down for the selection of faculty not only at the teaching staff level but also at the level of Assistant Directors and Deputy Directors. The teaching staff from all fields *viz.* law, business management, human resource management, police science, forensic sciences, criminology, sociology, psychology, etc. must be selected with due care keeping in view the requirement of the academy and also taking into account its role and the responsibility. The Committee also understands that the post of the Assistant Directors is very important and their selection should be done through a stringent selection procedure. High caliber, integrity and efficiency should be the criteria for selection.

Pay-scales of Officers and Staff

8.140 Since the Ministry of Home Affairs has agreed for pay parity of Director, NPA with the Chiefs of IB, CBI, BSF and CRPF, the Committee recommends that the Ministry may finalize the proposal and send it to appropriate Ministry for approval at the earliest.

8.141 The Committee agrees with the proposal of Ministry of Home Affairs that the pay structure of the Academy should be brought at par with the CPMFs. The Committee recommends that the Ministry of Finance may reconsider the case. The Ministry of Home Affairs may, accordingly, pursue the matter with the Ministry of Finance and the Planning Commission.

8.142 The Committee recommends that the Ministry of Home Affairs may explore other incentives in addition to the above so that efficient staff is attracted to the Academy.

Vacancies in NPA

8.143 The Committee feels that serious efforts are required to fill up the vacant posts. The Ministry may make serious efforts for posting of IPS officers in NPA. In regard to filling up of group B posts, advance action may be initiated and regularly pursued with UPSC. The recruitment rules for the newly created posts may be got approved at the earliest so that the new staff are in place soon.

Infrastructure

8.144 The Committee, while taking note of the basic infrastructure of the academy and future expansion, recommends that all projects pertaining to expanding the existing infrastructure should be completed without time and cost over-run and to achieve that end, Government should extend requisite fund in time. The process of acquiring additional land for special tactics wing and other purposes may be completed soon so that other works thereon may be taken up.

Research Wing of NPA

8.145 The Committee is given to understand that the National Institute of Administrative Research (NIAR) was established by LBSNAA, Massore established in 1995 as a Training and Research Wing of the Academy. The

Committee recommends that the NPA may set up an 'Institute for Applied Police Research' instead of a Centre for Applied Research on the line of NIAR. An early decision may be taken and sufficient infrastructure may be created near the campus of the Academy for the purpose.

Publications Division

8.146 The Committee understands that the Academy, being the nodal centre of Police Training in India, has to play a leading role in capacity building of State Police Training Institutions in the country by way of developing and publishing training literature. To this end, it is necessary to strengthen the Publication Wing in the Academy to publish Research Papers, books, journals, monographs and other training material from time to time. The Committee, therefore, strongly recommends that the Publication Division of the Academy may be appropriately strengthened. The Committee takes a serious note of the fact that the sanctioned staff are not in place. Director, NPA may take immediate necessary action in this regard.

Computer and IT

8.147 The Committee is of the view that skilled, and well trained staff should be deployed to discharge the duties and responsibilities of the computer cell. The Committee, therefore, recommends that NPA management should take up the issue of constraints of the manpower with MHA for early filling up of requisite staff. The Committee hopes that the project in pipeline must be completed within the set time frame. The Committee also recommends that the Ministry of Home Affairs may take up the issue of setting up Training Unit of NIC in NPA with NIC and Ministry of Communication and Information Technology (CIT).

Recruitment to IPS

8.148 The Committee in its 161st Report on Demands for Grants (2012-13) made a recommendation for exploring the possibility of conducting a separate examination for IPS where the attitude and aptitude of the candidate must be thoroughly tested besides their mental makeup and inclination for policing. The Committee further recommended that the Government may impress upon UPSC to conduct a separate examination for recruiting of IPS officer and SVPNPA may also be consulted in this regard. The Committee, reiterating the recommendation made in its 161st Report, desires that the Ministry may hold consultation with the DoPT and UPSC and take an early decision for holding separate examination.

8.149 The Committee is of the view that age relaxation under different government services is a policy decision keeping in view various considerations. However, the suggestions of the expert may be looked into.

Budgetary Allocations

8.150 The Committee desires that earmarked allocation for on-going infrastructural projects would be released in time for completion of projects without time and cost overruns. The Committee also recommends that sufficient allocations may be made available to NPA to complete the ongoing infrastructure projects, CNE Works and other new projects and also for strengthening publication division. Grants may also be provided for setting up the Research Institute in case it is decided to set up the same.

Audit Objection

8.151 The Committee is constrained to express its displeasure that out of 20 audit paras on non-plan expenditure, only one para was dropped and response to the 19 paras were further objected to. The Committee, therefore, strongly recommends that due care may be taken in incurring expenditure, both plan and non-plan.

Training Programmes: Indoor VS. Outdoor Training

8.152 Though the quantum of the indoor and outdoor training cannot be fixed in terms of percentage, however, sufficient outdoor training must be imparted to have the physical fitness of the police personnel while indoor training should be so adequately imparted to ensure that the police personnel possess requisite understanding of law and jurisprudential knowledge. The NPA may have a relook at the present curriculum and reviewed with experts.

Field Visit

8.153 The Committee is of the view that the basic training modules of the Academy must consist of the courses keeping in view stark reality of society and the aim of the training programme should be to impart knowledge and

skill to face the ground challenges of the country. The Committee also feels that training on management and administration should also be provided. When the officers grow higher up the ladder, they are also required to handle administration and finance. Training needs to be given on these aspects as well and some modules may be prepared for these aspects.

Mid Career Training Programme (MCTP)

8.154 The Committee notes that the Academy is collaborating with some of the foreign universities of reputation *viz* Cambridge, Charles Sturt, London School of Business for conducting its pioneer Mid-Career Training Programme for senior police-personnel. However, the Committee feels that the Academy should also explore collaboration with institution in other countries having expertise in Police Training and Development (T&D for Police) with the purpose of not only improving capabilities and skill among serving police officers to combat effectively the ever changing wide ranging challenges of terrorism, naxalism, caste & communal conflict, drug trafficking, accidents, natural calamities and other disasters, but also to evolve different training modules concerning standard policing practices to make the Academy a centre of excellence. The Committee, in this regard, recommends that NPA management should prepare a comprehensive strategy in this direction for further foreign collaboration and seek the requisite approval from the Government for implementation. Besides different phases of MCTP programmes, need based refresher courses may also be organized for a week at regular intervals.

8.155 The Committee is of the opinion that exposure to best policing practices should also be imparted at training stage, if feasible, preferably in countries with similar democratic political set up. The Committee believes that training modules consisting of foreign collaborations having police agencies of the country having similar political and economic condition as that of India would have immense impact so far as their policing skill is concerned. The Academy may consider this aspect.

Special Tactics Wing

8.156 The Committee notes the initiatives and activities taken by NPA in imparting special tactical training to police officers. The Committee, however, also takes note of the fact that STW is having its man power on *ad-hoc* basis. This will not help in better functioning of the work. Efforts may be made to put in place dedicated manpower at the earliest. Directional level tactics course for senior officers of the rank of DIG and above be started at the earliest. Fund requirements of NPA for developing allotted land for tactical training, separate STW Building, procurement of equipments and weapons may be looked into promptly so as to make the Special Tactics Wing par excellence. This level of excellence may further be used for revenue generation by imparting such training to the police officers of other countries.

Foreign Training

8.157 The Committee recommends that the proposal to send IPS probationers to Japan and Singapore for training during phase-II may be positively considered by Ministry of Home Affairs. The Committee feels that community policing can play a major role in curbing crimes in India keeping in mind the low police population ratio and a big democratic set-up in the country.

8.158 Foreign visit of the probationers in phase-II of the training schedule is the appropriate time when the probationers, after having an understanding of the system within the country, can have a comparative study of the system of obtaining abroad. The Committee recommends that the proposal under consideration of MHA may be examined soon and an early decision may be taken.

Faculty and Linkages

8.159 The Committee is of the view that if the Academy feels that linkages with training institutions of developed countries such as USA, UK, etc. would be useful the Academy may prepare a blueprint of the proposal and take up the matter with the Ministry of Home Affairs. But the linkages should be productive, and result oriented instead of just ornamental.

8.160 The Committee notes that the Academy does not invite faculty or resource persons from abroad and the main reason is lack of incentives and remunerations. However under institutional tie up for MCTP, foreign resource persons are also involved. The Committee is of the view that whenever any foreign experts comes to India, such visits may be made use of by organizing their sessions for both basic training and MCTP.

8.161 Tie up with foreign police agencies would definitely give an opportunity to the trainee officers to understand the nuances of working of police agencies in other countries. The Committee is of the considered view that the faculty exchange programmes with other foreign police agencies and training institutes would give an opportunity for exchange of views among the faculty and to refresh their knowledge. The Committee, therefore, recommends that tie-ups with foreign institutes for both trainees and faculty maybe organized for better exposure.

8.162 The Committee feels that the training module introduced in 2012 may be assessed and complete literature and manuals may be prepared.

Lack of Quality Training Programme

8.163 The Committee, however, feels that there is a lack of quality training programmes for the faculty. For better training of the police officers, the faculty should have better exposure to latest methodologies, technologies available within the country and abroad. NPA may have a relook into this.

Comparative Study of Police Structures and Police Systems

8.164 The Committee feels that teaching of a comparative study of police structures and police systems over the world at NPA at the induction stage also would enable the probationer to have a much wider horizon and a much larger perspective, and would further enable them to introduce small improvements in police working on the basis of their knowledge of the overall police systems and police structures. There should be a course on comparative police systems. NPA may look into this.

Training on Administrative, Financial and Social Issues

8.165 The Committee desires that NPA may have a relook at the present modules and incorporate specific aspects on administrative and financial management if they are not sufficiently covered.

Training Schedule

8.166 The Committee is not satisfied with the cryptic reply of the Ministry. The Committee is, therefore, of the view that there needs to be some institutional safeguards to the syllabi and curriculum. Attempt to derail the training schedule should not be allowed.

Coordination with Other Police Academies

8.167 The Committee feels that internal security is a major concern across the Country and supervision and surveillance by the Police Personnel around the country is of utmost significance. With the sophistication and changing nature of crimes, a well equipped and professional police personnel are required all over the country. Integrated police training is, therefore the natural corollary. The Committee recommends that NPA should act like what the NCERT does for other training schools of states and the experience gained at the NPA must percolate to the state and the district training schools for the benefit of the police training at the grass root level. The Committee agrees with the suggestion of the Ministry for setting up of a common forum for all State Police Training academies with the NPA at Apex and under its Aegis. A serious thought may be given to this suggestion.

Law and Jurisprudence in Training Modules

8.168 The Committee agrees that an in-depth understanding of jurisprudential principles would inject legal insight to the IPS officer which would certainly help them solve the legal issues involved in the case. The Committee, therefore, feels that there is further scope for enhancing the module on law and jurisprudence in the training curriculum of IPS officers. Therefore, the entire module on law and jurisprudence may be revisited involving some legal experts.

Case Study

8.169 The Committee agrees that case based study would enrich the knowledge of trainees. An early decision may be taken to set up Case Study Wing in the Academy. All the training modules may contain the case study so that it leaves a lasting impact in the minds of trainees.

8.170 The Committee hopes that the introduction of Integrated Training format would enable the IPS officers to have in depth understanding of rejoinder of crimes. The format may be thoroughly assessed after one year.

Ethical and Moral Values and Integration

8.171 The Committee is of the view that since policing does have a bearing on the lives of individuals and, therefore, Police Personnel, particularly officers should possess high moral & ethical values so as to arrest the declining trend in quality and standard of public life. The Committee believes that when the pursuit of social commitment and integrity is effectively imbibed into police personnel irrespective of rank and file, the malaise and qualms of corruption could be eradicated from public life to a large extent. Transparency and public accountability is a pre-requisite for good governance. The Committee, therefore, recommends that the training modules prepared for probationers and also for in-service officers must cover the lessons on ethical traits and moral behaviour.

8.172 The Committee observes that Officer is generally vested with the power which extends at times to taking life and liberty of the people but what matters is how he exercises his power. Therefore, emphasis should also be given as to how to use the power. The Committee is also given to understand that in other countries like Japan training curriculum contain the constant emphasis on ethical aspects in policing so that while doing a particular job, a set of principles has to be adhered to. The Committee, therefore, recommends that adequate emphasis should be laid in the training programme of Officers Trainee and NPA should teach probationers good policing practice which is practised globally. Modules on ethical values and morality should also be included in the MCTP programmes as it is equally required at that stage as well.

8.173 The Committee desires that the message of the Preamble to the constitution of India, being “Sovereign, Socialist, Secular, Democratic Republic” should not only be read and understood by the police personnel but should also be imprinted into their ‘hearts and minds’ to be reflected into their actions while dealing with actual incidents. Keeping in view the fact that India is a vast country with complex social structure i.e. multi-lingual, multi-ethnic, multi-religious, training modules must give emphasis to these aspects. A sense of justice and sensitivity towards the people particularly of weaker sections should be initiated by them.

Training Modules on Left-Wing Extremism and Terrorism

8.174 The left wing extremism is spreading its tentacles across the country and a well prepared module needs to be prepared for training on dealing with this. Greyhounds of Andhra Pradesh Police has been successful in dealing with this and they can be a role model in regard to this training. If possible, the probationers may be attached with greyhounds for some period. NPA should become centre of excellence in giving training on dealing with left wing extremism.

Psychological Profiling

8.175 The Committee desires that psychological profiling may be made use of for better counseling and de-stressing. Yoga is a good tool for de-stressing and to rein in the mind and this may be used to the maximum extent.

People-Friendly Policing

8.176 The image of Government depends more on the reaction of the rank and file of the law enforcing agencies particularly police officers towards the common man, when the common man approaches them in the hour of need. The Committee, therefore, feels that police being at the cutting edge level needs to adopt courteous behavior and friendly temperament so that people may approach them without fear and with faith to have redressal of their grievances. The Committee, therefore, recommends that training modules and practical training courses as imparted by NPA must include all behavioral and attitudinal aspects and the Academy should work on this. The Ministry should oversee the implementation of the Mission. An early decision may be taken in this regard.

Access of Sub-ordinates to Senior Police Officer

8.177 The Committee firmly believes that open access of constabulary to higher police personnel and hassle-free communication among them would ensure higher degree of trust and faith amongst each other which would not only lead to redressal of grievances of constabulary but would also help in taking strategic decisions, formulation of pragmatic plans based on the situation and experience at grass root level and execution thereof to achieve set objectives. This will also improve the efficiency of the forces. The Committee, therefore, recommends that the training modules should invariably expatiate this. This needs to be done both in the NPA as well as the training courses of States and District Training Centres.

Preparation of Chargesheets etc.

8.178 Despite the training being imparted to IPS probationers by NPA on the supervision of preparation of the criminal charge sheets, the shortcomings continue to persist in making the charge sheets at the initial stage which have been in many cases found faulty by the various courts, resulting in acquittal of the accused and putting on sorry figure for the police, as a whole. It is a known fact that in several cases, justice is either denied or yet to see the light of the day due to lacunae in FIR and incomplete framing of the charge sheet. In this background, the Committee recommends that IPS probationers as well as the in-service officers must be imparted adequate training to enhance their supervising skill so that FIRs and charge sheets must be prepared in a comprehensive manner. The probationers should be made fully conversant with the procedure of preparation of charge sheet and framing charges.

Training on Court Procedures

8.179 Though moot court Proceedings at the Academy are good and give theoretical aspect but does not give the true picture of the courts. Dealing with court cases is an important aspect of the policing. The actual procedure of the courts is not only complex but cumbersome also, and the attachment of the probationers for a period of seven days does not appear sufficient. The Committee, therefore, recommends that probationers should be given sufficient actual court exposure so that inadequacies on the part of the agencies of the Government do not become a stumbling bloc in the disposal of the case. NPA should, therefore, consider to give sufficient emphasize on this.

Community Policing

8.180 The Committee notes that one of the Police Mission set out by the Prime Minister is on Community Policing and the Ministry is considering the report of the Committee thereon. After it is decided to implement it, NPA may take a cue from this and include it in the course. On the basis of experience of Tamil Nadu and Kerala, NPA may prepare a manual on community policing which can be useful for probationers of NPA and all other states Police Organisation. The Committee views that community policing implies people's participation in local security arrangement and, therefore, leads to much interaction between the police and people. The Committee, therefore, recommends that the mission on Community Policing should be included in the State and District Police Training Centres of various States and literature procured at the centre must also be disseminated.

Dealing with the Challenges of Terrorism

8.181 Though after reviewing the police response to Mumbai attack and finding that there was a big gap between the training imparted and the actual requirement of tactical skill to combat the potential menace of terrorism, a separate wing called 'Special Tactics Wing (STW)' has been set up in NPA with the objective of imparting training to State Police and Central Armed Police Forces to enable them to conduct tactical operation against the terrorists in jungle and urban environment, the efforts are not complete as yet. The urban intervention training infrastructure is likely to be completed in 2013. This may be completed as per schedule.

8.182 NPA should think and act ahead of the terrorists on the possible techniques and technologies likely to be used by terrorists and start training in advance. Government may provide necessary infrastructure to NPA. Training on 'preventive steps to prevent the possible terrorist attack is required. Lesson from USA are required to be learnt where 9/11 incident has not been repeated. The Committee recommends that NPA has to take initiative to make headway in training in this regard.

8.183 The Committee is of the view that since the country is facing terrorist threats counter Intelligence techniques and anti-terrorism operations need to be included in the curriculum so that the officers who come out are well-versed in the counter-terrorism intelligence techniques.

Intelligence Collection and Analysis

8.184 The Committee is surprised to find that although probationers are given elaborate training on the intelligence collection and analysis but there is no dearth of intelligence failures which led to massive incidents killing several innocent persons. Though, intelligence success is rarely reported in the media its failure attracts immediate attention of the media besides immensely affecting the lives of the people. The Committee, therefore, recommends that the training modules on intelligence collection and analysis must be comprehensive and the same may be replicated at the State and District Police Training Centre.

Law and Order

8.185 The Committee notes the doctrine of use of minimum force by the police personnel to deal with the volatile and peaceful demonstration. However, the people in general have police-phobia as the impression of colonial attitude of the police personnel persists in the minds of the public. Some of the police outrage incidents linger in the hearts of the people. The Committee, therefore, strongly recommends that probationers and in-service officers should emphasize on handling the peaceful and volatile demonstration with acute care and sympathy towards the people because India is a democratic country and people of the nation have every right to express their genuine demands through peaceful demonstration within the parameters of the Constitution. The officers, when on duty are required to take on the spot decision as there may not be time to consult seniors. Therefore, emphasis should be laid in the training on dealing with such situations.

Training on Disaster Management

8.186 Within a period of twenty months, in Kolkata itself, forty-three people died when fire gutted the fifth and sixth floors of the Stephen Court building and more than ninety people lost their lives in Advanced Medicare and Research Institute (AMRI) Hospital. When five major fire accidents occurred in large hospitals in London between January 2008 and February 2009, nobody died; in fact, not a single case of “significant adverse health affect” was reported. In Northwick Park Hospital, a large district-level health care facility, 123 patients, including the brain injured, were safely evacuated in 23 minutes, while it took fifteen minutes to the rescuer to reach AMRI Hospital costing several lives. The Committee feels that there needs more practical training including simulation. Whenever any disaster takes place, they should be sent for real time experience and training. The Committee recommends that NPA should keep in these things in mind and prepare the requisite training modules on disaster management in the country.

National Security/Internal Security

8.187 India is a dominant player of the global economy and global politics and there are a lot of geo-political and the national security issues which are of utmost concern, therefore training modules covering National Security issues are indispensable. Therefore, training modules should not only cover the course in terms of terrorism or left wing extremism but also in terms of security of vital installations like Dams, Atomic Energy installations, Refineries and various other security considerations with in the territory of the country.

8.188 The Committee is of the view that Officers Trainee should be imparted training to handle the latest and sophisticated weapons to ensure that the police are always ahead of the criminals in terms of handling guns and weapons. Early action may be taken to have the infrastructure for urban intervention training.

Emerging Areas of Crimes

8.189 In the modern world, police officers need training not only on cyber laws, but also the nuances of hacking to decode encrypted e-mails and other messages. The Committee, therefore, strongly recommends that NPA should give thorough training to the police officers to deal with computer hacking and related cyber crimes.

8.190 The Committee understands that a lot of sophistication is being brought into the crime, and therefore, corresponding modification in training modules to cover changing aspects of crime are but natural. The Committee desires that there is an urgent need to reverse the general perception “that the police are always behind the criminals in terms of training and knowledge as well as the use of arms and weapons”. NPA may take a lead in this regard.

Performance Evaluation of NPA

8.191 The Committee hopes that the outcome of performance evaluation of NPA done by Administrative Staff College of India (ASCI), Hyderabad would be of immense use for strengthening NPA and its programmes. The Committee also desires that BPR&D may conduct an independent evaluation of the basic and MCTP Training imparted at NPA.

SWOT — Analysis of the Working of the Academy

8.192 The Committee is of the view that the Ministry should take note of the SWOT (Strength, Weaknesses, Opportunities and Threats) analysis of the Academy and make strategies to overcome its weaknesses and threats. The Government should also take advantages of NPA’s strength and opportunities in making it the world class

training centre. In this regard, the Committee recommends that the management should also evolve new training platforms and training methodologies and make continuous reevaluation, self-introspection and self-review, 3rd Party Audit, Seminars, Workshops, adaptations to change. The management may further formalize institutional tie ups with the police training academies of other countries with the purpose of learning the best practices in training of other countries and catch up the standards achieved by the western countries.

8.193 One area of concern for the Committee is lack of priority for training for police in the States. This is a big challenge and needs to be addressed. The Ministry of Home Affairs may start a new scheme for strengthening police training in the States. On making Academy training more relevant and reducing gap between rule of law and field reality, existing modules may be revisited with more field orientation.

(h) Report No. 164 [Constitution (One Hundred Eighteenth Amendment) Bill, 2012]

8.194 The Committee notes the considered opinion of the State Government of Karnataka that they made repeated requests to the Union Government to grant special status to Hyderabad-Karnataka Region on the lines of special provisions made under Article 371D in respect of Andhra Pradesh. The Committee further notes that both Houses of Karnataka Legislature also unanimously passed resolutions to provide special status on the lines of only Article 371D of the Constitution of India. While agreeing with the views of State Government of Karnataka, the Committee feels that the Ministry of Home Affairs should have taken the State Government into confidence about the provisions of the Bill before piloting it in the Parliament. In view of the opinion of the State Government of Karnataka on the provisions of the present Bill, the Committee recommends that Ministry of Home Affairs may withdraw this Bill. Discussions with the State Government of Karnataka may be held and a modified version of the Bill may be brought forward before the Parliament at the earliest.

VII. Secretariat

8.195 The Committee Section (Home Affairs) headed by an Assistant Director, constitutes the Secretariat of the Committee. Joint Secretary, Director and a Joint Director remained in-charge of the Section.

8.196 To assist the Committee in its work, material received from the Ministries under its jurisdiction *i.e.*, Home Affairs and DoNER, as also from other organizations and individuals was studied, and relevant points were culled out. Questionnaires for written/oral replies were prepared for use of the Committee.

8.197 The Secretariat also studied material like Parliamentary Debates, answers to Parliamentary Questions, Budget Estimates, Economic Survey, Outcome Budget, Mid-Term Appraisal of the Eleventh Five-Year Plan, Books, Journals, and Newspapers etc, relevant to the subject under examination of the Committee. The Secretariat also downloaded study material from websites on various subjects for use of Committee Members and preparation of reports.

8.198 The work relating to drafting, consideration and approval of draft reports by the Committee alongwith their presentation/laying, printing and distribution were also undertaken by the Secretariat.

ANNEXURE XI*(See Para 8.7)***Details of sittings of the Committee on Home Affairs during the year 2012**

Sl. No.	Date of meeting	Duration Hrs. Mins.	Subject
1	2	3	4
1.	19.01.2012 (Record of	1.35	(i) Appraised Committee of the reference of the three Bills namely, the North-Eastern Areas (Reorganisation) Amendment Bill, 2011 (as introduced in discussion) Lok Sabha on 7th December 2011 and pending therein); The Arms (Amendment) Bill, 2011 (as introduced in Lok Sabha on 12th December 2011 and pending therein) and The Unlawful Activities (Prevention) Amendment Bill, 2011 (as introduced in Lok Sabha on 29th December 2011 and pending therein) by the Hon'ble Chairman, Rajya Sabha, in consultation with the Speaker, Lok Sabha, to the Committee on Home Affairs, on 13th January, 2011, for examination and report thereon by 31st March 2012. (ii) Discussion with representatives of J&K migrants on 'Action Taken by the Government on 137th Report of the Committee'.
2.	06.02.2012	1.50	(i) Heard the presentation of the Home Secretary on the Citizenship (Amendment) Bill, 2011; the Arms (Amendment) Bill, 2011; the North-Eastern Areas (Reorganisation) Amendment Bill, 2011; and the Unlawful Activities (Prevention) Amendment Bill, 2011; and (ii) heard oral evidence of Home Secretary alongwith Chief Secretary, Government of J&K on the Action Taken by the Government on 137th Report of the Committee on Rehabilitation of J&K Migrants and sought clarifications thereon.
3.	13.2.2012	00.15	(i) Decided for issuing of press release inviting comments/suggestions on the provisions of the Unlawful Activities (Prevention) Amendment Bill, 2011 from various individuals/stakeholders/organizations; and (ii) Held internal discussion on the Citizenship (Amendment) Bill, 2011.
4.	21.02.2012	2.00	(i) Heard the presentation of the Home Secretary on the Unlawful Activities (Prevention) Amendment Bill, 2011; and (ii) Took up the clause-by-clause consideration of the Citizenship (Amendment) Bill, 2011.
5.	01.03.2012	1.00	(i) Took up clause-by-clause consideration of the Citizenship (Amendment) Bill, 2011; (ii) Further heard the Home Secretary on the Unlawful Activities (Prevention) Amendment Bill, 2011; and (iii) Sought extension of time for presenting Report of the Committee on the Citizenship (Amendment) Bill, 2011 upto 30th March, 2012.
6.	13.3.2012	1.00	(i) Appraised the Committee that Hon'ble Chairman, Rajya Sabha granted extension of time to the Committee for presentation of report on the Citizenship (Amendment) Bill, 2011 upto 30th March 2012.

1	2	3	4
			(ii) Considered and adopted draft 157th on the Arms (Amendment) Bill, and 158th Report on the North-Eastern Areas (Reorganisation) Amendment Bill, 2011;
			(iii) Further heard the Home Secretary on the Citizenship (Amendment) Bill, 2011; and Unlawful Activities (Prevention) Amendment Bill, 2011.
7.	19.3.2012	1.24	Further heard the Home Secretary on the Unlawful Activities (Prevention) Amendment Bill, 2011 and held the clause-by-clause consideration of the Bill.
8.	26.03.2012	0.12	(a) Considered and adopted the draft 159th Report on the Citizenship (Amendment) Bill, 2011 and draft 160th Report on the Unlawful Activities (Prevention) Amendment Bill, 2011; and (b) Nomination of two Members each from Rajya Sabha and Lok Sabha for presenting/ laying of 157th, 158th, 159th and 160th Reports of the Committee to Rajya Sabha/Lok Sabha.
9.	28.03.2012	1.15	Heard the presentation of Home Secretary on Demands for Grants (2012-13) of the Ministry of Home Affairs and discussion thereon.
10.	04.04.2012	1.50	Further heard the Home Secretary on Demands for Grants (2012-13) of the Ministry of Home Affairs and sought clarification thereon.
11.	11.04.2012	0.55	Heard the Secretary, Ministry of DoNER on Demands for Grants (2012-13) of the Ministry of DoNER and sought clarification thereon.
12.	18.04.2012	1.50	Further heard the Secretary, Ministry of DoNER on Demands for Grants (2012-13) of the Ministry of DoNER and sought clarification thereon.
13.	26.04.2012	0.05	Considered and adopted draft 161st Report on Demands for Grants (2012-13) of the Ministry of Home Affairs.
14.	03.05.2012	0.10	Considered and adopted draft 162nd Report on Demands for Grants (2012-13) of the Ministry of DoNER.
15.	15.05.2012	0.20	Decided its future programme.
16.	07.06.2012	1.45	Heard the views of Shri P.S. Rama Mohan Rao, Former DGP and Former Governor of Tamil Nadu, Shri Shanker Sen, Ex-Director, Sardar Vallabhbhai Patel National Police Academy and Senior Fellow, Institute of Social Sciences; and Shri Prakash Singh, Ex-DG, BSF on the "working of Sardar Vallabhbhai Patel National Police Academy".
17.	29.06.2012 (record note of discussion)	1.00	Heard the views of Special Secretary, Ministry of Home Affairs on the working of the Sardar Vallabhbhai Patel National Police Academy, Hyderabad.
18.	18.07.2012	1.10	Heard presentation of the Home Secretary on "Law and Order Situation in Delhi"
19.	27.08.2012	0.25	Considered and adopted the draft 163rd Report on the "Working of the Sardar Vallabhbhai Patel National Police Academy, Hyderabad."
20.	08.10.2012	0.30	(i) Appraised the Committee of the reference of the Constitution (One Hundred Eighteenth Amendment) Bill, 2012, as introduced in Lok Sabha on 7th September, 2012 and pending therein, to the Committee on Home Affairs, for examination and report by first day of the Winter Session of Parliament. (ii) Decided its future programme.

1	2	3	4
21.	16.10.2012	1.00	Heard the presentation of Additional Secretary, Ministry of Home Affairs and Principal Secretary, Government of Karnataka on the Constitution (One Hundred-Eighteenth Amendment) Bill, 2012.
22.	29.10.2012	1.20	Heard the Home Secretary and representatives of the Planning Commission, Ministry of Law and Justice and State Governments of Andhra Pradesh and Maharashtra on the Constitution (One Hundred Eighteenth Amendment) Bill, 2012.
23.	16.11.2012	0.54	Further heard the Union Home Secretary and the Chief Secretary, State Government of Karnataka on the Constitution (One Hundred Eighteenth Amendment) Bill, 2012; and
24.	04.12.2012	1.30	(ii) Sought extension of time upto the first week of the first part of Budget Session 2013 of the Parliament for presentation of report on the Constitution (One Hundred Eighteenth Amendment) Bill, 2012. Further heard presentation of the Commissioner of Police, Delhi on the 'Functioning of Delhi Police'.
25.	11.12.2012	0.20	Considered communications received from Chief Minister of Karnataka and Ministry of Home Affairs in connection with the Constitution (One Hundred Eighteenth Amendment) Bill, 2012.
26.	27.12.2012	2.00	Heard the Home Secretary along with Commissioner of Police, Delhi, on 'Growing atrocities against women and general law and order situation in Delhi' as part of the examination of the subject "Functioning of Delhi Police".

ANNEXURE XII*(See Para 8.8)***Details of sittings of the Sub-Committee on North-Eastern Region of DRPSC on Home Affairs during the year 2012**

Sl. No.	Date of meeting	Duration Hrs. Mins.	Subject
1	2	3	4
1.	21.05.2012	0.35	Decided its future programme.
2.	07.06.2012	1.20	Heard the presentation of the Home Secretary on the subject “Indo-Bangla Border Fencing and Flood Lighting”.
3.	29.06.2012	1.35	Heard the presentation of the Secretary, DoNER on implementation of Road Projects in North-eastern Region.
4.	09.07.2012	1.27	Heard the presentation of Secretary, Ministry of Development of North-eastern Region and the representatives of other concerned Ministries on the following subjects as part of the examination of subject “Infrastructure projects and economic Development in North-Eastern Region”:- (i) Further discussion on Road Projects in the North-eastern Region including presentation by Ministry of Rural Development; and (ii) Railway projects in the North-eastern region.
5.	26.07.2012	1.55	Heard the presentation of Secretary, Ministry of Development of North-Eastern Region and the representatives of Ministry of Railways Ministries on Railway Projects in the North-eastern Region as part of the examination of subject “Infrastructure projects and economic Development in North-Eastern Region.

ANNEXURE XIII

(See Para 8.8)

Details of sittings of the Sub-Committee on Administration of UTs of DRPSC on Home Affairs during the year 2012

Sl. No.	Date of meeting	Duration Hrs. Mins.	Subject
1	2	3	4
1.	21.05.2012	0.30	Decide its future programme.
2.	09.07.2012	1.20	Heard the presentation of JS (UT) and Administrator, Daman and Diu and Dadra and Nagar Haveli on various aspects of administrations of both the UTs.
3.	26.7.2012	1.35	Heard the presentation of JS (UT), Ministry of Home Affairs and Administrator, Daman and Diu and Dadra and Nagar Haveli on the various aspects of administration of UT of Dadra and Nagar Haveli.

CHAPTER-IX
COMMITTEE ON HUMAN RESOURCE DEVELOPMENT

I. Composition of the Committee

9.1 The Committee was constituted on 31st August, 2011. The following was the composition of the Committee:—

Shri Oscar Fernandes — *Chairman*

Rajya Sabha

2. Shrimati Mohsina Kidwai
3. Shri Mahendra Singh Mahra
4. Shri Prakash Javadekar
5. Shri M. Rama Jois
6. Shrimati Jaya Bachchan
7. Shri N.K. Singh
8. Shrimati Kanimozhi
9. Dr. Janardhan Waghmare
10. Shri N. Balaganga

Lok Sabha

11. Shri E.T. Mohammed Basheer
12. Shri Kuvarjibhai Mohanbhai Bavalia
13. Shri Mirza Mehboob Beg
14. Shri Sameer Bhujbal
15. Shri P.K. Biju
16. Shri Jeetendra Singh Bundela
17. Shri Suresh Channabasappa Angadi
18. Shri P.C. Gaddigoudar
19. Shri Rahul Gandhi
20. Shri Kapil Muni Karwariya
21. Capt. Jai Narayan Prasad Nishad
22. Shri Sheesh Ram Ola
23. Km. Saroj Pandey
24. Shri Prasanna Kumar Patasani
25. Shri Balakrishna Khanderao Shukla
26. Shri Ashok Tanwar
27. Shri Joseph Toppo
28. Dr. Vinay Kumar Pandey 'Vinnu'
29. Shri P. Viswanathan
30. Shri Madhu Goud Yaskhi
31. Shri Rathod Ramesh

9.2 The Committee was re-constituted on 31st August, 2012 with the following composition:—

Shri Oscar Fernandes — *Chairman*

Rajya Sabha

2. Shri Rama Chandra Khuntia
3. Dr. Bhalchandra Mungekar
4. Shri Avinash Rai Khanna
5. Shri Tarun Vijay
6. Shri Derek O' Brien
7. Chaudhary Munabbar Saleem
8. Dr. Janardhan Waghmare
9. Shri Baishnab Parida
10. Shri N. Balaganga

Lok Sabha

11. Shri Suresh Angadi
12. Shri P.K. Biju
13. Shri Jeetendra Singh Bundela
14. Shri Sivasami C.
15. Shrimati Helen Davidson
- @16. Shrimati Deepa Dasmunshi
- *17. Shri Mahadev Singh Khandela
18. Shri Charles Dias
19. Shri Kapil Muni Karwariya
20. Shri Virender Kashyap
21. Shri N. Peethambara Kurup
22. Shri Prasanta Kumar Majumdar
23. Shri Raghuvir Singh Meena
24. Capt. Jai Naraiian Prasad Nishad
25. Shri Sis Ram Ola
26. Shri M.K. Raghavan
27. Shri K. Chandra Shekar Rao
28. Shri M.I. Shanavas
29. Shri Balkrishna K. Shukla
30. Shri Bhoopendra Singh
31. Shri Kunwar Rewati Raman Singh
32. Shri Manicka Tagore

@ Shrimati Deepa Dasmunshi who was elevated to Union Minister of State, Urban Development on 28.10.2012

*Nominated *w.e.f.* 9.01.2013

II. Subjects selected/Bills referred for examination

9.3 The Committee after its reconstitution decided to consider and examine the following subjects:—

- (i) Faculty position in Higher Educational Institutions in the Country
- (ii) Implementation of RTE Act, 2009

9.4 During the year 2012, the following Bills were referred to the Committee for examination and report:—

Sl. No.	Name of the Bill	Date of Reference	Report
1.	The Higher Education and Research Bill, 2011	03.01.2012	247
2.	The Rajiv Gandhi National Institute of Youth Development Bill, 2011	16.01.2012	242
3.	The Universities for Research and Innovation Bill, 2012	30.05.2012	Bill under consideration
4.	The Indecent Representation of Women (Prohibition) Amendment Bill, 2012	21.12.2012	Bill under consideration

III. Constitution of Sub-Committees of the Department-related Parliamentary Standing Committee on Human Resource Development

9.5 No Sub-Committee was constituted by the Department-related Parliamentary Standing Committee on Human Resource Development during the year 2012

IV. Review of work done**(a) Sitzings of the Committee**

9.6 During the year 2012, the Committee held 27 sittings lasting over 39 hours and 01 minute. A statement showing the dates and duration of each sitting of the Committee, as also the subjects discussed during this period are given in Annexure XIV.

(b) Study Visits

9.7 During the year 2012, no study visits were undertaken by the Committee

V. Reports presented

9.8 During 2012, the Committee presented and laid the following Reports in both the Houses of Parliament:

Sl. No.	Report No.	Dates of presentation/ Laying in Rajya Sabha/ Lok Sabha	Subject
1.	241	13.3.2012	Report on the National Academic Depository Bill, 2011
2.	242	26.4.2012	Report on the Rajiv Gandhi National Institute of Youth Development Bill, 2011
3.	243	03.05.2012	Report on Demands for Grants 2012-13 of the Ministry of Women and Child Development
4.	244	03.05.2012	Report on Demands for Grants 2012-13 of the Department of School Education and Literacy

Sl. No.	Report No.	Dates of presentation/ Laying in Rajya Sabha/ Lok Sabha	Subject
5.	245	03.05.2012	Report on Demands for Grants 2012-13 of the Ministry of Youth Affairs and Sports
6.	246	09.05.2012	Report on Demands for Grants 2012-13 of the Department of Higher Education
7.	247	13.12.2012	Report on the Higher Education and Research Bill, 2011

9.9 Minutes of sittings of the Department-related Parliamentary Standing Committee on Human Resource Development relating to various Reports presented to the House were prepared and presented to the House along with the relevant Reports.

VI. Summary of the Recommendations

(a) 241st Report (The National Academic Depository Bill, 2011)

Introduction

9.10 The Committee welcomes the proposed legislation having the laudable objective of maintenance of a national database of academic awards in electronic format by an identified registered depository. This would evolve as a credible, authentic and easily accessible mechanism for access to and verification of academic awards, thereby putting an end to the present cumbersome and time-consuming process of verification/authentication of degrees/certificates. The Committee believes that with the coming into effect of the proposed legislation, the interests of students as well as employers would be served well. Also, the menace of rampant usage of fake certificates in the academic sphere would be curtailed to an extent. The Committee feels that by bringing such a legislation, the first of its kind in the world our country would act as a role model for other countries to follow. Gradually, with the kind of high level of IT expertise available indigenously, India can become a hub for such kind of exchange of information in the world.

Clause 2 : Application of Act

9.11 The Committee notes that the Bill would apply to all academic institutions specified in the Schedule. However, a perusal of the Schedule reveals that it contains a list of 39 bodies which conduct school ending examinations which includes, besides the Central Board of Secondary Education, Council for the Indian School Certificate Examination and National Institute of Open Schooling, various State Boards as well as State Open Schools. However, applicability of the proposed legislation extends to institutions imparting higher education also. The Committee is of the view that reference to the Schedule is confusing and is likely to cause complications.

9.12 The Committee would also like to point out that the list of bodies included in the Schedule needs to be considered indicative. It may so happen that a new State Board may be created or a new State Open School may come into being or those Boards/Schools listed at present may become non-functional. However, any such modification can be carried out only after the approval of the Parliament. The Committee is, therefore, of the view that a proviso as reproduced below may be added in clause 2 so as to facilitate modifications in the Schedule expeditiously:

“Provided that the Central Government may, as and when considered necessary, by notification in the Official Gazette, amend the Schedule.”

Clause 3 : Definitions

9.13 The Committee finds merit in the objection raised with regard to inclusion of definition of the terms ‘Board’, ‘Council’ and ‘School’ in the Bill. Even after a reference to the Schedule in clause 3(1)(b), inclusion of definition of the terms ‘Board’, ‘Council’ and ‘School’ will make things very clear. The Committee, accordingly, recommends that the definitions of these terms may be included under the Definitions clause.

9.14 Another suggestion made to the Committee was that when awards/certificates were to be deposited in the NAD, marks-sheets should also be included as they were also an equally important document. It was clarified by the Department that all academic institutions starting with secondary boards upwards including universities shall be obligated to lodge in the NAD and this would include marks-sheets also. The Committee believes that there should be no confusion and ambiguity about such basic details with regard to documents to be deposited in the Depository, be it award/degree/diploma. The Committee, therefore, recommends that there should be a specific mention of the term 'marks-sheet' under the definition of the term 'academic award'.

9.15 Committee's query about consultation with regulatory bodies like Medical Council of India, Dental Council, Nursing Council and the Council of Architecture elicited a nil response from the Department. In addition, it was also clarified that these bodies were regulating professional education whereas the present proposal was entirely academic in nature. The Committee has serious reservation on the clarification given by the Department. Not only this, the Committee would also like to draw attention to other categories of professional education being mandated by regulatory bodies like Institute of Chartered Accountants of India, Institute of Cost and Works Accountants of India, Institute of Company Secretaries of India, Institution of Electronics and Telecommunication Engineers etc. From this, it implies that such awards or certificates or degrees or whichever name the professional qualification earned is known as will not be eligible for lodging in the NAD. Such an approach is likely to lead to a situation when an individual holding very high professional qualifications will stand deprived from taking benefit of facilities available at NAD while seeking employment or for further education in India or abroad. In a way, prospective employers will also not be in a position to take services of highly qualified professionals. The Committee strongly feels that there appears to be no justification in excluding the professional education from the purview of this legislation. Awards/certificates/degrees, whether academic or professional need to be treated equally, keeping in view the interests of students/professionals as well as employers. The Committee, therefore, strongly advocates the need for inclusion of professional awards such as medical, engineering, architecture, nursing, dental, chartered accountancy, company secretary and so on under the proposed legislation. The definition of 'academic award' may be modified accordingly so as to cover all such recognized professional qualifications. If need be, separate definition for such qualifications may be formulated.

9.16 The Committee also notes that there is another foreign authority, *i.e.* International General Certificate of Secondary Education under the Cambridge International Examination operational in the country. A considerable number of schools spread across the country are imparting school education to Indian students through these international set-ups. While a large number of students of such international boards go abroad for further studies, it is also equally true that quite a few students seek admission in Indian universities. To protect their interests as well as those of employers, their school-leaving certificates also need to be deposited in NAD. The Committee, accordingly, recommends that a proviso specifying that foreign boards conducting school leaving examination through duly, recognized schools in the country will also have the option to lodge their awards with NAD may be incorporated in the definition of the term 'academic institution'.

9.17 The Committee is of the considered view that one of the main purpose of setting up of the National Academic Depository is to facilitate the student community by maintaining/storing electronic form of awards, easy access to the awards, and making authentication a less cumbersome process. The Committee reiterates that all kinds of awards, be it professional or technical should be covered under the Bill. The Committee notes that in the Concept Paper for the setting up of NAD, the certificates earned by students in ITIs and other institutions form the basis of the legislative proposal. One such example is that of ITIs which are set up under the Ministry of Labour. Likewise State Governments also set up institutions which conduct short term diploma courses. Like in the case of academic awards, where degrees/certificates conferring professional qualifications have also to be brought under the ambit of NAD, the same analogy should be made applicable in the case of diplomas. In case, lodging of such diploma certificates in NAD involves procedural complications, the Department can easily act in coordination with these Ministries/Departments/State Governments and find out a solution as ultimately it is for the benefit of students and employers.

Clause 4: Appointment of National Academic Depository

9.18 The Committee is of the view that this legislation should specifically provide for a regulatory authority which could comprise of experts or representatives from the field of education, information technology, finance and the representative of the Ministry of HRD. This regulatory framework can be easily evolved on the lines of the

framework of SEBI Board provided in the SEBI Act. Since this Bill specifically deals in the academic awards, degrees etc., it should have the regulators primarily from the field of education along with technology experts to take care of the technical aspects.

9.19 The Committee observes that the data to be handled and maintained by the National Academic Depository and the Central Identities Data Repository is crucial and sensitive, rather it is more sensitive in the case of the Central Identities Data Repository. When a National Identification Authority can be mandated for establishing, operating and maintaining of a Central Repository, a similar Authority can very well be mandated to have the responsibility of handling the affairs of National Academic Depository. The only hurdle is the use of terminology. However, the National Academic Depository can very well be called National Academic Repository. As informed by the Department, the two terms are actually synonyms for each other and their dictionary meaning is also the same. The contention that usage of the term 'Depository' has been made only because it is legally defined does not seem to be a convincing and need not be considered binding. The Committee would like to point out that by replacing the term 'depository' by the term 'repository', compulsion of NAD being registered under the SEBI Act will also not be there.

9.20 The Committee also notes that both UGC and AICTE, while concurring with the registration of academic depository under the SEBI Act, have pointed out that the regulation of the functioning and all other incidental aspects of NAD must be regulated by the appointing authority under the Bill. It has been mentioned by these two authorities that the above division of function is justified as the Central Government/Ministry of HRD is much more familiar with the problem that is required to be addressed. The Association of Indian Universities is also of the view that NAD should be an independent body. The very fact that need for involvement of authorities concerned with academic matters has been upheld by all the stakeholders appearing before the Committee should put an end to any ambiguity in this matter. The Committee, accordingly, recommends that necessary modifications on the lines of National Identification Authority of India Bill, 2010 and SEBI Board constituted under the SEBI Act, 2000 may be brought about in clause 4 and other relevant clauses so that a proper regulatory framework for maintenance of a national database of academic awards entrusted to an independent authority and other allied functionaries is put in place.

9.21 The Committee would also like to point out that the eligibility criteria for the proposed National Academic Repository will have to be modified. Keeping in view the nature of items to be kept in the Repository, it would be prudent to engage authorities involved in the higher education sector. It can be a joint venture where well-established authorities/statutory bodies like UGC, AICTE, CBSE, Accreditation Authority, Central Universities/Professional Bodies along with those working in the IT Sector can be made the stakeholders for setting up the National Academic Repository and its functioning.

Clause 8 : Registration of Academic Depository Agent

9.22 The extent of delegation/outsourcing by NAD should also be re-examined to assess whether NAD should be enabled to potentially outsource all its functions. The Committee would like to emphasize that all the services of NAD cannot and should not be delegated to the ADAs, especially the core activities as these related to maintenance of data by NAD which is of a very sensitive nature. The Committee is happy to note that the pertinent issue about the viability of outsourcing the services entrusted to NAD to any number of Academic Depository Agents and its implications has been found acceptable by the Department which has agreed to review the same. The Committee also recommends that the Bill needs to provide more stringent criterion to be adopted by NAD while selecting and registering an academic depository agent. Regulatory bodies like UGC, AICTE and CBSE and even well-established academic institutions can function as ADAs. UGC, AICTE and CBSE with their regional/State offices and units and Universities having a well-knit set up of colleges can be considered the most effective ADAs, as they are well-equipped and well-conversant with academic matters. The Committee, accordingly, is of the view that only such entities be made eligible to function as ADAs.

Clause 9 : Mandatory lodging of Academic Award by Academic Institutions in Depository

9.23 The Committee would like to point out that the National Educational Tribunal as well as State Educational Tribunals have jurisdiction only pertaining to the higher educational institutions whereas the present legislation pertains to both the school boards/ councils as well as higher educational institutions which means that these Tribunals would not be having any control over the school boards and councils with regard to adjudication matters.

The Committee observes that this is an inherent legal weakness in the implementation of this provision of the Bill. The Committee would also like to point out that the element of dispute with regard to reasonableness of training charges would not be there if training is imparted as per the prescribed rates. The Committee, accordingly, recommends that such rates can be prescribed through the rules to be made under this legislation.

Clause 10 : Duty of Academic Institutions

9.24 The Committee, while taking note of the views expressed by the experts/ stakeholders regarding the time period to be provided for the verification/ authentication of academic awards by NAD/ ADA from seven days as given in the Bill to that of seven working days or up to fifteen days or for three months, is of the opinion that the time of seven days as given in the Bill is somewhat long. The Committee, therefore, recommends that this time-limit of seven days may be reviewed after six months of commencement of the Act so that verification process is completed in shorter period.

Clause 11: Lodging of academic awards by any person

9.25 The Committee is of the view that academic awards pertaining to previous ten years from the date of coming into force subject to their availability and proper verification should be mandatorily lodged with the academic depository as such persons would still be in the job / labour market and they may be benefitting from services envisaged under the proposed legislation.

Clause 25: Cognizance of offences

9.26 Clause 25 relating to cognizance of offences lays down that no court shall take cognizance of any offence punishable under the Bill or the rules made thereunder, except on a complaint made by the Central Government/State Government/NAD/any officer or person authorized by the Central Government/State Government/NAD. Rationale for having such a provision is not clear. The Committee is of the view that such a provision would prove to be restrictive if an academic institution has a genuine grievance against NAD or the Central Government. In such a situation, as a matter of natural justice, one should not be denied judicial relief. The Committee would also like to point out that in view of educational institutions and employers spread across the country, access to judicial courts should not be debarred because this will limit their access. Clause 25 may, accordingly, be suitably modified. The Committee also observes that offences under clauses 20 and 21 are to be dealt with under the IT Act (Sections 65 and 66) which does not have a provision like clause 25. Under the IT Act, any person aggrieved by the decision of Cyber Appellate Tribunal can appeal to the High Court.

Clause 28: Power of Central Government to give directions

9.27 Clause 28 lays down that the Central Government would have the power to give directions on questions of policy to NAD from time to time. However, NAD will not get any opportunity to express its views before giving of such a direction by the Central Government. The Committee finds this provision to be somewhat unjustified. NAD along with depository agents and institutions/universities/school/boards will be responsible for handling the entire operations for creation of a national database and providing access thereto. The Committee, accordingly, recommends that under clause 28, NAD should be given an opportunity to give its view before issuance of any direction on question of policy by the Central Government.

(b) 242nd Report (The Rajiv Gandhi National Institute of Youth Development Bill, 2011)

Clause 6: Objects of the Institute

9.28 Clause 6 deals with the objects of the Institute. The Committee observes that in both the Bills, the one prepared by the Mentor Group and the one before the Committee, six objects on similar aspects have been included. The only difference is that the same have been enumerated in an extensive manner in the Bill of the Mentor Group. With a view to having more clarity, the Committee is of the view that the first two objects as given in the draft of the Mentor Group given below may be replaced in the proposed legislation:

- (a) to evolve and achieve an integrated approach to youth development with a view to prepare and empower the youth for the future by providing action research inputs for policy formulation, implementing

policies through extension and other programmes, promoting assessment and impact studies and conducting teaching, training and other academic programmes;

- (b) to set up a world class advanced National Youth Resource Centre that will provide comprehensive and scientifically analysed data on all youth-related issues and matters, excellent library facilities and professionally produced documentation and publications.

Clause 16: Academic Council

9.29 Clause 16 relates to Academic Council. As per sub-clause (2), the constitution of the Academic Council, the term of office of its members and its powers shall be such as may be provided by the statutes. The Committee is of the view that composition of the Academic Council should be part of the Bill as suggested by the Mentor Group. The Committee, accordingly, recommends that composition of the Academic Council as enumerated in the draft prepared by the Mentor Group should be made part of the proposed legislation. As in the case of the Executive Council, the representation of women, different regions of the country and weaker sections of the community and differently abled persons in the Academic Council also has to be made more specific and effective.

Clause 18: Finance Committee

9.30 Clause 18 relates to the Finance Committee. However, composition of the Finance Committee as well as the term of office of its members and its powers are to be provided by the statutes. The Committee is of the view that composition of the Finance Committee should be reflected in the Bill itself. The Committee finds that the Mentor Group has included the same in its draft Bill. The Committee, accordingly, recommends the inclusion of the same in the proposed legislation.

Clause 22: Director

9.31 As per clause 22(5), the Director shall submit annual reports and accounts to the Executive Council. The Committee observes that Annual Report and Audited Accounts of every statutory body/institution is to be laid on the Table of both the Houses of Parliament. But this provision is missing in the proposed legislation. The Committee is of the view that such a provision is an essential component of all such legislations so as to make statutory bodies/institutions accountable to Parliament. The Committee, therefore, recommends the inclusion of the same.

(c) 243rd Report (Demands for Grants 2012-13 of the Ministry of Women and Child Development)

Budgetary Allocation

9.32 While appreciating the utilization trends of the Ministry with respect to allocated funds for the last few years, the Committee also takes note of the daunting challenges before the Ministry with respect to certain facts like declining child sex ratio, underweight children, marked increase in anemia levels, which have to be focused upon in the Twelfth Five Year Plan, necessitating a holistic approach toward enhancing the care and protection of women and children. Keeping in view the three-pronged programmatic intervention of the Ministry *viz.* Child Survival, Development and Protection, Holistic Empowerment of Women and Social Support and Support to Women and Child related Programmes, the Committee is of the view that with the allocation at hand for the year 2012-13, the Ministry might face constraints in implementing its existing schemes/programmes, initiating new schemes and restructuring the ICDS Scheme. The Committee feels that this Ministry being committed to the cause and concerns of women and children should not face any constraints in catering to these vulnerable sections of the society. Inadequate fund allocation not in syn with the projected requirements of the Ministry should not be a bottleneck. The Committee, therefore, recommends to the Ministry to take this matter with the Planning Commission for additional allocation for the Ministry in consonance with the projected requirement of the Ministry

9.33 The Committee finds that the reasons given for under-utilization of allocated funds generally have been due to non-receipt of final approval from the Planning Commission, non-receipt of viable proposals from the State Governments, restructuring of funds or lack of a system in place for implementation and monitoring. The Committee, time and again, has been reiterating upon the fact that the necessary approvals for the schemes should be taken well in time so that their implementation does not suffer. The Committee finds that in spite of allocations set aside for such schemes, there was no utilization or under-utilization because of procedural delays mainly due to pending

approvals. The Committee believes that such reasons of under utilization should not be allowed to surface as taking approvals for implementing schemes is a routine affair.

9.34 The Committee finds that the new schemes proposed have been provided paltry allocation in this year. Even for the existing schemes for women, the outlays for the current year seem to be on the lower side with respect to schemes like Hostels for Working Women, STEP, Central Social Welfare Board and National Mission for Empowerment of Women. The Committee is surprised to find that no funds have been allocated for Swayamsidha which was supposedly the main vehicle of women's empowerment in the Eleventh Plan. The Committee feels that launching of new schemes without adequate allocations for them is nothing but a cosmetic measure for addressing the concerns of women. Improvement in the condition of women would only be seen if concerted efforts of policy making are matched with substantial funds for witnessing positive outcomes for the welfare of women.

9.35 The Committee has been emphasizing the issue of unspent balances since long and has always dwelt upon the importance of monitoring of funds, especially with respect to the funds of ICDS Scheme. The Committee would like to reiterate its earlier recommendation in its previous reports that the issue of unspent balances be taken up with the State Governments on a priority basis and the matter of unspent balances be resolved so that the implementation of ICDS Scheme or any other Scheme like SABLA or IGMSY does not suffer. Further, the Committee feels that a strict monitoring mechanism should be there for ensuring the timely release of funds to State Governments and the adjustment of unspent balances for the judicious utilization of allocated funds. The Committee would like to point out that funds meant for Research, Publication and Monitoring have remained grossly under-utilised year after year. The Committee would appreciate that funds meant for monitoring are put to good use.

9.36 The Committee is happy to note the concerted efforts made by the Ministry to liquidate the pending UCs and monitor the progress made so far. However, it would like to point out that inspite of their efforts, 5129 UCs were still pending. Consistent and concerted efforts on the part of the Ministry is required for liquidation of the remaining UCs. The Committee has been given to understand that most of pending UCs are quite old and their liquidation is difficult because the relevant records are not easily available. The Committee can only say that special measures need to be taken to liquidate the old pending UCs. The Committee hopes that the remaining UCs, especially the old UCs are liquidated at the earliest.

Integrated Child Development Service (ICDS) Scheme

9.37 The Committee is in full agreement with the initiative of the Ministry to restructure the flagship scheme of ICDS so that several implementation issues of the scheme such as lack of proper infrastructure, lack of technical expertise at field level, non-indexation of cost of Supplementary Nutrition Programme (SNP), weak early childhood care and education component, poor monitoring due to lack of staff, lack of support to AWWs on nutrition education and monitoring of under nutrition etc are taken care of so that the benefits of the scheme reach to the maximum number of women and children. The Committee notes the findings of nation-wide evaluation of ICDS in 1500 selected AWCs by the Planning Commission and would like to highlight that even though the benefits of ICDS Scheme are reaching the targeted beneficiaries, there is a need to fine tune the service delivery system with better infrastructure and resources. The Committee hopes that the re-structuring of ICDS would increase the outreach of the Scheme and benefit women and children in far-flung areas and remote regions also.

Vacancy position in Anganwadi Centres

9.38 The Committee believes that even though the ICDS Scheme is a Centrally Sponsored one, the Ministry cannot just shift the blame to the State Governments. Shortage of manpower for the implementation of this flagship scheme is the biggest hurdle in its effective delivery. The presence of a committed cadre of functionaries is an important tool for successful implementation of any Scheme. The Committee would like to reiterate its recommendation in its earlier reports about pursuing the matter with the State Governments on a priority basis, if need be at the highest level so that vacant posts are filled at the earliest.

National Awards for Anganwadi Workers

9.39 The Committee expresses its serious concern about unduly long process for selection of Anganwadi Workers for awards. Earlier also, the Committee has drawn the attention of the Ministry in this regard. The Committee would once again emphasize that awards work as incentives for boosting the morale of workers and making them more involved in their official responsibilities. Delay in awarding the worker that too of more than 5-6 years can only be

considered a mockery of principle of giving incentives by any organization. The Committee, accordingly, recommends that the selection process should be completed without any further delay and services of deserving functionaries duly recognized.

Supplementary Nutrition Programme (SNP)

9.40 The Committee is of the view that the cost norms per beneficiary per day seem to be less, keeping in view the inflationary trends in recent times leading to rising prices of foodgrains and of other items. The Committee wonders whether in the prescribed cost norms, the beneficiary would be getting the prescribed calories/protein. The Committee believes that the idea of providing SNP to the women and children is to fulfill any deficiency in their daily in-take of food. Also, the SNP becomes more important in the wake of the decision of the PM Council for launching a multi-sectoral programme for attacking malnutrition. The objective of SNP is to provide a healthy and balanced food for women and children. To keep up the quality and quantity of SNP, the Committee recommends for an increase in the cost norms set for providing SNP on a daily basis.

9.41 The Committee finds that inspite of the monitoring structures, there are many States which are not providing SNP to the targeted beneficiaries. The Committee is of the firm belief that SNP is a vital component of the ICDS Scheme. Inability to provide SNP is a big stumbling block in the successful implementation of the scheme. The Committee, therefore, recommends that the Ministry should take up this matter with the State Governments so that no child or lactating or pregnant woman is deprived of the Supplementary Nutrition as envisaged under the ICDS Scheme.

Integrated Child Protection Scheme (ICPS)

9.42 The Committee feels that there is a need for stricter control and monitoring of the institutions of child care so that such cases of harassment and exploitation of children do not take place, especially by the caretakers themselves. The Committee knows that this would only be possible if these institutions are covered under the Juvenile Justice Act. The Committee recommends to the Ministry to take up this matter with the State Governments on a priority basis as the interest of the young and innocent is at stake. Further, there should be certain criteria laid down for the selection of caretakers and staff of these institutions. Further, the staff and other workers should be trained to deal with and take good care of children. The Committee believes that a legislation in this regard would be a welcome step for the running of such institutions for the welfare of children with strict monitoring and control.

9.43 The Committee would also take the opportunity to express its concern about the status of Child Welfare Committees and Juvenile Justice Boards spread across the country. Feedback given by the Secretary during her presentation before the Committee confirms its apprehensions about these bodies which work as watchdogs at the ground level. Lack of functionaries and those in position not sensitized to the special needs of vulnerable children clearly indicates that much needs to be done for effective implementation of the restructured ICPS Scheme. The Committee feels that with State Commissions for Protection of Child Rights being in place in most of the States, an effective monitoring mechanism is already in place. These State Commissions with active co-ordination with local authorities can easily convert the CWCs and Juvenile Justice Boards into vibrant institutions, keeping a track of child welfare in their area.

Conditional Cash Transfer Scheme for the Girl Child with insurance cover (Dhanlakshmi)

9.44 The Committee observes that even though the objective of the scheme was a noble one for changing the attitudinal mindset of the family towards the girl and by looking upon the girl as an asset rather than a liability, the scheme failed to take-off successfully even on pilot basis in 11 States. The Committee notes that there is over lapping of scheme with the same objective run by the Centre and the States. Also, similar schemes with the objective of overall welfare of the girl child are being administered by other Ministries like the Ministry of Health and Family Welfare and Department of School Education and Literacy. The Committee believes that a study of the on-going schemes with the same objective should have been undertaken before launching the scheme. Inputs from the schemes administered by other Ministries and State Governments should have been taken and a way of convergence of such schemes could have been found out. This would have helped in strengthening the on-going schemes for welfare of the girl child and also avoided over-lapping and duplication. The Committee, therefore, recommends to the Ministry to expedite the evaluation of the scheme with special emphasis on the convergence of schemes with similar objectives and also look into the other problem-areas encountered in its implementation.

Rajiv Gandhi Scheme for Empowerment of Adolescent Girls

9.45 The Committee is happy to note that the new scheme for the empowerment of adolescent girls is yielding good results, especially with respect to the nutrition component. Proper nutrition for the adolescent girls is of vital importance for their state of health, hygiene of the girl-child and family and child care. The non-nutrition component, on the other hand, needs to be strengthened as envisaged by the Ministry because of the slow pace of implementation. The Committee is of the view that the non-nutrition component of the scheme is very important for the development and empowerment of adolescent girls. This component would help the adolescent girls to upgrade their home-based skills, life skills and even vocational skills. It would make them aware about the existing public services and even guide them in times of need. The Committee hopes that this component is strengthened so as to benefit maximum number of adolescent girls.

9.46 The Committee would like to point out that since AWC is the focal point for implementation of the SABLA Scheme and AWWs and AWHs are to be the agents of the implementation process, the delivery structure is already present in the States/UTs. The Committee, however, wonders whether the space in the AWC would be enough for delivery of services, especially the non-nutrition component of the scheme. There are many AWCs where there is no building or Kutcha building or being run from a school etc. Also, the AWWs and AWHs already perform various tasks under the ICDS Scheme and get a meagre honorarium. The Committee feels that these functionaries of the ICDS Scheme should only be given additional duties if their honorarium is increased in proportion to the tasks assigned to them. The Committee, therefore, reiterates that honorarium of the AWWs and AWHs should be increased and focus of the Ministry should be on the development of infrastructure of the AWCs as these would be the agencies for the implementation of not just ICDS Scheme but also the SABLA Scheme.

Hostels for Working Women

9.47 The Committee is dismayed to find that even after the revision of the scheme, there is no good response from the States/UTs for constructing working women's hostels. In the year 2011-12, only one viable proposal was received from the Government of Kerala for construction of working women's hostels at Vanchikkavala, Idukki District by Kerala State Women's Development Corporation Ltd. The reason for a lackluster response is attributed mainly on the condition of the revised scheme of providing financial assistance for construction of hostel building to be given only on public land. The Committee believes that this condition limits the scope of the scheme. Getting public land for the construction of hostels for women is not easy. The Committee takes note of the fact that the Ministry has also admitted that it might be necessary to re-consider the decision to allow construction only on public land. The Committee believes that the Ministry has ruled out the contribution and participation of the private players. In the age of Public-Private Partnership (PPP) model, this condition laid down by the Ministry is not in tune with the practices of the present times where contribution and participation of the private sector in the development processes cannot be ignored. The Committee, therefore, recommends to the Ministry to rethink and review the revised features of the scheme in consultation with the States/UTs to come to a solution as early as possible to remove the stumbling blocks in the effective implementation of the scheme.

Indira Gandhi Matritva Sahyog Yojana (IGMSY)

9.48 The Committee finds that the objective of the Indira Gandhi Matritva Sahyog Yojana of the Ministry of Women and Child Development is similar to the objective of the Janani Suraksha Yojana of the Ministry of Health and Family Welfare. Even though there are few differences in the components of the two schemes, both aim to provide cash incentives to pregnant and lactating mothers for their improved health and nutrition and also safe motherhood. The Committee believes that with some kind of co-ordination mechanism between the two Ministries, a convergence of the scheme for the welfare of pregnant and lactating women could be made. The Committee, therefore, recommends to the Ministry to make conscious efforts for convergence of the two schemes administered by two different Ministries to avoid duplicacy and ensure the reach of benefits to the targeted women. Both these schemes are to be handled by AWWs and ANM functionaries of AWCs and Primary Health Centres respectively. Here Panchayati Raj Institutions can play a very vital role, not only in supervision of the schemes to ensure their effective implementation but also benefit the targeted beneficiaries. The Committee, accordingly, recommends that all the stakeholders and implementing agencies at the ground level may devise a mechanism for providing maximum benefit to needy mothers.

Support to Training and Employment Programme (STEP)

9.49 The Committee believes the STEP Scheme needs to be revitalized and popularized in the States/UTs not submitting any proposals or submitting non-viable proposals. States/UTs need to be reminded and directed about the proper formulation and submission of the project proposals for the scheme. The Committee would like to emphasize upon the concerted efforts to be made by the Ministry for reinvigorating the STEP Scheme in co-ordination with the States/UTs because this Scheme is the only hope for ensuring sustainable employment for the poor and asset less rural and urban women across the country.

Rashtriya Mahila Kosh (RMK)

9.50 The Committee is dismayed to note the slow pace of the restructuring exercise which is going on since the last two years. This has led to non-utilization of funds in 2010-11 and 2011-12 leading to no sanctioning of funds to the States/UTs. The Committee can only hope that the revamped scheme of RMK is implemented at the earliest with its new features making it simpler for poor women to get microfinance for their projects. The Committee recommends to the Ministry to expedite the restructuring exercise and begin its implementation from this financial year itself and utilize ₹100.00 crore allocated for the scheme in 2012-13.

9.51 The Committee is happy to note the positive outcomes of the scheme of RMK which has led to economic empowerment of poor women in the identified States as highlighted in the impact assessment studies. Not just this, economic empowerment of these women also resulted in increasing their self-confidence and awareness and has given them respect and a say in decision making leading to their social empowerment. The Committee believes that in order to sustain and increase the reach of the scheme to the targeted women, sustained efforts need to be made by the Ministry to utilize the allocated funds and closely monitor the progress of the restructuring exercise of the Scheme.

Research, Publication and Monitoring Information, Mass Education and Publication

9.52 It has been admitted by the Ministry that the coverage of potential beneficiaries under the different schemes is not as much as would be desirable. Also, the awareness of the masses and the communities in the country about the sensitivity of issue concerning women and children is low. The Committee strongly feels that there is an urgent need for having a re-look of different activities to be undertaken for better implementation as well as expanding the reach of different schemes.

One Stop Crisis Centre

9.53 The Committee feels that merger of the schemes Swadhar and Short Stay Homes is a wise step. But the Committee is quite concerned to note that while on the one hand two already existing schemes are proposed to be merged for more visible impact, the Ministry proposes to launch another new scheme. The Committee is of the view that Swadhar Grehs equipped with all envisaged facilities can very well serve as a One Stop Crisis Centre. It is all the more intriguing as already an exercise to consolidate two similar schemes is on, another new scheme with similar objectives but with a new fancy name is in the offing. The Committee would like to point out that any new component of the news scheme, One Stop Crisis Center can be easily made part of the scheme of 'Swadhar Greh'.

Implementation of Protection of Women from Domestic Violence Act

9.54 Under this new scheme proposed to be launched during the Twelfth Plan, the Central Government will support States in the appointment of independent Protection Officers by sharing their salary with the State Governments on 50:50 basis. It will also provide support for establishing Counselling Facilities/Family Counselling Centres and infrastructural support like transport and mobile costs. While appreciating the initiative taken by the Ministry, the Committee views with serious concern the non-implementation of the Protection of Women from Domestic Violence Act even after six years of its enactment. The Committee hopes that now with the support of the Central Government, things would finally be in place. The Committee would, however, appreciate if a well-structured monitoring mechanism is also activated from 2012-13 itself otherwise at the ground level scenario would remain grim for victims of domestic violence.

Central Adoption Resource Authority (CARA)

9.55 The Committee finds that the number of in-country adoptions has increased and has picked up since 2010. As for inter-country adoptions, the numbers do not seem to be encouraging. The Committee is of the view that the number of adoptions would increase considerably if a simple system is put in place for prospective parents without much hassle. The decreasing number of inter-country adoptions may possibly be due to reasons like delays in completion of legal and procedural formalities before adopting the child. The Committee believes that the whole process of adoption, be it in-country or inter-country should be made parent-friendly and child-friendly. The facilitators of the adoption process should be sensitive to the sentiments and vulnerability of orphaned or abandoned children and also of prospective parents.

9.56 The Committee would like to highlight that the unauthorized adoption agencies functioning in the country need to be controlled. Children of some of these institutions often become victims of trafficking, illegal adoptions and even child labour. The Committee believes that stern measures need to be taken by the Ministry and CARA against such unauthorized institutions functioning at present. Either they should mandatorily register themselves with the State Government or face penal action. This would certainly help in curbing the instances of harassment and exploitation of children staying in these institutions.

National Commission for Women

9.57 The Committee observes that cases of domestic violence followed by police apathy top the category of complaints received by NCW. Complaints related to Domestic Violence are forwarded to concerned authorities under the provisions of the Protection of Women against Domestic Violence Act, 2005. In spite of the implementation of the said Act, the situation seems to be grim for women who face domestic violence. The Committee has been emphasizing upon the proper implementation of the Act with respect to the proper structure to be put in place along with the required manpower. The Committee notes that during the Twelfth Plan period, a new scheme is proposed to be launched whereunder State Governments will be provided assistance for appointment of Protection Officers and infrastructural support. The Committee feels that with such an initiative, victims of domestic violence will be getting the required relief.

9.58 Apart from this, the Committee believes that a vigorous awareness generation programme through various mediums, especially television should be undertaken by NCW with special focus on offices, colleges/universities, schools etc. Women need to know their rights and the platform for redressal of their grievances. The Committee, therefore, recommends that a pro-active role should be played by NCW not just for redressal of complaints but also their prevention. Secondly, short-training and awareness generation programme should be organized by NCW for the police personnel in various States/UTs so as to sensitize and educate the police personnel about the assistance to be given to women who are victims of various crimes etc.

9.59 The Committee appreciates the efforts of NCW in addressing the issues/problems pertaining to NRI marriages. The Committee finds that maximum number of such cases were reported from Delhi, U.P., Haryana, Punjab. The Committee believes that NCW should organize awareness programmes with respect to rights of women married to NRIs and the redressal mechanism available if they found themselves in any kind of trouble.

Gender Budgeting

9.60 The Committee is of the view that the Ministry of Women and Child Development being the nodal agency for gender budgeting should focus upon the proper allocation to and full utilization of funds for the Gender Budgeting Scheme. Gender Budgeting as tool for translating the gender commitments into budgetary commitment is gaining wide importance in recent times. The Committee observes that the allocation for this scheme is quite small. Not only this, the allocation has witnessed a decreasing trend in 2010-11 and 2011-12 and only ₹ 1.00 crore was allocated in both these years. The Committee, therefore, recommends to the Ministry for making conscious efforts for utilization of funds for the scheme. Not just this, emphasis of the Ministry should be on mainstreaming of gender concerns which is the objective of the Ministry in its Strategic Plan Document in 2011-12.

Convergence of Schemes

9.61 It has been the observation of the Committee that there are several schemes for both women and child welfare administered by different Ministries or State Governments with similar objectives. This leads some times to overlapping of schemes which may not be fruitful for the targeted beneficiaries. The Committee feels that there is a need

for convergence of schemes with more or less same vision and objectives. Co-ordination with different Ministries/ Departments at various levels is required for such convergence of services with various scheme/programmes of the different implementing Ministries. This convergence of services would help in better delivery of services and also help in increasing the out-reach of the schemes to more number of beneficiaries. The Committee, therefore, recommends to the Ministry to have an evaluation done of its schemes which may require convergence and co-ordination with schemes of other Departments/Ministries/State Governments and make concerted efforts in this regard.

(d) 244th Report (Demands for Grants 2012-13 of the Department of School Education and Literacy)

Budgetary Allocation

9.62 Given the fact that the implementation of SSA-RTE programme and other schemes of the Department require enhanced allocation of the funds, the Committee is constrained to observe that there has been a wide gap in demand of the Department and actual allocation. The Committee apprehends that insufficiency of funds would compel the Department to cut down or withdraw from other schemes, besides leading to hindrances in the implementation of the SSA-RTE programmes which entails specific time-frame.

9.63 Availability of unspent balances indicates that targeted beneficiaries are not being covered fully and pending utilization certificates are indicative of the non-adherence of the financial norms for the schemes. The Committee, therefore, would again like to remind the Department to be more vigilant in realizing its fiscal responsibility. The Department should initiate steps for liquidating old pending utilization certificates and making the implementing agencies liable for the same. The Department should also pursue the issue of unspent balances with the State Governments to ensure that the allocated funds are utilized optimally and judiciously.

Sarva Siksha Abhiyan/Right to Education

Infrastructure Development under SSA-RTE

9.64 The Committee would like to emphasize that schools must be run with proper infrastructure, having sufficient rooms, drinking water, sanitation facilities, boundary walls, play ground and library as per RTE norms. Inadequacy of infrastructure facilities at primary and upper primary levels should be viewed seriously as it is a first step to attract children to schools which is what the Department has been striving for since the inception and implementation of SSA. The Committee feels that the Department should play a more proactive role in this regard.

Enrolment, Retention and Dropout

9.65 The Committee would like to draw the attention of the Department to the fact that the drop out figures have always remained on higher side in spite of specific interventions/ initiatives. Not only SC, ST drop out rates are high but also overall drop out rates are on the higher side. If nearly 40 per cent students are dropping out, it indicates that initiatives are failing to yield desired results. The Committee would like the Department to come out with a specific action plan to curb the problem. The Committee would also like to point out that there is need to involve parents, teachers, social workers, Members of Panchayats in the School Management Committees so that not a single child is left out of the schooling system.

9.66 Committee observes that of all the disadvantageous groups, physically and mentally challenged and ST children have been the worst hit. The Committee would appreciate if the Department comes out with specific interventions for these groups.

Quality of Education under SSA-RTE

9.67 The Committee hopes that the initiatives of the Department would result in some positive improvements in learning enhancement of the children. One way out could be evolving the concept of peer education system within the school as a means of learning enhancement. Under this concept, a higher grade student can adopt a lower grade student and start teaching him. This would help the teaching student to make his base strong. As an incentive to the teaching student, a provision of stipend could also be made. This peer education concept could go a long way in enhancing the learning capacity of the children. The Department may take note of this and take suitable action.

Teacher Recruitment and Training under SSA-RTE

9.68 The Committee notes with serious concern that at present 8.1 lakh teachers require professional training. As the RTE Act envisages not only universal access or physical access to the school but also full participation in the classroom and learning processes, a condition precedent for which is availability of professionally qualified/trained teachers, the presence of such a large number of untrained teachers would lead to deprivation of quality education to the children of the country. The Committee, accordingly, recommends that the Department, in coordination with the State Governments, chalk out an Action Plan to ensure that RTE norms and NCTE guidelines are complied with on an urgent basis.

National Programme of Mid-Day-Meal in Schools

Infrastructure under MDM Scheme

9.69 As per the information made available to the Committee, out of 8,73,748 sanctioned kitchen sheds, 6,30,923 kitchen sheds have been constructed till 30/09/2011. This means that there are 2,42,825 schools where kitchen-cum-stores are yet to be constructed. The Committee would like the Department to share the State-wise status of the Kitchen sheds along with the steps taken by it to ensure timely completion of the backlog of construction of Kitchen-cum-stores shed.

Teacher Education

9.70 The Committee reiterates its recommendation that if 50 to 60 per cent of posts are lying vacant in teacher education institutions, then the Department's claims of their being fully functional and strengthened teacher education institutions cannot be taken seriously. Accordingly, the Committee recommends that immediate steps be taken for filling up of all the sanctioned posts. The Committee would like to be apprised about the same.

Kendriya Vidyalaya Sangathan

9.71 The Committee would like to be informed about the areas/States where maximum number of KVs were yet to be constructed along with reasons for pendency. The Committee strongly recommends that procedural and administrative formalities should be completed within the shortest possible time so that physical targets are achieved in a time bound manner.

Navodaya Vidyalaya Samiti

9.72 The Committee would also like the Department to furnish to it the latest information regarding number of JNVs still functioning from temporary sites and number of JNVs that have remained non-functional till date inspite of sanctions.

Information and Communication Technology (ICT) in Schools

9.73 The Committee is not happy by the overall implementation pattern of the scheme and apprehends that it would only lead to greater urban-rural e-divide and also e-divide amongst students of various socio-economic groups. The Committee also notes that for the year 2012-13 the scheme has been allocated only ₹ 350.00 crore in BE due to financial constraints. The Committee feels that this amount is grossly inadequate for this ambitious scheme. The Committee is deeply concerned that inadequacy of funds would only hamper the performance of the scheme which aims to cover every school under the ICT with priority to educationally backward blocks and areas with concentration of SC, ST, Minority and weaker sections. In the light of the above, the Committee urges the Department to make adequate resources available and also to co-ordinate with the States/UTs for enhancing the pace of progress under this scheme.

Rashtriya Madhyamik Shiksha Abhiyan

9.74 The Committee observes that improved enrolment ratio at secondary level is somewhat off set by equally high drop out rate. The Committee would like the Department to initiate concerted steps to improve Gross Enrollment Ratio. The Committee would also like the Department to have focused strategies in co-ordination with the State Governments to achieve this uphill task.

National Means-cum-Merit Scholarship Scheme

9.75 The Committee observes that there is lack of interest on the part of the States/UTs in the scheme. The Committee feels that the Department needs to play a pro-active role in giving wide publicity to the scheme to expand its outreach. The Committee would like the Department to constantly monitor the participation of the States/UTs and identify the constraints being faced by them in availing the benefits of the scheme and make efforts to resolve them as well.

Vocationalization of Secondary Education

9.76 The Committee would like to be apprised of the outcome of the revised components of scheme. The Committee would also like to reiterate that uptill now, the scheme of Vocationalization of Secondary Education has not taken off in the real sense. The Committee hopes that the revised version of the scheme would make some difference because it is an important scheme which can prove to be immensely helpful for our youth.

Adult Education & Skill Development Scheme

9.77 The Committee takes note of the initiatives under the Saakshar Bharat and Skill development schemes. The Committee would like to point out that periodic evaluation of the scheme should be made to see whether it is yielding into positive results. Further, monitoring mechanism needs to be strengthened.

(e) 245th Report (Demands for Grants 2012-13 of the Ministry of Youth Affairs and Sports)

Nehru Yuva Kendra Sangathan (NYKS)

9.78 The Committee notes that there is general lack of awareness regarding the multiple activities being carried out by the Nehru Yuva Kendra Sangathan (NYKS) in the country. The Committee, therefore, recommends that extensive and intensive publicity may be taken up at a higher scale so as to attract more and more youth power towards NYKS programmes on a priority basis. Secondly, the Committee would appreciate if more and more activities are planned exclusively for the youth living in villages and rural areas to make them more suitable for their requirements so as to encourage them to take benefit of the schemes for their betterment.

9.79 The Committee has been voicing its concern over the unduly long time taken in having the presence of NYKS in all the districts of the country. The Committee finds no justification for such a prolonged process going on in a very crucial area of youth welfare. One plan period is already over and nothing positive seems to be evident so far. Concerted efforts with a logical conclusion have to be made.

National Service Scheme (NSS)

9.80 The Committee, is of the view that the NSS could not keep pace with the desired expansion to Universities, Colleges and +2 schools despite there being huge opportunity due to uneven distribution of NSS volunteers across the North and South of the Country. Details of the universities and colleges covered presently under NSS also seem to indicate that professional colleges like medical and engineering colleges which have shown a phenomenal growth over the recent years have perhaps remained outside the purview of the scheme. If that be so, Committee can conclude that a vast potential of our youth has remained devoid of positive impact of NSS which has helped in creation of social awareness among college/university/students. Its main objective is of nation building and national integrity and therefore it needs special attention.

National Discipline Scheme

9.81 The number of instructors have remained static over so many years in States such as Bihar, Gujarat, Haryana, Himachal Pradesh, etc. and in Maharashtra and Rajasthan the number of instructors have even increased. The Department was supposed to clear the dues as a one time measure but as per the latest figures the number of NDS instructors is still 4719. The Committee would like to know the complete details from the Department on the issue and action plan to liquidate the entire liability in one go.

Youth Hostels

9.82 The Committee recommends that the Ministry should concentrate on completion of construction of Hostels, upkeep of the Hostels, their facelifting work and the appointment of Managers etc. so that the purpose of

building Youth Hostels is not defeated. The Committee further recommends that after the completion of all the projects/works in this regard, the Department then submit new plans for the construction of new hostels and demand more funds for the purpose.

Scouting and Guiding

9.83 The Committee finds that the Working Group for the Twelfth Plan has recommended the merger of the Scouting and Guiding Movement with the existing National Programme for Youth and Adolescent Development. It has also been recommended that an Impact Assessment Study of the Bharat Scouts and Guides under the Central Scheme of Scouting and Guiding be done by an independent institution. The Committee is of the view that both the recommendations are worth consideration and implementation and the Ministry should take the required steps in this direction.

Rajiv Gandhi National Institute of Youth Development

9.84 The RGNIYD will become a landmark in formulation of policies for youth of our country. It is now proposed to make this institute an institution of national importance. The process has already started therefor. As the apex national agency for youth development the Institute shall develop into a globally recognized centre of academic and professional excellence in the field of youth development. The Committee hopes that the process would be expedited and the institute would start working towards its cherished goals, for the upliftment of our youth power.

National Programme for Youth and Adolescent Development (NPYAD)

9.85 The Committee on a perusal of utilisation figure under the programme finds that though expenditure incurred under the NPYAD scheme upto 29.2.2012 is 87 per cent of the allocation but at the same time 61 per cent has been spent in Delhi only, 13 per cent in Karnataka and less than 10 per cent in other States. The Committee feels that a uniform trend should be followed in utilising the funds to ensure an all round development.

Panchayat Yuva Krida aur Khel Abhiyan (PYKKA)

9.86 The Committee is not happy with the reductions in budgetary provisions for PYKKA which involves development of sports infrastructure at the grassroot level for the marginalized section of the society. On a specific query regarding the funding of schemes through MPLAD funds, the Committee was informed that it has been approved and circular in this regard has been issued by the Ministry. The Committee welcomes the initiative for funding of the scheme through MPLAD. It is for the Ministry to make optimum use of such an opportunity. The Committee also has a word of caution for the implementing agencies. The Ministry has to exhibit extra level of commitment and vigour in the achievement of targets through mission mode so that the shortfall so far noticed in the delivery of performance is bridged effectively. The Committee hopes that the Ministry would adopt a proactive and pragmatic approach for better performance during the Twelfth Plan period.

9.87 The Committee feels deeply concerned with the States' inability to have the maximum benefit from the scheme. The Committee is not aware whether any norms have been laid down for development of playfields and training expenses per coach. If such specification has already been made, then the same needs to be enforced judiciously. If not, the Committee would appreciate if norms for every conceivable component are laid down.

Urban Sports Infrastructure Scheme

9.88 The Committee is happy to note that the scheme has been approved and funds have been released for some projects. The Committee, however, feels that since this is the initial state of formulation of policy for development of sports infrastructure, it should also take into account the needs at block and district level. A large sports infrastructure for the city may not be accessible to majority of the users or sportspersons but the effort should be to build practice stadium conferring to the needs of a smaller group. The Committee cautions the Ministry on the monitoring of the projects, its timely completion and proper utilization of funds.

Promotion of Sports among Persons with Disabilities

9.89 The Committee is aware that Para Olympics are held alongwith the Olympics at international level. The amount of budgetary allocation to the scheme is not very encouraging and not in any way assures that our para sportspersons will be benefited fully. There is a need not only for coaches, sports equipment, but also sports

infrastructure especially for the disabled sportspersons and the creation of an environment which is friendly to such persons. The Committee is not aware whether any monitoring mechanism is in place so as to ensure that this marginalized section of our society is in a position to get full support of the scheme. The Committee would be happy if the Ministry takes an initiative in this regard.

Sports Authority of India

9.90 The Committee is aware of the perennial problem of acute shortage of coaches in the country. SAI has not been able to tackle this problem due to the lack of proper guidelines or policy. It is expected that this new institution will emerge as an institution of excellence and help not only in eliminating the shortage of coaches but develop coaches of international standard. Coaching is the backbone and the basic strength behind excellent performance in sports. Once this institution starts churning out good coaches, performance of our sportspersons will automatically improve. The Committee strongly advocates a strong coaching institution and hopes it should not suffer from low allocation of funds or under utilization of funds.

National Sports Development Fund

9.91 The Committee, recommends that as far as possible Government should ensure proper and appropriate flow of funds for the development of sports in the country and also directs the Ministry that they should not only depend on the Government funding but should look towards generating additional resources/funds for the corporate sector by way of their social responsibility. They should evolve new ideas for eliciting more cooperation from the private sector which is hitherto they are getting. The corporate sector should be allowed more free space in the scheme of things as to draw maximum support from them.

National Playing Fields Association of India (NPFAI)

9.92 The Committee observed that development of sports culture in the country should be accorded top priority as it channelises the youth energy into positive activities which help in the nation building. This can be easily done by setting up a model sports school on a pilot basis initially in those areas where sports talent in the youth is in evidence. Services of regional SAI centres can be availed for this purpose. By nurturing our children and making available all kinds of facilities for them, there would be no lack of sports talent in our country in the future.

(f) 246th Report (Demands for Grants 2012-13 of the Department of Higher Education)

Budgetary Allocation

9.93 State universities and their affiliated colleges that account for more than 90 per cent of enrolment, suffer from severe fund constraints and poor governance leading to poor quality. There should be some mechanism to check the shortfall for adequately funding the State Universities so as to increase the GER and quality of education imparted in the Universities. The Department should also ensure that the spending on R&D should be increased from 0.8 per cent of GDP to at least 1.5 per cent of GDP and this could be achieved through a careful monitoring of the investments made by Central Government agencies, State Governments and private sector. Every educational institution should set apart 3 per cent of its budget for research and also industry academia collaboration should be encouraged.

Setting up of Degree Colleges in Educationally Backward Districts

9.94 The Committee was informed that the scheme was launched in February, 2010. The Committee finds that although almost two years have elapsed since the launching of the scheme, proposal for setting up of colleges in 143 districts out of the identified 374 educationally backward districts only have been received so far. There are some States/UTs like Meghalaya, Mizoram, Nagaland, Uttaranchal, Andaman & Nicobar Islands, Daman & Diu and Puducherry from whom any proposal is yet to be received. Not only this, out of the 143 proposals, in majority of the cases either the documents have been called for or proposal is under process or approval has been conveyed. 32 proposals have been rejected. There are very few cases when grants have been released. This clearly shows that the scheme is yet to take off. The pace of progress made so far indicates that perhaps it would take the entire Twelfth Plan Period for setting up of colleges that too in the educationally backward districts. The Committee is of the view that a very effective monitoring mechanism will have to be put in place for the timely implementation the scheme. The Committee feels that public representatives like the local M.P. and MLA can be easily involved in this process.

Improvement in Salary Scale of University and College Teachers

9.95 The Committee views with serious concern the inordinate delay in resolving an issue which relates to better prospects for universities/college teachers. The Committee has been given to understand that upon full implementation of the scheme, about 4.5 lakh teachers in State Universities and colleges will be benefited. The improved pay package will undoubtedly help in attracting and retaining talented teachers, resulting ultimately in improvement in the quality of higher education. The Committee is of the firm view that this matter needs to be resolved without any further delay.

Vacancy Position in Universities

9.96 The Committee observes that situation is quite discouraging at present. In Central Universities, as per the data available upto 31 March, 2010 in respect of 24 Universities across 16 States, on an average 35 per cent faculty positions are lying vacant. As regards State Universities, data provided by UGC indicates that in 77 State Universities as on 1.05 2007, 19 universities have more than 50 per cent vacancies where in other 14 universities, 40 per cent posts were lying vacant. In technical education also, there was a faculty deficit of around a lakh.

9.97 The Committee would like to point out that it may be justified to some extent large number of vacancies in the Central Universities set up in the past 3-4 years. But the shortage of teachers in old universities, some of them established many decades back clearly indicates that this issue has not engaged the attention of the concerned authorities in the right perspective. In any organization, there is a prescribed procedure for filling up the vacancies as and when they arise. The same is applicable in the case of Central Universities. Posts are duly sanctioned, prescribed norms/procedure for recruitment is there, service conditions a teachers are also well specified. There can be only two possibilities, either our young students are not attracted towards the teaching profession or the recruitment process is a prolonged one and involves too many procedural formalities. In either case, the Department being the nodal authority for the entire country so far as higher education sector is concerned has to take proactive role so as to expedite the filling up a sanctioned posts.

9.98 The Committee also wishes to draw the attention of the Department towards the increasing contribution of private sector so far as professional education is concerned. The Committee is well aware of the fact that Government alone cannot be involved in the running of higher educational institutions. Both Government and private sector have to compliment and provide substantive support to each other. The Committee, however, has a word of caution. In the name of expansion and autonomy, private educational institutions should not be given a free hand. The Committee feels that problem of shortage of faculty is there in private institutions also. At present, there is no clear picture in this regard. But the feedback available from the students as well as few visits made by UGC inspection authorities clearly indicates that status of faculty would be more disappointing in the private sector. There are reports that fresh pass outs from the same institution are given teaching assignment. In Government institutions, number of faculty members would be below the sanctioned strength but those in position would be both qualified and experienced. There is no such guarantee in private institutions. Main support in such institutions is coming from visiting faculty. The Committee, therefore, strongly feels that there is an urgent need for having an assessment about the faculty position in private institutions. Wherever gaps are identified, corrective measures taken accordingly.

Scholarship

9.99 From the pace of utilization of a allocated funds, it is clear that the scholarship schemes for students from non-Hindi speaking States and for scholars going abroad have failed to take off so far. Not only this, the negligible amount of assistance has remained virtually unutilized for the last three years so far as scheme of scholarship for college and university students is concerned, State-wise details indicate its uneven spread. While States of Andhra Pradesh, Gujarat, Karnataka and West Bengal have the maximum number of beneficiaries, States like Bihar, Jammu and Kashmir, Mizoram, Nagaland show negligible coverage. Not only this, CBSE students taking benefit of this scheme also show not a satisfactory coverage.

9.100 The Committee is of the view that the eligibility criteria of 80 percentile and having family income below ₹4.5 lakh per annum if applied will make a very large number of students entitled for the scholarship. It seems that there is lack of awareness about such a scheme across the country. It would be appropriate if all the State Boards are sensitized in this regard well in time. Initiative can be taken to focus on the educationally backward districts and districts having concentration of SC/ST/Minority students.

Setting up of New Technical Institutions

9.101 The Committee has been informed that each IIT has been sanctioned 30 faculty posts every year for the first three years. IIT-wise details about faculty status indicate that the sanctioned faculty is not yet in place. IIT, Hyderabad has the support of 74 faculty, IIT, Jodhpur 32 faculty, IIT, Patna is having 55 faculty members, IIT, Gandhi Nagar has 46 faculty members, IIT Bhubaneswar has 50 faculty members, IIT, Mandi is having the support of 35 faculty members and IIT, Indore has 38 faculty members. This clearly shows a gap between 90 sanctioned faculty posts and posts filled up. The Committee is of the view that only qualified and experienced faculty can make the functioning of any institution, specially premier institutions like IIT, meaningful and effective. Accordingly, concerted efforts have to be made in this direction.

9.102 The Committee notes that all the five IISERs continue to function from temporary campuses. These institutions are envisaged to carry out research in frontier areas of science and to provide quality science education at undergraduate and post graduate level. The Committee understands that for advanced studies and research that too in frontier areas of science, IISERs have to have state-of-the art buildings, fully equipped labs and rich library so as to enable the students in pursuing various advanced courses of higher learning. The Committee, accordingly, recommends that IISERs need to be made fully functional in the real sense. Required funds should be provided as and when there is a need. All these IISERs were set up in the initial year of the Eleventh Plan. Eleventh Plan has come to an end and Twelfth Plan has commenced from 2012-13. It is high time that the IISERs move in their campus at the earliest so that the objective for setting up such institutions is accomplished in the real sense.

9.103 The Committee takes this opportunity to observe that for quite some time, increasing number of students have been opting for technical and professional courses for future employability thus leaving the fields of social sciences and humanities neglected. The Committee would appreciate if steps are initiated to attract students to the fields of social sciences and humanities also as these subjects address vital social issues and public policies. Further, the Committee would like the Department to give more focus to the three language formula in the education system as it would also strengthen the concept of national integration in our society.

(g) 247th Report (The Higher Education and Research Bill, 2011)

Consultation Process

9.104 The Committee finds that the objective of the proposed legislation is laudable but there is an air of suspicion and confusion regarding the creation of an overarching body having all the functions of planning, advising, implementing and monitoring by subsuming the tried and tested well-established regulatory bodies like UGC, AICTE and NCTE. The Committee is of the view that the arena of the higher education system in the country is too large and wide and is highly sensitive to area-specific social, economical and cultural specialties. Effective implementation of manifold aspects of higher education initiatives initiated in the recent past by a single and centralized body does not seem to be a very viable proposition. The Committee would like to point out that promotion of autonomy of higher educational institutions and universities is the corner-stone of the proposed legislation. Unfortunately, this remains the weakest area in the eyes of all the stakeholders consulted by the Department. The Committee, therefore, observes that the need of the hour is to allay completely the apprehensions of the stakeholders by specifying with utmost clarity as to how the proposed legislation would go about revamping the higher education system in the country through its over-arching body without over-stepping on the functions and powers of the State Governments and Universities.

9.105 The Committee takes note of the fact that well-established statutory regulatory bodies like UGC, AICTE and NCTE are proposed to be subsumed under the over-arching Commission. All these bodies have been established at different points of time, with UGC being set up way back in 1956. All these years, these bodies have been carrying out their assigned task effectively. However, with the passage of time, there has been a massive expansion of higher education sector in the country. Fast-changing global scenario and emergence of newer areas of specialization, particularly so far as professional education is concerned have complicated the situation further. If one looks back at the past six decades in the higher education sector, initially when there were fewer number of institutions, the policy-makers set up separate regulatory bodies governing their own specific domain. The present situation is that there has been tremendous increase in the number of higher educational institutions, reaching to as many as 600 universities, 33,000 colleges, 3800 technical institutions, 500 architecture institutions, 3800 management institutions. In such a scenario, apparently these institutions would stand greatly benefited by specialized bodies. Over-lapping

and over-stepping in their functioning should not be cited as the factor responsible for getting them subsumed under one Umbrella Commission. Appropriate course would perhaps have been their re-structuring and strengthening, taking the long awaited corrective measures.

9.106 The idea of having one over-arching Commission encompassing the entire higher education sector germinated from the recommendations made by the National Knowledge Commission (NKC) and the Yashpal Committee. The Committee observes that NKC had recommended the setting up of four Standing Committees for Legal Education, Medical Education, Management Education and Open and Distance Education under the Commission. These Standing Committees have been assigned all the regulatory powers enshrined in the existing regulatory bodies. Recommendation of the Yashpal Committee was to divest all professional bodies of their academic functions which would be restored to the Universities. The professional bodies may conduct regular qualifying tests for professionals, may prescribe syllabi for such exams and leave it to the universities to design their curriculum.

9.107 During its interactions with various stakeholders and from the feedback from different quarters made available to it, the Committee was given to understand that there were certain very crucial areas of concern which needed to be addressed first. While examining the various provisions of the Bill against the backdrop of the present system of specialized regulatory bodies having the mandate of different areas of higher education in the country, the Committee also strongly felt that there were indeed very evident gaps in the Bill as envisaged. The situation had become more complicated due to the undercurrent of ambiguity running behind the proposed over-arching Commission and its associated bodies. The Committee made an attempt to introspect on these very evident areas of concern and find a way out by having a final round of deliberations sharing the same with the Secretary, Department of Higher Education. However, the areas of concern continued to persist. The Committee was of the view that it would be failing in its duty, if an attempt was not made to give a comprehensive report on the Bill by taking a holistic view of existing status of higher education in the country and viability of edifice of National Commission for Higher Education and Research. Following paragraphs give a detailed over-view of various areas of concern.

Areas of Concern

Viability of having an over arching and centralised body like NCHER vis-à-vis separate specialized bodies

9.108 Lack of co-ordination between different regulatory bodies leading to fragmentation of knowledge has been cited as the main factor responsible for creating an over-arching body. The Committee is aware that having multiple regulatory bodies may require an educational institution to interact with separate agencies for different courses but this does not necessarily create obstacles for flow of ideas across disciplines or creation of institutional provisions for cross-disciplinary and trans-disciplinary pursuit. Even the existing bodies can promote integration of education and knowledge by appropriately increasing the funding of educational institutions for establishing exchange programmes both for students and faculty, developing new and emerging areas and developing quality infrastructure. Also, the boom in Information and Communication Technology (ICT) has revolutionized the education sector in a big way. It has helped in expanding the possibilities of collaborative work of research and has increased access to courses, curricula and new pedagogical approaches. The Committee also takes note of the fact that the three Councils/Commissions *i.e.* UGC, AICTE and NCTE which are to be subsumed by NCHER operate on a very broad classification of fields in higher education and, therefore, can not be seen as responsible for creating or promoting compartmentalization of knowledge or education. The multiple Commissions/Councils, if reformed thereby eliminating their present shortcomings, may easily create a system of checks and balances necessary for maintaining standards of education and for creating educational institutions of great value and repute. The Committee can also not ignore the apprehension that a single body with sweeping and over-riding process may provide an 'easy' entry to private players. Moreover, the Bill does not incorporate the ways and means by which the proposed single body would be in a position to rectify and overcome the shortcomings afflicting the existing Councils/Commission.

9.109 The Committee strongly believes that before bringing forth this legislation, a study of the problem areas/weaknesses in the existing regulatory bodies needs to be made. The higher education system of our country is a very wide arena fraught with many problems like faculty shortage, inadequate infrastructure, no uniformity in standards of higher education, lack of co-ordination between regulatory agencies, poor quality of research work etc. Identifying the areas which need to be strengthened by plugging the holes in the functioning of the existing regulatory bodies should have been the first and foremost step in the right direction. The Committee is aware of the important mandate assigned to UGC, AICTE and NCTE which have been there for the past so many decades. Subsuming the three bodies and creating an over-arching body in their place is not the answer to the problem.

Reform in the higher education system of the country is a complex process. With the massive expansion of higher education sector and emergence of newer and highly specialized areas of professional courses keeping pace with the ever changing global scenario, it would be highly impractical and unworkable if a single body is designated as the nodal authority. Diverse nature and requirements of different States of our vast country make this gigantic task all the more difficult. In Committee's view, one workable formula could be to have an over-arching Commission working as a coordinator with the specialized bodies working under the overall supervision of the Commission, continuing to have their distinct identity. The Committee is of the view that taking an extreme position, like the one envisaged through the proposed legislation would ultimately lead to undesired results.

9.110 The Committee is constrained to observe that despite wide criticism by the stakeholders, specially the State Governments regarding a single over arching body with huge concentration of roles and functions, the Department has still gone ahead with reposing NCHER with many such functions. The Expert Advisory Committees/Groups as envisaged in the Bill may help the Commission but their role is simply advisory. The Committee feels that concentration of the executive and advisory functions in a single body is not a healthy move as NCHER would be planning, implementing as well as monitoring. Moreover, given the wide spectrum of the higher education system of the country, it does not seem possible for a single body to centrally manage and regulate alone all the disciplines in the higher education. Secondly, the Committee agrees with the view of the stakeholders that administering the higher education system by a single over-arching body would not be able to take into consideration local specificities as well as sensibilities of the vast and diverse country like ours. According to the Committee, the objective of comprehensive and integrated growth of higher education could be possible to achieve if the role of NCHER is envisaged more on lines of a facilitator and co-ordinator giving directions in which the higher education system is to be steered. The Committee feels that the Department could have a re-look on the multiple functions of NCHER as given in the Bill so as to arrive at a more logical and practical one. The Committee firmly believes that any haste in dismantling the functional structures/bodies with a complicated and huge single structure could prove to be counter-productive.

Rationale for subsuming UGC, AICTE & NCTE

9.111 The Committee is of the considered view that subsuming three important existing bodies *viz.* UGC, AICTE and NCTE is a big step fraught with unforeseen situations. These three statutory bodies perform vital roles for specialized fields of education and have been performing more or less satisfactorily inspite of their own constraints and limitations. Subsuming the three bodies and creating an over-arching body like NCHER which would again appoint expert groups for specialized disciplines makes no sense. Given the wide arena of disciplines within the higher education sector, ranging from sciences, arts, technical education to music, fine arts, philosophy etc. NCHER may have to appoint a number of expert groups even if it would be for a specified period. The Committee thinks that instead of appointing expert groups and disbanding that group after the purpose is served, the three existing bodies should not be subsumed but be allowed to function under the overall supervision and co-ordination of NCHER. In this way, all the functions of NCHER would be carried out by these three bodies with a proper monitoring and performance appraisal by NCHER. Not just this, the seven member NCHER body would not be over-burdened with numerous functions of all the three bodies and that too for all the disciplines within the higher education system. The Committee believes that NCHER should act as a super-regulator, as an advisor and guide to the three bodies facilitating their functions and coordinating with them effectively. This would help the higher education system of the country to have a holistic view of things and also lead to its comprehensive and integrated growth.

9.112 The Committee would like to emphasize on the principles of management where-in efficiency of an organization is increased due to decentralization and delegation of work. A body like NCHER definitely would need to delegate and decentralize its powers and functions. Since the expert group would not be permanent, the seven member body would have too many things to handle. Rather than dismantling the existing structures, the Committee feels that the existing structure of bodies should be retained after carrying out reforms for their better functioning. A body like NCHER would find it extremely difficult to regulate higher education system across the country on its own. The Committee, therefore, recommends to the Department that it should review its legislative initiative to dissolve bodies like UGC, AICTE and NCTE and explore alternative and viable mechanism where the three statutory bodies function under the supervision and monitoring of the over-arching body NCHER.

Status of Distance education

9.113 After going through the IGNOU Act, the Committee can only say that this Act was enacted in 1985 to establish and incorporate an Open University at the national level for the introduction and promotion of open university and distance education systems in the educational pattern of the country and for the co-ordination and determination of standards in such systems. It has been more than 25 years since IGNOU was established and apparently no adverse reports about the functioning of the university are there. Rather the University has been doing pioneering work, enabling the students not having the time and means to attend regular classes to reap the benefits of modern day education. In such a scenario, the Committee finds no reason to create a situation when two bodies encroach upon the territory of each other. In Committee's opinion, it would be appropriate if IGNOU and its authority, Distance Education Council continue to carry out their mandate without any hindrance from any quarter. However, as presently proposed, like other Universities, IGNOU along with Distance Education Council would be under the purview of the proposed Commission. In such a scenario, complications would definitely arise. The Committee, accordingly, recommends that relevant provisions of the Bill vis-à-vis IGNOU Act may be appropriately reviewed so that Distance Education Council continues to maintain its distinct identity.

Issue of Autonomy of Higher Educational Institutions/Universities

9.114 The Committee observes that UGC is mandated to take, in consultation with the universities or other bodies concerned, all such steps as it may think fit for the promotion and co-ordination of university education and for the determination and maintenance of standards of teaching, examination and research in universities. However, the Bill when enacted will also give powers to the Commission to lay down:

- the requirements for the award of any degree or diploma in any field of knowledge in higher education;
- the norms and processes for establishment and winding up of a higher educational institution;
- the norms of academic quality for a university to affiliate colleges; and
- the norms and mechanisms to measure the productivity of research programmes funded by the Commission.

9.115 The Commission will also have the power to revoke permission to enroll students. Lastly, all research-related activities of higher educational institutions will be under the control of a Board for Research Promotion and Innovation. By doing so, universities would no more be autonomous and/or self-regulatory bodies. Moreover, there would be then no difference between a university and an institution other than right to confer degrees that too with the prior approval of the Commission to be set up under this Bill. Universities would act just as affiliated colleges attached to the Commission. It was impressed upon the Committee that universities should be continued to be allowed as independent self-regulatory bodies and should be made accountable for their performance.

9.116 The Committee strongly feels that universities should continue to have full autonomy as enshrined in the powers and functions assigned to them under their relevant Acts. The Committee would like to point out that the Academic Council, the principal academic body of a University has the power to co-ordinate and exercise general supervision over the academic policies of its University. As per the Statement of Objects and Reasons to the Bill also, the proposed legislation seeks to promote autonomy of higher educational institutions and universities for free pursuit of knowledge and innovation. The Committee is, therefore, of the view that provisions affecting the autonomy of higher educational institutions and universities should not find place in the Bill.

Concerns of the State Governments about their role and autonomy

9.117 The Committee is disturbed by the emerging aspects of the Bill which can adversely affect the autonomy and interest of State Governments even though it agrees with the justification of the Department that since Education is a Concurrent subject, the Centre has the right to legislate on matters of higher educational institutions and universities. The intention of the Department may not be to disturb the federal structure of the country in any way but still a wide array of apprehensions have been expressed by various State Governments and stakeholders. They were of the firm view that the autonomy of State Governments and their jurisdiction with respect to higher education was being encroached upon. Various areas of concern supported by relevant provisions in the Bill have been highlighted to substantiate their claim. The Committee would like to reiterate upon the fact that any attempt to infringe upon the autonomy of State Governments would not be a wise move which would eventually lead to failure of the legislation itself. The Committee is of the view that the Department should have pursued with the State Governments to allay

their apprehensions and arrive at a consensus on areas of concern in the Bill followed by an attempt to have a model of the proposed legislation which was acceptable to State Governments, the most important stakeholders.

9.118 The Committee agrees with the stakeholders that NCHER should be a more of a facilitator body with an advisory mandate. Practical difficulties in actual implementation of standards of higher education and proper regulation and monitoring is not possible by an over-arching body like NCHER. Co-ordination, co-operation and active involvement of the State Governments is an essential pre-requisite to realize the objectives of the legislation. The Committee feels that a balance has to be struck for a harmonious and smooth functioning and regulation of the higher education system. Aspirations of the States as well as their regional and cultural sensibilities have to be taken into account before formulating any policy for higher education system. In no way, the proposed legislation should reduce the role of State Governments or curb their autonomy. The Committee, therefore, recommends that a review of some of the problematic provisions curtailing autonomy of State Governments must be undertaken by the Department.

Important functions UGC, AICTE & NCTE not reflected in the Bill

9.119 The Committee observes that the proposed legislation as formulated clearly indicates that universities will be responsible both for academic courses of study as well as professional courses. That means that they will be playing the role of approval granting and monitoring agencies in both the areas. If that be so, the Committee is constrained to observe that majority of universities are already over-burdened, particularly those having a large number of affiliating colleges. It is an uphill task for them to monitor their constituent departments and affiliated colleges due to lack of required manpower, expertise and infrastructure. Ironically, their domain covering all aspects relating to their functions is proposed to be as per the regulations and directions of the Commissions, virtually being under its overall supervision. In such a scenario, it will be an ill-conceived mechanism fraught with apparent impediments for young students.

Strong objection of Bar Council of India over inclusion of legal education within the ambit of the Bill

9.120 The Committee is glad to know that a consensus has been reached between the Department and the Bar Council of India over the inclusion of legal education within the ambit of the Higher Education and Research Bill, 2011. The Committee, however, would like to express its concern that a similar stance could be taken up by other bodies controlling other disciplines of education which may lead to lobbying and protests. Every discipline can claim to be specialized one and demand to be excluded from the proposed legislation to be regulated only by their own specialized body instead of a handful of academicians who may or may not have specialized knowledge of the discipline/subject. In such an eventuality, the very purpose of regulation of all disciplines by an over-arching body for holistic growth of the higher education system would be defeated.

Inclusion of medical research in the Bill

9.121 The Committee is convinced by the arguments put forth by the representatives of ICMR and the Department of Health Research for bringing medical research within the ambit of NCHRH. The Committee believes that medical education and research are a very specialized field. Their interests would be better served if medical education and research remain together. There are several premier institutions involved in medical research in the country and the Ministry of Health and Family Welfare is the nodal Ministry for them. There is a separate Department of Health Research under that Ministry. It would be appropriate if the National Commission for Higher Education and Research is entrusted with academic research only. The Committee also observes that the NCHRH Bill had 'promotion of research' as one of its goals. The Committee is aware that the Standing Committee on Health and Family Welfare in its Report on the NCHRH Bill, 2011 has strongly advocated for bringing medical research under that Commission. It would, therefore, be in the fitness of things if the subject of medical research is allocated its rightful place under the NCHRH Bill, 2012.

Fate of Staff/employees of UGC, NCTE and AICTE

9.122 The Committee shares the apprehension about the fate of staff/employees of the three organizations. The Committee strongly feels that in no eventuality should the staff/employees of the three organizations UGC, AICTE and NCTE suffer due to the move of the Government to dissolve the three bodies. The Committee, therefore, recommends that interest of all the staff of the three bodies is safeguarded. The proposed Bill does not give a clear

picture of the organizational structure of NCHER and it is also not given how the employees with the requisite expertise would be accommodated in the respective departments of their fields. The Committee also suggests that the pecuniary benefits and service conditions of their previous organizations should be extended to them in the new organization also.

Clause 26: Establishment of General Council

9.123 Clause 26 specifies the composition of the General Council. The Committee observes that the General Council is a large body having members from different professions and councils/bodies and experts, representing different areas of higher education. However, during its interaction with different stakeholders, it was impressed upon the Committee that certain very vital areas still remained unrepresented in the General Council. The Committee is also of the view that there were indeed certain gap areas and, accordingly, recommends that following members may be added in the General Council:

- representative from a private university by rotation region-wise
- representative from teachers by rotation from universities region-wise
- representative from distance education
- woman member
- representatives from SC, ST and minorities
- two members, one from Lok Sabha and one from Rajya Sabha

9.124 As per clause 26(2), the meetings of the General Council shall be convened at least once in every six months and at such other times as the Chairperson may consider necessary. The Committee is of the view that with the kind of functions envisaged to be performed by the General Council, it should meet at frequent intervals. The Council should, accordingly, be mandated to meet at least once in a month.

Clause 27: Powers and Functions of the General Council

9.125 As per sub-clause(3) of clause 27, the General Council, for the discharge of its functions or reporting or advising upon any matter, constitute Expert Advisory Groups for legal education, health and medical education, education related to general sciences, humanities, social sciences, engineering or technology, vocational education, distance education systems. The Committee is of the view that with all the regulatory bodies continuing, there would be no need for constituting Expert Advisory Groups.

Clause 30: Functions of Collegium

9.126 The Committee strongly feels that a review of powers and functions assigned to Collegium *vis-à-vis* mandate of the Commission has to be made so as to avoid any uncalled for issues arising once this law comes into effect.

Clause 52: Joint Mechanism

9.127 This clause proposes to have a Joint Committee i.e. National Commission for Higher Education and Research and the National Commission for Human Resources for Health to deal with any issues arising out of difference of opinion. The Committee is, however, of the opinion that with the National Commission for Human Resources for Health having the domain of health education as well as health research, the envisaged joint mechanism would not be required.

Chapter VI: Enrolment of Students

9.128 The Committee understands that the National Accreditation Regulatory Authority for Higher Educational Institutions is yet to be set up as the concerned legislation has not been passed by the Parliament. The Committee would also like to point out that accreditation exercise can be undertaken only in respect of institutions existing for some time so they can be rated/graded as per the parameter, of academic quality determined by the appropriate authority.

Chapter VII: Board for Research Promotion and Innovation

9.129 Broadly speaking, the spirit behind having such a Board is a welcome step. It is a well-known fact that inspite of best efforts put up by our universities and research institutions and commendable potential of our young students, the country has failed to mark its presence in the global scenario. The Committee would, however, has a word of caution. Every effort has to be made so as to avoid any situation whereby independence of Universities and institutions doing pioneering research work is compromised. Secondly, medical research is an altogether different and very specialized area when compared with academic research. The Committee is also aware of the fact that the Standing Committee on Health and Family Welfare in its Report on the National Commission for Human Resources for Health Bill, 2011 has strongly recommended for bringing medical research under the domain of their Bill. The Committee is in agreement with the stand taken by the Committee on Health and Family Welfare as the Ministry has a separate Department of Health Research.

Clause 65: Power of Central Government to Supersede Commission, General Council etc.

9.130 The Committee is of the firm view that clause 65 giving very sweeping powers to the Central Government is not justified from any angle. It is pertinent to mention that the proposed legislation seeks to promote autonomy of higher educational institutions and universities. Same principle needs to be made applicable on the proposed bodies. The over-arching Commission and its ancillary bodies envisaged to work under the guiding principle of autonomy also needs to be autonomous body itself. The Committee does not find any merit in the argument of the Department that it is a general clause which is to be exercised only in rare and extreme cases. Inclusion of such a provision in other Acts like NCTE Act also does not hold any ground. The Committee, accordingly, recommends that clause 65 may be deleted.

Final Deliberations with the Department of Higher Education

Role of UGC, NCTE, AICTE and DEC vis-à-vis National Commission for Higher Education and Research

9.131 The Committee strongly feels that alternative mechanism of an over-arching body having the responsibility of the entire higher education sector in place of the existing specialized regulatory bodies suggested by the Department can never be a viable proposition. One has to see the issue of regulation of higher educational institutions, keeping in view the interests of students, future of our country and quality control of higher education. It is an undisputed fact that with a very large number of different categories of higher educational institutions spread across the vast expanses of our country, specialized regulatory bodies with a well-defined mandate and well-established structure at the Centre and also in States is the only viable and workable mechanism. Their functioning could be further improved by strengthening them and having checks and balances at the right places. Universities, both Central and State, lack required infrastructure and expertise expected from a regulatory body. Suggested alternative of assessment and accreditation would be mandatory only after six years of existence of an institution. The very critical area of grant of approval/recognition has not been addressed in the right perspective in the proposed legislation. One time approval to a higher educational institution for enrolment of students for the first time in any course/programme cannot be equated with approval/recognition to be given for setting up a higher educational institution. Not only this, monitoring of higher educational institutions through a well-established system of inspection is also not visible in the proposed legislation. The Committee cannot ignore the ground realities as quite a few institutions continue to operate without any approval inspite of the existence of regulatory bodies.

9.132 The Committee has been given to understand that clause 35 relating to 'Enrolment of Students' has been included in view of growing commercialization of education and entry of private players. It has been also pointed out that many private institutions start enrolling students without providing basic amenities, infrastructure and qualified faculty. This justification confirms Committee's view that there is an essential requirement for having a well-structured mechanism both for initial approval and also for monitoring the functioning of existing institutions. This mechanism has been there in the form of AICTE and NCTE for the last two-three decades. Any aberrations noticed in the functioning of these regulatory bodies with the passage of time and ever-changing scenario have to be tackled in the right perspective. Simply doing away with these bodies and having a mammoth structure as an alternative would not serve the purpose.

9.133 The Committee would like to point out that the regulation making power given to the proposed Commission under clause 17 clearly indicates additional powers, when compared with UGC as given below:

- specify norms and processes for establishment and winding up of a higher educational institution and university;
- specify norms and mechanism for transparent, efficient and accountable governance in universities and higher educational institutions;
- specify and coordinate standards for leadership positions for appointment as Vice-Chancellor of a university or the head of a Central Educational Institution not being a college.

9.134 The Committee observes that all the above-mentioned powers and functions assigned to the proposed Commission are not there with UGC. The Committee is not in agreement with the contention of the Department that powers and functions proposed to be assigned to the over-arching Commission are the same as those entrusted to UGC. There are significant additions which are likely to encroach upon the domain of both State Governments as well as individual universities. Not only this, regulation-making power of specifying norms and standards of academic quality for accreditation and benchmarking of higher educational institutions and universities are bound to lead to complications in future. The Committee finds that there is a separate legislation for setting up a National Accreditation Regulatory Authority for Higher Education and Research which is proposed to be enacted. The Committee fails to understand the rationale for having two authorities being assigned the same power. When there is a separate designated authority for a specific domain, it should have total autonomy with no interference from any other authority.

9.135 The Committee also observes that the Commission shall also have the power to make regulations for regulating the entry and operation of foreign educational institutions in accordance with any law providing for such regulation for the time being in force. Committee's attention has been drawn by a separate legislation, i.e. the Foreign Educational Institutions (Regulation of Entry and Operation) Bill, 2010. This proposed legislation when enacted will have the mandate to regulate entry and operation of foreign educational institutions imparting or intending to impart higher education (including technical education and medical education and award of degree, diploma and equivalent qualifications by such institutions). The Committee is of the view that power to make regulations for entry and operation of foreign educational institutions should remain exclusively under this Bill.

9.136 The Committee notes that this decision has been taken on the recommendations of an Expert Committee. The Committee is not aware about the basis of such recommendations made by the Expert Committee. The Committee can only say that the Indira Gandhi National Open University was established in 1985 for the introduction and promotion of open university and distance education systems and for coordination and determination of standards in such systems. This crucial mandate is being carried forward by IGNOU with the support of Distance Education Council for more than two decades. Nobody can deny the fact that pioneering work is being done by these bodies, especially for the under-privileged and marginalized sections of our society. The Committee strongly feels that the kind of dedicated, focused and specialized work being done by IGNOU and DEC could not have been accomplished by UGC. The position is likely to worsen further with the over-arching Commission which will be the only nodal authority having a very big and complicated mandate of managing all categories of higher education including professional and technical education, that too in a vast country like ours with a very diverse background. The Committee would also like to point out that one Expert Advisory Group to be created under the General Council to advise it in matters pertaining to distance education cannot be equated with the kind of work done by a Central University and its Authority. The Committee is also of the view that complications and contradictions are bound to arise between the mandate of IGNOU and that of the proposed Commission.

Autonomy of Higher Educational Institutions

9.137 The Committee takes note of the latest clarification given by the Department with regard to autonomy of higher educational institutions. It has been pointed out that universities and other higher educational institutions will continue to have complete autonomy in academic matters and nothing prevents them from designing their programmes/courses, subject to fulfillment of minimum standard by UGC at present and the proposed Commission. The Committee would, however, like to point out that power for enrolment of students for the first time by a University/higher educational institution and revocation of the same by the proposed Commission directly affect the independent functioning of both universities and higher educational institutions functioning in the Central and

state sector. Secondly, the mandatory provision of every Central Educational Institution appointing a Vice-Chancellor or Head of an institution from the directory of academics for leadership positions to be maintained by the proposed Commission is a direct encroachment on the autonomy of a university. Not only this, State universities would also be in a position to appoint a Vice-Chancellor, in accordance with the standards for leadership specified by the proposed Commission. The present system of Vice-Chancellors being appointed by the Visitor based on the recommendations made by a Selection Committee appointed by the University will no longer be there. The Committee apprehends that this would also be in direct conflict with the provisions incorporated in the various Acts governing Central as well as State Universities

Role of State Governments and their Autonomy

9.138 The Committee is not convinced by the contention of the Department that States, through their Higher Education Councils, would be represented in the General Council and will thus have a role in decision-making. States would also be indirectly represented in the Board for Research Promotion and Innovation. All the powers and functions assigned to the General Council are advisory in nature. The Committee is well aware of the fact that there is no representation of states in UGC. The Committee would, however, like to point out that both AICTE and NCTE, not only have representation from State Governments but also have their Regional Boards/Committees. Not only this, the main apprehensions of State Governments regarding centralization of powers in one monolithic body and their inability to promote regional, cultural and linguistic policies of their respective States and also due attention to local sensibilities and problems remain unaddressed.

Comparison between the NCHER Bill, 2011 and NCHRH Bill, 2011

9.139 The Committee would like to point out that new bodies dealing with specialized areas like funding research and vocational education are proposed to be set up under the proposed Commission. In contrast, well established bodies, handling very specialized areas of higher education like technical education, professional education, teacher education and distance education are proposed to be done away at one go. In spite of the mandate of these Universities being very vast and diverse, their independent identity and existence is going to be subsumed. The Committee fails to understand as to why no problem and complications are anticipated in allowing the bodies like MCI, INC, DCI and Pharmacy Council being allowed to operate, although with a diluted role under the overall supervision of the National Commission for Human Resources for Health.

Financial Implication

9.140 The Committee is not convinced by the arguments of the Department that the expenditure on the establishment and maintenance of NCHER and various sub-entities under it would be the same as being incurred presently in running UGC, AICTE and NCTE. This is clearly borne out by the Financial Memorandum to the Bill which clearly states while the administrative expenditure for supporting the Commission shall be approximately the same as involved in supporting the three existing bodies, expenditure on account of salaries and other recurring expenses shall not be substantially higher. The Committee would like to point out that creating infrastructure for an over-arching entity like NCHER would be requiring substantial funds. The Committee also would like to stress on the fact that establishment of Commission (7-member body –salary and allowances payable to them) and creation of quite a few entities under it, General Council (sitting fees/allowances payable to its members), 30-member Collegium, 13-member Board for Research Promotion and Innovation (salary and remuneration payable to members of the board), Higher Education Financial Services Corporation (salary and allowances payable to officers of the Corporation), Qualifications Advisory Councils in Vocational Education (8 member Advisory Councils/salary and allowances payable to the members of the Council), would certainly mean requirement of substantive funds.

Conclusion

9.141 A totally centralized body in the realm of higher education, handling a very wide range of programmes, both academic and professional, will find its task very difficult, impractical and almost impossible. It can only function if

it has the proper support from specialized bodies having their presence in different regions of the country. There has to be a proper balance of autonomy and supervision. The Committee does not find any merit in doing away with well-established regulatory bodies with one stroke. Proper course would be to identify their inherent short-comings and restructure and reshape them

9.142 The Committee is not aware about the modalities on which the consortium for bringing together UGC, AICTE and DEC was constituted. The Committee is, however, not inclined to agree with the contention of the Department that creation of such a co-ordinating super-structure would need to be given a detailed thought in view of the complication likely to arise. Also, whether it can be achieved through a legislative route or through mere executive orders has yet to be examined. The Committee strongly feels that with the kind of over-arching Commission with no clarity about the mechanism for handling technical education, teacher education and distance education, three most crucial aspects of higher education, there would be no dearth of complications. These likely complications would be further aggravated by encroachment on autonomy of States and independent functioning of higher educational institutions.

9.143 The Committee is quite surprised to take note of Department's apprehension that creation of an over-arching co-ordinating body may eventually lead to clash of egos and questions as to who is the supreme authority to take decisions. If such a body is created in order to avoid turf battles, powers of existing councils and commissions may have to be curtailed which again is a complicated exercise. The Committee finds the justification given by the Department totally unconvincing. It seems that turf battles and ego clash between the existing regulatory bodies have led to a situation where perhaps the Department does not find it easy to chalk out a middle path. The Committee finds that a joint mechanism has been envisaged to resolve any difference or dispute between the National Commission for Higher Education and Research and the National Commission for Human Resources for Health. Same analogy can be made applicable to with regard to the proposed Commission and existing regulatory bodies. The only difference would be that the Commission will have the power to mediate between two regulatory authorities and will be the final authority to resolve all differences and disputes. The Commission will also have the power to give directions on matters of policy.

9.144 The Committee is of the view that the over-arching Commission may be assigned the role of a policy-making body, co-ordinator and guide for all the implementing agencies and nodal bodies. Formulation of policy and guidelines may remain the domain of the Commission having representation from all conceivable areas. Implementation, regulation and monitoring of higher educational Institutions and universities may continue to be the responsibility of existing statutory bodies. Areas of conflict which hitherto have remained unchecked resulting in uncalled for situations can be referred to the proposed Commission. Commission can very well become co-ordinators as well as mediator. Last but not least, it can have over-all supervision and monitoring of these bodies, without compromising their independent functioning. The Committee would also like to point out that all these bodies work in close co-ordination with State Governments and universities, through their regional councils, boards and Committees. Thus, federal structure of our polity and autonomy of universities also remains fully protected. The Committee finds no justifiable reason for changing the age-old systems.

9.145 The Committee would like to draw attention to provisions regarding Annual Report incorporated in the three Acts governing the functioning of UGC, AICTE and NCTE. As per these provisions, these bodies are mandated to prepare an Annual Report every year and forward the same to the Central Government which has been assigned the responsibility of laying the same before both the Houses of Parliament. The Committee is of the view that these three bodies may be directed to send their Annual Reports to the Commission. The Commission will have the authority to make an assessment about their functioning through the Annual Report and suggest corrective measures. Thereafter, these Annual Reports may be laid before both the Houses of Parliament. The Committee, accordingly, recommends that a suitable provision in this regard may be included in the Bill. Same provision be made applicable for the Distance Education Council also.

VII. Secretariat

9.146 The Committee Section (HRD) headed by an Assistant Director constitutes the Secretariat of the Committee. An Additional Secretary, a Director and a Joint Director remained in-charge of the Branch.

9.147 To assist the Committee in its work, material received from the Ministries/Departments/various non-government organizations and individuals was studied from which points were culled out. The questionnaires for written replies/evidence were also prepared for the use of the Committee.

9.148 The work relating to drafting, consideration and approval of draft reports by the Committee along with their presentation, laying, printing and distribution was undertaken. The Secretariat also dealt with the work relating to the scrutiny of action taken notes received from the Ministries/Departments concerned on the recommendations contained in the Reports of the Committee and prepared the Draft Action Taken Reports of the Committee on it.

9.149 The Secretariat also studied material like Parliamentary Debates, Answers to Parliamentary Questions. Budget Estimates, Five Year Plan Documents, Books, Journals, CAG reports, newspapers etc. relevant to the subjects under examination of the Committee.

ANNEXURE-XIV

(See Para 9.6)

Details of the sittings of the Committee on Human Resource Development during the year 2012

Sl. No.	Date	Duration		Subject
		Hrs.	Mins.	
1.	12.01.2012	2.45		To hear the experts/witnesses on the National Academic Depository Bill, 2011
2.	13.01.2012	1.45		To hear the experts/witnesses on the National Academic Depository Bill, 2011
3.	27.01.2012	2.00		To hear the Secretary and other officials of the D/o Higher Education on issues arising out of deliberations of the Committee held with various stakeholders with respect to the National Academic Depository Bill, 2011
4.	06.02.2012	10.30		Clause – by – clause discussion on the National Academic Depository Bill, 2011
5.	22.02.2012	2.10		Consideration and adoption of draft 241st Report on the National Academic Depository Bill, 2011 and to hear the Secretary, Department of Higher Education on the Higher Education and Research Bill, 2011
6.	29.03.2012	2.30		To hear the Secretary, M/o Youth Affairs and Sports on the following:- (i) the Rajiv Gandhi National Institute of Youth Development Bill, 2011; and (ii) Demands for Grants 2012-13
7.	10.04.2012	6.15		Presentation by the Secretaries on Demands for Grants 2012-13 of the following Ministries/ Departments:— (i) Ministry of WCD (ii) Department of Higher Education
8.	11.04.2012	2.45		Presentation by the Secretary on Demands for Grants 2012-13 of the Department of School Education & Literacy
9.	19.04.2012	0.35		Consideration and adoption of 242nd Report on the Rajiv Gandhi National Institute of Youth Development Bill, 2011
10.	30.04.2012	0.15		Consider and adopt the 243rd, 244th and 245th Reports on the Demands for Grants 2012-13 of the Ministry of WCD, Department of School Education

Sl. No.	Date	Duration		Subject
		Hrs.	Mins.	
				and Literacy and Ministry of Youth Affairs and Sports
11.	07.05.2012	0.30		Consider and adopt the draft 246th Report on the Demands for Grants 2012-13 of the Department of Higher Education
12.	17.05.2012	1.55		To hear the following witnesses on the Higher Education and Research Bill, 2011: <ul style="list-style-type: none"> (i) Institute of Chartered Accountants of India (ii) Institute of Cost Accountants of India (iii) Institute of Company Secretaries of India (iv) Institution of Engineers India
13.	04.06.2012	2.15		To hear the following witnesses on the Higher Education and Research Bill, 2011: <ul style="list-style-type: none"> (i) Delhi University (ii) IGNOU (iii) Department of Health & Family Welfare (iv) MCI
14.	15.06.2012	2.25		To hear the representation of the following organizations on the Higher Education and Research Bill, 2011: <ul style="list-style-type: none"> (i) The Federation of Indian Chambers of Commerce and Industry (ii) The PHD Chambers of Commerce and Industry (iii) Education Promotion Society of India; and (iv) Sarthak Advocates and Solicitors
15.	22.06.2012	2.05		To hear the representations of Delhi University Teachers Association on the Higher Education and Research Bill, 2011
16.	29.06.2012	2.15		To hear the following representatives on the Higher Education and Research Bill, 2011: <ul style="list-style-type: none"> (i) UGC (ii) AICTE
17.	20.07.2012	1.15		To hear the following representatives on the Higher Education and Research Bill, 2011: <ul style="list-style-type: none"> (i) The Rakshak Foundation (ii) Indian Council of Medical Research, New Delhi

Sl. No.	Date	Duration		Subject
		Hrs.	Mins.	
18.	03.08.2012	1.40		To hear the following representatives on the Higher Education and Research Bill, 2011: (i) The Council of Architecture (ii) National Council for Teacher Education
19.	16.08.2012	1.00		To hear the following representatives on the Higher Education and Research Bill, 2011: (i) Bar Council of India (ii) State Government of Uttar Pradesh (iii) Government of National Capital Territory of Delhi
20.	28.08.2012	1.15		To hear the following representatives on the Higher Education and Research Bill, 2011: (i) Ministry of HRD (ii) Ministry of Law and Justice
21.	11.10.2012	1.35		Discuss the future course of action
22.	29.10.2012	2.30		To hear the following representatives on the Higher Education and Research Bill, 2011: (i) Kannur University, Kerala (ii) Delhi University Teacher Association (DUTA) (iii) National University for Juridical Sciences, West Bengal
23.	06.11.2012	2.10		Clause by clause consideration of the Higher Education and Research Bill, 2011 and to hear the Secretary, Department of Higher Education on the Universities for Research and Innovation Bill, 2012
24.	19.11.2012	1.10		To consider and adopt draft Report on the Higher Education and Research Bill, 2011
25.	29.11.2012	1.00		To have a final discussion with the Secretary, Department of Higher Education on the Higher Education and Research Bill, 2011
26.	11.12.2012	0.15		To adopt 247th Report on the Higher Education and Research Bill, 2011
27.	19.12.2012	0.55		To hear the representative of the following on the Universities for Research and Innovation Bill, 2012:- (I) IGNOU (i) Prof. Gopinath Pradhan, VC (ii) Prof. Ravindra Kumar, Director

Sl. No.	Date	Duration Hrs. Mins.	Subject
			(II) Amity University
			(i) Dr. D.V. Singh, Visitir, AUUP
			(ii) Shri Atul Chauhan, Chancellor, AUUP & President, RBF
			(iii) Dr. Sunil Saran, Chairman Amity International Central for Post Harvest Technology and Cold Chain Management
			(iv) Dr. Balvinder Shukla, Acting VC, AUUP
			(v) Dr. Ashok K. Chauhan, Founder President

CHAPTER-X
COMMITTEE ON INDUSTRY

I. Composition of the Committee

10.1 The Committee was constituted on 31st August, 2011. The following was the composition of the Committee:-

Shri Tiruchi Siva — *Chairman*

Rajya Sabha

2. Shri G. Sanjeeva Reddy
3. Shri Bhubaneswar Kalita
4. Shri Ashk Ali Tak
5. Shri K. B. Shanappa
6. Shri Natuji Halaji Thakor
7. Prof. S. P. Singh Baghel
8. Shri Srinjoy Bose
9. Shri Nandamuri Harikrishna
10. Dr. Vijay Mallya

Lok Sabha

11. Dr. Rattan Singh Ajnala
12. Shri Kamlesh Balmiki
13. Shri Sabbam Hari
14. Shrimati Poonam Veljibhai Jat
15. Shri Ram Singh Kaswan
16. Shri Kaushalendra Kumar
17. Shrimati Putul Kumari
18. Shri M. Krishnaswamy
19. Shrimati Ingrid Mcleod
20. Shri Bharat Ram Meghwal
21. Shri Somen Mitra
22. Shri Gorakhnath Pandey
23. Shri Kishanbhai V. Patel
24. Shri R.K. Singh Patel
25. Shri B. Y. Raghavendra
26. Shri Ramsinh Rathwa
27. Shri Ijyaraj Singh
28. Shri E.G. Sugavanam
29. Shri Bibhu Prasad Tarai
30. Shri Suresh Kashinath Taware
31. Shri Subhash Bapurao Wankhede

10.2 The Committee was re-constituted on 31st August, 2012 with the following composition:—

Shri Tiruchi Siva — *Chairman*

Rajya Sabha

2. Shri Narendra Budania
3. Shri Ashk Ali Tak
4. Shri Ananda Bhaskar Rapolu
5. Shri Natuji Halaji Thakor
6. Shri Basawaraj Patil
7. Prof. S.P. Singh Baghel
8. Shri Vivek Gupta
9. Shri Nandamuri Harikrishna
10. Shri M.P. Achuthan

Lok Sabha

11. Dr. Rattan Singh Ajnala
12. Shri Khiladi Lal Bairwa
13. Shri N.S.V. Chitthan
14. Shrimati Poonam Veljibhai Jat
15. Shri Ramsingh Kaswan
16. Shri Hassan Khan
17. Shri Kaushalendra Kumar
18. Shrimati Ingrid Mcleod
19. Shri Bharat Ram Meghwal
20. Shri Somen Mitra
21. Shri P.R. Natarajan
22. Shri Gorakhnath Pandey
23. Shri Jayaram Pangi
24. Shri R.K. Singh Patel
25. Shri B.Y. Raghavendra
26. Shri Gopal Singh Shekhawat
27. Shri Ijyaraj Singh
28. Ch. Lal Singh
29. Dr. Kirit Premjibhai Solanki
30. Shri E.G. Sugavanam
- *31. Shri Ramsinh Rathwa

* Nominated on 14th December, 2012.

II. Subjects selected for examination

10.3 During the year 2011-12 and 2012-13, the Department-related Parliamentary Standing Committee on Industry selected the following subjects for examination: —

(a) Subjects selected during the year 2011-12

Sl. No.	Ministry/Departments	Subject
1.	Ministry of Micro, Small and Medium Enterprises	(i) Facilities to MSME
		(ii) Micro Finance Programme in MSME Sector
		(iii) REMOTE Scheme-Coir Board
		(iv) Support to MSME, NSIC
2.	Ministry of Heavy Industries and Public Enterprises	(v) CRR Scheme
		(vi) Wage policy and manpower utilisation
		(vii) Technological upgradation and R&D initiatives in CPSEs and MSME sector
		(viii) Policy, Plan and Programme in CPSEs
		(ix) Review of the Performance of PSEs

(b) Subjects selected during the year 2012-13

Sl. No.	Ministry/Departments	Subject
1.	Ministry of Micro, Small and Medium Enterprises	(i) Facilities to MSME
		(ii) Support to MSME and NSIC
		(iii) Skill development in MSME
		(iv) Micro & Small Enterprises Cluster Development Programme (MSE-CDP)
		(v) PMEGP
2.	Ministry of Heavy Industries and Public Enterprises	(vi) Technological upgradation and R&D initiatives in CPSEs and MSME sector Policy, Plan and Programme in CPSEs
		(vii) Wage policy and manpower utilisation
		(viii) Policy, Plan and Programme in CPSEs
		(ix) Capacity addition and Expansion of Manufacturing facilities in CPSEs
		(x) Professionalisation of Boards of CPSEs

III. Constitution of Sub-committee of the Committee on Industry

10.4 No Sub-committee was constituted during the years 2011 and 2012.

IV. Review of work done

(a) Sittings of the Committee

10.5 Till 31st December, 2012 the Committee held 24 sittings lasting for about 68 hours. The details of the meeting are given in Annexure XV.

(b) Study Visits

10.6 The Committee undertook study visits of various parts of the Country to have an in depth and on the spot study of their respective subjects during the year 2012 which are as under:

Sl.No.	Dates	Place of Visits	Agenda
1.	13.02.2012 to 19.02.2012	Thiruvananthapuram- Kochi-Lakshadweep- Kochi	Meeting with the representatives of Indian Overseas Bank and KVIC to assess the PMEGP in Thiruvananthapuram, Airports Authority of India Ltd. on the issue of MoU performance, State Bank of Travancore on the issue of credit facility to MS&ME sector, Hindustan Newsprint Ltd. on the issue of MoU performance. Meeting with representatives of Cochin Shipyard Ltd. on the issue of Technological Up-gradation and R&D Hindustan Steel Works Construction Ltd. on the issue of MoU performance, Canara Bank, Union Bank of India and KVIC to assess the PMEGP in Kochi. Meeting with representatives of UT Administration/Coir Board on the issue of Development of Coir Sector in Lakshadweep Island, Indian Drugs & Pharmaceuticals Ltd. on the issue of MoU performance and Dredging Corporation of India Ltd. on the issue of MoU performance.
2.	29.05.2012 to 30.05.2012	Chennai	Meeting with representatives of the Ennore Port Ltd. on the issue of MoU performance, National Small Industries Corporation to assess their working/performance, meeting with SAIL/BSCL/Chief Secretary/Principal Secretary (Department of Industry)/Secretary, Commercial Tax & Tax Registration, Government of Tamil Nadu/ Collector, Salem on the pending issues of transfer of refractory Unit of BSCL, Meeting with Indian Bank and KVIC to assess the PMEGP in Chennai and Meeting with Shipping Corporation of India Ltd. on the issue of MoU performance
3.	10.06.2012 to 16.06.2012	Srinagar-Jammu- Chandigarh	Meeting with representatives of the State Bank of India and KVIC to assess the PMEGP in J&K, meeting with HMT Chinar Watches Ltd. on the issue of functioning and performance with the representatives of the State Government, Meeting with Hotel Corporation of India Ltd. on the issue of MoU performance. Meeting with Indian Telephone Industries Ltd. on the issue of MoU performance. Meeting with Housing and Urban Development Corporation Ltd. on the issue of MoU performance. Meeting with Punjab National Bank and KVIC to

Sl.No.	Dates	Place of Visits	Agenda
4.	31.10.2012 to 06.11.2012	Mangalore-Mumbai - Goa-Bangalore	<p>assess the PMEGP in J&K. Meeting with Satluj Jal Vidyut Nigam Ltd. on the issue of MoU performance. Meeting with Punjab & Sind Bank, State Bank of Patiala and KVIC to assess the PMEGP in Punjab. Meeting with Central Warehousing Corporation Ltd. on the issue of MoU performance, meeting with National Building Construction Corporation Ltd. on the MoU performance.</p> <p>Meeting with representatives of M/o Petroleum and Natural Gas, Department of Public Enterprises, ONGC, Mangalore Refinery and Petrochemicals Ltd. on MoU performance. Meeting with the representatives of the Corporation Bank on the issue of credit facilities to MSME Sector. Meeting with Ministry of Steel, Department of Public Enterprises and Kudremukh Iron Ore Company Ltd. on the issue of MoU performance. Meeting with Ministry of MSME, State Government, KVIC, Bank of India and Bank of Baroda on the implementation of PMEGP in the State of Maharashtra. Meeting with Ministry of Steel, Department of Public Enterprises and Meeting with Ministry of Railways and Konkan Railway Corporation on the issue of Professionalization of Boards. Meeting with representative of Ministry of Metallurgical & Engineering Consultants (India) Ltd. on the issue of MoU performance. Defence, Department of Public Enterprises and Goa Shipyard on the issue of Professionalisation of Boards. Meeting with Ministry of Mines, Department of Public Enterprises and Hindustan Copper Ltd. on the issue of MoU performance. Meeting with Ministry of Petroleum and Natural Gas, Department of Public Enterprises and Gas Authority of India Ltd. on the issue of MoU performance. Meeting with Ministry of Steel, Department of Public Enterprises and Metal Scrap Trade Corporation Ltd. on the issue of MoU performance. Meeting with Ministry of Chemicals and Fertilizers, Department of Public Enterprises and Karnataka Antibiotics and Pharma Co. Ltd. on the issue of MoU performance. Meeting with Ministry of Defence (Department of Defence Production), Department of Public Enterprises, Bharat Earth Movers Ltd. on the issue of MoU performance. Meeting with M/o MSME, State Government, KVIC, Syndicate Bank and Vijaya Bank on Implementation of PMEGP in the State of Karnataka.</p>

V. Reports Presented

10.7 During 2012, the Committee presented the following 10 (Ten) Reports to both the Houses:—

Sl. No.	Reports	Date of Presentation/ laying in Rajya Sabha/ Lok Sabha	Subject
1.	227th	27.03.2012	Action Taken Note on the 218th Report of Committee on Revival and Restructuring of Hindustan Paper Corporation Limited pertaining to the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry)
2.	228th	27.03.2012	Action Taken Note on the 219th Report of the Committee on Revival and Restructuring of Cement Corporation of India Limited pertaining to the Ministry of Heavy Industries & Public Enterprises (Department of Heavy Industry)
3.	229th	27.03.2012	Credit Facilities to MS&ME Sector pertaining to Ministry of Micro , Small and Medium Enterprises
4.	230th	28.3.2012	Action Taken Note on the 225th Report of the Committee on the Revival and Restructuring of Hindustan Machine Tools Limited pertaining to the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry)
5.	231st	28.03.2012	Action Taken Report on the 223rd Report of the Committee on Revival and Restructuring of North Eastern Handicrafts and Handlooms Development Corporation Ltd. pertaining to the Ministry of Development of North Eastern Region.
6.	232nd	28.03.2012	Action Taken Report on the 224th Report of the Committee on Revival and Restructuring of Hindustan Photo Films Manufacturing Company Ltd. pertaining to the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry)
7.	233rd	26.04.2012	Report on Demands for Grants (2012-13) pertaining to the Ministry of Heavy Industries and Public Enterprises (Department of Public Enterprises)
8.	234th	04.05.2012	Report on Demands for Grants (2012-13) pertaining to the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry)
9.	235th	04.05.2012	Report on Demands for Grants (2012-13) pertaining to the Ministry of Micro, Small and Medium Enterprises
10.	237th	06.12.2012	Report on the Revival and Restructuring of Hotel Corporation of India Limited pertaining to the Ministry of Civil Aviation

VI. Summary of the Recommendations

(a) 227th Report

10.8 The Committee would like to get a detailed report about the efforts of the HPC to get funds from the North East Development Funds to finance some of its ongoing/planned schemes.

10.9 As per the paper mill in HPC in Assam is totally dependent on bamboo as the raw material, ensuring its uninterrupted supply is essential to the very existence of this mill. So, the Committee is alarmed at the continued non-availability of land for bamboo cultivation even in the face of acute scarcity of raw material for paper mills. The Committee wants the DHI to take up the issue at the highest level with the Ministry of Environment and Forests and the Government of Assam and inform the Committee about the outcome. Further, the Committee also suggest that the Ministry should consider entering into a permanent lease agreement with the District Council, thereby renewing the lapsed MoU agreement to use the Government owned bamboo hills to ensure the uninterrupted supply of raw materials.

10.10 The Committee had recommended vigorous pursuit of issues involving Ministries of Railways, Finance, NHAI, State Government of Assam and District Councils of Karbi Anglong and Dima Hassao. This was recommended keeping in view the development of the NER. However, there is no mention in the reply about the measures taken by DHI to augment inter-ministerial coordination to improve the infrastructure problems. Accordingly, the Committee takes a serious view of this causal approach and is of the opinion that the issue raised in para 41, 42 and 43 are of grave concern, therefore, it reiterates its earlier recommendations and desires that DHI should come forward with a clear cut reply on the measures taken by it.

(b) 228th Report

10.11 The Committee is disappointed to note that the Department has not forwarded its Action taken/Comments on para nos. 15 and 20. It takes a serious view of this Casual approach and is of the opinion that the matters highlighted in the said paras are of great importance. The Committee, therefore, reiterates its earlier findings as stated in the said paras and expects the Department to come out with a suitable reply.

10.12 The Committee views that the reply of the Ministry is not satisfactory. The reply states that the Asset Sale Committee (ASC) took a decision on 7th December, 2010 for the expedient sale of non-performing Units through e-auction. Since then more than one year has passed but nothing concrete has come out. It would have been highly appreciated if the Ministry would have conveyed the current status of the e-auctioning/revival of non performing Units. The Committee, therefore, expresses deep concern over the lackadaisical approach of the Ministry and strongly reiterates its earlier recommendations by stating that the Ministry either revive the non-performing Units or put them for e-auctioning by fixing a time frame and intimate the Committee accordingly.

10.13 The Committee is of the view that Department of Public Enterprises may closely monitor the entire process for enhancement of retirement age of employees from 58 to 60 years and submit an updated status on CCI including all sick CPSEs which have turned around but not meeting all conditions.

10.14 The Committee acknowledges with satisfaction this coordinated move of DPE and PSEB and appreciates that the positive efforts being made in the right direction. Keeping in view the sensitive stage the CCI is going through the DPE and PSEB should accelerate this process.

(c) 229th Report

10.15 The Committee observes that there should be adequate delegation of powers to the officer working at branch level. Regular meetings with MSME entrepreneurs should be conducted and procedural formalities to procure the credit should be simplified. Besides, a time bound action for setting up of specialized branches and conducting sample surveys pertaining MSME accounts is required on priority.

10.16 The Committee finds that the banks **some time show reluctance in coming forward to consider the credit requirement of the units under MSME sector. This attitude needs to be changed and on the basis of the financial position of the units and their track record, the flow of credit to MSME units should be made more smooth.**

10.17 The Committee is of the view that as per RBI guidelines, credit flow to women entrepreneurs must be augmented to bring more and more women to the mainstream of the economic development. Keeping this in mind the women entrepreneurs should be allowed loans on liberal and relaxed terms.

10.18 Keeping in view the global development in industrial sector and the competition which has resulted in the improved working of the banks, the Committee is of the view that RBI should adopt more liberal approach to encourage the banks for opening branches specifically in industrial belts.

10.19 The Committee is of the opinion that the credit rating and risk assessment of the SMEs should be taken into consideration by the bankers for reduction of their cost on loans and structuring the rate of interest depending on the ratings.

10.20 The Committee understands that a Task Force under the Prime Minister has prepared and submitted a report for the overall development of the MSME sector and made a number of recommendations. The Committee therefore recommends that these recommendations of the Task Force should be implemented in true spirit to support the MSME sector at the earliest so that many more entrepreneurs could be benefitted.

10.21 Revival of sick SME has to be considered with sympathy by the banks and financial institutions. The Committee, therefore, recommends that every State Government should come forward with a support scheme, through District Industries Centres for revival of such units.

10.22 The Committee endorses the cluster based approach for growth and expansion of the MSME. The banks must deal with such clusters to reduce their transaction cost and improve their infrastructure and other facilities.

10.23 The Committee feels that each Bank should identify the branches having potential for financing Micro and Small Enterprises for greater credit flow to this critical sector. Online registration of application and tracking system should be made operational at the earliest so as to check the status of such applications and speedy disposal of proposals from Micro and Small Enterprises.

10.24 The Committee recommends that limit of the composite loan sanctioned by the Banks and Financial Institutions should be fixed for all banks and both term loan and working capital loan should be approved along with the project loan.

10.25 The Committee understands that the rating of the MSME sector as done by the various credit rating agencies in co-ordination with NSIC and SIDBI should be more transparent. The entrepreneur should be made to understand the shortcomings so that it could try to improve its performance. It means that the rating scores should be discussed with the borrower by the banker/credit rating agency without which improvement in rating on the part of borrower would be difficult and could hinder the credit prospects and growth of SMEs.

10.26 The Committee feels that to provide real advantage of finance and credit to MSME, seminars, workshops, etc., should be organized on financial management as to enable the MSME to effectively manage their funds, ensure regular repayments to the financial institutions, avoid misuse of funds and prevent creation of non performing assets. It will enable the MSME to apply for credits for establishing new ventures and expanding projects.

10.27 SIDBI has been created exclusively for promotion, financing and development of MSME sector. It now operates under the administrative control of the Ministry of Finance. The Committee feels that the Government should explore the possibility to bring SIDBI under the Ministry of MSME so that its functions could be monitored by it for ensuring its greater flow of credit to the MSME sector.

10.28 There is a general lack of publicity for the availability of the collateral free credit facilities to MSME sector. The Committee, therefore, stresses upon all bankers to prominently display the particulars of the concerned credit schemes at all the branches and provide due publicity to them in electronic and print media. The Committee also recommends that a campaign must be launched to spread awareness among entrepreneurs about availability of such credit facilities.

10.29 When there is a dispute between entrepreneurs and banks concerning loans, the entrepreneurs are driven from pillar to post to resolve the issue. As a matter of fact, the entrepreneurs do not get relief at a reasonably short time. The Committee is of the opinion that there should be a proper redressal mechanism at the circle level of the banks to dispose of the cases quickly and effectively.

10.30 As a general practice, the banks expect account holders to provide all the papers in multiple sets and that too on several occasions. The Committee is not happy with this practice and urge upon all the banks to get rid of this cumbersome procedure and adopt a simple and easy method so that entrepreneurs could apply for loans without much problem.

(d) 230th Report

10.31 The reply of the Government, to the extent that it is difficult to hold the management of MT Ltd. accountable, does not cut ice with the Committee. If Ministry sticks with their view, then the Committee expects them to fix responsibility for the current plight of HMT and communicate the same to the Committee as the Government is also having its say in the management board through Government director, who looks after the smooth functioning of PSE. Accordingly, notwithstanding the reply of the Government, it is the considered view of the Committee that the management could have equipped HMT better to face the new environment of competition and modernization in the wake of a liberalized economy and open market. In the opinion of the Committee, this is the prime responsibility of the management of any company, which faces the situation that HMT encountered. Further, the Committee finds it difficult to decipher why HMT, which was a market leader in its field before the introduction of market driven economy in India, could not survive competition as demonstrated by many of its counter parts in the private sector who withstood and excelled in the face of similar market conditions. In view of the preceding, the Committee reiterates its stand that either the government or the management of HMT has to be held responsible for not keeping the company technologically and economically viable as the demand of the time and eventually lead the Company to failure.

10.32 The Committee while accepting the reply of the Ministry would like to further reinstates its earlier stand that since many of the PSEs have fixed the age of retirement as 60 years. Because of the retirement of the employees at the age of 58, the Company would be deprived of the efficient, experienced, administrative skilled people to sustain their service. Therefore, it would be more beneficial if there is uniformity in the age of retirement in all PSEs irrespective of it being profit making or loss incurring.

(e) 231st Report

10.33 The Committee condemns the delay in submission of the complete revival proposal of NEHHDC on the part of M/o DoNER which is still awaited in the Department of Public Enterprises as the DPE in their Action Taken Reply have indicated that on receipt of the complete proposal on revival from NEHHDC it will examine and refer it to BRPSE for consideration. The Committee impresses upon the DoNER to expedite the revival proposal without any further delay. It would also like to have a progress report from the Ministry of DoNER in this connection alongwith a copy of the revival/restructuring plan of the NEHHDC for the perusal of the Committee.

10.34 The Committee further recommends on the suggestion tendered by the Ministry of DoNER to consider the implementation cost including service charges which may also be included in the project cost of the programmes/projects viz. training/skill upgradation programmes and projects like Design Bank and handicrafts museums as such measures will help the NEHHDC to strengthen its financial health.

10.35 The Committee feels that a time bound programme for cluster development be chalked out a monitoring mechanism should be evolved at the level of DoNER to have a close look at the cluster development for the benefit of the artisans and weavers of North Eastern Region.

(f) 232nd Report

10.36 No recommendations have been included in the Report

(g) 233th Report

10.37 The Committee strongly feels that the vision and mission of the DPE must be further expanded to include issues like research & development capabilities and manpower planning in the absence of which the CPSEs quite often do not generate greater productivity and incur loss leading to their sickness and closure. The issue of research & development is of course the responsibility of the concerned public sector enterprises. But if the DPE is guided by vision and mission to enhance the research & development capability and other critical factors which are essential for making our PSEs technologically advanced and competitive, then it would better help the DPE to take

the cause of public sector enterprises forward. The Committee feels that the vision and mission of the DPE incorporating such factors would be more impactful on the CPSEs for making them competitive and result oriented. It would also make the CPSEs more aware of the fact that for their survival and growth these have to stand on their own and prove their worth in the expanding market and global economy. Such a modified vision and mission statement would also enable the DPE officials to emphasise on the issue during their interactions with CPSE representatives.

10.38 The Committee is given to understand that normally money earmarked for spending under the plan head is not transferred to the non-plan head. Of course, the Department must have re-appropriated the money under the explicit approval of the Finance Ministry. However, it is to be borne in mind that the lack of funds to meet the non-plan expenditure is indicative of absence of sound planning by the DPE. It must foresee and anticipate such spending and approach the Finance Ministry for allocation of funds for the purpose of meeting non-plan expenditure. It strongly recommends that the DPE must not divert funds from the plan to non-plan head. The officials of the DPE must foresee the non-plan expenditure and accordingly submit their estimates to the Ministry of Finance for adequate allocation of funds. The Committee hopes that the Department will adopt a proper strategy so that it does not divert the plan fund for the non-plan expenditure. The Committee strongly feels that the Department must spend the money put under the plan head to achieve the desired results.

10.39 The Committee takes note of the fact that the DPE intends to focus attention on the deficiencies and weaknesses of the employees of the SLPEs so that it could take measures to mitigate or rectify them and improve their capabilities. But, while doing so, it would be self-defeating to ignore the strengths of the employees whose skills are to be developed. In the syllabus of the modern management discipline SWOT (Strength, Weakness, Opportunity and Threats) has been adopted to get a broad view of the dark and brighter sides of the human resources deployed in an enterprise. In ignoring the strengths the positive aspects would be completely lost sight of. The concept of 'Core Competence' has been increasingly emphasized in the modern organization to highlight the inherent resilience and capabilities of the employees. It would be appropriate for the Department to stress on 'Core Competence' while adopting the SWOT analysis. This would enable the Department and the concerned enterprises to have a better grasp of the talent pool available at their disposal and their plus and minus dimensions. The Committee recommends that the good performance of the SLPEs may be factored into any decision to allocate funds for skill development. Besides, the weightage also should be given to the enterprises which function in core areas of our economy which are critical to economic growth and expansion. The Committee also hastens to add that the SLPEs utilizing locally available resources and creating job opportunities may be accorded priority.

10.40 The Committee, while taking note of the programme for skill development of SLPEs, is constrained to observe that the Department of Public Enterprises has no scheme for training its own officers both at the national level institutes and in the reputed training establishments located in some of the world class universities and institutes. The officials of the DPE are quite often engaged in imparting training facilities. They are also engaged in finalizing the MoUs where weightage is given to several parameters which are indispensable for enhancing growth, productivity and competitiveness of the PSEs. If these officers are not adequately trained, both at the national and international levels, their expertise and competence will remain stagnant. It is, therefore, strongly recommended that a separate scheme for the employees and officers of the DPE should be formulated for their training within India and abroad.

10.41 The Committee is given to understand that the Public Enterprises Selection Board (PESB) is part of the Department of Personnel and Training. The Committee is surprised to note that it is the DoPT which is the administrative Ministry for the PESB. Possibly the PESB was made part of the DoPT when there was no Department of Public Enterprises. Now, that the DPE is in existence for several years, it would be prudent to bring the PESB under the control of the DPE. The Committee strongly recommends that such a change must take place for the purpose of streamlining and quickening the process of succession planning in the PSEs. Apart from the PSEs and their administrative Ministry, the domain knowledge concerning the functioning of the PSEs is with the DPE. It finalises their MoUs and sets their targets both in the financial and non-financial sectors. It is, therefore, appropriate that PESB must function under the jurisdiction of DPE. At a time when the Government of India is emphasizing on the need to reform the functioning the Central Public Sector Enterprises, it is extremely important to include within the reform process the decision to transfer the PESB from the control of DoPT to DPE. Realising the importance of the recommendation it must be done irrespective of any resistance from any quarter.

10.42 The Committee takes note of the fact that the DPE is periodically reviewing the CRR scheme to make it useful to the beneficiaries. A scheme like CRR becomes more meaningful when the targeted beneficiaries are made employable through training imparted to them. The skills they acquire need to be certified by an accredited agency so that the training they received is recognized and valued.

10.43 The figures in the Budget Documents at Table 2 shows that the allocation (RE) for the Scheme of CRR for 2010-11 was Rs.7.58 crore, but the Actuals for the year is shown as Rs.8.03 crore. The Committee fails to understand as to how the utilization figures for 2010-11 were higher than the allocation made for the year. Furthermore, if the Table 1 figures for allocation (Rs.8.90 crore) is taken in face value, the Actuals for 2010-11 in the Budget Document should have been Rs.8.63 crore (96.97% of Rs.8.90 crore) instead of Rs.8.03 crore. Similarly, while considering the figures of Table-1, the allocation for 2011-12 as furnished by DPE is Rs.8.90 crore whereas in the Budget Document puts it at Rs.7.80 crore.

10.44 The Committee observes that such variation in figures presented before a Parliamentary Committee, engaged in scrutinizing the Demand for Grants is totally unacceptable. The Committee expects a clear cut explanation in this regard. It is imperative that the Department shall take note of this and ensure strict compliance in future.

10.45 The Committee is not happy to note that the reduction in expenditure took place because some States organized their workshops on their own due to delayed approvals of the workshops to be conducted by the DPE. It also established the point that there was a lack of coordination between the DPE and the States concerned. Even earlier the Committee has observed that lack of coordination among Ministries and several Departments of Governments have resulted in policy paralysis and adversely affecting the functioning of PSEs.

10.46 The Committee recommends that funds allocated for such important schemes should be fully utilized. The Committee has persistently noted that funds allocated to North Eastern Areas and are taken forward to next financial years. Of course, the Committee appreciates the fact that in case of North Eastern Region, the funds allocated would not lapse. The North Eastern Areas of the country do always get the special attention of the Union Government. Fund earmarked for this region has to be utilized properly for the cause of improving that region and accelerating the process of industrialization. It is important, therefore, to accelerate the process of utilization of funds for training VRS optees. The Committee also finds it difficult to fathom as to why the Budget Document reflects the Actual expenditure for the North Eastern Areas for 2010-11 as 'nil', when the Department claims to have utilized Rs. 6 crore. This sort of anomalies in figure may lead to misunderstanding and, therefore, the Committee demands an explanation from the Departments concerned. The Committee firmly recommends that the Department should iron out such incongruities and improve their performance in the North Eastern Areas.

10.47 The Committee takes note that the MoU System as it exists today is broadly based on the recommendation of NCAER made in the year 2003. It is the considered opinion of the Committee that the MoU system, which has an overarching influence on the performance of the CPSEs has to be in tune with the latest trends for successful operation of the PSEs. Accordingly, it is recommended that DPE may engage an accredited organization to revisit the MoU system and assess it for the purpose of revitalizing it and making it more effective. The system should be more flexible and receptive to the feedback received from the CPSEs. It is worthwhile to note that certain profit making organizations must not be allowed to opt for soft targets solely on the ground that they have performed better. In fact, in a highly competitive environment such organizations need to set better targets for themselves for full flowering of their potentialities. The Prime Minister of our country while giving away the MoU and SCOPE Awards to best performing Central Public Sector Enterprises referred to the MoU system and said that, "We cannot be satisfied with the status quo". He made that observation in the context of the determination of the Government to make CPSEs stronger and competitive. An overhauled MoU system must serve this cause.

10.48 The Committee was constrained to note that there are certain Central Public Sector Enterprises which do not subscribe to the MoU discipline and protocol. It has noted that such departure from MoU discipline has taken place in spite of the intervention of the Cabinet Secretary. It is a sad commentary on the functioning of our system. The Committee finds it unacceptable that certain PSEs are not amenable to MoU regime. The Committee is sad to note that certain CPSEs do not submit certain documents at the time of evaluation of their functioning. The Committee was informed that 36 CPSEs failed to submit the required documents to the DPE for evaluation. The Committee feels that action must be initiated against such organizations which remain out of the ambit of the MoU. The Committee notes that incentives are there for CPSEs to submit to the MoU system. The Committee strongly recommends that there must be stringent action and disincentives as well to enforce the MoU system.

10.49 Further, the Committee is strongly in favour of introducing disincentives and punitive measures against those PSEs which desist from entering into MoU discipline and those which do not comply with the MoU agreements already signed.

10.50 The Committee is surprised to note that there is failure on the part of the DPE to secure the Annual Compliance Reports from the CPSEs. An appropriate strategy has to be devised to receive such Reports from the concerned PSEs. It is important that Committee must be informed about the action taken in this regard.

10.51 The Committee finds that the time taken to process the proposal for revival and restructuring of a PSU is too long. The delay caused in this regard compounds the problem. The Committee was given to understand that BRPSE cannot take punitive action or even a strong view if its recommendations are not followed. In contrast, the views of BIFR are given importance due to the fact that it has a statutory backing. The Committee is given to understand that the BIFR is soon to be replaced by the National Company Law Tribunal (NCLT). In this scenario, the Committee recommends that when NCLT is put in place, its mandate should avoid any duplication of work with BRPSE. The Committee also strongly feels that the revival proposal of sick PSEs must be disposed of within a specified time avoiding unnecessary delay.

10.52 It is deplorable that there are 300 vacant positions of non-official Directors on the Boards of more than 100 scheduled CPSEs. However, the recommendations of Search Committee for filling up 100 of these vacant positions have already been conveyed to the concerned Ministries for obtaining approval of competent authority. This must be done expeditiously.

10.53 The Committee is of the view that professionalization of Boards of CPSEs is an indispensable necessity for making them more competitive and viable in the emerging market economy. The good corporate governance can be ensured by professionalization of board of directors. The existing vacancies of 300 posts of nonfunctional directors must be filled up urgently without which the effective performance of CPSEs would be adversely affected. These vacancies indicate lack of vision, planning and non responsive attitude to vital issues concerning the functions of PSEs. The Committee would like to reiterate the point that DPE has to be the nodal Department under the jurisdiction of which must function the Public Enterprises Selection Board. The Committee strongly recommends for the filling up of vacancies of non-officials Directors in CPSEs within a minimum period of one month and also to ensure that such vacancies do not exist beyond the period of a financial quarter in any case.

(h) 234th Report

10.54 The Committee finds that the Plan funds allocated for 2011-12 have been well utilized by DHI. It is the lower rate of utilization of Non-plan funds that has pulled down the overall utilization figure for the year. In this circumstance, the Committee views the spurt in Plan allocation for 2012-13 to be encouraging and observes that the Department should be able to continue the efficient utilization of funds during the current year also. This will go a long in augmenting the performance of CPSEs under DHI and the schemes of the Department.

10.55 The Committee notes that the Department has been able to secure only 15.68% of the Plan funds they sought for the year 2012-13. The funds for all major schemes have been drastically curtailed. The Committee feels that it will be difficult for DHI to implement the schemes efficiently. Taking into account the efficient utilisation of plan resources by DHI during 2011-12, the Committee feels that the Department deserves a substantially higher allocation for 2012-13. The Committee expects that the DHI with its proven record of good work would be able to persuade and convince the Ministry of Finance to provide more funds at the time when the revised estimates are finalised. The Committee also strongly recommends for higher allocation of funds for the Department of Heavy Industry.

10.56 The Committee hopes that a path breaking project like NATRiP which is of great significance for the automobile sector is completed according to the revised time schedule. It is sad to note that the project has received only about 45% of the budgetary support sought. The Committee observes that no stone should be left unturned to complete the project as per the revised time line of December 2012. The officials of the DHI informed the Committee that it would not be possible to complete the project by December 2012 due to inadequate funds. NATRiP is a project of national significance and of critical relevance to the automobile sector in India. Given the fact that India is now emerging as a global hub for the automobile industry, it is imperative that NATRiP is extended all facilities including the necessary monetary support for its completion as per the revised schedule. The Committee recommends that the Ministry of Finance and the Planning Commission must be supportive for this project which

has been delayed so long due to insufficient allocation. Therefore, it is strongly recommended that more funds must be released for this project.

10.57 The Committee is disheartened to note that the capital goods sector is almost handicapped due to free flow of imported technology. In fact, import dependence is truly worrisome. The absence of countervailing duties and elevated export duty structure seem to be adding to the *vows* of the sector. In this circumstance, the Committee recommends that the Government may look into re- imposition of countervailing duties on import of plants and machinery and rationalize the excise duty structure so that the indigenous industrial units are not put in a disadvantageous position vis-à-vis the foreign players. Technology transfer should be incentivised and programme initiatives for R&D, joint-technology development and acquisition, etc., should be prioritized.

10.58 The Committee noted that with the economic reforms and liberalisation, technology flow has come down drastically. It is given to understand that the Planning Commission set up a Committee headed by Mr. Arun Maira to study the situation. The Report of the Arun Maira Committee recommended for imposition of customs duty to a certain extent. The Department also inform the Committee that the Minister for Department of Heavy Industry also took up the matter. The Department was expecting that there would be some budgetary provision to remedy the situation. However, the unfavourable situation for the capital goods sector continues to haunt the entire Indian industry. It is tragic that our capacity to manufacture power plants and other capital goods equipments are not being harnessed due to a liberal import regime with zero custom duty.

10.59 Further, the Committee strongly recommends that import of second hand goods should be discouraged to the extent possible, if not banned. HEC, HMT and other national level companies have to be promoted for the cause of capital goods sector and bigger companies like BHEL should be made fountainheads of Capital Goods Exports. A level playing field which would entail imposition of customs duty on the imported technology and favourable duty structure for the indigenous industry would promote competitiveness among domestic and foreign players. The scheme Enhancement of Competitiveness in Capital Good Sector was proposed by the Working Group on Capital Goods and Engineering Sector set up by the Planning Commission. The Committee feels that adequate measures must be taken to approve the scheme and implement it during the Twelfth Five Year Plan. The Committee also recommends that maximum budgetary support must be provided for this purpose.

10.60 Notwithstanding the explanation furnished by the Department, the Committee notes with concern that a project which has immense potential for clean power generation and minimal environmental impact has been progressing at snails pace since the inking of MoU in the first half of 2008. The Committee, therefore, recommends that apart from the equity participation of the Andhra Pradesh Government. The Ministry of Environment & Forest may be approached at the highest level possible for the clearance of the funding proposal under clean energy fund.

10.61 The Committee would like to have detailed explanation in this regard.

10.62 The Committee views that the allocation and utilization of funds for VRS of CPSEs during the 11th Plan is not satisfactory. Only Instrument Ltd, Kota (ILK) looks to have utilized their funds completely. Large amounts of funds have been allocated to HPF, BSCL & BBUNL over the years but their utilization is shown to be 'nil', which is not at all encouraging. This scenario either brings out the lacunae plaguing the implementation of VRS.

10.63 The Committee notes that the IEBR of some important PSEs under DHI are far from the expected figures during 2010-11 and 2011-12. It is a matter of grave concern that HPC is still reeling under the impact of non-availability of raw materials. Though, the Committee has dealt with the issue separately in one of its earlier reports, it is reiterated that an important enterprise in the North Eastern Area should not be allowed to incur losses owing to problems which can be sorted out by approaching the State Government and the Ministry of Railways.

10.64 The HEC, has shown excellent results and made good turn around due to leadership qualities of the person who headed it. It is understood that the HEC sold its surplus assets to the Government of Jharkhand. However, the HEC has not so far received the payment from the State Government. It is rather troubling to note that due to non-payment of money by the Jharkhand Government, the HEC is not able to get the worth of the surplus assets sold to the Jharkhand Government. It is recommended that the DHI may intervene in this matter to sort the problem out.

10.65 The problems faced by CCI appear to be same as that of the HEC. The delay in sale proceeds of non-operating units and the resultant dry up of funds seem to have held up the projects of the Company. Similar to HEC,

the Committee recommends that Department of Heavy Industry should immediately initiate measures for appropriate intervention and help the CCI to secure the funds due to them.

10.66 The Committee notes that BHEL features right at the top of the priorities of Department of Heavy Industry, as it is one of the largest PSEs in India and has every potential to become an established global player in its field. While studying the Turnover and PBT of BHEL, the Committee's attention was drawn to a decrease in the growth parameters in relation to 2011-12 compared to 2010-11. However, the Committee takes note of the explanations in this regard provided by the BHEL. Even so, since the Committee views BHEL as a would-be Maharatana Company in the near future, it is observed that BHEL has to take measures to prevent shortfall in its performance.

10.67 The Committee strongly feels that such waiver of duty on import would harm the domestic investment and players in this field. The Government has to take this into serious consideration in the request of domestic manufacturers.

10.68 The Committee would like to get a detailed note from the Department of Heavy Industry with regard to the points raised by the Associations.

(i) 235th Report

10.69 The Committee strongly feels that a critical and strategic sector like the MSME deserves higher allocation of funds from the Planning Commission. The Prime Minister Dr. Manmohan Singh while presenting the National Awards to Micro, Small and Medium Enterprises on 28 August 2009, reiterated Governments' commitment to "support, nurse and encourage this very important segment and sector of our economy". The sharp curtailment of the proposals of the MSME Ministry by the Planning Commission is not in consonance with the vision of the Prime Minister to "support, nurse and encourage this very important segment and sector of our economy". When the country glowingly acknowledges the vital role of MSME sector to increase productivity, enhance exports, create employment opportunities, develop skills of our youth and promote inclusive growth, it is important to give substantially higher allocation to the MSME Ministry.

10.70 The Committee feels that allocation of inadequate funds for the MSME Ministry is an indication of the mind set of the concerned organizations of the Government which is more aligned to the corporate sector than the MSME sector. Given the importance of the MSME sector for our economy, the Committee strongly recommends for the change of such mind set on the part of the Planning Commission and the Ministry of Finance for strengthening the MSME Ministry and the MSME sector.

10.71 The Committee demands an explanation from the Ministry to enable it to understand the real reasons behind such shortfall.

10.72 The Committee fails to understand the reasons behind non-utilisation of funds. It is important that the Ministry must use the money allocated to it for meeting its targets. The Committee would like to get an explanation from the Ministry in this regard.

10.73 The Committee feels that the schemes discontinued could have been implemented initially on a pilot basis. It is rather deplorable that adequate planning was not made to start such schemes which sounded quite good. The Committee feels that the plans must be devised by the Ministry by taking into account its Vision and Mission which have been so eloquently outlined by the Ministry.

10.74 The Committee strongly recommends that more money must be allocated for establishment of tool rooms across the country. It is understood that the MSME Ministry is also approaching the concerned organizations within the Government to get loans from the International Financial Institutions. If the Planning Commission and the Finance Ministry cannot allocate more funds for this purpose, then necessary permission to the MSME Ministry to get access to borrowings from other International Banks may be given without any delay. However, it is strongly recommended that we must use our own resources for this cause which is good for the youth of our country and the MSME sector.

10.75 People are queuing up to get facilities under PMEGP ,but the Committee finds that the money allocated to subsidized the margin money has not been fully utilized. The Ministry of MSME must explain the reasons behind non-utilisation of the money.

10.76 The Committee is happy to note that the allocation for this programme is increasing on a year to year basis. However, it notes that this increase is not in proportion to the demand from the youth of our country for setting up of projects under PMEGP. Taking into account the increase in budgetary allocation, the Committee strongly recommends that the ceiling limits for the projects which are being set up under this programme must be enhanced. In this context, it recommends that while ceiling limit for the manufacturing sector must be increased from Rs.25 to Rs.50 lakhs, such limits in case of service sector may be increase from Rs.10 to Rs.15 lakhs. The Committee is satisfied to note that projects under the PMEGP are being electronically monitored right from the application stage to the establishment of the unit. This online tracking system has enabled the implementing agency to ensure transparency and accountability. The Committee also observes with satisfaction that those beneficiaries under the PMEGP who have been trained and passed out from National Small Industries Corporation, National Institute for Entrepreneurs and Small Business Development and MSME Development Institute would be exempted from undergoing entrepreneur development programme under PMEGP.

10.77 The Committee regrets that even the public sector banks have failed to reach out to the micro sector by providing adequate credit to it. This is an alarming phenomenon which would lead to stunted and arrested growth of the micro enterprises. The Committee strongly recommends that the Reserve Bank of India and the Ministry of MSME must monitor the credit being issued to the micro sector and take measures to increase the volume of credit to this sector.

10.78 The Committee strongly recommends that policies must be adopted whereby the MSMEs showing good performance would get enhanced credit automatically.

10.79 The Committee appreciated this suggestion which would promote the synergy between the large and small scale industries and feels that such synergy would actually promote research and development capabilities of the MSMEs and encourage innovation. The Committee strongly recommends for measures for establishing synergy between the large industries and MSME sector.

10.80 The Committee has noticed that during the year 2005-06 KVIC was allocated total plan budget of Rs.400-500 crores. Now keeping in view the need as well requirement and potential the KVIC the plan budget allocation has been increased by the Government to the tune of 1565.54 crores in the year 2012-13. The Committee feels that sufficient and skilled manpower is key to successful implementation of the Schemes and Programmes. KVIC has accepted the challenge with its present manpower but the work has also increased manifold and KVIC has to come to the expectation of the Government. In view of this it seems difficult to cope up the work pressure with existing staff strength. It therefore, recommends that the number of officers and staff should also be increased in KVIC in proportion to the budget allocated to achieve the targets and utilize the budget to the full extent.

10.81 The Committee is of the view that in changing Indian scenario of high growth of the economy and stiff competition from the corporate giants, training system in KVIC needs improvement through development of appropriate courses, introduction of new courses, improvement in infrastructure equipment and adoption of improved technology and training of trainers.

10.82 The Committee notes that the reduction of the funds for the Khadi sector is a matter of serious concern. In the aforementioned paras, the Committee has taken note of the fact that the banks have not been issuing adequate credit to the micro sector. As per the above table, the funds coming from the Government to the Khadi sector which is part of the small and micro enterprises are also declining. The Committee demands an explanation from the Ministry in this regard. It is well known that some of the poorest of the poor weavers and artisans are associated with this sector. The Khadi & Village Industries embody the vision of the Father of our Nation Mahatma Gandhi. Any neglect shown to this sector is a neglect of that lofty vision. The Committee finds it unacceptable that the Khadi sector is getting such treatment from both the Ministry of Finance and the Planning Commission. The Committee strongly recommends that remedial measures must be taken to ensure fair allocation of funds to the Khadi component of the Khadi & Village Industries.

10.83 The Committee is of the opinion that the MSME Ministry has fallen short of the target. At a time when skill development is being emphasized by the Government and the Ministry is one of the key nodal Ministries for developing the skill of the youth, it is sad to note that it has not been able to meet the target. The Committee strongly recommends for measures to achieve the target in this respect.

10.84 The Committee feels that the establishment of six Central Sliver Plants are not adequate. It recommends that the Government should consider for opening of new godowns in each state for ensuring uninterrupted supply of raw material.

10.85 The Committee in its Report on Credit Facility to MSME Sector had recommended that SIDBI should function under the jurisdiction of the MSME Ministry. The Committee reiterates this recommendation for better flow of credit to the MSME sector. Accordingly steps must be taken by the Government (Ministry of Finance) to bring the SIDBI within the jurisdiction of the MSME Ministry.

10.86 The Committee takes into account the suggestions of some of the representatives of the MSME association for opening up a window or a cell for MSME to avail of the External Commercial Borrowing. It recommends that this suggestion may be actively considered for its final implementation.

10.87 The Committee therefore recommends the Government to consider enhancing the allocation for providing assistance for setting up of marketing complexes, exclusively for KVIC products not only in metro cities but also in state capitals.

10.88 As far as the north eastern part of our country is concerned, there is a persistent feeling that implementation of the programmes as per the industrial policy formulated for that area are not at all satisfactory. Even the incentives in terms of income tax exemption, excise exemption, etc., have been greatly diluted. The Committee urges the Ministry of MSME to take stock of the situation and chalk out a programme to address the problem.

10.89 The Committee agrees with idea of the some representatives of the MSME association that those special economic zones which are not being utilized may be declared a MSME zone and MSME units may be established on a PPP mode.

10.90 The Committee has taken note of the fact that the MSMEs do not have a level playing field with the other large corporate sectors. Even the common complaint is that the tax rates are skewed in favour of the imported items. As a result, they find it difficult to compete with the industries which import goods from the foreign countries. This is a suggestion which deserves serious and focused attention. The Committee would like to get a detailed explanation on this issue.

10.91 The Committee takes note of the fact that the Coir Board has been allocated Rs.7.00 crore under Plan (Science & Technology). It feels that the amount is insufficient in the context of the vast area of operation of the Board covering the coastal belt of the Country which includes Lakshadweep and A&N Islands. The Committee feels that appropriate technology needs to be transferred to the Coir Industry. It entails incubator training programmes and provision of one time assistance upto 50% of the funds needed to establish pilot units.

10.92 The Committee therefore recommends that it should be modified to provide better financial assistance keeping in view the cost of Plant and Machinery. It also recommends that the limit may be extended to Rs.10 lakh from Rs.6 lakhs to benefit the coir industry.

10.93 The Committee feels that to increase the sale of the coir products, it is important to expand the sales network all over India.

10.94 The Committee appreciates the overall working of the Coir Board in export promotion and recommends timely and hassle free approval of the Government to the participants in Trade Fair/Exhibitions.

10.95 The Committee has noted that the Coir Board is running a beneficial scheme Mahila Coir Yojna for self employment of women. The Committee during its study visit at Lakshadweep visited one of the centres under this Scheme and interacted with few spinners and was dismayed over the stipend given to the women spinners which was very insufficient and recommends that the present limit of stipend should be raised in view of the increased cost of living and inflation.

10.96 The Committee draws the attention of the MSME Ministry to the aforementioned suggestions and recommends appropriate measures to take up these points. The Committee also would like to get a detailed note in this regard.

(j) 237th Report

10.97 The Committee, therefore, strongly recommends for substantial allocation of resources made available to the Air India for making the units working under the HCI more financially viable and sound. The amount so released must be in addition to Rs. 11 crore earmarked in the outcome budget for renovation and upgradation of the Centaur Hotel, Delhi.

10.98 The Committee reiterates that more funds out of the corpus earmarked for the Air India may be used for renovation and upgradation of the facilities of the Centaur Hotel in Sri Nagar.

VII. Secretariat

10.99 The Committee Section (Industry) headed by an Assistant Director, constitutes the Secretariat of the Committee. Joint Secretary, Director and a Deputy Director remained in-charge of the Section.

10.100 To assist the Committee in its work, material received from the Ministries under its jurisdiction *i.e.* Ministry of Heavy Industry & Public Enterprises and Ministry of Micro, Small & Medium Enterprises, as also from other organization, associations and individuals was considered and studied and relevant points were culled out. Questionnaires for written/oral replies were prepared for use of the Committee and compiled in the shape of the report.

10.101 The Secretariat also studied material like Parliamentary Debates, answers to Parliamentary Debates, answers to Parliamentary Questions, Budget Estimates, Economic Survey, Outcome Budget, Mid-Term Appraisal of the Eleventh Five year Plan, Books, Journals and Newspapers etc. relevant to the subject under examination of the Committee. The Secretariat also downloaded study material from websites on various subjects for use of the Committee's Members and preparation of questionnaire and reports.

10.102 The work relating to drafting, consideration and approval of draft reports by the Committee alongwith their presentation/laying, printing and distribution were also undertaken by the Secretariat.

ANNEXURE–XV

(See Para 10.5)

Details of the sitting of the Committee on Industry during the year 2012

Sl.No.	Date of Meeting	Duration Hrs. Mins.	Subject
1.	10.01.2012	0.45	To hear the Secretary, Department of Public Enterprises (Ministry of Heavy Industries and Public Enterprises) on the scheme of Counselling, Retraining and Redeployment (CRR)
2.	19.01.2012	0.50	To consider and adopt Draft Report 229th on the Credit facilities to MS&ME sector.
3.	27.01.2012	2.00	To hear the Secretaries, Department of Heavy Industry and Department of Public Enterprises (Ministry of Heavy Industries and Public Enterprises) to get an overview of the issue concerning Corporate Social Responsibility (CSR) for CPSEs.
4.	07.02.2012	2.45	To hear the Secretaries of Ministry of Micro, Small and Medium Enterprises and Ministry of Labour on the issue of Skill Development Programme.
5.	29.02.2012	1.30	To consider for adoption the draft 228th Report on Action Taken Note on the 219th Report of the Committee on Revival and Restructuring of Cement Corporation of India Ltd. and draft 230th Report on Action Taken Note on the 225th Report of the Committee on the Revival and Restructuring of Hindustan Machine Tools Ltd.
6.	07.03.2012	1.05	To consider for adoption the draft 227th Report on Action Taken Note on the 218th Report of the Committee on Revival and Restructuring of Hindustan Paper Corporation Ltd. and draft 231st Report on Action Taken Note on the 223rd Report of the Committee on the Revival and Restructuring of North Eastern Handicrafts and Handlooms Development Corporation Ltd.
7.	20.03.2012	1.00	To consider for adoption draft 232nd Report on Action Taken Note on the 224th Report of the Committee on Revival and Restructuring of Hindustan Photo Films Manufacturing Company Ltd.
8.	03.04.2012	3.30	(i) To hear the views of representatives of MSME Associations on Demands for Grants (2012-13)

Sl.No.	Date of Meeting	Duration Hrs. Mins.	Subject
			(ii) To hear the views of representatives of Ministry of Micro, Small and Medium Enterprises, KVIC, Coir Board, NSIC on Demands for Grants (2012-13)
9.	04.04.2012	2.55	(i) To hear the views of representatives of various Chambers viz. FICCI, CII and ASSOCHAM on Demands for Grants (2012-13)
			(ii) To hear the views of representatives of select Associations in Auto Sector on Demands for Grants (2012-13)
10.	09.4.2012	4.00	(i) To hear the views of representatives of Department of Heavy Industry (Ministry of Heavy Industries & Public Enterprises) and select PSEs on Demands for Grants (2012-13)
			(ii) To hear the views of representatives of Department of Public Enterprises (Ministry of Heavy Industries & Public Enterprises) on Demands for Grants (2012-13)
11.	20.04.2012	0.50	To consider for adoption draft 233rd Report on Demands for Grants (2012-13) pertaining to the Ministry of Heavy Industries and Public Enterprises (Department of Public Enterprises)
12.	02.05.2012	1.30	To consider for adoption draft 234th Report on Demands for Grants (2012-13) pertaining to the Department of Heavy Industry (Ministry of Heavy Industries and Public Enterprises) and draft 235th Report on Demands for Grants (2012-13) pertaining to the Ministry of Micro, Small and Medium Enterprises.
13.	27.06.2012	2.00	To hear the representatives of the Ministry of Tourism, ITDC Ltd and Department of Public Enterprises (Heavy Industries and Public Enterprises) on the issue of MoU performance.
14.	06.07.2012	2.45	To hear the Secretary, Ministry of Micro, Small and Medium Enterprises on the issue of review of the implementation of MSMED Act, 2006
15.	13.07.2012	2.15	To hear the Secretary, Ministry of MS&ME on the issue of review the implementation of MSMED Act, 2006
16.	20.07.2012	1.40	To hear the Secretary, Ministry of MS&ME and select MSME associations on the issue of review of the implementation of MSMED Act, 2006
17.	27.07.2012	1.30	To further hear the Secretary, Ministry of MS&ME and select MSME associations on the issue of review of the implementation of MSMED Act, 2006

Sl.No.	Date of Meeting	Duration Hrs. Mins.	Subject
18.	30.08.2012	0. 50	To consider for adoption draft 237th Report on Revival and Restructuring of Hotel Corporation of India Ltd.
19.	08.10.2012	0. 40	To discuss future course of action
20.	19.10.2012	2. 30	To hear the representatives of the Department of Heavy Industry, Ministry of Steel and NMDC on the issue of MoU performance.
21.	29.10.2012	1. 40	To hear the representative of the Department of Public Enterprises and Coal on the issue of MoU performance of Nayveli Lignite Corporaton.
22.	16.11.2012	2. 10	To hear the representatives of the Department of Heavy Industry and BHEL on the issue of Professionalisation of Board of BHEL.
23.	14.12.2012	3. 15	To hear the representatives of Ministry of Heavy Industries and Public Enterprises (Department of Public Enterprises), Ministry of Steel, SAIL and Burn Standard Company Ltd. on the pending issues relating to the transfer of the refractory unit (Salem) of BSCL to SAIL under the Ministry of Steel.
24.	28.12.2012	2. 45	To hear the representatives of Ministry of MS&ME, Department of Industrial Policy and Promotion (Ministry of Commerce and Industry) alongwith select MSME Association on the issue of "Impact of FDI in retail on MSME sector".

CHAPTER-XI

COMMITTEE ON PERSONNEL, PUBLIC GRIEVANCES, LAW AND JUSTICE

I. Composition of the Committee

11.1 The Committee was constituted on the 31st August, 2011. The following was the composition of the Committee:—

Dr. Abhishek Manu Singhvi — *Chairman*

Rajya Sabha

- *2. Shri Shantaram Laxman Naik
3. Dr. Bhalchandra Mungekar
4. Shri Ram Jethmalani
5. Shri Sukhendu Sekhar Roy
6. Shri Ram Vilas Paswan
7. Shri Parimal Nathwani
8. Shri Amar Singh
- #9. Vacant
- %10. Vacant

Lok Sabha

11. Shri Kirti Azad
12. Shri N.S.V. Chitthan
13. Shrimati Deepa Dasmunsi
14. Shri D.B. Chandre Gowda
15. Shri Shailendra Kumar
16. Shrimati Chandresh Kumari
17. Shri Prasanta Kumar Majumdar
18. Shri Arjun Ram Meghwal
19. Shri Pinaki Misra
20. Kumari Meenakshi Natarajan
21. Shri Harin Pathak
22. Shri Lalu Prasad
23. Adv. A. Sampath
24. Shri S. Semmalai
25. Shri Vijay Bahadur Singh
26. Dr. Prabha Kishor Taviad
27. Adv. P.T. Thomas (Idukki)
28. Shri Arun Subhash Chandra Yadav
29. Shri Madhusudan Yadav
- ^30. Vacant
- ©31. Vacant

* Appointed to Chair consequent upon resignation of Dr. Abhishek Manu Singhvi *w.e.f.* 4th May, 2012.

Vacancy caused due to retirement of Shri O.T. Lepcha *w.e.f.* 23rd February, 2012.

% Vacancy caused due to retirement of Shri Balawant *alias* Bal Apte *w.e.f.* 2nd April, 2012.

^ Vacancy caused due to nomination of Shri Manish Tewari *w.e.f.* 2nd March, 2012.

© Vacancy existing vice the constitution of the Committee on 31st August, 2011.

11.2 The Committee was re-constituted on the 31st August, 2012 with the following composition:—

Shri Shantaram Naik — *Chairman*

Rajya Sabha

2. Dr. Abhishek Manu Singhvi
3. Shri Jesudas Seelam
4. Shri Ram Jethmalani
5. Shri Bhupender Yadav
6. Shri Ramchandra Prasad Singh
7. Shri Sukhendu Sekhar Roy
8. Shri Ram Vilas Paswan
9. Shri Sanjiv Kumar
10. Shri Parimal Nathwani

Lok Sabha

11. Maulana Badruddin Ajmal
12. Shri P.C. Gaddigoudar
13. Shri D.B. Chandre Gowda
14. Shri Shailendra Kumar
15. Shri Jitender Singh Malik
16. Shri Arjun Ram Meghwal
17. Shri Pinaki Misra
18. Shri S. Semmalai
19. Shri S.D. “Shariq”
20. Shrimati Meena Singh
21. Shri Vijay Bahadur Singh
22. Dr. Prabha Kishore Taviad
23. Shri Suresh Kashinath Taware
24. Shri Madhusudan Yadav
- @25. Vacant
26. Vacant
27. Vacant
28. Vacant
29. Vacant
30. Vacant
31. Vacant

@Vacancy caused due to induction of Smt. Chandresh Kumari in the Council of Minister *w.e.f.* 28th October, 2012.

II. Subjects selected for examination

11.3 During 2012, the Committee had under its consideration, the following subjects identified in the previous years:—

Sl. No.	Ministry/Department	Subject	Status of examination
1.	Ministry of Personnel, Public Grievances and Pensions	Implementation of Right to Information Act, 2005.	Inconclusive
2.	- do -	Backlog of reserved vacancies of Scheduled Castes, Scheduled Tribes and Other Backward Classes and Persons with disabilities.	Inconclusive
3.	- do -	Stagnation in Promotions in the Ministries/ Departments, Organisations, Public Sector Undertakings etc.	Inconclusive
4.	- do -	Status of Women Government Employees Service Conditions, Protection against exploitation, incentives and other related issues.	Inconclusive
5.	- do -	Vigilance and Containment of Corruption	Inconclusive
6.	- do -	Working of UPSC	Inconclusive
7.	- do -	Administrative and Civil Services Reforms	Inconclusive
8.	Ministry of Law and Justice	Infrastructure Development & Strengthening of the Subordinate Courts in the Country as part of Judicial Reforms.	Inconclusive
9.	-do-	Appointment of Judges in higher judiciary.	Inconclusive
10.	-do-	Legal Reforms	Inconclusive

11.4 The Committee examined the Demands for Grants (2011-12) of the Ministry of Personnel, Public Grievances and Pensions and the Ministry of Law and Justice. The Committee considered and presented Reports on the under-mentioned Bills which were carried forward from the previous year (2011):—

- (i) The Administrators-General (Amendment) Bill, 2011;
- (ii) The Prevention of Bribery of Foreign Public Officials and Officials of Public International Organisations Bill, 2011; and
- (iii) The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of Their Grievances Bill, 2011.

11.5 In addition to the above Bills carried over from the previous year, the Hon'ble Chairman, Rajya Sabha referred the following Bills:—

- (i) The Administrative Tribunals (Amendment) Bill, 2012; and
- (ii) The Registration of Births and Deaths (Amendment) Bill, 2012.

The Committee presented its report on the Administrative Tribunals (Amendment) Bill, 2012. The remaining one Bill remained under consideration of the Committee.

11.6 The Committee Section also assisted the Select Committee of the Rajya Sabha on the Lokpal and Lokayuktas Bill, 2011 and the Select Committee presented its report on the Bill.

III. Constitution of Sub-Committees

11.7 During 2012, no sub-Committee was constituted.

IV. Review of work done

(a) Sittings of the Committee

11.8 The Committee held **20 sittings lasting for 33 hours & 40 Minutes** during the year 2012. No quorum was attained in 1(one) sitting of the Committee. Statement showing the dates of sittings of the Committee held in 2012, the duration of the sittings and the subjects discussed are given in *Annexure XVI*.

11.9 The Chairperson of the Committee held two Press Conferences in 2012. The Section assisted the Chairperson to hold the Press Conference.

(b) Study Visits

11.10 During the period under review one study visit was undertaken by the Committee.

The Committee visited Kolkata, Shillong, Guwahati and Imphal from 3rd to 9th June, 2012 in connection with consideration of Subjects/Bills such as “Status of Women employees, Service Conditions, Protection against Exploitation, Incentives and other related issues” and “ Infrastructure Development and Strengthening of the Subordinate Courts” and “The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011” respectively.

V. Reports Presented

11.11 During 2012, the Committee presented the following Reports:—

Sl. No.	Report No.	Date(s) of Presentation/ Laying in Rajya Sabha/ Lok Sabha	Subject
1.	49th	02.02.2012	The Administrators-General (Amendment) Bill, 2011
2.	50th	29.03.2012	The Prevention of Bribery of Foreign Public Officials and Officials of Public International Organisations Bill, 2011
3.	51st	21.05.2012	Demands for Grants (2012-13) of the Ministry of Personnel, Public Grievances and Pensions.
4.	52nd	21.05.2012	Demands for Grants (2012-13) of the Ministry of Law and Justice.
5.	53rd	28.08.2012	The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011
6.	54th	17.12.2012	The Administrative Tribunals (Amendment) Bill, 2012.

VI. Summary of Recommendations

(a) Forty-Ninth Report

The Administrators-General (Amendment) Bill, 2011

11.12 Having considered the justifications given in the Statement of Objects and Reasons of the Bill, the written submission made by the Legislative Department, and the Secretary of that Department, the Committee agreed with the proposal of the Ministry to enhance the monetary limit from Rs. 2,00,000/- at present to Rs. 10,00,000/- by

suitably amending the reference to monetary limit in Sections 9, 10, 29 and 36 of the Administrators-General Act, 1963. Principally, this conclusion has been reached on the basis that the value of money has decreased over the years. Rs. two lacs was prescribed in the year 1999. Over the past twelve years, the figure of Rs. two lacs specified in Sections 9, 10, 29 and 36 of the said Act would have declined considerably. Passage of time has thus rendered the figure of two lacs unrealistic, ineffective and virtually infructuous. Continuance of this unrealistic figure would render the remit or jurisdiction of the AGs office too burdensome and unrealistic. Hence the enhancement to Rs. ten lacs.

11.13 The Committee unanimously so recommends.

(b) Fiftieth Report

The Prevention of Bribery of Foreign Public officials and Officials of Public International Organisations Bill, 2011

11.14 The Committee takes note of various suggestions by CBI & OECD and opines that exclusion of intangible and non-pecuniary advantages from the scope of expression “undue advantage” would unnecessarily and unjustifiably narrow down the scope and coverage of the proposed law. The Committee opines that clause 2(1)(h) does not comprehensively define the term “undue advantage” and further opines that it ought to have covered both pecuniary and non pecuniary advantages. The Ministry’s reference to Section 11 of PC Act is not tenable. An enormous range of non pecuniary advantages would be unnecessarily excluded by use of the narrow definition and yet they would clearly involve bribery.

11.15 The Committee is of the consider view that if the Bill is to effectively check the offences relating to bribery of foreign officials in the international business transactions, the expression ‘undue advantage,’ which explains what an act of bribery may also comprise, needs to be comprehensively defined, embracing both intangible and non-pecuniary advantages within its ambit so as to avoid any narrow or limited interpretation. The Committee, accordingly, recommend that the Government may review the definition of the term ‘undue advantage’ in the light of the aforesaid conclusions.

11.16 The Committee note the suggestions of the witnesses on this count. The Committee, accordingly, recommend that the Government should consider incorporating in the Bill a clear de minimis clause or exemption to exclude certain defined business or courtesy gifts and services including, but not limited to, offering limited and reasonable refreshments, dinners/lunches, entertainment, token gifts and the like. Such exemptions may be carefully calibrated either in terms of monetary value or subject matter or both.

11.17 The Committee find two crucial phrases in clause 2(1)(c) and 2(1)(d) referring in turn to phrases like ‘public functions’, ‘public agency’, ‘public enterprise’ and ‘agent’. These phrases are the vital definitional variables in these provisions. However, the Committee found that these phrases have not been separately defined in clause 2 of the proposed Bill. Absence of such definitional clarity would lead to some confusion in interpretation and application. Consequently, the Committee opine and recommend that these 4 phrases and/or other important concepts/phrases be defined in the definition clauses 2 of the Bill.

11.18 The Committee is in agreement over the concerns raised with respect to Clause 1(2) (d). The Committee, accordingly, recommended that the Department should suitably modify clause 1(2) (d) regarding jurisdiction *vis a vis* non-citizens in India, so as to prevent creation of an escape route for offenders. It is recommended that clause 1(2) (d) may be re-formulated as under:-

“to a person,

- (i) who is not a citizen of India; and
- (ii) has his principal place of business or permanent residence in India”.

11.19 The Committee acknowledge the explanation offered by the Secretary and the representative of CBI. The Committee, however, impressed upon the Government to appreciate the need for completion of investigation in a definite time frame. Investigations cannot be indefinite, thereby defeating the very purpose of expeditious closure. The Committee, accordingly, calls for a specific time limit to be prescribed for the initial decision and also to provide for an extension, if necessary, for reasons to be recorded in writing and with a further in-built time limit for the extension. The Government should also evolve a mechanism to ensure the timely completion of investigations so as to have the desired deterrent effect over wrong doers and provide an efficacious system of punishment. This is

equally important for Indian citizens as for foreign public officials. The Committee was of the view that the Bill itself should prescribe a time-frame to complete the investigation so as to fix the accountability of investigative agencies. Such an arrangement may however, have inbuilt flexibility, keeping in view the complexities of the transnational process of investigation. Accordingly, the Committee recommended that provisions may be made for granting reasonable extension of time by a separate designated Competent Authority in deserving situations.

11.20 The Committee feels that undoubtedly amendments in domestic laws are also needed to effectively deal with the offences of bribery of foreign public officials in international business, thereby ensuring India's compliance with the UNCAC in both letter and spirit.

11.21 The Committee agrees with the objectives of the Bill. The Committee is of the opinion that the legislative proposal contained in the Bill is reflective of India's commitment towards the charter of UNCAC. The Committee feels that legislative measures proposed in the Bill will further expand the reach of India's anti-corruption regime by embracing hitherto untouched areas of bribery of foreign public officials and officials of public international organisations.

11.22 The Committee also note that the Bill provides equal treatment to both the bribe giver and the bribe taker. This two-pronged strategy, in the considered view of the Committee, would prove to be a strong blow against corruption in the area of international business. Further, the Bill is also meritorious in addressing a wide spectrum of associated issues like mutual legal assistance, international cooperation in investigations, extradition of offenders and confiscation of properties/assets of the offenders.

11.23 The Committee note that the objective of the present Bill, *viz*, to seek fulfilment India's commitments under the UNCAC is undoubtedly of great importance. In this context, the Committee takes note of the two divergent approaches, which have emerged in the course of its deliberations, as summarised above. Having examined the two views, the Committee is of the consider opinion that for a proper implementation of the provisions of the Bill, it would be more prudent to opt for a standalone Bill approach rather than amending the Prevention of Corruption Act, 1988 (POCA).

11.24 The Committee accordingly endorsed the Bill and recommends that the Government should expeditiously pass the Bill in its existing format of a standalone legislation.

11.25 While endorsing the Bill, the Committee also takes note of the fact that there was a variation in the quantum of punishment in the POCA and the Bill in hand. While the POCA prescribes an imprisonment of minimum 6 months and maximum upto 5 years, the Bill in hand prescribes for a punishment of minimum 6 months imprisonment extending upto a maximum of 7 years. The Committee does not found any justification in this significant variation in the quantum of punishment in the two legislations. The Committee opined that the Government may review this differentiation in the quantum of punishment. Such a review is all the more desirable keeping in view the provisions of clause 14 of the Bill which provides that POCA shall apply in relation to offences under the said Bill.

(c) Fifty-First Report

Demands for Grants (2012-13) of Ministry of Personnel, Public Grievances and Pensions

11.26 The Committee is constrained to note the low level of expenditure/non-expenditure of various Plan funds due to non-finalization of schemes/delay in implementation of various schemes. The Committee takes serious noted of the fact that the reasons furnished by the Ministry for reducing the expenditure at the RE stage, under the above mentioned vital Plan Schemes for the last three years, have remained almost the same. The Committee wonders why this trend was not noticed and arrested by taking appropriate remedial steps. The Committee, therefore, strongly felt that such causes, when once identified, should have been carefully evaluated and remedial steps should have been taken in anticipation so that they did not recur. The Committee was of the considered view that since the Ministry is a crucial agency dealing with the human resources of the Government and other important Central Policies/Schemes, optimum utilization of available funds should be ensured, or otherwise, reductions at the RE stage in this manner can be seen as a reflection on the efficiency of the Ministry.

11.27 The Committee recommends that such laches should be avoided to the extent possible, and that steps should be taken in advance to ensure that such delays do not impede development and modernization. The Committee is of the view that agencies and individuals should be made accountable for such delays.

11.28 The Committee is of the consider opine that when funds were made available to the organization so liberally for the purpose of engaging consultants, the latter should have shown matching degree of enthusiasm and initiative to see that the activities for which funds were provided were accomplished. The Committee felt that periodic evaluation by the Ministry of the progress of such schemes can go a long way in avoiding such happenings.

11.29 The Committee feels that CBI, being a premier agency, should have well thought out proposals and realistic plan of action regarding utilization of funds, more particularly the Plan funds, which are imperative for growth and development, so that such non-utilisation/ under-utilisation do not occur in future.

11.30 The Committee note the allocations made by the Ministry to UPSC.

11.31 The Committee is constrained to note that the Annual Report of the Ministry does not mention the reference of the Lokpal Bill, 2011 to this Committee which was introduced following the Government's deliberations with the Joint Drafting Committee. The said Bill was referred to this Committee by Hon'ble Speaker, Lok Sabha in consultation with the Hon'ble Chairman, Rajya Sabha and the Committee made an in depth examination of the Bill. Extensive deliberations took place covering a very wide range of stakeholders and thereafter, the Committee presented an exhaustive Report (48th Report) on the Bill to both the Houses of Parliament on the 9th December, 2011. The Committee found that the Lokpal and the Lokayuktas Bill, 2011 introduced in Lok Sabha on the 22nd December, 2011 contain many of the suggestions made by this Committee. It may be mentioned that the Committee, in its Report, had very strongly suggested for the Constitutional status for Lokpal and Lokayuktas. The Committee hopes that the Ministry would take adequate precaution in future to see that the Annual Report gives a complete account of developments/happenings of the relevant period.

11.32 The Committee is pleased to note that many of the recommendations made by the Committee in its 46th Report have been accepted. It hopes that the enactment of the statute would go a long way in ensuring the protection of whistle blowers.

11.33 The Committee take this opportunity to mention that it has examined the Bill and report of the Committee on it has already been presented to both the Houses of Parliament on the 29th March, 2012.

11.34 The Committee appreciates this significant step taken by India in its efforts to eradicate corruption and affirming its intention to increase transparency and probity.

11.35 The Committee takes note of the Government's initiative and desired that the conclusions adopted at the Conference should be implemented, so that global safeguards are put in place against corruption in the economic, social and political spheres of the countries in the region.

11.36 The Committee takes note of the initiative.

11.37 The Committee appreciates this step and feels that it is a positive step in the direction of ushering in greater transparency and accountability of public servants.

11.38 The Committee appreciates the various legislative initiatives of DoPT for the purpose of curbing corruption like the Lokpal Bill, 2011, the Public Interest Disclosure and Protection to Persons Making the Disclosures Bill, 2010, the Prevention of Bribery of Foreign Public Officials and Officials of Public International Organisations Bill, 2011 etc. The Committee is of the view that corruption, being deep rooted in our society, needs serious and immediate attention. The Committee would like these anti-corruption laws to be so designed that they carry in them a mechanism that ensures their implementation and also attaches accountability of the implementing authority, in case it falters.

11.39 The Committee further felt that there is need to bring about a shift in the mindset of the public servants so that they opt to remain honest and discreet in their functioning. For the purpose of meeting the objective of elimination of corruption in the society, Government may also consider bringing even private individuals under the fold of a suitable anti-corruption legislation because if bribe givers are left scot-free, it may be a difficult task to exercise a check on the bribe seekers. Such steps, the Committee felt, were imminent seeing the pervasive public sentiments of being fed up of this menace. The Committee would like all these steps to be taken in a definite time frame as much delay has already occurred.

11.40 The Committee is of the view that such a systematic measure will bring in greater objectivity and transparency in this important area.

11.41 The Committee recommends that the suggestions made in the Study should be given proper thought and consideration, particularly those relating to sensitization of PIOs and speedier disposal. The Ministry's scheme for training of PIOs, may be a good step. It is also vital that the recommendations made in the Study are followed through, till their logical conclusion.

11.42 The Committee feels that measures such as effective training of PIOs, publicity campaigns, more proactive disclosure, better record management and more infrastructure for public authorities are extremely important to ensure that the maximum benefit of the RTI Act accrue to the public.

11.43 The Committee further took noted of the suggestion made in the Study that e-Hearing of cases may be adopted for speedy disposal. The Committee took cognizance of the recommendation made in the Study that third party audits should be commissioned by the Information Commissions to empanelled civil society organizations.

11.44 With regard to achieving the objective of the RTI Act, the Committee is of the considered view that much of it depends upon the proper implementation of the provisions of Section 4 of the Act relating to proactive disclosures. The RTI Act casts an obligation on every Public Authority to provide as much information in the public domain on an ongoing basis so that public have minimum resort to the use of this Act for obtaining information. The Committee feels that quite a lot needs to be done in so far as implementation of the provisions of Section 4(2) of the RTI Act is concerned. The Committee, accordingly, recommends that the Ministry should come out with a specific and time bound programme whereunder, the various Public Authorities should examine threadbare what all information available with them or generated in the course of their functioning should be placed in public domain. Further, in order to ensure that the said programme progresses as per schedule, the Ministry should also provide for monitoring of the action taken by various public authorities in compliance of the said provisions of the RTI Act. The Committee feels that once this initial exercise is undertaken, it would not be burdensome for the Public Authorities to update/add to the said information on an ongoing basis.

11.45 The Committee feels that deputation, as a policy, has been envisaged to facilitate mobility of personnel between Departments so that the concerned person as well as the Department(s) benefit from the process. When the person on deputation reverts to his parent Department, he can put to use the innovative practices that he imbibed from the other Department and also, the latter can derive benefits from the processes followed in the person's parent Department. Therefore, once the period of deputation is over, it is beyond reason that the person overstays. The Committee is of the considered view that the existing tendency of treating deputation as a tool by persons considering certain places uncomfortable, to ensure posting in a better place, or to get a hometown posting, should be discouraged. The Committee hope that the abovementioned step taken by the Ministry would help in curbing such tendencies.

11.46 The Committee in this context further observed that there are umpteen instances of Government officials remaining on deputation for years together, moving from one department of Government to another and even to other statutory/autonomous organizations and their stay in their parent organization remains very limited. The Committee is of the considered view that the instrument of deputation does serve public interest only if the deputations take place in departments/organizations where the qualification and work experience of the deputationist officer are relevant and secondly, the deputation continues for a reasonable period within which the borrowing department/organization is able to benefit from the experience/exposure of the deputationist officer. When deputations took place and continue in violation of these conditions, the Committee feels that, in such cases, the instrument of deputation is being misused for personal gain by the deputationist officer. Such tendencies need to be curbed with a strong hand. The Committee was happy to noted that the Ministry has issued strict guidelines against unauthorized overstay while on deputation. The Committee in this context felt that the instructions issued by the Ministry may be made applicable on the lending Government departments from where Government officials go on deputation to different statutory/autonomous bodies of Government of India. Such an action, the Committee felt, would be able to regulate and conform the deputation of all Government officials to the desired objective.

11.47 The Committee directed the Ministry to look into the matter and furnish the status report in its action taken replies.

11.48 Keeping in view the fact that the reservation policy is designed to increase the opportunities available to the underprivileged communities, to equip them to get their rightful place in the mainstream society, the Committee was of the opinion that the optimum implementation of the policy can be ensured only when the underprivileged get their due share in administrative positions. The Committee strongly felt that in order to ensure this, wide publicity should

be given to the reserved vacancies, when they arise, especially in local languages and capacity building measures such as exam coaching, should be given to the reserved candidates.

11.49 The Committee notes the above initiative of the Ministry. The Committee desires that the Government should take more such steps and reach out to such candidates/prospective candidates and ensure that the backlog is cleared at the earliest.

11.50 The Committee notes with satisfaction the provision of reservation for the Minorities (within the OBC category) at 4.5%. The Committee hoped that this would provide some relief to the Minorities falling under the OBC category.

11.51 The Committee could gathered that the amount of grant-in-aid given, is not sufficient to fund the cultural, sports, recreational activities and social awareness campaigns organized by the RWAs. Therefore, the Committee recommended that the amount should be enhanced minimum to Rs. 10,000/- .

11.52 The Committee takes note of the initiative proposed to be taken by the Ministry.

11.53 The Committee notes that providing better opportunities of excellent career advancement with the objectives to retain and maintain the spirit of excellence of public service for effective and efficient delivery is one of the missions of the Department of Personnel and Training. For the accomplishment of this mission, it becomes imperative on the part of the DoPT to ensure that there are in place, well laid down rules/procedures/guidelines for the purpose of regulating recruitment as well as promotions in the different Services under the Government of India which are under the control and supervision of the DoPT.

11.54 The Committee notes that the DoPT is the cadre management authority in respect of the I.A.S., the Central Secretariat Services and the Group A Services. The Committee impress upon the DoPT to lay down sound basic principles in the matter of recruitment and promotions for the guidance of the attached subordinate offices of the Government of India and the various autonomous statutory bodies, where the human resource employed/hired was being paid from the Government exchequer. Such an action, the Committee feels, would be in consonance with the role and function of the DoPT namely, laying down HR strategy and policy for the Govt. of India and advising the Ministries/Departments in the implementation of the same.

11.55 The Committee, however, does not see this reduction in the workforce in the Government sector as a healthy trend. In Committee's view, such a trend can have major negative implications, compared to the meager benefits of savings on account of putting in place a leaner administration. The Committee further feels that the shortage of workforce is being felt evenly in the various Government establishments leading to engagement of workforce on contract basis and also outsourcing some of its activities. This also includes engaging of retired Government officials in all types of Government establishments. The Committee does not see this to be a healthy trend because the level of accountability of these contract appointees is definitely lesser than regular appointees in Government. The Committee, accordingly, recommended that the DoPT may ascertain the magnitude of re-employment/contractual employment in all types of Government establishments falling under their mandate and find out ways and means to ensure that their sanctioned strength matches their manpower requirement and the posts are filled up in terms of the recruitment rules rather than on an ad-hoc basis through contract/re-employment.

11.56 The Committee is unhappy to note that the issue of seniority between DRs and Promotees in the CSS is still under litigation even after indulgence of the DoPT for well over a decade. The Committee would like the DoPT to proactively and resolutely intervene for a solution that is just and fair and takes care of legitimate concerns of both the DRs and the Promotees.

11.57 The Committee takes serious note of the vacancies prevailing in the various cadre of the All India Services. The Committee strongly felt that such large number of vacancies in the Services, which form the backbone of the administration, will in the long run, hamper the efficient functioning of the administration.

11.58 The Committee, therefore, recommends that urgent steps should be taken to identify the reasons for the vacancies and to fill up the same, in the shortest possible time frame.

11.59 The Committee is of the view that since the work done by the Second Administrative Reforms Commission is massive in nature, covering the entire spectrum of reforms in the administration, and much resources were expended for the same, all the recommendations accepted by the Government should be implemented without delay.

11.60 The Committee appreciates this initiative of the Ministry.

11.61 The Committee appreciates this initiative of the Department. The Committee was presently examining this Bill and felt that this Bill would be able to provide much needed relief to the common man while dealing with Government Departments.

11.62 The Committee appreciates this initiative of the Department.

11.63 The Committee appreciates the step taken by UPSC which is beneficial to candidates. The Committee hoped that this would cut short the overall time taken in the conduct of the examination.

11.64 The Committee is happy to note that UPSC has taken cognizance of this weak area in Government's functioning. The Committee recommends that the concerned Ministries should take serious note of such delays and that they should devise appropriate measures to ensure that candidates recommended by UPSC, are issued offers of appointment, without delay.

11.65 The Committee is of the view that such delay in notification hinders the recruitment process and therefore, desires that the Ministries/Departments should take due care and caution to make sure that such delays do not occur. Absence of Recruitment Rules eventually pave way for *ad hoc* actions and mal-exercise of discretion which are totally undesirable. The Committee recommends pro- active action on the part of the Ministry in this very important area.

11.66 The Committee desire that steps should be taken by UPSC to ensure that the time taken for disposing recruitment cases is reduced, by proper management of resources and taking advantage of the latest technological advancements.

11.67 The Committee would like to place on record its deep anguish over the vacancies existing in CBI at various levels. The Committee was perturbed to note that inspite of its repeated recommendations on this issue, in its various Reports on Demands for Grants of the Ministry of Personnel and its 24th Report on "Working of CBI", the situation, instead of improving, has progressively worsened.

11.68 The Committee failed to understand how, the country's premier investigating agency, whose mandate has witnessed an unprecedented increase in the recent years, can be expected to function efficiently and keep up with the high expectations placed on it by the public, judiciary and legislature, with such a large shortfall of manpower on several important posts. The situation was beyond justification because in the proposed Lokpal regime, the role of CBI in investigating corruption cases is bound to expand tremendously. Therefore, CBI can ill afford to have such large number of vacancies. The Committee strongly felt it to be a matter of serious concern that the officers and staff of CBI, who are already under immense stress and strain, will surely not be able to keep pace with the workload, if the vacancies continue to exist.

11.69 The Committee strongly recommends that strategic steps should be taken on a war footing, with strict deadlines fixed and the Ministry, in co-ordination with CBI, should devise measures to fill up these vacancies. Also, measures should be adopted in a planned manner, to create a conducive working environment so that new talent is attracted to join the organization. The Committee desired that it should be apprised of the steps taken in this regard, in the Action taken reply.

11.70 The Committee does not found merit in the argument put forward that if officers from States' Police are not taken on deputation in CBI, this will give rise to the suspicion of branding CBI as agency of Central Government and also may lead to withholding of consent under DSPE Act by the State Governments. The Committee does not found any logic in such an argument. The act of giving consent by the State for investigation into a case depends on the nature of the crime, gravity of the offence, etc. The Committee failed to understand how the presence of deputationists in CBI, is in any way, likely to improve the decision making process in this regard.

11.71 The Committee strongly felt that the good reputation that CBI currently enjoys due to its pretty reasonable conviction rate, can also be attributed to the commendable way in which departmental officers, whose skills have been honed to deal with specialized and complicated crimes, owing to their continuous exposure to such cases, have ensured successful investigation and prosecution.

11.72 The Committee strongly felt that this submission is beyond justification. It is of the considered view that investigation skills that are expected from an officer of CBI are inherently different from those expected from a police officer posted in the States. The very fact that, when the State police fails to solve a case, it is referred to CBI, suggests that the skills expected of a CBI officer are different and specialized. Therefore, the Committee strongly

recommended that the departmental officers in CBI should form and continue to form the backbone of the organisation and that any attempt to dilute their strength should be strongly discouraged and resisted.

11.73 The Committee is of the view that by giving sufficient training and exposure to the departmental officers in various fields, they will, over a period of time, evolve into experts in such fields. So, greater emphasis should be given to steps such as skill enhancement of the CBI departmental personnel, rather than encouraging deputation. Induction of deputationists in CBI should be strictly on a selective and merit basis aimed to instill talent and skill in the organization and it should not be a routine exercise of filling up deputation quota from the States.

11.74 The Committee is of the considered view that in order to attract fresh talent, a conducive working environment and adequate promotional prospects are vital factors. The Committee feels that in order to ensure a satisfactory working environment, the departmental officers of CBI should be actively involved in the medium and long term decision policy making processes in CBI so that they are adequately groomed to hold higher responsibilities. The Committee would also like to emphasize the dire need of protecting the promotional interests of the departmental officers in CBI and recommends that steps should be taken to avoid stagnation at various levels where posts are manned by departmental officers.

11.75 The Committee reiterates its recommendation that urgent steps should be taken to address the issue of vacant posts. The Committee felt that engaging persons on contract basis or on re-employment are only *ad-hoc* measures and that they should not be resorted to as a practice. The Committee was of the view that the accountability of persons appointed on *ad-hoc* basis will be lesser than the regular employees and more so, in an agency such as CBI, where confidentiality is a major factor. Therefore, the Committee recommended that steps should be taken to address the existing problems, in a holistic manner and that piece-meal measures should not be resorted to. The fact that eligible officers are not available in the organization is indicative of the fact that the cadre management in the CBI, had at stages, suffered mismanagement. This needs to be paid adequate attention so that such situations do not happen again.

11.76 The Committee took note of the opinion of the learned A.G. But, it is noteworthy that a federal legislation, *viz.*, The National Investigation Agency Act, 2008 is in place, which provides for an investigation agency at the national level to investigate and prosecute certain class of offences. The Committee was of the considered view that a legislation may be proposed on similar lines, to give an effective statutory backing to CBI, which is a dire need of the hour, while taking care that the basic features of the Constitution are not compromised.

11.77 The Committee strongly felt that shortage of funds should, as far as possible, not be a reason for delay in modernization and up gradation of the premier investigating agency, whose mandate is increasing with the passage of time. The Committee was of the view that the Ministry should ensure that the efficient functioning of CBI should not be allowed to be hampered due to budgetary constraints.

11.78 The Committee took note of the initiative and desires that the proposed Committee should be formed without delay, to review the pending cases, so that the real pendency gets identified and efforts are directed pointedly on them for their resolution.

11.79 The Committee agrees to the fact that the CBI personnel are engaged in stressful work unrelentingly and that the medical facilities extended to them are inadequate. Since the CGHS facilities are available during working hours only and on working days and the CBI personnel may not be able to avail these facilities due to the hectic schedule of their work or outstation travels, the present system seems to be grossly inadequate. Therefore, the Committee strongly recommended that the Ministry should put in place a health care mechanism for CBI officers and staff, on the lines of those available for paramilitary personnel on a 24 x 7 basis, so that they get proper medical and clinical access. The Committee felt that the proposition that the CBI personnel are entitled to only such benefits as other Central Government employees, does not hold good because of the difference in the nature of work they engage in and also their tight and tough work schedule.

11.80 The Committee felt that collection and analysis of forensic evidence was of vital importance for investigation and successful prosecution. Therefore, the Committee recommended that measures may also be taken to provide every CBI Branch with a Forensic Evidence Collection Unit, complete with necessary skilled manpower, dedicated equipment and resources to ensure that the state-of-the art technology is available for the best collection of evidence at all relevant stages, unlike the present arrangement, where the CBI is reliant on the Forensic Science Laboratories which are beyond its control.

11.81 The Committee appreciates this step and hopes that the genuine demands made by CBI will continue to get positive and due consideration by the Ministry.

11.82 The Committee took note of this demand. The Committee was of the considered opinion that since human trafficking crimes quite often cross State boundaries and have inter-State ramifications, it is imperative that a separate Cell is formed in CBI to exclusively deal with such crimes. Therefore, the Committee recommended that the Government should consider this proposal on an urgent basis.

11.83 The Committee wishes to emphasize upon the need for imparting training on Stress Management techniques to the CBI personnel.

11.84 The Committee is heartened to note that training for officers of South East Asian Countries also is held in the CBI Academy at Ghaziabad. The Committee hoped that the proposed modernisation of the Academy will enable it to be transformed to a world class institution.

11.85 The Committee appreciates this initiative.

11.86 The Committee notes that 54 CBI Special Courts have become functional. The Committee would like to impress upon the Ministry to take steps to ensure that all the 71 Special Courts become functional and also to take steps to fill the existing vacancies of judges in the Special Courts.

11.87 The Committee hopes that such a measure will help in reducing pendency of cases in the CAT

11.88 The Committee appreciates this milestone achieved by SSC

11.89 The Committee notes the initiatives taken by SSC and was pleased to see other organizations seeking SSC's assistance for holding their recruitment exams and also entrusting conduct of examinations to them.

11.90 The Committee appreciates the Commission's decision to post marks of qualifying and non-qualifying candidates on its website, resulting in greater transparency and interaction between the candidates and the Commission. The Committee felt that such initiatives enhance the confidence of the candidates in the integrity of the recruiting agency.

11.91 The Committee takes note of the above mentioned steps taken by SSC to evolve itself into a candidate friendly recruiting agency.

11.92 The Committee takes note of the replies and desires that up- gradation activities should be taken up in a planned manner.

11.93 The Committee hopes that such activities will help in creating a sense of empathy in the minds of officer trainees.

11.94 The Committee appreciates the steps taken for improvement of infrastructure and upgradation of LBSNAA to a Centre of Excellence. The Committee stressed upon the need for Stress Management training programmes to be included in the syllabus of LBSNAA.

11.95 The Committee appreciates such initiatives.

11.96 The Committee is hearten to note that the sales of Rs. 461.38 crores achieved by Kendriya Bhandar during 2010-11 is the highest ever sales achieved by it so far. The Committee reiterates its recommendations contained in its 30th and 42nd Reports on this institution.

11.97 The Committee takes serious note of the acute shortage of manpower in the CVC particularly in view of the large number of organizations and employee strength of these organisations that come under its purview, as mentioned in its Annual Report.

11.98 The Committee considers this a serious situation and apprehends that the efficiency of the Commission is going to suffer. The Committee also took note of CVC's enhanced demand of Rs.1.87 crore. The Committee hoped that CVC will prioritize the filling up of vacant positions in a phased manner.

11.99 The Committee recommends that the concerns put forward by CVC should be given foremost attention by the Ministry, keeping in view the vital role expected to be played by CVC in the proposed Lokpal regime. The Committee desires that the Ministry should give necessary assistance to CVC in order to ensure that it emerges as the principal vigilance machinery in the country, equipped to provide efficient administrative vigilance in all the organizations which come under its fold.

11.100 The Committee takes note of the positive steps taken by CVC to ensure speedy sanction for prosecution on CBI reports.

11.101 The Committee reckoned the abovementioned measures taken by CVC to fulfill its mandate in the right spirit and also hopes that these steps would enable to ensure an administration with zero tolerance to corruption.

11.102 The Committee takes note of the deposition made by Secretary, CIC and impresses upon the Ministry to take up the issue with the concerned agencies and expedite the process.

11.103 The Committee would like to impress upon the Ministry that requisite manpower and infrastructure should be provided for CIC so that it can fulfill its statutory mandate to the best extent possible.

11.104 The Committee takes note of the information submitted by the Ministry.

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11.105 The Committee notes that the budget allocated to the Ministry in the Plan side is as per the demands projected while there exist a meager shortfall in the Non-Plan allocation. While the Committee appreciated the efforts of the Ministry in following the guidelines of the Ministry of Finance to take austerity measures in expenditure, it is also of the considered view that the efficient and smooth functioning of the Government machinery should not be compromised. The Committee, during its interaction with the various autonomous bodies and institutions under the Ministry's administrative control, was informed of the shortage of funds thereby adversely affecting their performance. In that backdrop, the Committee hopes that the Ministry will be judicious in the utilisation of the budgetary allocation.

11.106 The Committee takes note of the justifications furnished by the Ministry for the overall increase in the Plan and Non-Plan budgetary allocations for the year 2012-13 as against 2011-12. It, however, advocates that each Department should be made accountable for the performance of every spending unit under its administrative jurisdiction. Accordingly, Justice Department, Legislative Department and the Department of Legal Affairs should closely monitor the utilisation of funds by the spending units under them and make at least a quarterly report of the progress of these spending units.

11.107 The Committee takes note of the decrease in the budgetary proposals under various heads of the Commission such as 'Office Expenses' and 'Domestic Travel Expenses' in compliance with the guidelines of the Ministry of Finance to observe austerity measures in expenditure. Gradual yearly decrease in expenditure is seen under 'Office Expenses' and 'Publication'. The lower expenditure by the Election Commission under 'Office Expenses' appears to be the result of efficient and prudent office management. The Committee appreciates this trend but hopes that this would not have any adverse impact on the functioning of the Commission.

11.108 The Committee is optimistic that the setting up of Voters Education Division by the Commission will go a long way in bringing about conscious participation of the public in the elections process. It was, however, apprehensive that the estimated allocations of the Commission would be sufficient to match the effective implementation of the training programmes it has envisaged to impart, which, from view point of their relevance, should under no circumstances be compromised.

11.109 The Committee is, however, constrained to point out that clubbing the allocation for the proposed trainings with 'Professional Services' is confusing, especially since it is given to understand that the enhanced allocation under that head has been earmarked for the expenditure to be incurred on construction of campus and building of IIIDEM. The Committee observes that a projection for training has not been appropriately reflected in the details submitted to the Committee. The Committee, in these circumstances was not in a position to comment on the efficacy of the training programmes contemplated by the Commission.

11.110 The Committee welcomes the proposal of granting an attractive honorarium to observers engaged during elections. It also desired that these officials may be given precise and complete training on the responsibilities bestowed upon them so that they may function more efficiently. As regards complaints under the Model Code of Conduct, the Committee urges that these may be verified before cases are filed against candidates.

11.111In this context, the Committee recommends that the recommendations of the All-Party Committee on Electoral Reforms which submitted its report in May 1990, on the subject matter may be taken into consideration.

11.112 The Committee observes that Model Code of Conduct was a voluntary agreement between the parties for regulating the conduct of political parties and its members etc., during the process of elections to Assemblies and Parliament. Its legal status is a grey area. After hearing the views of the officials of the Ministry of Law and Justice and considering the problems which have erupted in the country, from time to time, in the last few years, the Committee feels that the Code, which was voluntary in nature at one time has not remained so after insertion of para 16 A in the Election Symbols (Reservation and Allotment) Order, 1968, which authorises the Election Commission, to suspend or withdraw the recognition of political parties in case of violation of Code of Conduct. Besides, some of the paras in the code attract penal provisions in other laws.

11.113 The Committee further observes that the power of cancellation of registration of a political party is substantive in nature and, therefore, should not be regulated or provided for under an "Order" of the Commission. It should either be a part of the Representation of Peoples, Act 1951 or the Rules framed thereunder. Further, the scope of Article 324 also needs to be examined as, many of the aspects which should have been covered under the Rules framed under R.P. Act 1951 are presently covered under instructions issued under Article 324 of the Constitution by the Commission.

11.114 Accordingly, in Committee's view, remedial legal steps are required to be taken in this regard.

11.115 Amidst all the drawbacks that exist, the Committee notes with appreciation the impressive EPIC coverage of the States. It, however, felt that unless 100% coverage is achieved, the intent of the scheme is not realized. Moreover, it also constitutes a denial of the right to franchise to those not covered by the scheme. Therefore, the Committee impressed upon the Commission to take all-out effort for 100% EPIC coverage of the States in a time-bound manner. It also suggested that the funds may be enhanced, if needed, so that the resources could be strengthened to accomplish the task in the minimum time span.

11.116 The Committee also puts on record its appreciation for the transparency that the Election Commission of India has brought into the electoral system in the country. There has been good progress in making the elections transparent, although there is still much scope for doing more. Acknowledging that Electoral Reforms being too vast a subject for a one-time re-look, the Committee suggests that the Commission may invite suggestions from all sections of the population and initiate a streamlining process.

11.117 The Committee acknowledges the explanation given by the Election Commission and the Legislative Department. The Committee felt EVMs are very much needed in a vast democratic country like ours and have been used effectively in the elections in the country. The lacunae pointed out by Members in the machine, needs to be looked into and removed to repose complete trust in the voter. In this context, the Committee desired that a detailed note on the status of reliability of EVMs may be furnished to the Committee at the time of furnishing ATRs.

11.118 The Committee hopes that in view of the slight hike made under the Major Heads '2020' and '4070', respectively for the Income Tax Appellate Tribunal, the amount earmarked for the Tribunal for the financial year 2012-11 will meet the requirements of the Tribunal.

11.119 The Committee while acknowledging the efforts made by the Tribunal for reduction of cases pending before the ITAT, expresses concern over the performance of the Tribunal in disposal of cases in the last two years and desires that it may be apprised of the reasons for this downward performance. The Ministry may also furnish steps taken by it to plug this drawback at the time of furnishing Action Taken Replies to the Committee.

11.120 With reference to the Committee's recommendation on the filling up of vacancies in the various posts in ITAT in its 39th Report on the Demands for Grants (2010-11) of the Ministry and the replies furnished thereto, the Committee observed that replies of the Ministry are too evasive to assess the progress properly. Further, the detailed Demands for Grants (2012-13) of the Ministry shows that only 698 out of the total number of 1016 posts are in position as on 01.03.2011. It had also been noted that majority of the vacancies are in the Group 'A' and Group 'B' posts. Therefore, the Committee reiterated its recommendations made in its 39th Report on the Demands for Grants (2010-11) that the Ministry should expeditiously make all out efforts to fill up the vacancies without further delay.

11.121 The Committee wishes to point out that out of Rs.15.00 Crore earmarked in 2010-11 for Capital Outlay on Other Administrative Services Major Head '4070' for acquisition of land/construction of building for the Tribunal, a mere Rs.8.30 crore was utilised. In this backdrop, the Committee expressed its apprehension whether the proposed construction of office-cum-residential building for various Benches of the ITAT is being tackled with sincerity. It therefore, strongly recommended that the Ministry should conduct a fresh look into the performance and progress

of the project vis-à-vis the yearly utilisation of the allocations to assess and monitor its progress. The Committee also desired that the outcome and findings of this exercise may be furnished to it.

11.122 The Committee appreciates the successive increase in the allocation of funds for implementing the various schemes pertaining to the legal services which reflects the increase in the spending capacity of NALSA. The Committee, particularly, wished to place on record its appreciation for the yearly growth in the number of persons benefitted through legal aid and services which is encouraging. It, however, felt that ensuring the timely release of funds and monitoring the progress made are equally important. Therefore, the Committee recommended that the Government should focus on strengthening the monitoring mechanism of the schemes and adopt the practice of collecting activity-wise expenditure from the States.

11.123 The paradigm shift in the interpretation of “legal services” in the Legal Services Authorities Act and moving towards taking legal services to the door-step of the people is a welcome approach. The Committee recommended this progressive concept of the NALSA. While lauding the inception of community based para-legal volunteers and legal aid clinics, the Committee also urged the organisation to circumspect every aspect of its execution so that undertaking of the programme is not hampered in any way, be it funding, logistics or methodology. Therefore, the Committee recommended that the NALSA should chalk out a mechanism for the implementation of the plan of action to evaluate the anticipated expenditure and project related demands for the same at the RE stage of budgetary allocations.

11.124 In the back-drop of the replies of the Department to the recommendation of the Committee in its 39th Report in this connection as stated above, the Committee was constrained to state that it does not find the reply of the Ministry to be satisfactory enough as it gives no idea regarding the factors causing non-utilisation of the funds by the State Legal Services Authorities. It was of the view that both the NALSA and the Department should function in co-ordination so that timely release of funds, carrying out of the programmes and close monitoring of the progress are attained. The Committee, therefore, desired to be apprised of the steps Central Government has taken to ensure the smooth flow of funds and the plan of the NALSA in ensuring the successful implementation of its proposed programmes.

11.125 The Committee takes cognizance of the programmes the BCI proposes to take up in 2012-13. It, however, fails to comprehend as to why the actual requirement was not preferred to the Ministry of Law and Justice for inclusion in the budgetary projections. During the meeting of the Committee, the representative of the Ministry had assured the BCI that the Ministry would support if the demands are made. Therefore, the Committee suggested that the BCI should prefer their actual fund requirement to the Ministry so that the programmes envisaged by it are carried out in letter and spirit. Accordingly, a detailed demand for the purpose may be made at the RE stage. The Committee also wished to point out that the Ministry has not assigned justifications for the surrenders of Rs.4,11,900 in 2009-10 and Rs.6,00,000 in 2011-12 and desires that detail justifications for these surrenders may be made at the time of furnishing Action Taken Replies.

11.126 The Committee expresses disappointment that a proposal as promising as the Directorate of Legal Education launched by the BCI had to be discontinued before its valuable results could be harvested. It was unfortunate that a scheme already effectuated had to be suspended due to shortage of funds. The Committee failed to comprehend why the Government did not accede to the request made by the BCI for sustaining the Directorate of Legal Education. It, therefore, desired that the BCI in conjunction with the Ministry should take a re-look in the matter and explore how the scheme can be revived.

11.127 The Committee, further expresses that much more contribution from the BCI especially in the domain of legislative drafting was expected. Therefore, the BCI is recommended to take concerted efforts in that respect as well.

11.128 The presence of incongruity between the ICPS and the Ministry on the issue of sharing space which, in turn has caused the delay in the construction of building for the use of ICPS does not find favor with the Committee. It therefore, desired that the matter may be resolved at the earliest. As regards the grants to the Institute, the Committee was disconcerted that the information provided to it by the Department of Legal Affairs reflects grant surrender of Rs.1,25,626 in 2009-10, Rs.3,50,000 in 2010-11 and a total of Rs.10,41,64,000 in 2011-12. On the other hand, the ICPS claims that sanctioned grants are not released by the Ministry. To that effect, the Committee recommends that the Ministry should release the sanctioned grants to the ICPS without delay.

11.129 The Committee is constrained to point out that, the casual approach of the Department of Legal Affairs in releasing the grant for the construction of Convention Centre is puzzling. The Committee understands that out of the total amount of Rs.12.50 crore sanctioned, Rs.5 crore was released in 2008-09, Rs.3 crore in 2009-10 and Rs.2.25 crore in 2010-11. It has also been observed that no fund was released in 2011-12 and a token amount of a mere Rs.1 crore has been earmarked in the budgetary allocation for the financial year 2012-11, inspite of Rs.2.25 crore pending release. The Committee, therefore, urged the Department to earmark the amount of Rs.2.25 crore pending release for the ICADR in the RE stage so as to enable the completion of construction of the Convention Centre as per schedule.

11.130 The Committee appreciates the steps taken by the ICADR to encourage Government Departments and PSUs etc. for including Arbitration / Conciliation Clauses of the ICADR in the Agreements with other parties. The Committee understands that optimum use of the services of the ICADR would benefit the Centre in generation of its own resources. The Committee, therefore, recommends that the Government should take conscious efforts to publicise the activities of ICADR to encourage more Government Departments and PSUs to refer their cases to it.

11.131 The Committee appreciates the infrastructural development envisaged, *i.e.*, the wi-fi net working of the campus, the 1 gbps link project of Ministry of Human Resource Development, the video conferencing system, the Biometric Based Attendance Monitoring System, software for e-governance, etc. and hopes that these will go a long way in enhancing academic exchanges.

11.132 The Committee is, however distressed to note the huge gap between the demand projected and allocation received. It does not commend that an institute of this high calibre, with the objectives to cultivate the science of law, promote advanced studies and research in law, promote improvement of legal education and publish literature relating to law which are vital in the emergence and advancement of the legal domain of the country should be bereft of sufficient funds to discharge its basic functions. The Committee, therefore recommended that the Ministry should revise the projections for the ILI and enhance the same so that they are allocated at least 25% of their demand at the RE stage.

11.133 On the other hand, the Committee would like to be apprised by the ILI the justifications for the surrenders in the financial years 2009-10, 2010-11 and 2011-12. The Committee was of the view that huge surrenders reflect the poor spending capacity of the unit, and as such, spending units should abstain from this.

11.134 The Committee notes the increase in the overall Budgetary allocation to the Department. The Committee hoped that the increased amount would be sufficient for the activities to be taken up this year by the Department.

11.135 The Committee appreciates the activities being taken up by the official language wing. The Committee felt the wing should also translate the Bills/Acts in the regional languages so that the benefit reaches the lower level courts also. The Committee noted that the Official Language Wing could not utilise the allocated fund during the last three years. The Committee desired that the O.L. wing should take appropriate steps for full utilisation of money.

11.136 The Committee notes that this year also the Deptt. has not taken any initiative neither to acquire the land with the Ministry of Urban Affairs nor with the ILDR for construction of building for ILDR. Such an important Institution like ILDR needs its own building with adequate infrastructure facilities to carry out its activities. The Committee hopes the Department will take the issue seriously so that ILDR has its own building during this year.

11.137 The Committee appreciates the work done by the Department on the issue of "Office of Profit" which needs proper definition. The Committee hoped that the Deptt. will take appropriate steps to get the Bill introduced in the Parliament as early as possible.

11.138 The Committee appreciates the initiatives taken by the Department in facilitating the voting right to Non-resident citizens of India and also the simplification of submission of application for registration accompanied by self-attested copies of passport, visa, etc., instead of getting it attested by the Indian Mission abroad.

11.139 The Committee appreciates the revision of the funding pattern of the CSS to 75:25 (90:10 for North- East States) and hoped that it will encourage the States to come up with more proposals for infrastructural development. It, however, wishes to point out that the pendency of utilisation certificates as reflected in the Ministry's Outcome Budget (2012-13) is disturbing. The very fact that there are pending UCs of projects as old as 2002-03 reflects the apathy of the Ministry in its monitoring of the physical progress made by the States. The Committee, therefore, urged the Ministry to actively pursue the States on their utilisation of the funds. The Ministry should also look into the causes of timely and non-submissions of UCs to evolve a way to plug the shortfall.

11.140 It has also been observed that there exists vast disparity in the pattern of fund release. The Committee appreciated that the requirements of the States are not the same. However, the Committee is of the view that a fact-finding exercise is needed to assess the scope and extent of infrastructural enhancement in States. Accordingly, it recommended that the Ministry should explore ways of carrying out such an exercise. Furthermore, the Committee desired that those States/UTs who have not made proposals for infrastructural development of the subordinate Courts in their State/UT, such as, Bihar, Punjab, Daman & Diu and Lakshadweep may be pursued and encouraged to avail the Scheme.

11.141 The Committee welcomes the new instrument of service, namely, "National Mission for Justice Delivery and Legal Reforms" which is aimed at tackling major core problematic issues of Judiciary. The Committee was appreciative that the scheme has been designed to ensure the much needed co-ordination between the executive and the judiciary, which, it is certain will result in a much more efficient delivery of justice in the country.

11.142 The Committee is given to understand through the Outcome Budget (2012-13) of the Ministry that no timeline has been fixed for the implementation of this Scheme. It is, however, of the view that it was pertinent to impose a timeline in the Action Plan on certain aspects of the Scheme, such as, setting up of Project Management Units, consultation with stakeholders or proposed studies on the various aspects of the judicial reforms. The Committee felt that the experience with many Schemes launched by the Government face set-backs after its implementation for two or three years due to absence of a strict timeline and ends up clogged in logjams of non-receipt of UCs and, thereafter, leading to unutilised funds. The same has been in the case with the schemes of setting up of Family Courts, Gram Nyayalayas and the projects under the Centrally Sponsored Schemes. Therefore, the Committee recommended that clear targets and timelines may be drawn and very close monitoring and regular appraisal should be made to ensure the successful implementation of the Scheme.

11.143 The Committee appreciates that the Department recognises the need for action research for policy initiatives and judicial reforms measures, effect of pendency reduction drives and the impact of grants provided by the 11th Finance Commission. The Committee however, felt that since the Department has contemplated commissioning of these schemes to already established organisations, it recommended that such research work may be assigned to organisations under its administrative control, *i.e.* ILI, NJA, etc. and the allocation for the purpose also be reflected in their allocation so as to avoid multiplicity of the research work. It further points out that these organisations are already bringing out their publications on various issues of judicial reforms and conducting various research work in that field. Therefore, the Committee opined that the commissioning of the work to them would enhance the financial capacity of the Organisations. Also, their expertise would be utilised to the maximum benefit if the research work is assigned to them.

11.144 The Committee appreciates the approach of the A2J Project which has focused on empowerment of people through training the para legal workers of the community and creating the much needed linkage between Legal Services Authorities and the Civil Society Organisations. The Committee was however, constrained to point out that throughout the five financial years of the 11th Five Year Plan, the Ministry has not been able to exhaust the allocations earmarked each year for the project. This was an indication that the Government has a lot of scope for implementation of the project still left and, therefore, should take concerted efforts in expanding its area and scope of operation when initiating the proposed new phase of the scheme to commence from 2011. The Committee desired that the details of the on-going project as well as plan of action for the proposed new phase of the project may be furnished to it at the time of furnishing ATRs.

11.145 The Committee appreciates the ingenious scheme of e-Courts and is optimistic that it will help in more efficient management of subordinate courts, reduction in pending cases and increasing the speed of justice delivery processes. The Committee is however, constrained to point out that the expenditure of the Ministry in 2008-09 and 2011-12 were way below the allocation projected. It was of the view that under-utilisation of funds are indicative of not achieving targets. The Committee, therefore, recommends that the Ministry should fix timelines and targets for the States while releasing the funds which would also play a parameter for assessing their progress in implementation of the scheme.

11.146 It has also been observed that the BE (2012-13) of Rs.233.66 crore has been pegged which is near two times higher than the amount of RE (2011-12) of Rs.115 crore. Mention may be made here that only roughly two-third of the RE (2011-12) has been utilised. In that backdrop, the Committee is apprehensive as to whether the Department has the capacity to utilise the allocation of Rs.233.66 crore in 2012-11. It, therefore, recommended that a clear timeline and

target may be fixed and the progress of implementation should be closely monitored so as to avoid time and cost overrun.

11.147 The Committee expresses its disappointment that in almost three years of the implementation of the Act, only 151 Gram Nyayalayas are operational. The Committee is of the firm belief that setting up of Gram Nyayalayas is the answer to providing access to justice to citizens at their door steps. Therefore, it recommends that the Ministry should take all-out efforts to root out the hindrances affecting their setting up by States. The Committee was given to understand that some States have requested for higher Central assistance. It therefore, feels that the Ministry should explore the plausibility of enhancing the Central assistance for setting up of Gram Nyayalayas.

11.148 Furthermore, the Committee desires that the Ministry should make a serious consideration of the drawbacks and challenges in the setting of Gram Nyayalayas as stated by the Secretary (Justice). Accordingly, feasibility of enhancement of funds may be explored so that the States may augment the requisite infrastructure.

11.149 The Committee assumes that the States not being too keen on setting up Family Courts is most likely due to their requirement to provide matching share of Rs.10 lakh per court. It therefore, was of the opinion that the Ministry should endeavour to survey the apprehensions of the States in setting up of Family Courts and if financial constraint is one of the cause, it should revise the funding pattern as has been done in the case of Gram Nyayalayas to encourage more States to come up with proposals. The Committee was of the strong belief that the setting up of Family Courts will come a long way in reducing pendency of cases, especially due to the fact that it has been reflected in the Budget Outcome (2012-13) of the Ministry that 90056 cases were disposed of by Family Courts upto 2009. It also anticipates a more efficient delivery of justice to the people by setting up of more Family Courts in the States. Therefore, the Ministry should envisage ensuring setting up of maximum number of Family Courts across the length and breadth of the country.

11.150 The Committee is overwhelmed at the length of efforts taken to streamline justice delivery. It was however, distressed that the 11th Finance Commission has recommended an impressive grant of Rs.5000 crore to be utilised over a period of 2010-15, out of which a mere Rs.1153.62 crore has been utilised. This reflects the tardy pace of the Department in its implementation of schemes. Furthermore, the Committee observed that the States of Chhattisgarh, Goa, Gujarat, Jharkhand and Meghalaya have not so far utilised grants under this scheme. The Committee, in this regard desired that the Department may furnish the justification for such absence of proposals to it while submitting its ATRs. It further recommended that the Department should beef up monitoring of schemes while encouraging more States to come up with proposals under this scheme. At the time of sending ATRs to this Report, the Committee would like to be apprised of the steps taken in this aspect and the outcome thereof.

11.151 In this backdrop, the Committee notes the information given by the Director, National Judicial Academy and desired that the Academy should take up the role and have the objective to educate and train judges and help them make judicious judgments in courts to create a healthy civil society.

11.152 An appraisal of the vacancy position of Judges in both Supreme Court and High Courts as provided by the Department is disheartening. One major factor affecting these vacancies appears to be the procedure of appointment and the current proactive of the collegium system also raises apprehensions. The Committee therefore, was of the view that the whole system of appointment of judges calls for a review and rehaul. It was of the firm belief that once the process of appointment is set right, other related issues, such as court management and pendency of cases will fall in place. The Department is, accordingly exhorted to take efficacious steps in this domain.

11.153 While deliberating on the vacancies in the higher judiciary and the long time taken in the disposal of cases pending before the courts, the Committee pointed out the feasibility of having an All India Judicial Service. In response, the Secretary, Department of Justice informed the Committee that a proposal is presently under Government's consideration and is in the channel for consideration by the Committee of Secretaries.

11.154 The Committee felt that there was a shortage of judges at all levels, be it in the higher judiciary or in the subordinate courts and this is one of the major factors for delay in the adjudication of cases. Shortage of judges is also a major constraint for setting up of new courts. The Committee appreciated and welcomes idea of having in place an All India Judicial Service but, in case, certain States have issues in this proposal, the Committee felt that the Central Government can at least make a beginning by holding an examination for recruiting judges *at the all India level, covering States that agree to participate or accept candidates selected on the basis of the said recruitment.* The Committee felt such a move would ensure an all time availability of qualified and deserving candidates for appointment in subordinate courts.

11.155 The Committee is not in agreement with the Ministry and the opinion of the Chief Justice of India as well. The Committee felt that unwillingness regarding establishment of the other Benches of the Supreme Court cannot be justified on the grounds that it would attract a cumbersome process of constitutional amendment. The Committee also felt that such an amendment is the need of the hour and would prove to be a step in the right direction to make the Higher Courts accessible to all the regions of the country. The Committee felt that the Constitution of India was a living document and has enough scope to accommodate the demands arising out in a changed milieu in view of the provisions under Article 110 that read.

11.156 “The Supreme Court sits in Delhi. It can, however, meet in any other place or places as the Chief Justice may, with the approval of the President.”

11.157 The Committee, therefore, reiterated the need for establishment of benches of the Supreme Court as it would be of immense help to the poor who cannot afford to travel from their native places to Delhi.

11.158 The Committee appreciates that the Ministry has replied in affirmative and forwarded the abovementioned Committee’s recommendations to the Supreme Court Registry for necessary action. The Committee hoped that the Supreme Court Registry would positively take decisions in this regard.

11.159 The Committee is pleased to note that the Department is in agreement with the Committee’s recommendation regarding enabling the Supreme Court and High Courts to generate Revenue themselves which can also be utilised by the Subordinate Judiciary. The Committee would, however, appreciate if the Department pursues the matter with the Department of Expenditure, Ministry of Finance and the State Governments to consider the matter expeditiously. The Committee may be apprised their feedback, accordingly.

11.160 The Committee expresses its serious concerns over the huge pendency of cases in Higher Courts. Taking into account the reasons cited by the Registrar, Supreme Court in this regard, the Committee felt that the problem is not being addressed seriously and wholehearted efforts are yet to be made to deal with the problem. The Committee was of the view that both Executive and Judiciary should work in tandem to deal with the adversities arising out of mounting pendency. As far as the need of more judges is concerned, the Committee reiterated its earlier recommendation that the vacancies of judges in the High Court should be expeditiously filled up. The Government should vigorously pursue the matter with the Chief Justice of the High Courts for necessary actions.

(e) Fifty-Third Report

The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of Their Grievances Bill, 2012

11.161 The Committee takes note of the fact that the Citizens Charter contemplated under the Bill envisages enumeration of all the goods supplied and services rendered by a Public Authority. A strong view has come before the Committee that the Bill should provide for notification of services by the appropriate Government for the purpose of inclusion in the Citizens Charter. In fact, this is the position in several States including Madhya Pradesh, Delhi, etc. where only notified services have been brought under the Citizens Charter.

11.162 The Committee does not find any merit in the above proposition as this would only lead to lowering the pace of implementation of the Bill. The Committee felt that there should be no difficulty in incorporating all goods and services in the Citizens Charter at the initial stage itself particularly when this has to be done by the Public Authority and the said Public Authority has the option to determine the time period within which the goods/ services being dealt with by it shall be rendered. The Committee, accordingly, endorsed the provisions of the Bill that oblige the Public Authorities to incorporate all categories of goods supplied and services rendered in the Citizens Charter.

11.163 A view has come before the Committee that the definition of the term ‘Complaint’ in the Bill was too wide as it included violation of any law, policy, programme, order or scheme by the Public Authority and an apprehension has been expressed whether the Public Authority or the appropriate Government would be in a position to settle complaints on such wide spectrum issues within the limited period provided for in the Bill to the Grievance Redressal Officer, Designated Authority, etc. The Committee also took note of the difficulty pointed out by the witnesses arising out of certain grievance redressal mechanisms already being in place and the likely conflict with the procedure sought to be put in place through the proposed legislation.

11.164 In the Committee's view, the definition of the term 'Complaint' was comprehensive enough so as to cover not only the cases of failure to deliver goods or render services in accordance with the Citizens Charter but also cases where the Public Authority has violated any law, policy, scheme, order, etc. and it should be possible for the Public Authority to handle the same within the given parameters. The Committee was of the firm opinion that issues related to violation of law, policy, scheme, policy, etc are vital and the same cannot be kept outside the purview of the grievance redress mechanism. However, in case it is felt that such matters require some different time schedule for adjudication, the Ministry may examine the issue and provide appropriately in the Bill.

11.165 As regards the specific suggestion that the definition of the term 'Complaint' should also cover undue delay in the delivery of goods and services, the Committee was of the view that cause of action for a complaint arises as soon as there was failure to deliver goods/services within the time specified in the Citizens Charter and hence there was no need to specifically add undue delay as a basis for the complaint. However, the Committee being deeply concerned about preventing undue delay in the delivery of goods/services, recommends that Government may suitably incorporate in the rules to be framed under the legislation, provisions specifying the shortest possible time for delivery of goods and services of common nature.

11.166 The Committee notes the novel concept of Designated Authority that has been incorporated in the Bill. Designated Authority means an officer or authority outside the public authority that has been authorized to hear appeals against the orders of the Grievance Redressal Officer. The Designated Authority has also been empowered to impose penalty and award compensation to the complainant.

11.167 An apprehension has been expressed about the feasibility of having a Designated Authority from outside the Public Authority. The Committee found merit in having Designated Authority from outside the Public Authority and hoped that it would discharge its functions more independently and objectively compared to the situation where the Designated Authority had been from within the Public Authority. The Committee hopes that substantial percentage of complaints would be settled at the level of Designated Authority keeping in view the fact that it has been bestowed with the power of imposing penalty on the defaulting public servant and award compensation to the complainant. The Committee was also in agreement with the viewpoint which has come before it that the Designated Authority should be available at the district/sub-district level so that the general public has an easy and convenient access to it.

11.168 The Committee finds that the Bill does not provide anything regarding who all could be appointed as a Designated Authority. Further, in terms of Clause 2(h) which defines this term, relevant details about the Designated Authority have been left to be provided for in the Rules. The Designated Authority being an important level in the grievance redress mechanism, it was important that the Bill gives an outline of the form, shape and the content of this level in the grievance redress machinery.

11.169 The Committee also had some observations to make with regard to certain provisions of Clause 11 of the Bill which relates to appeal before the Designated Authority. As per Proviso to Clause 11(7) of the Bill, an appeal of urgent or immediate nature shall be disposed off before the date in which the cause of action may cease to exist. The Committee recommended that this Proviso may be amended so as to provide for disposal of appeal 'well' before the date on which the subject matter of cause of action may cease to exist. Secondly, Clause 11(3) provides for acknowledgement of receipt of appeal by the Designated Authority but it does not prescribe a time period for such acknowledgement. The Committee noted that in terms of Clause 8, the Grievance Redress Officer is required to acknowledge receipt of complaint within two days. The Committee recommended that a time period for acknowledging complaints may be prescribed in case of Designated Authority also. The Committee further recommended that in matters of personal delivery of complaints, acknowledgement must be on the spot. Further, intimation regarding acknowledgement should reach the complainant within a specific time period.

11.170 The Committee notes the provisions of Clause 10 of the Bill which provide that the Grievance Redress Officer shall, after the expiry of 30 days period, report every complaint that has not been redressed, along with relevant details, to the Designated Authority and it shall be treated as an appeal with the Designated Authority. The Committee appreciated this mechanism which is people friendly. The Committee, however, recommended a slight modification in Clause 10 so as to provide therein that the GRO, while forwarding complaints to the Designated Authority, should also inform the complainant by adding words 'under intimation to the complainant' at the end of Clause 10 of the Bill.

11.171 The Committee notes that the term ‘Public Authority’ appearing in the Bill has a wide coverage extending to Bodies/Institutions set up under the Constitution of India, the laws made by the Parliament/State Legislatures. The Bill also authorizes the appropriate Government to cover, by issue of notification Bodies/Institutions substantially financed by the appropriate Government, Government companies under the Companies Act, 1956 as well as private entities engaged in the supply of goods/services on private-public partnership model or otherwise. The Committee was happy to note that this wider definition of the term Public Authority would uphold citizens’ rights for prompt service not only with reference to Government institutions/bodies but also with reference to the private entities which are working for Government under some memorandum/contract. This was a welcome step particularly keeping in view the increasing participation of private sector in the service sector in partnership with Government.

11.172 The Committee, however, is also concerned over the use of the word ‘Substantially financed’ in Clauses 4(n)(iv)(A) & (B) of the Bill. The Committee found this expression to be vague and recommends that it should be suitably qualified so that there is no ambiguity with regard to the Institutions/Organisations receiving funds from appropriate Government which could be brought within the scope of the Bill.

11.173 The Committee fully appreciates the viewpoint presented before it regarding the people’s participation in the finalization of the Citizens Charter and its review from time to time. In this context, the Committee noted the provisions of Clause 5 of the Bill which provides for wide and extensive publicity of the Citizens Charter through all available means and its updating every year. The Committee also took note of the provisions of Clause 4(3) of the Bill which authorizes the appropriate Government to make and notify rules in relation to the Citizens Charter. The Committee was convinced that people’s participation in the finalization and review of the Citizens Charter would be a useful step and the Charter finalized in this manner would have better acceptability and compliance. The Committee, accordingly, recommended consultation with the concerned stakeholders in the process of finalization/review of the Citizens Charter through suitable provisions in the rules under Clause 4(3).

11.174 The Committee appreciates the concept of Information and Facilitation Centers envisaged in Chapter IV of the Bill. The Committee felt that the setting up of such Facilitation Centers would considerably ease the problems being faced by the common man today in participating/availing benefit under so many schemes/projects announced by Government from time to time for the benefit of the common man. The Committee is in full agreement with the suggestions received by it regarding the location of these Facilitation Centers. These Centers should be so located that they are easily accessible. The Committee, accordingly, recommended that the Facilitation Centers should be located at the point where the service is being provided or goods are being supplied by the Public Authority so that people approach the Public Authority with proper information/guidance. This, in the opinion of the Committee, would save the common man from much of the harassment and trouble which he faces at present due to absence of guidance/help. In this context, the Committee also recommended that the persons manning such Facilitation Centres should be selected/trained suitably so that they are polite, courteous and cooperative while dealing with the public.

11.175 The Committee further recommends that these Facilitation Centres should be properly equipped with facilities for communication, etc so that they are able to discharge their responsibility properly and satisfactorily covering all matters/areas falling within their jurisdiction. The Committee, in this context, would also recommend to Government to consider adopting private-public partnership model in the case of these facilitation centers whereby some value added services could be added on nominal/moderate payment basis. Such an arrangement, in Committee’s view, would on the one hand, resolve the constraint of manpower which is generally seen with the Public Authorities and, on the other hand, improve the quality of services, generate employment in the private sector and also partially neutralize operational cost of the facilitation centers.

11.176 The Committee notes that Clause 11(3) provides for acknowledgement of receipt of appeal by the Designated Authority but it does not prescribe a time period for such acknowledgement. The Committee noted that in terms of Clause 8, the Grievance Redress Officer is required to acknowledge receipt of complaint within two days. The Committee recommended that a time period for acknowledging complaints may be prescribed in case of Designated Authority also.

11.177 The Committee takes note of the provisions of Clause 9(1)(a) of the Bill which provides that the Grievance Redress Officer shall remedy the grievance in a time frame not exceeding 30 days. The Committee found merit in the suggestions made by the witnesses that such a standard prescription of 30 days time period might create an adverse effect in certain cases where an urgent relief is required. The Committee, accordingly, recommended that the provisions of Clause 9 may be modified suitably so as to provide for disposal of matters by the GRO in a shorter period in urgent

cases. In case of complaints that have a bearing on the application of law, scheme, etc. the Committee recommended Government to consider a wider time schedule at the level of the GRO and the Designated Authority.

11.178 The Committee takes note of the fact that the Bill provides for a 30 days time period for preferring an appeal with the Designated Authority and with the Public Grievance Redressal Commission. The Committee does not feel the necessity of increasing this time period beyond 30 days as both these Appellate Authorities have been vested with discretionary powers to admit appeals received after the expiry of the prescribed period of 30 days under Clauses 11, 12 and 29 of the Bill.

11.179 The Committee is conscious of the fact that the Bill provides for appeal at four stages going up to the level of the Lokpal/Lokayukta. The Committee has already recommended in para 21 'Appeal to the Lokpal' that follows in the report that the provision in the Bill for appeal to the Lokpal/Lokayukta is undesirable and unnecessary. The remaining three levels of appeal are desirable and appropriate in the Committee's view.

11.180 The Committee takes note of the provisions of Clauses 15(2) and 32(2) of the Bill which provide for Selection Committee in the process of the appointment of Central and State Grievance Redress Commissioners. These provisions also refer to Search Committees consisting of such Members as may be prescribed.

11.181 The Committee takes note of the proposals that these Search Committees should consist of persons of standing having special knowledge and expertise in matters relating to handling of grievances, public administration, policy making and management.

11.182 The Committee is agreeable to the view that the Search Committees play an important role in the selection process. Accordingly, the Committee found merit in the suggestion to have specialized persons in the relevant field as Members of the Search Committee. The Committee, accordingly, recommended that these aspects may be taken care of adequately by making suitable provisions in the rules.

11.183 The Committee, accordingly, recommends that clause 34 of the Bill which provides the terms of Office of Central Grievance Redressal Commissioners may be amended on the lines of clause 17 of the Bill.

11.184 The Committee notes that the Bill provides for a maximum penalty of up to Rs.50,000/- to be imposed by the Designated Authority on the official responsible for delivery of goods/services. The Committee felt that while deciding the quantum of penalty, the Appellate Authorities should have due regard to the hardships faced by the complainant in pursuing the complaint. The Committee recommended that suitable provision may be added in the Bill to this effect.

11.185 The Committee took note of the Proviso to Clause 45(2) of the Bill which says that the amount of compensation awarded shall not exceed amount of penalty imposed under Clause 45(1) of the Bill. Clause 45(2) of the Bill already provides that the Appellate Authority may direct only a portion of the penalty imposed, as deemed fit, to be awarded by way of compensation to the appellant. In view of the provisions of Clause 45(2), the Proviso thereto seems redundant. The Committee, accordingly, recommended that the Proviso to Clause 45(2) may be deleted.

11.186 The Committee also took note of the provisions of Clause 45(3) where under a public servant found guilty under Clause 45(1) is liable for disciplinary proceedings in case he is proved guilty of a mala-fide action in respect of any provision of the Act. The Committee felt that the public official once having been found guilty under Clause 45(1) should not be required to be proved guilty of mala-fide action again in terms of Clause 45(3) before being made liable for imposition of punishment/penalty by the disciplinary authority. Element of malafide is not easy to establish and prove, and further, once a public servant is proved to have violated the law which requires him to provide a service or goods in question, in time, whether the action of the public servant was malafide or not is not material. The Committee, therefore, recommended that Clause 45(3) be amended suitably to give effect to these observations.

11.187 The Committee noted that Rs 50,000 is the upper limit of the penalty that can be imposed on the erring public servant. The Committee has already recommended in para 10.5 above, the parameters for deciding the quantum of penalty. Further, this being the maximum limit of the penalty and the actual penalty being based upon the facts and circumstances of the case, the Committee was not inclined to interfere in the quantum of penalty prescribed in the Bill.

11.188 The Committee took note of the provisions of Clause 47 of the Bill which provides for appeal to the Lokpal/Lokayukta against the decisions of the Central/ State Grievance Redressal Commission, respectively. The

Committee does not found much justification in providing for appeal with the Lokpal/Lokayukta against the decision of the Central/State Commission. Such a linkage, in Committee's view, was unfounded as the institution of Lokpal has been set up under a different legislation aiming to put in place an anti corruption institution while the objective of the present Bill is to ensure timely delivery of goods/services and grievance redressal. Besides, the Bill in hand, already provides for three levels of appeal up to the level of the Commission and adding another level of appeal above the Commission level does not seem to be called for. The Committee, accordingly, recommended that the provisions of the Bill which provide for preference of appeal to the Lokpal/Lokayukta against the decision of the Central/State Commissions may be deleted.

11.189 The Committee appreciated the concerns expressed by the witnesses over the need for monitoring the implementation of the Bill. The Committee was convinced that an effective monitoring of the implementation of the Bill would definitely yield better results. The Committee, in this context, took noted of the provisions contained in Clauses 26(3), 43(3) and 46 of the Bill which vest the State Public Grievance Redressal Commission and the Central Public Grievance Redressal Commission with the powers to suo motu take notice of failure to deliver goods and services in accordance with the provisions of the Act and refer such cases for disposal to the Head of Department of the concerned public authority. The Head of the Department in turn is required to submit an Action Taken Report to the Commission within 30 days. Further, under Clause 46, every public authority is required to ensure that each Grievance Redressal officer keeps a record of the complaints made to it or appeals preferred and the decisions on such complaints and appeals and publish on its website by the 15th day of every month or at such intervals as may be prescribed a report mentioning the number of complaints received, the number of complaints pending and the number of complaints disposed of. The Committee felt that the Bill carries adequate provisions to ensure its effective monitoring and implementation. The need is to ensure strict compliance of these provisions of the Bill. The appropriate Government may keep these aspects in view while framing rules in this respect so that the law is complied strictly, without any laxity.

11.190 The Committee took noted of the various suggestions that have come before it suggesting a short and crisp title for the Bill. The Bill primarily seeks to put in place a mechanism to ensure time bound delivery of goods and services and a grievance redressal mechanism in case there is a failure in the time bound delivery of goods and services. The Bill envisages a Citizens Charter which brings out in public domain the obligations, duties, commitments of the Public Authority in the matter of providing goods and services within specified time limits together with designation of the public servant responsible for delivery of such goods and services. The Committee felt that the Citizens Charter finds a key position in the Bill and is fairly at the root in achieving the objective of the Bill. Accordingly, the Committee recommended that the title of the Bill may be shortened suitably but, it may essentially carry the words 'Citizens Charter'. The Committee would prefer "Citizen Charter Bill, 2012" as the title of the Bill.

11.191 The Committee took noted of the suggestion that the Bill should be extended to provide coverage to the non-citizens also. The Committee in this regard took noted of the fact that the Punjab Right to Service Act, 2011 and the Rajasthan Guaranteed Delivery of Public Services Act, 2011 stipulate access to the redress mechanism to all eligible persons. These Acts define eligible persons as 'Any person who is eligible for notified services'.

11.192 In the given situation, the Committee would like the Ministry to review whether the coverage of the Bill can be extended to the non-citizens also. The Committee noted the written comments of the Ministry wherein they have said that they are open to suggestion in this regard. Government can consider notifying a few limited services and goods as regards non-citizens rather than totally excluding them. This may also help in establishing goodwill among the international community.

11.193 The Committee was of the view that the Bill seeks to put in place a service delivery mechanism both at the Central and the State level. This was a milestone step in the opinion of the Committee. The decision to enact a Central legislation, as is apparent from the statement of objects and reasons appended to the Bill, has emanated from the experience of the Government of not being successful in extending Citizens Charter over a vast majority of the people in the country. The Committee noted that the Government introduced in the year 1997 the Citizens Charter which was voluntary in character and subsequently initiated service excellence model called "Sevottam" in 2005 to give a new thrust to the implementation of the Citizens Charter. Many States have also enacted Right to Public Service Delivery Legislation in which a few important public services have been selected for service delivery. No doubt these efforts are noteworthy but in the absence of an overarching structure, their impact was diffused and

limited. Therefore, the rationale and objective of bringing a comprehensive legislation is to provide rights based approach and make the Citizens Charter statutory and endow the public with the right to get delivery of services within the stipulated timelines.

11.194 The Committee was of the view that the provisions of the Bill are salutary and will have great impact on the service delivery system when operationalised by the Public Authorities under the Central and the State Governments.

11.195 The Committee took note of the views expressed by the experts that various laws, particularly, the Electronic Service Delivery Law should be integrated with the Citizens Charter Bill. The Committee felt that such an integration would facilitate the rationalization of the resources and better achieving of the objective of the Bill. The Committee noted the comments of the Government in this regard that it was open to the suggestion that the two Bills may be harmoniously integrated.

11.196 The Committee saw merit in the propositions made before it that the Bill should have mandatory provisions for a reward scheme for best performing public authorities and the personnel within. In Committee's view, such a reward scheme would prove to be a source of encouragement and motivation for those public servants who were able to render the services within the time targets specified in the Citizens Charter. The Committee notes that the Bill already provides under Clause 45(3) to punish and impose penalty on those public servants who falter in compliance of the Citizens Charter. The Committee felt that in this kind of system being generated through the legislation, an element of motivation to encourage the officials for performing efficiently will have far reaching effects on the success of the Bill. The Committee, therefore, impressed upon the Government to consider providing a suitable reward scheme for the officers working at various levels who have shown their impeccable performance in delivery of services to the people.

11.197 The Committee took note of the fact that the Bill has been enacted by the Central Government in pursuance to Entry 8 of List III in the Seventh Schedule of the Constitution of India which enumerates the subject matters falling under the Concurrent List. The said Entry 8 mentions 'actionable wrongs'. The Committee further took note of the provisions of Article 246 of the Constitution which deals with subject matters on which laws can be made by the Parliament and the legislatures of the States. As per Article 246(2), both the Parliament and the State Legislatures have the powers to legislate on matters enumerated in List III. The Committee also took note of the fact that the layout and the scheme of the Bill ensure that the Public Authorities under the Central and the State Government, while implementing the Bill are independent of each other. The Committee felt that both the Central Government and the State Governments would be in a position to implement the Bill independently and without each others' interference. Central legislation on subjects mentioned in the Concurrent List, has always triggered the activities of the State Governments in that regard and, have always been seen as bringing in greater awareness in the States about the subjects in question.

11.198 The Committee was aware of the fact that the Bill is a novel legislation of paramount importance, whereby services are to be delivered to the citizens within the stipulated time. The obligation to deliver goods/services in time would certainly need efficient work force of officials. The Committee was of the view that enhancing individual efficiency lies at the core for the successful implementation of the provisions of the Bill. The Committee, therefore, impressed upon the Government to undertake capacity building measures such as training, adopting efficiency improving techniques etc.

11.199 The Committee took note of the concerns raised by some of the representatives who deposed before the Committee regarding the provision of finance for meeting the obligations provided for in the Bill. The Committee further noted that the Financial Memorandum appended to the Bill refers to the likely additional expenditure to be incurred by the Central Government in the implementation of the Bill. The Committee was of the view that timely provision of goods and services is the responsibility of the Public Authority and the Central Government and State Governments are distinct Public Authorities under the Bill. Therefore, the issue of meeting the financial requirements for the implementation of the Bill in respect of services in the States have to be addressed by the Central Government and the State Governments themselves. Services and goods are to be provided on time by the State Government in their respective departments. But in case we are enacting a loaded legislation for them, it is the duty of the Central Government to share some financial burden in this regards lest, the law remains unenforceable, partly or otherwise.

(f) Fifty-Fourth Report**The Administrative Tribunals (Amendment) Bill, 2012**

11.200 The Committee took note of the recommendations of the Law Commission, the decisions of the Hon'ble Supreme Court of India in the two cases referred to above as well as the recommendations of this Committee as contained in its Seventeenth Report on the Administrative Tribunals (Amendment) Bill, 2006. The Committee was of the considered opinion that the amendment in Section 6(1) of the AT Act, 1985 which is being proposed through the Bill in hand would lead to a dichotomy where the decisions of the CAT/SAT/JAT which is proposed to be headed by a sitting/retired Judge of the Supreme Court or a Chief Justice of the High Court would be taken up in appeal in the High Court. The Committee also took note of the recommendations of the Law Commission which has recommended raising the level of the Chairman of CAT/SAT/JAT and also the revision of the judgement of the Supreme Court in L.Chandrakumar case by a larger Bench. In view of this, the Committee was of the considered view that the Ministry of Personnel should in the first instance explore the possibility of approaching Supreme Court for revision of its decision in L.Chandrakumar case and the action of elevating the level and status of the Chairman of CAT/SAT/JAT be taken only thereafter. The proposed amendment in Section 6(1) of the Administrative Tribunals Act, 1985, can be accepted only in case it is ensured that the decisions of CAT/SAT/JAT are made appealable in the Supreme Court. The Committee has arrived at this conclusion because the Members unanimously feel that the tendency on the part of the judicial officers to seek such posts needs to be discouraged.

11.201 The Committee felt that amendment proposed to sub-sections (4) and (5) of Section 6 of the AT Act are aimed to rectify genuine omissions. Accordingly, the Committee endorsed the amendment proposed in sub-sections (3), (4) and (5) of Section of 6 of the AT Act.

11.202 The Committee has no objection in so far as the deletion of Section 8(3) of the AT Act and placing its provisions under Section 10 which was the more appropriate Section under which such provisions should have been placed. However, the Committee finds that the upward revision of salary, allowance, pension, gratuity and other retirement benefits in the case of Chairman of CAT, SAT and JAT is directly related to the amendments sought under Clause 2 of the Bill which has since been dealt with by the Committee in paras 4 to 15 above. Accordingly, the Committee recommended that action in terms of clauses 3 and 4 of the Bill related to the upward revision of salary, allowances, etc. in the case of Chairman should follow the outcome of the Committee's recommendations in relation to Section 6(1) of the AT Act.

11.203 The Committee took note of the fact that the amendment suggested *vide* clause 5 of the Bill seeks to add the words "Section 8" in the proviso to Section 10(A). The amendment being with an objective to rectify a drafting error, the Committee recommends that the same may be carried out.

11.204 The Committee accepted the amendment proposed in Clause 6 of the Bill and it hopes that it would facilitate speedy disposal of cases. The Committee recommended, accordingly.

VII. Secretariat

11.205 The Committee Section (Personnel and Public Grievances) consists of one Assistant Director, one Committee Officer (*in-situ*), one Senior Assistant, two Senior Clerk and supervised by one Joint Director, one Director and a Joint Secretary who remained incharge of the Section constituted the Secretariat of the Committee.

11.206 The work relating to issue of Press-communiqué on the Bills/subjects under consideration of the Committee and the Select Committee, drafting, consideration and adoption of six Reports of the Committee along with their presentation/laying in both the Houses of Parliament was undertaken.

11.207 The Section also studied, scrutinized and analysed the materials such as Bills, Background note on the Bills, Parent Acts, Official Secrets Act, 1923, Code of Civil Procedure, 1908, Code of Criminal Procedure, 1973, The Constitution of India, The Public Servants (Inquiries) Act, 1850, The Commission of Inquiry Act, 1952, The Judges (Inquiry) Act, 1968, The General Clauses Act, 1897, The Prevention of Corruption Act, 1988, The Prevention of Money-Laundering Act, 2002, The Delhi Special Police Establishment Act, 1946, Indian Penal Code, Income Tax Act, 1961, The Administrators-General Act, 1963, the RTI Act, 2005, Parliamentary Debates etc. relevant to the subjects/ Bills and a very large number of written submissions received in response to Press Communiqué issued by the Secretariat in respect of Bills under examination of the Committee. The Section also made use of the materials provided by the concerned Departments/Ministries within the purview of the Committee and related information downloaded from various websites.

ANNEXURE - XVI

(See Para 11.8)

Details of sittings of the Committee on Personnel, Public Grievances, Law and Justice during the year 2012

Sl. No.	Date	Duration Hrs. -Mins.	Subject
1.	10.01.2012	0.55	<p>(i) Presentation by the Secretary, Legislative Department, M/o Law & Justice on the Administrator General (Amendment) 2011.</p> <p>(ii) Hear the views of the following non-official witnesses on the Prevention of Bribery of foreign Public International Organisation Bill, 2011:</p> <p>I. ASSOCHAM</p> <ol style="list-style-type: none">1. Shri R.K. Handoo, Managing Committee Member; and2. Shri G.P. Srivastava, Senior Advisor. <p>II. FICCI</p> <ol style="list-style-type: none">1. Dr. K.K. Upadhaya; Additional Director; and2. Shri Rajan Kohli, Advisor. <p>III. CII</p> <ol style="list-style-type: none">1. Shri Sushanta Sen, Principal Adviser; and2. Shri Shreeram Lakshman, Deputy Director. <p>IV. PHD Chamber of Commerce and Industry</p> <ol style="list-style-type: none">1. Shri Suman Jyoti Khaitan, Sr. Vice President;2. Shri K. Swarup, Co-chairman, Law and Justice Committee;3. Ms. Kanchan Zutshi, Secretary and4. Ms. Ishita Sharma, Personnel Secretary to SG.
2.	24.01.2012	1.27	<p>(i) Hear the views of the following witnesses on the "Prevention of Bribery of Foreign Public Officials and Officials of Public International Organisations Bill, 2011"</p> <ol style="list-style-type: none">1. Central Vigilance Commissioner2. Director, CBI :3. Director, ED4. Shri Ravinder Kumar; and5. Shri Radhey Shyam Agarwal. <p>(ii) Adoption of Draft 49th Report of the Committee on the Administrators - General (Amendment) Bill, 2011.</p>

Sl. No.	Date	Duration Hrs. Mins.	Subject
3.	08.02.2012	1.44	<p>(iii) Information to Members of the reference of Citizens Charter Bill, 2011 by Hon'ble Chairman for examination and report.</p> <p>A. (i) Consider and adopt draft 50th Report on the Prevention of Bribery of Foreign Public Officials and Officials of Public International Organisations Bill, 2011; and</p> <p>(ii) Decide on presentations of the report to Hon'ble Chairman, Rajya Sabha.</p> <p>B. Hear presentation of Dr. Jayaprakash Narayan President Lok Sabha Party on the Right of Citizens for Time Bound Delivery of Goods & Services and Redressal of their Grievances Bill, 2011.</p>
4.	17.02.2012	3.32	<p>I Hear the views of the following witnesses on the Right of Citizens for Time Bound Delivery of Goods & Services and Redressal of their Grievances Bill, 2011.</p> <p>(i) Secretary, Department of Administrative Reform & Public Grievances;</p> <p>(ii) Shri Salil Singhal, Chairman and Representatives of CII; and</p> <p>(iii) Smt. Aruna Roy and Representative of National Campaign for People's Right to Information.</p> <p>II. Hear further clarifications of the Secretary, Department of Personnel & Training on the 'Prevention of Bribery of Foreign Public Officials and Officials of Public International Organisations Bill, 2011'.</p>
5.	29.02.2012	1.29	<p>Hear the views of the following witnesses on the "Right of Citizens for Time Bound Delivery of Goods & Services and Redressal of their Grievances Bill, 2012".</p> <p>(i) Shri Nripendra Mishra IAS (Retd.), Director, Public Interest Foundation, New Delhi.</p> <p>(ii) Dr. Sanjeevan Bajaj, CED, FICCI, New Delhi.</p> <p>(iii) Shri K.C. Sivaramakrishnan, Chairman, Centre for Policy Research, New Delhi.</p> <p>(iv) Shri M.R. Madhavan, PRS Legislative Research, New Delhi.</p> <p>(v) Shri B.K. Taimni, Core Group Member, IC Centre for Governance, New Delhi; and</p> <p>(vi) Ms. Ritu Mehra, Chairperson, Pardarshita, New Delhi.</p>
6.	12.03.2012	2.00	<p>I Hear the views of the following witnesses on the "Right of Citizens for Time Bound Delivery of Goods & Services and Redressal of their Grievances Bill, 2011"</p> <p>(i) Shri R. Narayanaswami, Chairman, Public Grievances Commission, New Delhi.</p>

Sl. No.	Date	Duration Hrs. -Mins.	Subject
			(ii) Shri Manjit Singh, IAS (Retd.), Chandigarh;
			(iii) Ms. Jashodharva Dasgupta, National Alliance for Maternal Health & Human Rights, New Delhi.
			(iv) Admiral (Retd.) R.H. Tahiliani, Mentor; and Shri S.K. Agarwal, Vice Chairman, Transparency International India, New Delhi.
			(v) Shri P.S. Krishnan, IAS (Retd.), Gurgaon; and
			(vi) Shri Amar Singh, President, Society for Justice, Rajpura, Punjab.
			and
			II. Hear clarifications of the Secretary, Department of Personnel & Training on the "Prevention of Bribery of Foreign Public Officials & Officials of Public International Organisations Bill, 2011"
7.	26.03.2012	0.25	Consideration and adoption of Draft 50th Report on the Prevention of Bribery of Foreign Public Officials and Public International Organisation Bill, 2011.
8.	*16.04.2012	3.40	Presentation on Demands for Grants (2012-13) by :— (i) Secretary, UPSC; and (ii) Director, CBI (iii) Chairman, SSC (iv) Secretary, CVC, (vi) Director, LBSNAA, Mussoorie; (vi) Chairperson, Kendriya Bhandar; and (vii) Secretary, CIC
9.	17.04.2012	2.21	Presentation on Demands for Grants (2012-13) by :— (1) Secretary, Department of Personnel & Training; (2) Secretary, Department of Administrative Reforms & Public Grievances; and (3) Department of Pensions & Pensions welfare on Demands.
10.	18.04.2012	2.45	Presentation on Demands for Grants (2012-13) by :— (i) Director General Secretary, Election Commission of India; (ii) Registrar, Supreme Court; (iii) Director, National Judicial Academy; (iv) Member Secretary, NALSA; (v) Secretary General, ICADR,

*No quorum attained.

Sl. No.	Date	Duration Hrs. -Mins.	Subject
			(vi) Director, ICPS; (vii) Member, BCI; and (viii) Registrar, ILI
11.	08.05.2012	2.30	Presentation on Demands for Grants (2012-13) (i) Secretary, Legislative Department; (ii) Secretary, Department of Legal Affairs; and (iii) Secretary, Department of Justice
12.	15.05.2012	0.43	1. Information to Members of the reference of the Registration of Births & Deaths (Amendment) Bill, 2012 for examination and report. 2. Consider and adopt the following draft Reports:— (a) 51st Report on Demands for Grants (2012-13) of the M/o PPG & Pensions; and (b) 52nd Report on Demands for Grants (2012-13) of the M/o Law and Justice. 3. Nomination of Members from Rajya Sabha and two Members from Lok Sabha to Present/lay the Reports to/in the Rajya Sabha / Lok Sabha, respectively; and 4. Decide date of presentation / laying of the Reports.
13.	21.06.2012	1.25	1. Information to Members of the reference of the Administrative Tribunal (Amendment) Bill, 2012 for examination and report. 2. Hear presentation of the Secretary, Legislative Department on the Registration of Birth and Deaths (Amendment) Bill, 2012.
14.	09.07.2012	1.32	(i) Hear presentation of the Secretary, Department of Personnel & Training on the Administrative Tribunals (Amendment) Bill, 2012. (ii) In - house discussion on the Rights of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011.
15.	18.07.2012	1.15	Internal discussion on the Right of Citizen for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011.
16.	01.08.2012	2.20	Hear presentation of the Representatives of Madhya Pradesh, Uttar Pradesh, Punjab and Karnataka on the Right to Citizens for Time Bound Delivery of Good and Services and Redressal of their Grievances Bill, 2011.
17.	23.08.2012	0.07	(i) Consider and adopt draft 53rd Report on the Right to Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011. (ii) Decide on the date of presentation/laying of the Report; and

Sl. No.	Date	Duration Hrs. -Mins.	Subject
18.	12.10.2012	2.20	<p>(iii) Nomination of Member from Rajya Sabha and Lok Sabha to present/lay the Report to/in Rajya Sabha / Lok Sabha, Respectively.</p> <p>(i) Oral Evidence of the representatives of the Government of Goa on the Registration of Births and Deaths</p> <p>(ii) Oral Evidence of the following representatives on the Registration of Births and Deaths (Amendment) Bill, 2012:—</p> <ol style="list-style-type: none"> 1. Shri Gurdip Singh, President, Residents and Shopkeepers Welfare Society(Regd.), New Delhi; 2. Shri R.K. Bhatia, New Delhi; and 3. Dr. K.L. Madhok, Gurgaon. <p>(iii) Oral Evidence of the following representatives on the Administrative Tribunals (Amendment) Bill, 2012:—</p> <ol style="list-style-type: none"> 1. Smt. Shyama Dogra, Member (Judicial, Retd.) CAT, Chandigarh; and 2. Ms. Meera Chhibber, Member (Judicial, Retd.), CAT, New Delhi.
19.	26.11.2012	0.25	Consider draft Report on Administrative Tribunals (Amendment) Bill, 2012
20.	11.12.2012	0.45	Consider and adoption 54th draft Report on the Administrative Tribunals (Amendment) Bill, 2012.

CHAPTER-XII

COMMITTEE ON SCIENCE & TECHNOLOGY, ENVIRONMENT & FORESTS

I. Composition of the Committee

12.1 The Committee was constituted on 31st August, 2011 and the following was the composition of the Committee:—

Dr. T. Subbarami Reddy — *Chairman*

Rajya Sabha

- *2. Shri Janardan Dwivedi
3. Shri Anil H. Lad
4. Shri Rajiv Pratap Rudy
5. Dr. Chandan Mitra
6. Shri Saman Pathak
7. Shri Paul Manoj Pandian
8. Shri Jabir Husain
9. Dr. Barun Mukherji
10. Prof. M.S. Swaminathan

Lok Sabha

11. Shrimati Bijoya Chakravarty
12. Shri Ninong Ering
- #13. Shri Prataprao Ganpatrao Jadhav
14. Shrimati Kamla Devi Patle
15. Shri Abdul Rahman
16. Shri Gajendra Singh Rajukhedi
17. Shri S.S. Ramasubbu
18. Shri Jagdish Singh Rana
19. Dr. Anup Kumar Saha
20. Shri Cosme Francisco Caitano Sardinha
21. Shri Shibu Soren
22. Dr. Rajan Sushant
23. Shri Pradeep Tamta
24. Shri Mansukhbhai Dhanjibhai Vasava
25. Shri Akhilesh Yadav
26. Prof. (Dr.) Ranjan Prasad Yadav
- %27. Shri Kristapa Nimmala
28. Vacant
29. Vacant
30. Vacant
31. Vacant

* Re-nominated *w.e.f.* 2nd February, 2012.

Ceased to be a Member of the Committee *w.e.f.* 3rd January, 2012.

% Nominated *w.e.f.* 25th November, 2011.

12.2 The Committee was re-constituted on 31st August, 2012 with the following composition:—

Dr. T. Subbarami Reddy — *Chairman*

Rajya Sabha

2. Shri Anil H. Lad
3. Shrimati Maya Singh
4. Shri M. Rama Jois
5. Shri Alok Tiwari
6. Shri T.M. Selvaganapathi
7. Shri Rabinarayan Mohapatra
8. Shri Paul Manoj Pandian
9. Shri Ram Kripal Yadav
- ©10. Prof. M.S. Swaminathan

Lok Sabha

11. Shri K.C. Singh “Baba”
12. Shrimati Bijoya Chakravarty
- #13. Shri Bansa Gopal Chowdhury
- \$14. Shri Ninong Ering
15. Shri K. Jayaprakash Hegde
16. Shri Marotrao Sainuji Kowase
17. Dr. Ajay Kumar
18. Shri O.S. Manian
19. Shri Dayanidhi Maran
20. Shri Basori Singh Masram
21. Shri Natubhai Gomanbhai Patel
22. Shrimati Kamla Devi Patle
23. Shri Ramashanker Rajbhar
24. Shri Tathagata Satpathy
25. Shri Yashvir Singh
26. Shri Kodikunnil Suresh
27. Shri Pradeep Tamta
28. Shri Joseph Toppo
29. Shri Mansukhbhai D. Vasava
30. Shri Ramakant Yadav
31. Prof. (Dr.) Ranjan Prasad Yadav

© Re-nominated *w.e.f.* 27th December, 2012, Re-nominated *w.e.f.* 27th December, 2012.

Ceased to be a Member of the Committee *w.e.f.* 14th December, 2012.

\$ Ceased to be a Member of the Committee *w.e.f.* 28th October, 2012.

II. Subject selected for examination

12.3 The Committee deliberated on the various aspects of the functioning of the different Ministries/Departments under its purview at its meeting held on 8th October, 2012 and decided to select the subject **“Steps taken by various sectors of the Indian Economy to control Pollution”** for further consideration by the Committee.

III. Constitution of Sub-Committees

12.4 During 2012, no Sub-Committee was constituted.

IV. Review of Work Done

(a) Sittings of the Committee

12.5 During the year 2012, the Committee held 19 sittings lasting for 44 Hours and 30 minutes. A Statement showing the dates of sittings, the duration of the sittings and the subjects discussed is given in *Annexure-XVII*.

(b) Study Visits

12.6 The Committee undertook three study visits during the year 2012, the details of which are given in the following table: —

Sl. No.	Dates of Visits	Place Visited	Subject
1.	17.01.2012 to 21.01.2012	Mumbai and Hyderabad	(i) Interaction with Chief Secretary; Secretary, Power; Secretary, Tourism; Secretary, Health, Govt. of Andhra Pradesh; Principal Secretary (In charge Municipality); Commissioner, Hyderabad Municipal Corporation; Principal Secretary (Traffic); Transport Commissioner; Chairman and Members of Andhra Pradesh State Pollution Control Board; General Manager, South Central Railway (M/o Railways); and officials of Ministry of Environment & Forests along with Director General Forests; and Central Pollution Control Board on pollution mitigation measures taken by them. (ii) Interaction with BHEL, MoEF, APPCB on pollution mitigation measures taken by the BHEL. (iii) Interaction with Glaxo Smith Kline Pharmaceuticals Ltd, MoEF, Maharashtra State Pollution Control Board India Govt. Mint, India Security Press , Nashik, Bank Note Press, Dewas and CMDs & Senior officials of HPCL and BPCL on pollution mitigation measures taken by the pharmaceutical/ Mint/Oil companies.
2.	04.07.2012 to 08.07.2012	Dehradun, Mussoorie, Rishikesh and Haridwar	(i) Visit to Forest Research Institute, Dehradun and discussions with the officials of the Ministry of Environment & Forests, Director, Forest Research Institute, Dehradun, Director Forest Survey of India, Dehradun and Director, Indira Gandhi National Forest Academy, Dehradun on the issue of conservation of Forests. (ii) Discussion with the officials of MoEF, Uttarakhand State Pollution Control Board and Nagar Palika Parishad, Mussoorie, Nagar Palika Parishad, Rishikesh and Nagar Palika Parishad, Haridwar on Ganga Action Plan and

Sl. No.	Dates of Visits	Place Visited	Subject
3.	19.10.2012 to 21.10.2012	Hyderabad	<p>issues pertaining to the pollution mitigation measures taken by them to keep the city clean and green.</p> <p>(i) Interaction with the Chief Secretary, Principal Secretary, Energy, Principal Secretary, Environment, DG, Forests, Govt of Andhra Pradesh, Commissioner, Hyderabad Municipal Corporation, Vice Chairman, Visakhapatnam, Urban Development Authority, Visakhapatnam, District Collector, Visakhapatnam, Municipal Commissioner, Chairman, Visakhapatnam Port Trust, CMDs NTPC, Visakhapatnam Steel Plant, GAIL, O&NG, HPCL, IOC Ltd, BPCL and Chairman & Members of Andhra Pradesh State Pollution Control Board and CPCB on pollution control measures taken by them.</p> <p>(ii) Interaction with Director, Centre for Cellular and Molecular Biology (CCMB) under DSIR.</p>

V. Reports Presented

12.7 During 2012, the Committee presented the following Eighteen reports to the House:—

Sl. No.	Report No.	Date of Presentation/ Laying in the Rajya Sabha/ Lok Sabha	Subject
1.	221st	21.03.2012	The Nuclear Safety Regulatory Authority Bill, 2010
2.	222nd	18.05.2012	Demands For Grants (2012-2013) of the Department of Atomic Energy
3.	223rd	18.05.2012	Demands For Grants (2012-2013) of the Department of Science & Technology (Ministry of Science and Technology).
4.	224th	18.05.2012	Demands For Grants (2012-2013) of the Ministry of Environment & Forests
5.	225th	18.05.2012	Demands For Grants (2012-2013) of the Department of Space
6.	226th	18.05.2012	Demands For Grants (2012-2013) of the Ministry of Earth Sciences
7.	227th	18.05.2012	Demands For Grants (2012-2013) of the Department of Scientific & Industrial Research (Ministry of Science and Technology).
8.	228th	18.05.2012	Demands For Grants (2012-2013) of the Department of Biotechnology (Ministry of Science and Technology)
9.	229th	30.08.2012	The Regional Centre for Biotechnology Bill, 2011
10.	230th	30.08.2012	Steps taken by various sectors of the Indian Economy to control pollution
11.	231st	26.11.2012	The Indian Forest (Amendment), Bill, 2012
12.	232nd	20.12.2012	Action Taken by the Government on the Recommendations contained in the Two Hundred Twenty Second Report of the Departmental related Parliamentary Standing Committee on Science and Technology, Environment & Forests on the Demands for Grants (2012-13) of the Department of Atomic Energy.

Sl. No.	Report No.	Date of Presentation/ Laying in the Rajya Sabha/ Lok Sabha	Subject
13.	233rd	20.12.2012	Action Taken by the Government on the Recommendations contained in the Two Hundred Twenty third Report of the Departmental related Parliamentary Standing Committee on Science and Technology, Environment & Forests on the Demands for Grants (2012-13) of the Department of Science and Technology.
14.	234th	20.12.2012	Action Taken by the Government on the Recommendations contained in the Two Hundred Twenty fourth Report of the Departmental related Parliamentary Standing Committee on Science and Technology, Environment & Forests on the Demands for Grants (2012-13) of the Ministry of Environment and Forests
15.	235th	20.12.2012	Action Taken by the Government on the Recommendations contained in the Two Hundred Twenty fifth Report of the Departmental related Parliamentary Standing Committee on Science and Technology, Environment & Forests on the Demands for Grants (2012-13) of the Department of Space.
16.	236th	20.12.2012	Action Taken by the Government on the Recommendations contained in the Two Hundred Twenty sixth Report of the Departmental related Parliamentary Standing Committee on Science and Technology, Environment & Forests on the Demands for Grants (2012-13) of the Ministry of Earth Sciences
17.	237th	20.12.2012	Action Taken by the Government on the Recommendations contained in the Two Hundred Twenty seventh Report of the Departmental related Parliamentary Standing Committee on Science and Technology, Environment & Forests on the Demands for Grants (2012-13) of the Department of Scientific and Industrial Research.
18.	238th	20.12.2012	Action Taken by the Government on the Recommendations contained in the Two Hundred Twenty eighth Report of the Departmental related Parliamentary Standing Committee on Science and Technology, Environment & Forests on the Demands for Grants (2012-13) of the Department of Biotechnology.

VI. Summary of Recommendations

(a) 221st Report

12.8 The Committee feels that it is advisable to fix the upper limit of 120 days or 180 days in the Act for enforcement of all the provisions of the Act. Such a provision exists in the Right to Information Act. This will ensure that various Authorities/ bodies envisaged in the Bill are established in a time bound manner. [Clause 1(3)]

12.9 The Committee is of the view that in order to make the functioning of the Council more effective, the number of Members of the Council needs to be restricted to a reasonable limit. For this purpose, the field, which has been left wide open for inclusion of as many number of eminent experts as nominated by the Central Government to be Members of the Council, needs to be restricted by imposing an upper limit of five on the number of Experts who could be nominated by the Central Government. This may be done by inserting – ‘not exceeding five’ in Clause 5(j) of the Bill at the appropriate place.[Clause 5]

12.10 The Committee feels that the number of part time Members as provided in the Bill may be retained.

12.11 The Committee feels that the Authority may not require 7 whole-time Members but to call a Member of the Authority a part-time Member does not look dignified. The Committee, therefore, recommends that the nomenclature 'Part-time Members' as provided in Clause 9(1) (iii) may be suitably changed to a more dignified nomenclature. [Clause 9]

12.12 The Committee finds that the number of Members of the Search Committee which is proposed to be constituted for the selection of Chairperson and Members of the Authority has not been specified. The Committee feels that the number of Members of the search committee which is going to play a vital role in the scheme of the things of the Bill should not be left open to interpretation or discretion. The Committee, therefore, recommends that the composition of the search Committee should be clearly specified. [Clause 10]

12.13 The Committee does not agree with the explanation given by the Secretary and recommends that it should be clarified in the Bill that Chairperson and the Members of the Authority shall be eligible for reappointment for not more than one term of three years. [Clause 11]

12.14 The Committee feels that with the advancement in the technology for monitoring exposure to radiation level of the employees, there is no need for a regulatory authority to specify hours of work, minimum leave, etc. When the Committee sought the comments of the Department of Atomic Energy on this issue, it was stated that the Department did not have any views against the suggestion of deleting these provisions from Clause 20(2)(h). The Committee recommends that they may be deleted, being neither necessary nor desirable. [Clause 20(2)(h)]

12.15 The Committee is of the view that while international obligations existing on the date the Authority is established may, be respected, but after establishment of the Authority, before undertaking any international obligations on any aspect within the jurisdiction of the Authority, the Authority shall be consulted and its views taken into account. [Clause 20(2)(q)]

12.16 The Committee is of the opinion that Clause 21 is not at all relevant in the context of this Bill and hence may be deleted. The Committee also recommends that identical words appearing in Clause 42(1) of the Bill may also be reconsidered by Government Alternatively, the Committee recommends insertion of following proviso to Clause 21 and 42(1):—

Provided that nothing contained in this Clause shall be construed to empower the Central Government to interfere with the exercise by the Authority of its powers and functions under this Act. [Clause 21 & 42(1)]

12.17 The Committee recommends that the Bill may specify that the delegation of powers and functions by the Authority shall be made only to such officers or authorities of the State Government as have necessary competence to efficiently and effectively perform the delegated functions. [Clause 24]

12.18 The Committee recommends that it should be mandatory for the Central Government to bring the facilities and activities exempted under Clause 25(1) of this Bill on grounds of the national defence and security from the purview of the Authority under one or other regulatory body to ensure that sufficient safeguards are put in place to assure citizens of nuclear safety and radiation safety. [Clause 25]

12.19 In view of the fact that the Appellate Authority will be a *quasi-judicial* body superior to the Authority and final view, if so agitated, on an order of the Appellate Authority shall ultimately lie with superior courts only, the Committee is of the opinion that the existing provision may be retained. [Clause 35(4)(a)]

12.20 On the more, the Committee feels that there might be many more eminent scientists who would not have held the high posts mentioned above and the eligibility conditions as prescribed would deprive them of being included as Members of the Appellate Authority. The Committee, therefore, recommends that there is a need to broad base the eligibility criteria prescribed for being a Member of the Appellate Authority and the Government should suitably amend the provision in the light of the observations of the Committee. [Clause 35(4)(b)]

12.21 The Committee, therefore, recommends that this incongruity between the aforesaid two clauses needs to be reconciled. [Clause 35(5)]

12.22 The Committee expresses its serious apprehensions that the appellate authority will get constituted and the Appeal decided within 90 days and as such the appeal is most likely to abate and this will defeat the very purpose of making provisions relating to the Appellate Authority. The Committee is, therefore, of the opinion that the rigidity

of 90 days needs to be made flexible to avoid appeal from abating and the word 'preferably' may be added before the words 'within a period of 90 days'. The Government may also enhance the period in which appeal is to be decided to make it more realistic. [Clause 35(7)]

12.23 The Committee is constrained to observe that the Department has not given serious thought on the issues raised by the Committee and has given a very casual reply. While it has not bothered at all to address the issue of finances, accounts, etc. of the Appellate Authority, it has also failed to clarify as to how the Council which is a creation of this Bill would be treated as part of the Central Government. The Committee, therefore, recommends that the Department of Atomic Energy should seek legal opinion in the matter in order to ascertain if separate provisions are required for the purpose.

12.24 The Committee finds that there are certain Clauses in the Bill *viz.* Clause 14(1) (Removal of Chairperson and Members of the Authority), Clause 42 (Directions by the Central Government to the Authority) and Clause 48 (Power of Central Government to supersede the Authority), which may impinge on functional autonomy of the Authority. The Committee is, therefore, of the view that the Department should explore the possibilities of making the Regulatory Authority more independent and autonomous not only to carryout its functions effectively but also to enjoy credibility among the public and the trust of the people. [Clause 14(1), Clause 42, Clause 48]

12.25 The Committee is, therefore, of the view that the Department should give a serious thought on the observations of the Committee. [Clause 47]

12.26 The Committee sees no rationale in Authority seeking previous approval of the Central Government for making regulations for purposes specified in the Bill, particularly, as in no case these regulations can be inconsistent with the provisions of this Act or the Rules made thereunder. The Committee, therefore, is of the opinion that Government should re-look into this provision. [Clause 51(1)]

(b) 222nd Report

12.27 The Committee recommends that Financial Year 2012-13, being the first Financial Year of the Twelfth Five Year Plan, the Department must ensure that the allocation made to the Department is fully utilized not only during the current year but also throughout the entire Plan period. (Para 4.9)

12.28 The Committee takes note of adverse consequences arising from drastic cut in the Non-Plan allocation under Demand No. 4 and 5 and recommends that Non-Plan allocation be suitably enhanced at R.E. stage to avoid adverse impact arising from reduction of Non-Plan allocation. (Para 4.10)

12.29 The Committee feels that the existing monitoring system is not able to ensure full utilisation of funds and, therefore, recommends that the monitoring mechanism needs to be so strengthened and revamped as to preclude any possibility of underutilization/ non-utilisation of allocated funds on almost similar grounds year after year.

(Para 4.14)

12.30 The Committee recommends that the Department should also strive to prepare the Result Framework Document to objectively assess its performance index.

(Para 4.16)

12.31 The Committee feels that it is a matter of concern that as against the B.E. allocation of Rs. 1190.00 Crores under Plan Head, BARC could utilize only Rs. 1015.00 Crores, thus, leaving a gap of Rs. 175.00 Crores. The Committee, therefore, recommends that these sort of loopholes which lead to underutilization of funds should be plugged in future.

(Para 4.20.2)

12.32 The Committee was informed that the increase in provision for the year 2012-13 is mainly for the development of facilities at BARC, Visakhapatnam and for setting up of integrated nuclear projects at Tarapur. The Committee is happy to note that allocation for BARC, a prestigious research and development institution, has been increased notwithstanding its poor performance in terms of financial achievements. It however, recommends all out efforts be made to fully utilize the outlay and that no excuse whatsoever should be allowed to come in its way.

(Para 4.20.3)

12.33 The Committee recommends that the Department should intensify its efforts in developing more and more high yielding disease resistant crop varieties not only of pulses, groundnuts, etc., but also of cereals like wheat and rice.

(Para 4.20.4)

12.34 The Committee recommends that Department chalk out a popularization cum awareness campaign to make people throughout the country aware of various varieties developed at BARC and for popularizing them.

(Para 4.20.5)

12.35 The Committee recommends that the Department should create a separate agency of its own instead of depending on other agencies for popularizing and marketing of socially beneficial technologies like Nisargruna Biogas Plant for handling biodegradable wastes; Sludge Hygienization Research Irradiation (SHRI) for treatment of municipal sewage, etc. including its technology on food preservation, nuclear medicine and healthcare, so that, the benefit ultimately could reach the society at large.

(Para 4.20.7)

12.36 The Committee recommends that the process of receipt/grant approval for projects for which allocation has been earmarked must be completed in the same financial year, so that, the allocated outlay are fully utilized in that year itself. The Committee also expresses its serious concern over such sort of delay for a matter and crucial project like fast reactor fuel cycle facility which is badly required for the second stage nuclear power programme and recommends that such procedural delays should not be allowed to come in the way of such an important programme in future.

(Para 4.21.3)

12.37 The Committee feels that this is a very noble act on the part of an organisation of Department of Atomic Energy which would go a long way in winning the trust of the people through such philanthropic acts. The Committee, therefore, recommends that such activities aimed at helping the poor and the needy needs to be further expanded in other States of the country.

(Para 4.23.2)

12.38 The Committee recommends that the Centre should not only try to utilize the allocated resources this year but also accomplish the task of development of software for hearing impaired and medical cyclotron project within the stipulated targeted period.

(Para 4.23.3)

12.39 The Committee recommends that accomplishment of third stage nuclear power programme using thorium as fuel for power generation on commercial basis, research on Compact High Temperature Reactor (CHTR) and on Hydrogen energy needs to be intensified and results achieved in a time bound manner.

(Para 4.23.4)

12.40 The Committee recommends that the budgetary allocation made this year must be fully utilized and the Department should not come out with procedural excuses next year. The Committee also recommends that the new potential heavy mineral zones identified by Atomic Minerals Directorate in new areas must also be exploited so as to extract as much Uranium ore as possible and for this purpose, the Department should prepare a time bound Action Plan.

(Para 4.25.3)

12.41 The Committee recommends that AMD should make efforts to cover those areas of the country to identify prospective mineral resources which have been left untouched so far.

(Para 4.26.2)

12.42 The Committee recommends that TMC should, in a time bound manner, try to establish its Centres in other parts of the country with high cancer case rates. Simultaneously, it should also makes sincere efforts to develop tertiary level cancer care facilities in each State/Region, so that, patients need not travel from remote and far flung areas all the way to Mumbai. The Committee also recommends that adequate financial allocation should be provided to the Centre, so that, it could not only undertake research in the field of cancer, but also expand its activities and reach in different parts of the country. The Committee expresses its displeasure over the reduction of allocation for the Centre in B.E. 2012-13 which is Rs. 248.15 Crores as against the B.E. Rs. 289.78 Crores last year and recommends that adequate budgetary support needs to be provided to the Centre so that it is able to cater to the needs of the cancer patients, especially the poor through expansion and outreach programmes.

(Para 4.27.2)

12.43 The Committee recommends that the Department should make all out efforts to make the prototype fast breeder reactor operational by targeted date of completion, *i.e.*, September, 2014 and start its commercial operation by 2014-15 as scheduled.

(Para 4.30.5)

12.44 The Committee recommends that the Department must not leave any stone unturned to ensure that nuclear power generation capacity is given a big boost as the country cannot afford any laxity on this front any more.

(Para 4.30.8)

(c) 223rd Report

12.45 The Committee is of the opinion that a robust monitoring mechanism is essential for ensuring timely completion of the various projects to avoid time and cost overrun and to ensure full utilization of allocated funds. The Committee appreciates that the Department has adopted the Result Framework Document (RDF), with the objective of effective review of both the physical and financial progress/achievements in implementation of policies, programs, projects of major activities *vis-à-vis* agreed targets fixed for each programme. The Committee hopes effective monitoring of projects would lead to timely completion of projects and optimum utilization of funds in the year 2012-13.

(Para 7.2)

12.46 The Committee takes note of the ongoing programmes of the Eleventh Plan period that are proposed to be strengthened during the Twelfth Plan period and the new initiatives that are proposed to be undertaken by the Department during the Twelfth Plan period. The Committee appreciates the fact that though the major thrust areas of the Department continue to be strengthening basic research and expanding Research and Development, both in terms of Human as well as Institutional capacities, it has also been increasingly involving itself in diverse programmes aimed at providing benefits of applications of Science and Technology, to the common masses. The Committee is of the opinion that societal interventions of Science and Technology are needed to improve the quality of life of our people and therefore such programme should be encouraged. The Committee also approves of the special attention that has been given to nurture and bring women scientists to the fore and hopes that the new programme named DISHA will help bring gender parity in the field of Science and Technology and increase the contribution of women scientists to science, technology and development.

(Para 8.6)

12.47 The Committee observes that this is a very serious issue as some of the proposed important projects will either be not taken up or would be delayed which will not be in national interest. The Committee, therefore recommends that the Department should pursue the case of higher allocations with the Ministry of Finance and the Planning Commission so that the pending amount of Rs. 1428.00 crores could be allocated to it during the R.E. stage of 2012-13.

(Para 9.8)

12.48 The Committee is further of the opinion that atleast the Scientific Departments should be spared from the routine cuts both at B.E. and R.E. stages. The Committee feels that the Budgetary cuts not only hamper the smooth progress of the projects/programmes, but also demoralize the dedicated scientists who are involved in such projects.

(Para 9.9)

12.49 The Committee is of the opinion that formation of a body, such as the Science and Engineering Research Board (SERB), to coordinate and to give a renewed boost to the declining state of research in basic sciences, was long overdue. A need for de-bureaucratization of the Scientific departments and providing functional autonomy to the bodies engaged in research has long been felt by the Committee. In this direction the Committee welcomes the efforts of the Department in the formation of the SERB, with administrative and financial autonomy of the Board in implementing the basic research programmes efficiently and on a real time scale. The Committee hopes that the SERB will enhance S&T capabilities of the country and lead to increased visibility of the Indian scientists and Indian research establishments globally.

(Para 10.5)

12.50 The Committee expresses serious concern at the low level of investment in the R&D Sector by the private sector, which at present stands at only 0.25% compared to levels of 1.2-2.0% of GDP in many developed and emerging economies. The Committee feels that if India has to emerge as a scientifically developed nation, that private sector investment in R&D has to increase substantially from the present levels. This calls for greater partnership between the industries and academia, particularly research institutions and universities. The Committee feels that the Department should formulate such policies and programmes which would encourage the private sector to invest substantially in the R & D Sector. The private sector should be enlightened about the advantages that would accrue to them in long term, besides financial benefits, to encourage their participation in the country's progress in the scientific field.

(Para 10.7)

12.51 The Committee appreciates the Department for initiating the Technology Development Programme which aims at developing the need based indigenous technologies through joint participation with the industry on one hand and the socio-economic Ministries on the other. The Committee feels that the programme will help in enhancing the technological prowess of the country. It also notes that the thrust areas of the programme which *inter-alia* include technology needs for North-Eastern states, technology convergence for the production of Sulfate of Potash, are of immense importance. The Committee hopes that the Department will strive hard to make the programme achieve its objectives. The Committee recommends that the Department should initiate more such programmes for the socio-economic development of the common man.

(Para 11.5)

12.52 The Committee notes with serious concern, the lackadaisical approach adopted by the Department towards a crucial programme such as the 'Drugs and Pharmaceutical Research' programme. It notes that there are overlapping grant of loans and schemes being implemented by Departments of Biotechnology and Scientific & Industrial Research, providing grants/soft loans on more attractive terms to pharma industry, which has resulted in a decline in demand for the 'Drugs and Pharmaceutical Research' scheme run by the Department of Science & Technology and consequent decrease of funds allocated under the programme. The Committee feels that this is a serious case of lack of coordination between the three departments *viz.* DST, DBT and DSIR, which incidentally function under the same Ministry.

(Para 13.4)

12.53 The Committee is of the considered view that in a country where poverty is rampant and sizeable part of population suffers from critical diseases, continued support to drug research programmes is the social responsibility of the Government for providing affordable drugs/medicines to the poor masses and this responsibility cannot be diluted or absolved at any stage through reduced allocations. The Committee feels that for a focused approach the 'Drugs and Pharmaceutical Research Programme' should preferably be promoted by a single Department and the programme should be regulated in such a manner that there is no overlapping of schemes/loan grants of the various departments. The Committee further recommends that the various Departments may however pool their scientific expertise to achieve success of the 'Drugs and Pharmaceutical Research Programme'.

(Para 13.7)

12.54 The Committee expresses its serious concern at the waning of interest among the new generations towards a career in science, which has led to the shortage of quality scientific and technical manpower for the country's scientific and research programmes. The Committee appreciates the fact that a significant amount of Rs.400.00 crores has been allocated for the Alliance and R & D Mission which *inter-alia* aims towards attracting and encouraging the new generation towards a research career in science. The Committee feels that the long term requirement of generation of quality manpower needs to be addressed at different levels by aggressively upgrading the infrastructure in universities in the field of science and promoting quality research in them. In this direction the INSPIRE and SHE schemes, which on one hand, aims towards inculcating an interest towards science amongst the young generation and the BEST scheme which aims at elevating the professional and teaching skills of the teachers, by providing them an opportunity for gaining global experience of superior methods of mentoring and teaching, are highly commendable. The Committee feels that through such schemes the brightest students of the country can be nurtured and retained for research in science streams and would eventually enable India to embark on ambitious course of scientific wealth creation.

(Para 14.4)

12.55 The Committee also commends the initiatives of the Ministry in exploring the Public Private Partnership (PPP) mode of funding for R&D in order to stimulate the private sector investments into science; the PAN India S&T missions which *inter-alia* aims towards providing solutions of basic problems of the common man such as food and nutrition, affordable health care and water security and the Climate Change Programme which will focus towards the pressing issue of Climate change. The Committee would, however, like to caution the Department to ensure the effective implementation of these commendable programmes so that targeted benefits actually flow from these programmes.

(Para 14.5)

12.56 The Committee commends the role of the Department in initiating the DISHA scheme, which it feels would open up ample opportunities for women S&T professionals, whose careers are otherwise stuck or who are forced to opt out of their careers, due to familial as well as social obligations. The Committee feels that this scheme would provide an opportunity to women scientists to re-enter and continue working in S&T fields of their expertise and also to continue in the field of their choice in case they have to relocate to different places. The Committee is of the opinion that such schemes which ensure gender parity should be supported adequately through budgetary support.

(Para 15.3)

(d) 224th Report

12.57 The Committee is of the view that integration of programmes through rationalisation helps the Ministry to focus its attention on the programmes in an effective, efficient and result oriented manner. But, at the same, the Committee feels that the smaller sub-schemes after getting integrated with a major scheme or programme does not attract as much attention and hence its monitoring and performance gets affected. The Committee, therefore, recommends that while monitoring the major projects/schemes, the Ministry must ensure that performance of the smaller sub-schemes is not lost sight of and must ensure that progress and performance of smaller schemes is also regularly monitored, particularly, the component of wetlands, scheme of corals and mangroves as these are different from monitoring an inland lake or river.

(Para 6.9)

12.58 The Committee recommends that Planning Commission must provide not only adequate Budgetary Support to the Ministry of Environment and Forests at the R.E. stage of this Financial Year, but also seriously consider substantially enhancing the percentage share of Ministry of Environment and Forests in the Central Plan consistent with the growing importance of issues dealt by the Ministry.

(Para 8.9)

12.59 The Committee feels that the major constraint in effective functioning of CPCB is the shortage of technical staff, scientists and lack of quality laboratory facilities. The Committee, therefore, recommends that the Ministry should focus its attention in addressing these constraints, so that CPCB is able to effectively discharge its duties and functions. The Committee also feels that there is a need to improve internal working of the CPCB and its coordination with SPCBs, etc. The Committee is of the view that CPCB should hold meetings more frequently and its Members should regularly visit various places and hold discussion with concerned SPCBs, etc. so as to have a first hand experience of ground realities prevailing in the country and to sensitize the ground functionaries to effectively discharge their duties.

(Para 10.4)

12.60 The Committee feels that the number of zonal offices of CPCB needs to be increased so that it is able to keep a closer watch on air, water and noise pollution in the country. The Committee, therefore, recommends the Ministry of Environment and Forests should consider enhancing the number of zonal offices in a phased but time-bound manner.

(Para 10.5)

12.61 It has also come to the notice of the Committee that some industrial units closed on the direction of the CPCB for violation of environmental norms start their operations even without taking appropriate measures for compliance of environmental norms for violation of which they were closed down. The Committee takes a very serious view of such a toothless approach adopted by the CPCB in ensuring compliance of environmental norms and recommends

that CPCB, while intensifying its efforts towards compliance must ensure that a polluting industry once closed due to violation of environmental norms is allowed to operate only after adequate measures for control of pollution has been taken by it.

(Para 10.12)

12.62 The Committee hopes that the proposed NEAMA shall support and supplement the efforts of CPCB in achieving the desired objectives. The Committee, therefore, recommends that the process of setting up of NEAMA be expedited.

(Para 10.13)

12.63 The Committee is constrained to observe that despite whatever efforts made hitherto and a huge investment incurred under various schemes/projects, pollution level in both the rivers, *i.e.*, the Ganga and the Yamuna continues to increase unabated. The pathetic condition of Yamuna which has virtually turned into a 'Nala' to carry sewage falling into it from various drains, is deplorable. The water quality of the Ganga has not shown any significant improvement either and it is deteriorating day by day. The quality of Ganga water downstream at several important locations, such as, Kanpur, Allahabad, Varanasi and Patna still continues to be a major concern for the environmentalist, as well as, the common man. The Committee feels that one of the reasons for the failure of Government schemes lies in the fact that Government has so far adopted only engineering centric approach to solve the problem with undue emphasis on creation of sewage treatment plants, etc. The Committee feels that engineering centric activities alone will not be successful and the Ministry should also approach it as a social engineering problem and now the time has come when we should integrate engineering centric approach with social centric or society centric approach through which people living on and around the banks of the rivers are involved and assimilated in the Mission Clean Ganga. The Committee also recommends that services of various institutes of social sciences, apart from IITs should be sought by the Government to seek a viable solution of the pollution.

(Para 11.4)

12.64 The Committee recommends that the Ministry should take steps to stop encroachment and illegal commercial activities on the catchment areas of all the major rivers including the Ganga and the Yamuna. Yet another reason for the failure in cleaning the rivers is the day by day dwindling of their natural flow which has resulted in the assimilating capacity of the river Yamuna almost coming to a naught and of the river Ganga going down. The Committee is of the opinion that unless the flow of the river is maintained at a reasonable level, no other effort is going to be successful. The Committee, therefore, recommends that the Ministry should pay due attention on this issue and take steps to ensure that the flow of the river Yamuna and the Ganga upstream is not disturbed or blocked.

(Para 11.5)

12.65 The Committee notes with concern slow progress in enhancing the sewage treatment facilities and fears that unless problem is tackled with seriousness and urgency, the gap would further widen in view of the growing urbanisation and, therefore, recommends that the Ministry should intensify its efforts for building enough treatment capacity to bridge the gap between the sewage treatment and sewage generation in a time bound manner in cities situated on the bank of major rivers. The Ministry may coordinate with other concerned Ministries of the Government of India and State Governments so that coordinated efforts are made to realize this goal.

(Para 11.6)

12.66 The Committee is of the opinion that there is an urgent need for the Ministry to streamline its procedures, fix realistic time schedule for giving various clearances and adhere to those time schedules. The Committee is further of the view that there should be a system of surprise inspections to check adherence to the conditions laid while giving clearances and the Environmental Impact Assessment Studies need to be carried out with greater objectivity.

(Para 12.5)

12.67 The Committee recommends that the Ministry of Environment and Forests should accord priority to regenerate and intensify forestry activities in the degraded forest areas which are already with the Ministry and in this way the constrain of non-availability of land could be overcome. The Committee also recommends that the Ministry should make efforts to get a buffer of forest cover created by those agencies which require forest land for non-forestry purposes. Ministries of Coal; Power; Steel; etc. may be involved in this activity, so that, their requirement of forest

land for non-forestry purposes could be met as compensatory afforestation is required to be done by them in advance.

(Para 13.4)

12.68 The Committee finds that it is the dismal performance on the part of the Ministry which needs to be improved and intensified in order to protect our pristine forest cover. The Committee, therefore, recommends that the Ministry should make all out efforts to utilize the approved outlay this year and any laxity on the part of the Ministry would be viewed seriously by the Committee.

(Para 13.6)

12.69 The Committee expresses its serious displeasure over the fact that the Ministry has miserably failed in taking appropriate follow up action and capitalising on the recommendations of the Committee for arranging additional resources for massive plantation. The Committee is dismayed to find that the Ministry of Environment & Forests, instead of being proactive has taken the recommendations of the Committee, so passively, nonchalantly and causally. The Committee finds that the Ministry has simply passed the buck on the Ministry of Corporate Affairs and let the matter rest there.

(Para 14.3)

12.70 The Committee recommends that instead of adopting a casual and callous approach to the recommendations of the Committee, the Ministry should proactively organise meeting with all the stakeholders and persuade them to voluntarily participate in the mass plantation movement.

(Para 14.4)

12.71 The Committee recommends that there must not be any let up in the utilisation of allocated resources under this head as was the case during the year 2011-12 and the entire outlay should be properly utilized by the Ministry.

(Para 16.1)

12.72 The Committee recommends that ICFRE should galvanize its resources in such a manner as to provide viable solutions for the problems afflicting the goal of preservation of forests and rehabilitation of degraded land, so that, the green/forest cover of the country could be substantially enhanced.

(Para 18.2)

12.73 The Committee is constrained to observe that although Biological Diversity Act was enacted in 2002, it is yet to be fully implemented. State Biodiversity Board have so far been set up by 25 States while 3 States *viz.* Bihar, Maharashtra and J&K are yet to set up their State Boards. Only 14 States have so far notified the State specific rules in accordance with the Section 63(1) of the Act. So far, over 31,000 Biodiversity Management Committees have been constituted by the local bodies in 14 States. It shows lack of seriousness both on the part of the Central Government and the State Governments towards the implementation of the Biological Diversity Act, 2002. The Committee, therefore, recommends that the Ministry should actively pursue this matter with the State Government to set up their State Boards and particularly, Panchayat level Biodiversity Management Committees which give sanction and agree on benefits sharing agreement, so that they are activated and constituted at the earliest.

(Para 19.3)

(e) 225th Report

12.74 The Committee recommends that Department should strive to increase its global market share in space services by developing more innovative and competitive space services on commercial lines and the revenue generated from marketing of these services, should be used for further growth and development of space technology in the country. This will also increasingly reduce the dependence of our space programme on budgetary resources.

(Para 6.6)

12.75 The Committee after going thoroughly through the aforesaid reply of the department is of the opinion that preparation of an optimistic schedule for missions like Chandrayaan-2 and Mars Orbitor Mission, alone is not sufficient but what is required is the will and dedication to complete the mission target within the time schedule. If time schedule does not inspire the confidence of the team and is seen by it as an unrealistic target, it will hardly serve

any purpose. The Department should therefore, fix time schedules in a more realistic way, rather than fixing time schedules which are not to be adhered. The Committee feels that failure to adhere to programme schedule sends a wrong message to the public and lowers their confidence in our capability to take our space programme to new heights. The Committee, therefore, strongly recommends that the schedule for all missions including complex missions should be prepared only after taking into account all ground realities, so that a realistic schedule meant to be adhered by all, rather than that being violated with impunity, is prepared.

(Para 9.5)

12.76 The Committee commends the initiative of the Department in setting up of the Indian Institute of Space Science and Technology (IIST) for developing high quality man power required for our space programmes and research. The Committee is further happy to note that it is Asia's first Space Institute to offer the complete range of courses related to space sciences. The Committee hopes that the Institute would turn into a centre of excellence imparting high quality space education & producing highly skilled and proficient space scientists & technologists. The Committee is happy to note that a large numbers of students are competing for admission to the IIST, which indicates growing popularity and importance of the institute.

(Para 10.3)

12.77 The Committee feels that Telemedicine is a very useful programme pursued by the Department for providing societal benefits by use of space technology to the common masses. The Committee is aware that to provide even the basic healthcare facilities in all the villages of the country, would require a huge capital investment, both in terms of manpower and resources. The Committee is, therefore, of the opinion that this is a very cost effective method for providing quality health care facilities in the rural and remote areas of the country. The Committee recommends that the telemedicine network should be expanded in a time bound manner to cover the backward, remote, inaccessible or disease-prone areas, left out so far.

(Para 12.4)

12.78 The Committee is of the opinion that active involvement and effective participation of more and more Indian industries in providing quality products and services needed for our Space programme will lead to self-reliance and would decrease our dependence on foreign industries for space equipments and technologies. The involvement of Indian industries in production of aggregates/systems for the Indian Space programme would augment the technical expertise of the Indian industry and would also lead to employment generation. The Committee, therefore, recommends that the Department of Space should make concerted efforts in this direction. The Committee also desires that Department of Space should look forward to transfer more and more technologies which may be useful for civilian applications to Indian Industries so as to make them globally competitive.

(Para 14.3)

12.79 The Committee after examining the various aspects of the Demands for Grants (2012-13) of the Department of Space, is of the view that the Department, through its various schemes and programmes, is realising the immense potential of space technology for national development and in solving the problems of common man. Keeping in view the excellent and outstanding work that the Department of Space has undertaken, the kind of competence that the Department has exhibited and the kind of core and critical programmes that they have envisaged for future, the Committee strongly recommends that the Planning Commission and Ministry of Finance should provide adequate funds for completion of projects and schemes undertaken by the Department.

(Para 16)

(f) 226th Report

12.80 The Committee feels that without any financial and administrative powers, the Earth Commission will hardly be effective in performing its role and functions and the very purpose of setting up of Earth Commission would be defeated. The Committee, therefore, recommends that immediate steps be taken to provide necessary financial and administrative powers to the Earth Commission so that it may carry out its assigned role effectively.

(Para 5.3)

12.81 The Committee recommends that the Ministry should develop Atmospheric Observations Systems Network and Atmospheric Processes & Modelling and Services throughout the country in a time bound manner so as to

improve weather and climate forecasting services. The Committee further recommends that agro-meteorological advisory services should be extended to cover all districts of the country. The Committee further recommends that crop and location specific information to farmers be disseminated in a more farmer friendly manner and its reach extended to cover all farmers in a time-bound manner, so that even small and marginal farmers could take full benefit of these services.

(Para 14.8)

12.82 The Committee acknowledges the significance of the Indian polar missions as the climatic conditions in these regions have a direct bearing on the monsoons, which is the lifeline of the agriculture in our country. The Committee commends the setting of the Indian polar stations which would increase the base of data collection regarding polar processes. The Committee hopes that Bharati station would be commissioned as per schedule and start its operations during the 2012-13, which will give significant boost to India's polar research programme. The Committee recommends that the continuing long term approved scientific projects which are the proposed activity under the "Polar Science and Cryosphere", should be pursued diligently and in a well-planned and strategic manner and the data collected from its scientific expeditions must be analyzed and a serious endeavor made to use the results to predict the Indian monsoons more accurately.

(Para 17.5)

12.83 The Committee, notes with concern that there was a shortfall in utilisation of allocated funds by the Ministry, to the tune of Rs. 1.24 crores in the year 2009-10 and Rs 2.54 crores in the year 2010-11; which is evident from the difference in B.E. and Actual allocations for the said years. The shortfall in utilization, is even more apparent for the year 2012, where the B.E. allocation stood reduced from Rs. 18.00 crores to Rs. 2.00 crores only, *i.e* a drastic reduction of about 90 per cent of allocated budget. The Committee takes a serious view of the under utilisation of funds in last few years by the Ministry, which shows that the Ministry is not seriously pursuing this important programme. The Committee, therefore, strongly recommends that the Ministry must actively pursue this programme and the programme must be carried forward with full vigour, for exploitation of the mineral resources in our vast Exclusive Economic Zone to enhance availability of sufficient mineral resources required for our industrial growth.

(Para 18.4)

12.84 The Committee observes that as regards the detection and quantification of gas-hydrates, major portions of the deep-water regions have remained unexplored and available data is inadequate for the assessment of gas-hydrates. The Committee therefore recommends that evaluation and quantification of gas-hydrates must be intensified in the EEZ region of the country to fully explore this resource specially in view of its potential as clean fuel resource. The Committee is of the opinion that to meet the ever increasing demand of energy in the country, it is imperative to explore alternate sources of energy as soon as possible and therefore such programmes should be actively pursued and adequately funded.

(Para 19.4)

12.85 The Committee after examining the various aspects of the Demands for Grants (2012-13) of the Ministry of Earth Sciences, the Committee is of the view that the Ministry through its various schemes/programmes is providing a wide range of meteorological services to people, besides carrying out high end research in meteorological and polar sciences. The Committee is therefore of the opinion that the programmes of the Ministry of Earth Sciences should be properly and adequately funded, to provide the necessary impetus to the core and critical programmes, Ministry has envisaged for the year 2012-13.

(Para 19.5)

(g) 227th Report

12.86 The Committee expresses its anguish over such a huge cut resorted to by the Planning Commission in plan outlays of the Department charged with the onerous responsibility of using scientific innovation & interventions for catalyzing the industrial growth making possible provisions of affordable health care for all and improving the living standards of people at the bottom of economic pyramid. The Committee is of the opinion that such a step on

the part of Planning Commission is not justified. The Committee, therefore, recommends that such cut measures should be avoided in future and it must be ensured that the entire outlay for the XII Five Year Plan is actually made available to the Department.

(Para 4.5)

12.87 The Committee finds it quite surprising that even when the XII five Year Plan has started, Planning Commission is yet to finalise the XII Plan allocations. The Committee feels that such a delay could affect not only the planning and distribution of resources of the Department but also the physical and financial targets set by the Department. The Committee, therefore, recommends that Planning Commission should finalise the allocations for the XII five year plan without any further delay so that the Department is clear on its long term and short term targets to be achieved during the plan period.

(Para 7.2)

12.88 The Committee hopes Government would, while allocating funds at RE stage and for subsequent years, adopt a more rational and judicious approach in allocation of funds and would ensure that for good schemes, adequate funds are made available. The Committee feels that support to cluster innovation centres, innovative proposals from MSMEs, upgradation of photovoltaic module from 10 to 80 MW are important initiatives and making them suffer from financial crunch would not be in the national interest. The Committee is of the view that considering that the conventional sources of energy like coal and petro products are causing irreparable damage to the environment leading to climate change, it is high time, that non-conventional sources of energy like Solar energy are encouraged and enhanced, The Committee, therefore, recommends that Planning Commission must ensure that crucial programmes like upgradations of photovoltaic module are not starved of funds and adequate allocations be made to these programmes at the R.E. stage.

(Para 8.5)

12.89 The Committee feels that a higher allocation of plan funds for scientific Departments is absolutely essential for realisation of vision of making India a knowledge based economy by the end of second decade of twenty first century. The Committee, therefore, recommends higher overall availability of funds (as % share of plan) for scientific organisations.

(Para 8.8)

12.90 The Committee is aware that investment of over Rs. 10000 crores in R&D had been reported under this programme and DSIR had reported innovations in various fields like development of Fuel Cell Bus; E-waste Recycling & Precious Metal Recovery; Indigenous Dialysis Device; Novel plant tissue culture medium from bio-waste – Fly Ash; Herbal Medicine for treatment of Asthma; and AVAZ – Device for Cerebral Palsy through this programme. The programme has now been scrapped as need for more innovative mechanism was felt for achieving significant results. The Committee hopes that four new schemes now introduced would be able to produce significant and much better results than obtained under TPDU and for the purpose, the Committee recommends that Department should effectively monitor these schemes so that money invested in these schemes is not only adequately justified but also provides the desired results.

(Para 9.1.4)

12.91 The Committee taking serious note of the above observations made by the CAG recommends that these deficiencies need to be addressed by the Department in right earnest as such cases bring bad repute to CSIR and this does not put DSIR in right stead. The Committee, further, recommends that the Department should strengthen its monitoring mechanism so that misuse of funds could be prevented.

(Para 10.4)

(h) 228th Report

12.92 The Committee expresses serious concern over the significant reduction of Rs. 524.61 crores between the Plan demand projected by the Department and the actual allocations made even though Department maintains that it had projected reasonable demands. Due to this reduction in allocation, the Department will need to re-prioritize allocation within various heads to initiate work and will even have to defer some of the activities planned for that year to next year due to paucity of funds. The Committee is, of the view, that considering the immense potential of

Biotechnology in providing affordable health care and increasing agricultural productivity as also India's emergence as one amongst the global leaders in biotechnology, adequate funds should be made available to the Department so that our Research & Development activities are not adversely impacted. The Committee, therefore, takes a very serious view of blind cuts made in the projected Demands of the Department and recommends that the Government should provide adequate funds at R.E. stage to the Department so that its important programmes and Research & Development activities are vigorously pursued and our global competitiveness in biotechnology sector gets further strengthened.

(Para 7.5)

12.93 The Committee recommends that the government must ensure the functioning of this important centre of research and quality of research being done there is not adversely impacted due to reduction in financial allocation to the centre and, if necessary, interim financial assistance be provided to the centre to tide over its immediate financial problems. The Committee would also like the Centre to make concerted efforts so that it is able to meet its expenses from its own income in a short time and it does not remain dependent on government funds for its very survival.

(Para 9.4)

12.94 The Committee welcomes the decision to establish BIRAC with a view to support product innovation and providing required infrastructure and services at different stages of the value chain for promoting innovation and product development to public sector and private sectors through facilitating bio-industrial growth. The Committee hopes that with the establishment of BIRAC, global competitiveness of Indian biotech industry would increase and it would help us to increase our market share in the global biotech products and services.

(Para 10.2)

12.95 The Committee feels that quality human resource forms the backbone of research activities in a country and as such the Department needs to accord greater priority to lapping, nurturing and involving talented students in biotechnology. The Committee is of the opinion that the Department must play a pro-active role in this regard. The Committee appreciates the efforts being made by the Department in creating capable human resource in the biotechnology sector and extending support to students at the college level through fellowships, short term training courses, providing industrial training to B. Tech./M. Sc./ M. Tech biotechnology students. The Committee also commends that the Star College scheme initiated by the Department, which aims towards strengthening of life science, biotechnology education and training and provides experience to biotechnology students in the cutting edge-technologies needed for modern biological studies at undergraduate level in life sciences. The Committee hopes that these schemes would help creating sufficient scientists and technocrats needed by the expanding field of biotechnology. The Committee recommends that the Department should carefully work out future requirements of human resources in the Biotechnology sector and, if necessary, expand its existing schemes, to ensure availability of required manpower in years to come.

(Para 11.2)

12.96 The Committee would like the Department to pursue with the Planning Commission and Ministry of Finance for allocation of higher funds for this programme at the RE stage 2012-13 so that the objective of establishment of new Centres of Excellence in life Sciences, Biotechnology and Bioinformatics during 2012-13, as originally planned by the Department could be achieved. The Committee recommends Ministry of Finance and Planning Commission to make sufficient funds available for establishment of sufficient number of Centers of Excellence for carrying out research in advance and cutting-edge areas of Biotechnology and Bioinformatics so that country not only maintains its competitive edge in Biotechnology but further strengthens it.

(Para 16.6)

12.97 The Committee welcomes the step taken by the Department to merge the schemes with overlapping mandates particularly as it would provide larger scope for implementation of more programmes. The Committee also feels that special attention needs to be given to promote women scientists to forefront in order to bring gender equality in the field of biotechnology. All women Biotech Park can be a step in this direction. The Committee recommends that under the head of I&M Sector considerable investment should be made in collaboration with

private sector for setting up more women's Biotechnology parks in other areas of the country such as in Jammu & Kashmir which is having considerable number of women Muslim science graduates.

(Para 17.3)

12.98 After going through the details of SBIRI and BIPP programmes, the Committee is of the opinion that these are well intended and useful programmes. It notes that BIPP has diverse components covering health, environment and industry, etc. and the utility of the scheme stands established by breakthrough research concepts which have already led to commercialisation of various projects benefiting 51 companies apart from leading to development of H1N1 vaccine which was recently approved by Drug Controller General of India (DCGI) for marketing. The committee strongly recommends that this scheme must continue during the XII Plan as proposed by the Department since such investment may; bring out sea change in the entire scenario of health, environment and industry combined.

(Para 18.7)

12.99 The Committee is particularly happy at the result of international collaboration under Biodesign Alliance Programme being run with the support of the Stanford University, USA. The Committee notes that DBT has been able to mobilise through international collaborations funding to the tune of Rs. 1000 crores out of which National Institute of Health (NIH), USA and Wellcome Trust, UK have contributed 50 per cent of the money. The Committee, therefore, recommends that in view of the mutually beneficial potential of international collaborations in Biotechnology, increase in allocation beyond Rs 8.50 Crores be made in the subsequent years of XII Five Year Plan so as to adequately fund the programme.

(Para 19.4)

(i) 229th Report

12.100 Given the purport, intent and object of the Regional Centre for Biotechnology Bill, 2011, the Committee tends to broadly agree with the Bill as it undoubtedly carries with it immense potential of development, advancement and growth of high quality education, training and research in Biotechnology with resultant advantages for the country. The Committee appreciates that conceptually it is a well conceived and a brilliant proposition and hopes that it would deliver up to the hilt. But having said that the Committee also has some serious reservations, particularly, on the manner in which the entire issue of the establishment of the Centre has been handled.

12.101 The Committee finds no genuine, convincing reasons or urgency which warranted establishment of the Regional Centre for Biotechnology through an executive order. This is also borne out by the fact that no substantial/significant headway has been made in the process of the setting up of the Centre, even after over three years have elapsed. The Committee is, therefore, of the considered view that such situation could have been avoided. The Committee, therefore, strongly recommends that henceforth it must be ensured by Govt. that no such incidence recurs in future.

12.102 The Committee recommends that Regional Centre while discharging this particular function must exercise utmost restraint and caution and take all necessary measures including obtaining patent where feasible, to protect our local knowledge from being stolen/ misused/ patented outside. The regulations under the National Biodiversity Act (2002) should be strictly observed.

12.103 The Committee is of the view that Centre may also develop and run a five year integrated programme leading to Masters degree in Biotechnology for students passing out of senior secondary schools so that they do not stray away to other disciplines in absence of viable options in the field of Biotechnology. This way Govt. would be able to tap, develop and nurture high quality under graduate students so as to polish and hone them into bright and brilliant scholars.

12.104 The Committee recommends that this aspect must be seriously looked into by the Govt. and it should be ensured that Indian representation on the Board of Governors is suitably enhanced so as to tilt the balance in favour of India, the host country for this Regional Project.

12.105 The Committee, therefore, feels that Govt. should think in terms of having a Chairperson of the Board of Governors someone other than the Secretary, DBT and to have it manned by a person of caliber, competence, dedication and devotion who can devote sufficient time to make the dream of Regional Centre, as an institute of national importance come true.

12.106 The Committee finds that there is no clear cut provision for representation of women on the Board of Governors of the Regional Centre. It is of the view that women scientists must find representation on the Board of Governors of the Centre and therefore recommends that suitable provisions for this purpose may be made in the Bill.

12.107 The Committee is of the opinion that it should appropriately be called an Advisory Committee and not an Executive Committee. The Committee recommends that this dichotomy and contradiction in the function of the Executive Committee as given in the Agreement and in the Bill should be resolved.

12.108 The Committee feels that the Regional Centre has an innovative and novel mandate which would keep on evolving from time and hence its review may be carried out at regular intervals preferably once in two years instead of once in four years. It is also of the view that in the interest of openness and transparency, the report of such review should not be treated as confidential and be put in the public domain through the website of the Centre. Later on, action taken on the report may also be shared with the public. The Committee, therefore, recommends that suitable provision to this effect should be made in the Bill.

12.109 The Committee is of the view that since the Centre is primarily funded and supported by the Govt. of India, the IPR generated in the Centre should belong to India to the extent possible and while finalising terms of participation of Member-States, this point must be categorically and unequivocally be provided for. In any case, the Centre should develop an IPR policy acceptable to all its stakeholders.

(j) 230th Report

12.110 The Committee also feels that the plea that underground mining of coal was not viable and is too costly, etc. is, at best, superficial one. If underground mining of coal can be successfully done in major coal producing countries like Australia & South Africa, the Committee finds no convincing reasons why it can't be successfully used in India. The Committee, therefore, recommends that Government should, as a matter of policy, progressively switch over to underground mining wherever feasible so as to protect our flora and fauna.

12.111 The Committee feels that mine workers are continuously exposed to health hazards and incidence of pulmonary diseases among the mine workers are on the high side particularly in major collieries of the country and it requires urgent comprehensive medical attention so that the occurrence of the disease could be controlled. The Committee, therefore, recommends that the Ministries of Coal and Mines should extend all possible medical facilities, set up at least one medical centres in each area for the workers and their family members for regular check up and treatment. Further, the Ministry of Environment & Forests should impress upon the Indian Council of Medical Research (ICMR) to carry out health studies on a regular basis and prepare a comprehensive database on diseases afflicting workers in the coal mine areas.

12.112 The Committee feels that somehow an impression has been created that Ministry of Environment & Forests is coming in the way of future growth and development by delaying environment & forest clearances for the coal blocks, power projects, etc. and that this misconception needs to be dispelled. The Committee understands that the delay is caused partly due to involvement of a number of procedures and processes, however, it is of the opinion that the delay to the extent of five to six years in taking decision on a matter has its reflections on the efficiency and functioning of the Ministry. It, therefore, recommends that Ministry of Environment and Forests must not keep any project pending for so long and ensure speedy and expeditious decisions on environment and forest clearances in the interest of the nation.

12.113 The Committee recommends that Ministry of Environment should be involved while finalizing allocation of the coal blocks so they could guide which one is to be mined and which one is not to be mined.

12.114 The Committee notes that under section 7 (2) of the 2006 Environment Impact Assessment Notification Environment Appraisal Committee has discretion to decide whether public hearing should be done or not in case where up to 25% expansion of coal mines are involved. The Committee feels that for expansion of coal mines up to 25 per cent public hearing may not be insisted upon. The Committee, in this backdrop, recommends that the Ministry of Environment & Forests should seriously consider this issue and may do away with the provision for public hearing in case of proposals involving expansion of coal mines up to 25 per cent.

12.115 The Committee, while appreciating the fact that the Ministry of Railways had taken pro active steps like introduction of bio toilets on experimental basis, construction of sighting towers, instructions to loco drivers etc, for protection of wildlife, recommends that the Railways should introduce the bio-degradable toilet in a time bound

manner in all the trains and endeavour should be made to do away with manual cleaning of toilets in trains. The Committee, further, recommends that apart from various measures already taken by the Ministry for the protection of the wildlife, it should also carry out periodical checks to see whether all its instructions/guidelines etc, are being adhered to.

12.116 The Committee notes that the Ministry of Petroleum and Natural Gas is in the process of introducing non-laundable marker system to check the adulteration of diesel. The Committee recommends that the marker system should be introduced in a time bound manner to check adulteration of diesel.

12.117 The Committee observes that as far as Transmission lines and Gas Pipelines were concerned, as there was no statutory requirement of getting clearances from concerned Gram Sabhas, Ministry of Environment & Forests should restore the position as existed earlier when no such resolutions were needed for clearance of such projects. The Committee, accordingly, recommends that the Ministry should examine the matter at the earliest in the light of its observations so that important transmissions projects and gas pipelines projects do not get held up.

12.118 The Committee feels that such measures taken by the corporates would help in reducing pollution and improving air quality. The Committee therefore recommends that all the Ministries may be impressed upon to direct the PSUs falling under their respective areas to earmark a minimum of 1% of their profits towards plantation, health and welfare activities for the country and its people.

(k) 231st Report

12.119 While the Committee takes note of the fact that amount of Rs. 50 fixed in 1927 was quite significant but does not feel inclined to draw a parallel between the two and fix an amount higher than Rs. 10,000/- for the basic reason that the purpose of fixing a significant amount of compensation during colonial rule might also be to serve as a deterrent apart from realising the value of forest produce acquired illegally but the Committee feels that for petty offences it would suffice if the compensation is decided only based on the value of forest produce illegally acquired.

12.120 The Committee feels that any further enhancement to the benchmark amount of Rs. 10,000/- may give wide discretion to forest officer which at time may be misused to exploit and harass the poor tribals and other forest dwellers. The Committee further notes that maximum pecuniary penalty for petty offences enumerated in sections 26 (1) and 33 (1) of the Indian Forest Act, 1927 is only Rs. 500/-. As such, in view of the huge gap between the fine prescribed in the Act and the proposed amount of compensation for the purpose of Compounding, it is quite likely that majority of the petty offenders may opt for prosecution rather than Rajinama or compounding. This will totally negate the purpose for which the proposed amendment is sought to be made unless the pecuniary penalty is also suitably enhanced.

12.121 In view of the above, the Committee is of the view that the amount of Rs. 10,000/- as provided in the Clause 2 (b) of the Bill is reasonable and justified and hence, recommends that the words "ten thousand" be retained in the Bill.

12.122 The Committee feels that it is a very welcome addition which would not only ensure transparency in the process of compounding of offences but also lead to participation of the people through Gram Sabha. This would open an avenue for local villagers to have a much needed say in the management and protection of forests and utilization of forest resources.

(l) 232nd Report

12.123 The Committee recommends that Financial Year 2012-13, being the first Financial Year of the XII Five Year Plan, the Department must ensure that the allocation made to the Department is fully utilized not only during the current year but also throughout the entire Plan period.

12.124 The Committee recommends that the monitoring mechanism needs to be so strengthened and revamped as to preclude any possibility of underutilization/ non-utilisation of allocated funds on almost similar grounds year after year.

12.125 The Committee recommends that the Department should strive to prepare the Result Framework Document to objectively assess its performance index.

12.126 The Committee recommends that the Department should intensify its efforts in developing more and more high yielding disease resistant crop varieties not only of pulses, groundnuts, etc., but also of cereals like wheat and rice.

12.127 The Committee recommends that Department chalk out a popularization cum awareness campaign to make people throughout the country aware of various varieties developed at BARC and for popularizing them.

12.128 The Committee recommends that the Department should create a separate agency of its own instead of depending on other agencies for popularizing and marketing of socially beneficial technologies like Nisargruna Biogas Plant for handling biodegradable wastes; Sludge Hygienization Research Irradiation (SHRI) for treatment of municipal sewage, etc. including its technology on food preservation, nuclear medicine and healthcare, so that, the benefit ultimately could reach the society at large.

12.129 The Committee recommends that the process of receipt/grant approval for projects for which allocation has been earmarked must be completed in the same financial year, so that, the allocated outlay are fully utilized in that year itself. The Committee also expresses its serious concern over such sort of delay in crucial project like Fast Reactor Fuel Cycle Facility which is badly required for the second stage nuclear power programme and recommends that such procedural delays should not be allowed to come in the way of such an important programme in future.

12.130 VECC is also running a Regional Radiation Medicine Centre in Eastern part of the country which caters to the nuclear imaging requirements of the patients from low income group at an affordable cost. The Committee feels that this is a very noble act on the part of an organisation of Department of Atomic Energy which would go a long way in winning the trust of the people through such philanthropic acts. The Committee, therefore, recommends that such activities aimed at helping the poor and the needy needs to be further expanded in other states of the country.

12.131 The Committee recommends that accomplishment of third stage nuclear power programme using thorium as fuel for power generation on commercial basis, research on Compact High Temperature Reactor (CHTR) and on Hydrogen energy needs to be intensified and results achieved in a time bound manner.

12.132 The Committee recommends that the new potential heavy mineral zones identified by Atomic Minerals Directorate in new areas must also be exploited so as to extract as much Uranium ore as possible and for this purpose, the Department should prepare a time bound Action Plan.

12.133 The Committee recommends that Atomic Minerals Directorate should make efforts to cover those areas of the country to identify prospective mineral resources which have been left untouched so far.

12.134 The Committee recommends that TMC should, in a time bound manner, try to establish its Centres in other parts of the country with high cancer case rates. Simultaneously, it should also makes sincere efforts to develop tertiary level cancer care facilities in each State/Region, so that, patients need not travel from remote and far flung areas all the way to Mumbai. The Committee also recommends that adequate financial allocation should be provided to the Centre, so that, it could not only undertake research in the field of cancer, but also expand its activities and reach in different parts of the country.

12.135 The Committee recommends that the Department should make all out efforts to make the prototype fast breeder reactor operational by targeted date of completion, *i.e.*, September, 2014 and start its commercial operation by 2014-15 as scheduled.

(m) 233rd Report

12.136 The Committee also commends the initiatives of the Ministry in exploring the Public Private Partnership (PPP) mode of funding for R&D in order to stimulate the private sector investments into science; the PAN India S&T missions which *inter-alia* aims towards providing solutions of basic problems of the common man such as food and nutrition, affordable health care and water security and the Climate Change Programme which will focus towards the pressing issue of Climate change. The Committee would, however, like to caution the Department to ensure the effective implementation of these commendable programmes so that targeted benefits actually flow from these programmes.

12.137 The Committee commends the role of the Department in initiating the DISHA scheme, which it feels would open up ample opportunities for women S&T professionals, whose careers are otherwise stuck or who are forced to opt out of their careers, due to familial as well as social obligations. The Committee feels that this scheme would

provide an opportunity to women scientists to re-enter and continue working in S&T fields of their expertise and also to continue in the field of their choice in case they have to relocate to different places. The Committee is of the opinion that such schemes which ensure gender parity should be supported adequately through budgetary support.

12.138 The Committee is aware that Nano Technology is an upcoming field of science which holds great potential specially in the field of designing, developing and application of carbon nano tubes in many sectors including medicines. The Committee commends that one of the focussed areas of research of programme, is in the field of nano-device based sensors, diagnostics kits, controlled and targeted drug delivery systems, which would go a long way in the treatment of critical diseases. The Committee also appreciates the fact that some of the technological achievements of the Indian scientists have been patented and commercialized, even in technically advanced countries like the United States, which proves the competence of the Indian scientists in the field of nanotechnology. It also appreciates the support that the Department has provided to the scientists and institutions working in the field of nanotechnology and hopes that in future, efforts would also be directed towards programmes which directly affect the common man such as use of nanotechnology for water purification, medical applications etc.

12.139 The path-breaking contribution that nanotechnology offers to diverse areas, ranging from industry to medicine, itself advocates for the fact that increased allocation under this head is a compelling necessity, specially in view of the country's excellent performance in this field, which is apparent from the growth rate of 9.1% per year achieved by India in this field and the fact that India has already emerged as the sixth major country in nano science output. The Committee recommends that budgetary support for this important programme should be suitably raised at R.E. stage, so that the programme does not suffer for want of adequate funds.

(n) 234th Report

12.140 The Committee recommends that while monitoring the major projects/ schemes, the Ministry must ensure that performance of the smaller sub-schemes is not lost sight of and must ensure that progress and performance of smaller schemes is also regularly monitored, particularly, the component of wetlands, scheme of corals and mangroves as these are different from monitoring an inland lake or river.

12.141 The Committee recommends that Planning Commission must provide not only adequate Budgetary Support to the Ministry of Environment & Forests at the R.E. stage of this Financial Year, but also seriously consider substantially enhancing the percentage share of Ministry of Environment & Forests in the Central Plan consistent with the growing importance of issues dealt by the Ministry.

12.142 The Committee recommends the Ministry of Environment & Forests should consider enhancing the number of zonal offices in a phased but time-bound manner.

12.143 The Committee takes a very serious view of toothless approach adopted by the CPCB in ensuring compliance of environmental norms and recommends that CPCB, while intensifying its efforts towards compliance must ensure that a polluting industry once closed due to violation of environmental norms is allowed to operate only after adequate measures for control of pollution has been taken by it.

12.144 The Committee recommends that the Ministry should take steps to stop encroachment and illegal commercial activities on the catchment areas of all the major rivers including the Ganga and Yamuna. Yet another reason for the failure in cleaning the rivers is the day by day dwindling of their natural flow which has resulted in the assimilating capacity of the river Yamuna almost coming to a naught and of the river Ganga going down. The Committee is of the opinion that unless the flow of the river is maintained at a reasonable level, no other effort is going to be successful. The Committee, therefore, recommends that the Ministry should pay due attention on this issue and take steps to ensure that the flow of the river Yamuna and Ganga upstream is not disturbed or blocked.

12.145 The Committee recommends that the Ministry of Environment & Forests should accord priority to regenerate and intensify forestry activities in the degraded forest areas which are already with the Ministry and in this way the constrain of non-availability of land could be overcome. The Committee also recommends that the Ministry should make efforts to get a buffer of forest cover created by those agencies which require forest land for non-forestry purposes. Ministries of Coal; Power; Steel; etc. may be involved in this activity, so that, their requirement of forest land for non-forestry purposes could be met as compensatory afforestation is required to be done by them in advance.

12.146 The Committee recommends that the Ministry should make all our efforts to utilize the approved outlay this year and any laxity on the part of the Ministry would be viewed seriously by the Committee.

12.147 The Committee recommends that ICFRE should galvanize its resources in such a manner as to provide viable solutions for the problems afflicting the goal of preservation of forests and rehabilitation of degraded land, so that, the green / forest cover of the country could be substantially enhanced.

12.148 The Committee therefore recommends that the Ministry should actively pursue the matter with the State Government to set up their State Boards and particularly, Panchayat level Biodiversity Management Committees which give sanction and agree on benefit sharing agreement, so that they are activated and constituted at the earliest.

(o) 235th Report

12.149 The Committee recommends that Department should also strive to increase its global market share in space services by developing more innovative and competitive space services on commercial lines and the revenue generated from marketing of these services, should be used for further growth and development of space technology in the country. This will also increasingly reduce the dependence of our space programme on budgetary resources.

12.150 The Committee strongly recommends that the schedule for all missions including complex missions should be prepared only after taking into account all ground realities, so that a realistic schedule meant to be adhered by all, rather than that being violated with impunity, is prepared.

12.151 The Committee recommends that the telemedicine network should be expanded in a time bound manner to cover the backward, remote, inaccessible or disease-prone areas, left out so far.

(p) 236th Report

12.152 The Committee recommends that immediate steps be taken to provide necessary financial and administrative powers to the Earth Commission so that it may carry out its assigned role effectively.

12.153 The Committee recommends that all possible efforts may be made to finalise the XII Five Year Plan of the Ministry at the earliest so that future roadmap of the Ministry's action Plan becomes certain and it can vigorously pursue the Plan targets and achieve them.

12.154 The Committee recommends that the Ministry should carry out a review, after a suitable interval, to see if the new system has helped/ achieve/ improved meeting of physical and financial targets and apprise the Committee of the finding of such a review. The Committee would, however, like Ministry to ensure that despite amalgamation of a large number of projects/schemes in a programme, individual focus and attention continues to be provided to each schemes and project of the Ministry.

12.155 The Committee strongly recommends that Ministry should make all our efforts to strengthen the special laboratory which has been set up at Mahabaleshwar to study all kinds of clouds from precipitation point of view so that cost effective techniques for artificial precipitation could be developed and for that, if needed, adequate funds should be made available.

12.156 The Committee recommends that the Ministry should develop Atmospheric Observations Systems Network and Atmospheric Processes & Modeling and Services throughout the country in a time bound manner so as to improve weather and climate forecasting services. The Committee further recommends that agro-meteorological advisory services should be extended to cover all districts of the country. The Committee further recommends that crop and location specific information to farmers be disseminated in a more friendly manner and its reach extended to cover all farmers in a time-bound manner, so that even small and marginal farmers could full benefit of these services.

12.157 The Committee recommends that the continuing long term approved scientific projects which are the proposed activity under the "Polar Science and Cryosphere" should be pursued diligently and in a well-planned and strategic manner and the data collected from its scientific expeditions must be analyzed and a serious endeavor made to use the results to predict the Indian monsoons more accurately.

12.158 The Committee recommends that evaluation and quantification of gas-hydrates must be intensified in the EEZ region of the country to fully explore this resource especially in view of its potential as clean fuel resource. The

Committee is of the opinion that to meet the ever increasing demand of energy in the country, it is imperative to explore alternate sources of energy as soon as possible and therefore such programmes should be actively pursued and adequately funded.

(q) 237th Report

12.159 The Committee recommends that Planning Commission should finalize the allocations for the Twelfth Five Year Plan without any further delay so that the Department is clear on its long term and short term targets to be achieved during the plan period.

12.160 The Committee recommends that Planning Commission must ensure that crucial programmes like upgradations of photovoltaic module are not starved of funds and adequate allocations be made to these programmes at the R.E. stage.

(r) 238th Report

12.161 The Committee is happy to note that the Department has developed a strong and potent monitoring mechanism and commends it for being amongst the best three Ministries/Departments in the financial year 2010-11 in the Government's performance review. The Committee hopes that the Department would not only continue to maintain at least the same level of performance but would also endeavour to perform even better in the XII Five Year Plan.

12.162 The Committee observes that from the year 2007-08 onwards there is no significant variation between financial allocation in BE and RE stages. The utilization also ranges from 93.65 percent in 2010-11 to as high as 99.17 percent in 2008-09. These figures are indicative of effective financial planning and robust monitoring of expenditure by the Department. The Committee commends the excellent financial performance made by the Department and hopes that the Department would even better this performance in the XII Five Year Plan.

12.163 The Committee expresses satisfaction with the overall performance of the Department during the XI Plan period. The Committee is happy to know that technology transfer agreements facilitated by DBT in Public-Private-Partnership (PPP) mode will ensure availability of the world's cheapest vaccines against Pneumococcal pneumonia, rotavirus, HPV, Chikungunya and Japanese encephalitis. The Committee would further like the Department to make concerted efforts to complete the clinical trials of vaccines for malaria, dengue, cholera and rotavirus at an early date and make these vaccines available in the market as soon as possible.

12.164 The Committee takes a very serious view of blind cuts made in the projected Demands of the Department and recommends that the Government should provide adequate funds at R.E. stage to the Department so that its important programmes and Research & Development activities are vigorously pursued and our global competitiveness in biotechnology sector gets further strengthened.

12.165 The Committee recommends that the government must ensure the functioning of this important centre of research and quality of research being done there is not adversely impacted due to reduction in financial allocation to the centre and, if necessary, interim financial assistance be provided to the centre to tide over its immediate financial problems. The Committee would also like the Centre to make concerted efforts so that it is able to meet its expenses from its own income in a short time and it does not remain dependent on government funds for its very survival.

12.166 The Committee recommends that the Department should carefully work out future requirements of human resources in the Biotechnology sector and, if necessary, expand its existing schemes, to ensure availability of required manpower in years to come.

12.167 The Committee recommends that under the head of I&M Sector considerable investment should be made in collaboration with private sector for setting up of more women's Biotechnology parks in other areas of the country such as in Jammu & Kashmir which is having considerable number of women Muslim science graduates.

VII. Secretariat

12.168 The Committee Section (S&T) headed by an Assistant Director constitutes the Secretariat of the Committee. An Additional Secretary, a Director, a Joint Director and a Deputy Director remained in-charge of the Branch.

12.169 To assist the Committee in its work, material received from the Ministries/Departments/various non-government organizations and individuals was studied from which points were culled out. The questionnaires for written replies/evidence were also prepared for the use of the Committee.

12.170 The work relating to consideration of the subject taken up by the Committee was undertaken.

12.171 The Secretariat also studied material like Parliamentary Debates, Answers to Parliamentary Questions, Budget Estimates, Five Year Plan Documents, Books, Journals, CAG reports, newspapers etc. relevant to the subjects under examination of the Committee.

ANNEXURE-XVII*(See Para 12.5)***Details of the sittings of the Committee on Science & Technology, Environment & Forests during the year 2012**

Sl. No	Date of meeting	Duration Hrs.-Mins.	Subject
1.	05.01.2012	01.46	Oral Evidence on The Nuclear Safety Regulatory Authority Bill.
2.	06.01.2012	02.08	Oral Evidence on The Nuclear Safety Regulatory Authority Bill, 2011.
3.	16.01.2012	02.16	Oral Evidence and clause by clause consideration on The Nuclear Safety Regulatory Authority Bill, 2011.
4.	31.01.2012	00.36	To consider and adopt the draft report on The Nuclear Safety Regulatory Authority Bill, 2011.
5.	14.02.2012	01.58	Oral Evidence on The Nuclear Safety Regulatory Authority Bill, 2011.
6.	05.03.2012	01.40	To consider and adopt the draft report on The Nuclear Safety Regulatory Authority Bill, 2011.
7.	11.04.2012	02.32	(i) Oral evidence on the Demands for Grants (2012-13) of Ministry of Environment and Forests (MoEF)
		01.07	(ii) Oral evidence on the Demands for Grants 2012-13 of Department of Space (DOS)
8.	12.04.2012	01.53	(i) Oral evidence on the Demands for Grants 2012-13 of Department of Biotechnology (DBT)
		03.32	(ii) Oral evidence on the Demands for Grants 2012-13 of Departments of Scientific and Industrial Research (DSIR) and Science & Technology (DST)
9.	13.04.2012	02.01	Oral evidence on the Demands for Grants 2012-13 of Ministry of Earth Sciences
		02.30	Oral evidence on the Demands for Grants 2012-13 of Department of Atomic Energy (DAE)
10.	16.05.2012	00.32	To consider and adopt the draft reports on Demands for Grants (2012-13) pertaining to the seven Ministries/ Departments
11.	11.07.2012	02.26	(i) Oral evidence by various Ministries to review the steps taken to mitigate pollution in their respective sectors
		02.08	(ii) Oral evidence by various Ministries to review the steps taken to mitigate pollution in their respective sectors

Sl. No	Date of meeting	Duration Hrs.-Mins.	Subject
12.	12.07.2012	02.40	(i) Oral evidence by various Ministries to review the steps taken to mitigate pollution in their respective sectors
		01.38	(ii) Oral evidence by various Ministries to review the steps taken to mitigate pollution in their respective sectors
13.	20.07.2012	02.30	To hear the views of experts on 'The Regional Centre for Biotechnology' and presentation on the 'Functioning of Department of Atomic Energy (DAE)'
14.	06.08.2012	01.17	(i) Oral evidence by various Ministries to review the steps taken to mitigate pollution in their respective sectors
		01.55	(ii) Oral evidence by various Ministries to review the steps taken to mitigate pollution in their respective sectors
15.	30.08.2012	00.30	To consider and adopt the draft reports on 'The Regional Centre for Biotechnology Bill, 2011' and 'Steps taken by various sectors of the Indian Economy to Control Pollution'
16.	08.10.2012	00.35	To chalk out the future programme of the Committee
17.	06.11.2012	01.29	Oral evidence on 'The Indian Forest (Amendment) Bill, 2012'
		01.19	Oral evidence on 'The Indian Forest (Amendment) Bill, 2012'
18.	15.11.2012	00.45	To consider and adopt the draft report on 'The Indian Forest (Amendment) Bill, 2012'
19.	17.12.2012	00.35	To consider and adopt seven Action Taken Reports

CHAPTER-XIII

COMMITTEE ON TRANSPORT, TOURISM AND CULTURE

I. Composition of the Committee

13.1 The Committee was constituted on 31st August, 2011. The following was the composition of the Committee:-

Shri Sitaram Yechury — *Chairman*

Rajya Sabha

2. Prof. Saif-ud-Din Soz
3. Shri Satish Sharma
- #4. Shri Shadi Lal Batra
- *5. Shri Ramdas Agarwal
- #6. Shri Vikram Verma
7. Shri Narendra Kashyap
8. Shri Thomas Sangma
9. Shri Pyarimohan Mohapatra
- #10. Shri Syed Azeez Pasha

Lok Sabha

11. Yogi Adityanath
12. Shri Avtar Singh Bhadana
13. Shrimati Tabassum Hasan
14. Dr. Mahesh Joshi
15. Shri Hassan Khan
16. Dr. Kruparani Killi
17. Shri Jose K. Mani
18. Dr. Sanjeev Ganesh Naik
19. Shrimati Jaya Prada Nahata
20. Shrimati Raneer Narah
21. Shri Rajaram Pal
22. Shri Bal Kumar Patel
23. Shri Rudramadhab Ray
24. Shri Madan Lal Sharma
25. Shri Dushyant Singh
26. Shrimati Meena Singh
27. Dr. Raghuvansh Prasad Singh
28. Shri Rakesh Singh
29. Shri Shatrughan Sinha
30. Shri Anurag Singh Thakur
- @31. Shri Subrata Bakshi

Ceased to be a Member of the Committee due to expiry of the term *w.e.f.* 2nd April, 2012.

* Ceased to be a Member of the Committee due to expiry of the term *w.e.f.* 3rd April, 2012.

@ Nominated on 2nd March, 2012 *vice* Shri Ajit Singh who ceased to be a Member of the Committee consequent upon his inclusion in the Council of Ministers *w.e.f.* 18th December, 2011.

13.2 The Committee was re-constituted on 31st August, 2012 with the following composition:—

1. Shri Sitaram Yechury — *Chairman*

Rajya Sabha

2. Shri Satish Sharma
3. Prof. Alka Balram Kshatriya
4. Shri V. Hanumantha Rao
5. Shrimati Bimla Kashyap Sood
6. Shri Aayanur Manjunatha
7. Shri Narendra Kumar Kashyap
8. Shrimati Vasanthi Stanley
9. Shri Kunal Kumar Ghosh
10. Shri Thomas Sangma

Lok Sabha

11. Yogi Adityanath
12. Shri Ghanshyam Anuragi
13. Shri Subrata Bakshi
14. Shri Khagen Das
15. Shrimati Tabassum Hasan
16. Dr. Mahesh Joshi
17. Dr. Kruparani Killi
18. Shri M. Krishnaswamy
19. Shri G.V. Harsha Kumar
20. Shrimati Rane Narah
21. Shri Prabodh Panda
22. Shri Deoraj Singh Patel
23. Shri Adhalrao Shivaji Patil
24. Shri Nilesh N. Rane
25. Shri K.J. S.P. Reddy
26. Shri Modugula Venugopala Reddy
27. Shri Dushyant Singh
28. Shri Rakesh Singh
29. Shri Shatrughan Sinha
30. Shri K. Sudhakaran
31. Shri Dinesh Trivedi

II. Subjects selected/Bills referred for examination

13.3 The Committee examined and submitted 4 Reports to the Parliament on the Action Taken replies submitted by various Ministries on the following issues:

- 1 Functioning of National Museum;

- 2 Directorate General of Civil Aviation (DGCA)- Issues and Challenges ;
- 3 Helicopter Operations in India; and
- 4 Development of Tourism in North-Eastern Region.

13.4 The Committee also examined and prepared following 3 Draft reports during 2012:

1. Functioning of Commission of Railway Safety
2. Development of National Waterways- Potential and Challenges
3. Development of Tourism in Darjeeling and Sikkim

13.5 The National Highways Authority of India (Amendment) Bill, 2011 was referred to the Committee on 13th January, 2012.

III. Constitution of the Sub-Committee on Transport, Tourism and Culture

The Committee did not constitute any sub-Committee during the period.

IV. Review of work done

(a) Sitzings of the Committee

13.6 During the year the Committee held, in all, 18 meetings for 35 hours 49 minutes. A Statement showing the dates of sittings of the Committee held during the period under Review, the duration of the sittings and the subjects discussed are given in *Annexure-XVIII*.

(b) Study Visits

13.7 The Committee undertook one study visit for a total number of six days. Officers/Staff of the Secretariat accompanied them. The details of the visits are given below: -

Places visited	Date	Organisation Examined	Subject
Darjeeling & Gangtok	26.02.2012 to 02.03.2012	Discussion with the representatives of Government of West Bengal, Union Ministries of Tourism; Road Transport & Highways; Border Road Organization; Culture, Archaeological Survey of India; and Civil Aviation along with Air India and Airports Authority of India, Pawan Hans Helicopters Limited on the Development of Tourism in Darjeeling and its adjoining areas	Tourism Development in North Eastern States

13.8 In addition, the Committee undertook one local study visit to Indira Gandhi National Centre for Arts, New Delhi on 18th July, 2012.

V. Reports presented

13.9 During the year under review, 15 reports were presented to the Parliament as detailed below:—

Sl. No.	Report No. and Date of presentation/laying in Rajya Sabha/ Lok Sabha	Subject
1.	173rd (15.3.2012)	The National Highways Authority of India (Amendment) Bill, 2011
2.	174th (27.4.2012)	Demands for Grants (2012-13) of Ministry of Civil Aviation

Sl. No.	Report No. and Date of presentation/laying in Rajya Sabha/ Lok Sabha	Subject
3.	175th (7.5. 2012)	Demands for Grants (2012-13) of Ministry of Culture
4.	176th (7.5. 2012)	Demands for Grants (2012-13) of Ministry of Tourism
5.	177th (7.5. 2012)	Demands for Grants (2012-13) of Ministry of Shipping
6.	178th (7.5. 2012)	Demands for Grants (2012-13) of Ministry of Road Transport and Highways
7.	179th (21.5. 2012)	Action taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred Sixty Seventh Report on 'Functioning of National Museum'
8.	180th (21.5. 2012)	Action taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred Seventy-Second report on Development of Tourism in North-Eastern Region
9.	181st (4.12. 2012)	Action Taken by the Government On the Recommendations/ Observations of the Committee contained in its One Hundred Sixty-Eighth Report on the Directorate General of Civil Aviation (DGCA) – Issues and Challenges
10.	182nd (4.12. 2012)	Action Taken by the Government on the Recommendations/ Observations of the Committee contained in its One Hundred Sixty-Ninth Report on the Helicopter Operations in India
11.	183rd (4.12. 2012)	Action Taken by the Government on the Recommendations/ Observations of the Committee contained in its One Hundred Seventy-Seventh Report on the Demands for Grants (2012-13) Of Ministry of Shipping
12.	184th (4.12. 2012)	Action Taken by the Government on the Recommendations/ Observations of the Committee contained in its One Hundred Seventy-Sixth Report on the Demands for Grants (2012-13) of Ministry of Tourism
13.	185th (4.12. 2012)	Action Taken by the Government on the Recommendations/ Observations of the Committee Contained in its One Hundred Seventy-Fourth Report on the Demands for Grants of Ministry of Civil Aviation (2012-13)
14.	186th (4.12. 2012)	Action Taken by the Government on the Recommendations/ Observations of the Committee Contained in its One Hundred Seventy-Fifth Report on the Demands for Grants (2012-13) of Ministry of Culture
15.	187th (4.12. 2012)	Action Taken by the Government on the Recommendations/ Observations of the Committee Contained in its One Hundred Seventy-Eighth Report on the Demands for Grants of Ministry of Road Transport and Highways (2012-13)

VI. Summary of Recommendations

(a) 173rd Report

The National Highways Authority of India (Amendment) Bill, 2011

13.10 The Committee notes that a similar legislation – the National Highways Authority of India (Amendment) Bill 2008, was brought earlier also that was examined by this Committee and the 148th Report thereon was submitted to the Parliament. The Committee appreciates that some of its recommendations have been accepted by the Government and incorporated in the present Bill.

13.11 The Committee, however, notes that some of its major recommendations regarding the revamping of the NHAI, it appears have not been accepted by the Government as these find no mention in the Bill. In the face of the enormous challenges before the NHAI of not only completing the existing projects but also meeting uphill target of constructing 21 kms. of highway everyday, the Committee feels, NHAI will not be able to live upto these simply by having one more full-time and two part-time Members. While the Government may be having its own arguments for doing so, but such a cosmetic face-lift will not be enough. The need of the hour, in fact, is granting more financial and administrative powers to NHAI. The Committee, therefore, reiterates its earlier recommendation contained in its 148th Report that simply adding of professionals as part time members in the NHAI will not strengthen the organization in the required manner.

13.12 The Committee notes that the Bill proposes to take non-government professionals as part time members, having knowledge or experience in certain areas. It reads as: “financial management, transportation planning or any other relevant discipline”. The Committee feels that the words “any other relevant discipline” is certainly vague and liable to be interpreted differently at different occasions to suit certain vested interests. The Committee, therefore, recommends that in the interest of clarity and transparency, the term “any other relevant discipline” must be specified as it has been done for the “financial management and transportation planning”.

13.13 The Committee notes that the argument given by the Government for not inducting non-government professionals as full-time Members had been reversed in the case of that given for allowing persons from private companies to apply for the post of Chairman, NHAI. In other words, while Government does not want to induct non-government professionals as full time Members, it has no problems in appointing such persons as Authority’s Chairman - the most powerful position.

13.14 The Committee finds the argument against the possible conflict of interest in the case of persons from private companies, unconvincing and the two years cooling off will not be adequate for taking care of all the possible eventualities in this regard.

13.15 As regards making officers with two years of service as Additional Secretary eligible for the post of Chairman, NHAI, the Committee found no justification for fixing “two years” for this. Besides, the Committee is of the opinion that in view of the Members of the NHAI being in the pay scale of Additional Secretary, allowing officer of the same level as Chairman will not be conducive for the smooth functioning of the NHAI. The Committee also feels that condition of two years of service as an Additional Secretary shall prevent the persons from the Public Sector Undertakings having relevant experience in the infrastructure sectors-power, civil aviation, ports and other such sectors.

13.16 The Committee takes a strong exception to the Government’s inability to make Rules under Section 34 (2) (b) of the National Highways Authority of India Act, 1988 for providing powers and duties of the Chairman and Members. Instead, the entire gamut of powers has been delegated to the Chairman by the Authority and the rules defining the duties and functions of the Members have not been framed till date. In such a situation, the National Highways Authority of India, it appears is being run purely on the whims and fancies of some persons. This is unacceptable to the Committee as it is certainly an infringement of the legislative mandate given by the Parliament in the NHAI Act. By not doing so, the Government has not only failed to follow the mandate of Parliament to frame relevant Rules and Regulations given under Section 34(2)(b) but has also failed to place them before the Parliament as provided under Section 37 of the NHAI, Act. The Committee is of the considered opinion that the present Bill will not serve the purpose unless the powers and duties, not only of the Members but also of the Chairman are defined, as provided in Section 34(2)(b) of the National Highways Authority of India Act, 1988. The Committee accordingly recommends that the Government should take up the exercise of framing of Rules and Regulations defining the powers and duties of Members and Chairman of the NHAI without any further delay.

13.17 The Committee also recommends that the Government should come up with a comprehensive legislation incorporating all the suggestions/recommendations made for restructuring and strengthening of NHAI at the earliest.

(b) 174th Report

Demands for Grants (2012-13) of Ministry of Civil Aviation

13.18 The Committee notes that the Ministry of Civil Aviation was able to spend Rs.40,673.04 crores (anticipated) as against the allocation of Rs.49,267 crores for the Eleventh Plan period resulting in a huge saving. The Committee finds that except Indira Gandhi Rashtriya Uran Akademi which spent Rs.41.00 against the budgetary allocation of Rs.42.00 crore for the plan period, all other organizations under the Ministry could not spend the allocated money fully. This is a disturbing scenario. The Committee notes that Air India was able to spend Rs. 25,603 crores only against the allocation of Rs.32,730.71 for the Eleventh Plan period, again saving a sum of Rs.7,127 crores. The Committee is surprised to note that when the national carrier was knocking the doors of financial institutions to bail it out, it was unable to spend money it had been allocated during the Eleventh Plan period.

13.19 Another case of under-spending is that of Airports Authority of India, the leading infrastructure provider for aviation industry in the country. AAI could spend Rs.11,873.41 crores against the allocation of Rs.12,964.21 crores for the plan period. The Committee is not able to understand the logic behind Airports Authority of India's inability to spend even the budgetary support of the Government; they could spend roughly 50% only. The Committee feels that such under utilization of funds by AAI could have definitely slowed the pace and process of developing airport infrastructure at various places including Chennai and Kolkata. A curious case in this respect is that of the Hotel Corporation of India which was able to spend Rs.43.75 crores against Rs.75.00 crores. The Committee feels that time has come to assess the performance of this PSU in a broader perspective and it should not be allowed to become a liability to pave the way for its privatization. Air India Charters Limited is another example in this respect. They could spend only Rs.2088.16 crores against the plan outlay of Rs.2475.26. Neither the Low Cost Carrier of the Government is expanding its services nor able to spend the allocated plan outlay. The Committee would like to be informed about the reasons for such under-utilization of funds by various organizations of the Ministry of Civil Aviation and the remedial measures taken to prevent such happenings in future. The Committee hopes that the Ministry will ensure that the organizations under its control were able to spend their allocations to the maximum possible extent in the Twelfth Plan. The Committee feels that any laxity on spending of allocation will have the direct impact on aviation sector of the country.

Annual Plan 2011-12

13.20 The Committee notes that the Ministry of Civil Aviation was not able to spend fund allocated in respect of DGCA, BCAS and AAI – three main organizations. It is not a welcome sign since allocation under these heads constituted major share of the allocation under Plan, excluding Air India. The reasons submitted by the Ministry for under-utilization of funds such as delay in clearances to various projects, delay in acquisition of land for airport projects and delays in getting necessary regulatory and statutory approvals may be understandable but not acceptable, if repeated every year. For example, the project of construction of office buildings for DGCA and BCAS could not be taken up for last two to three years. The Committee feels that failure to spend the allocated moneys by these organizations shows a lack of proper planning for timely execution of major programmes/ projects. Delay on account of various administrative problems and procedural difficulties cannot be acceptable as excuse as these could be visualized at initial stages and precautions taken well in time. The Committee recommends that the long pending construction of headquarters for DGCA and BCAS be started at the earliest in coordination with agencies concerned and be completed in a fixed schedule. The Committee further recommends that the Ministry should impress upon all the organizations under its purview to spend the allocations cent percent in a planned manner.

Annual Plan 2012-13

13.21 The Committee after scrutinizing the allocations for 2012-13 finds that apart from equity infusion to the tune of Rs.4000 crore for Air India under the budgetary support, the allocation for the Ministry is inadequate. The allocation of Rs.738.80 crores under the Nonplan for the year 2012-13 is lesser than the allocation at Revised Estimates of Rs.764.86 crores for the year 2011-12. The Committee expresses its concern over the static allocation to the Ministry which concerns with one of the fastest growing sectors having lot of potential for further growth. The

Committee hopes that the Ministry will take up its case with Planning Commission for allocations of adequate funds at RE stage so that ongoing aviation projects are not hampered and new ones are taken up.

Air India Limited

13.22 The Committee notes that the national carrier had to undergo a tough period during the last year mainly on account of merger related issues, ever increasing ATF prices, employees' resentment over non-payment of dues, allotment of profitable routes to private carriers, its over-ambitious aircraft acquisition plan, inability to raise funds from the open market and the reluctance of financial institutions and Oil Marketing Companies to help the ailing Air India. The Committee finds that though the company was able to increase its passenger load factor it witnessed a dip in share in domestic and international aviation markets.

13.23 The Committee notes that a large number of amendments to Air Service Agreements with foreign countries were signed for expansion of international air services by the national carrier during the last year. The Committee finds that Air India operates almost 500 departures daily offering more than 78000 seats per day connecting about 150 domestic city-pairs and 125 international city pairs with a 143 strong fleet but still not in a position to attain a visible competitive edge *vis-à-vis* other airlines. The Committee notes some serious efforts being made both by Air India management and the Government for taking the national carrier out of the current mess. There are improvements on some parameters indicating that things have started moving into required direction, which is why the Government has decided to support the airlines' recovery process. But in view of the several challenges and over all slow down in the Sector, Committee would like to caution the Air India management and the Government to be very careful while implementing its restructuring/revival plans. The greatest challenge it must overcome on priority is that relating to HR issues created due to ill-conceived merger plan. The Committee hopes that allocation of unutilized bilaterals/traffic rights to Air India will benefit it in regaining its lost market share in international market.

13.24 The Committee feels that infusion of Government equity to the tune of Rs.30,000 crore over a nine-year period, induction of 27 Boeing 787 Dreamers, proposal to hive off 27 Air India's Maintenance, Repair and Overhaul (MRO) business and its Engineering Services as two wholly-owned subsidiaries will yield the much desired results in the long run.

Airports Authority of India

13.25 The Committee notes that allocation of funds under the Plan for the airport infrastructure provider was reduced to Rs.208.65 crores at RE level from Rs.280.15 crores at BE level in the year 2011-12. However, Airports Authority of India was able to spend Rs.120.99 crores only during 2011-12. The Committee feels that a cut in plan outlay for the Airports Authority of India at RE and spending merely 60% of plan allocation does not augur well for the development of required airport infrastructure in the country. The Committee was informed that delay in getting requisite clearances and land acquisition for airport projects were the reasons for under utilization of funds by the Airports Authority of India during the year 2011-12. The Committee emphasizes the need for a better coordination with various Ministries and concerned State Governments by the Airports Authority of India for speedy clearance of projects. The Committee hopes that AAI will ensure to utilize the allocated funds to the maximum extent during the current fiscal.

13.26 The Committee finds that much emphasized financial autonomy to Airports Authority of India to plan and execute its projects, has not materialized so far. The Committee is of the opinion that the Government should lend a helping hand to AAI in recovering its outstanding dues from various agencies for the services rendered to them so that cash flow of the agency is maintained at the desired level. The Committee hopes that the Ministry of Civil Aviation will impress the Ministry of Finance in granting permission to AAI to float tax-free bonds to raise funds so that the on-going and planned airport projects are not stalled or delayed for want of funds.

13.27 The Committee was further informed about the problems faced by Airports Authority of India in getting necessary land for the expansion of Leh airport from Defence authorities. The Committee desires that issue may be taken up with Defence officials at the earliest so that the long pending modernization of Leh airport gets priority as the existing terminal is not a position to accommodate more than 250 passengers at one time. The Committee recommends that Airports Authority of India may take up the expansion of Kargil airport in consultation with Defence authorities on priority to bring this important tourist place on the aviation map.

13.28 The Committee desires that development of airports in North-Eastern Region gets due priority since air connectivity plays a vital role in promotion of trade and tourism in this region. The Committee feels that there is an urgent need for having an integrated plan to expand aviation connectivity in this region by identifying places in a fixed time schedule. The Committee would like to be informed about this, if there was already one in place. The Committee hopes that development of non-metro airports by Airports Authority of India will play a positive role in enhancing air connectivity to non-metro cities as scheduled operators have evinced more interest in starting services to these cities.

Pawan Hans Helicopters Limited

13.29 The Committee notes that with a fleet of 42 helicopters, PPHL's fleet serviceability has marginally declined from 83% in 2010-11 to 82% in 2011-12(RE). The profit of the company has also taken a dip to 36.89 crores in 2011-12 from Rs.49.46 crores in 2010-11. The Committee feels that though the helicopter industry has immense potential to expand and grow in different areas as has been done in western countries. The PPHL being the leading helicopter operator in the country can venture into such areas as patrolling, evacuation, medical emergency, tourism in unexplored and inaccessible destinations and the like. The Committee reiterates its recommendations made in its 169th Report on the Helicopter Operations in India for construction of heliports in a big way. In North-Eastern part of the country, helicopter operations are more viable than regular air services to remote and popular tourist destinations.

Hotel Corporation of India Limited

13.30 The Committee desires to know the status of the restructuring plan of Centaur Hotels in Delhi and Srinagar and also the status of employees currently working in Centaur Lake View Hotel, Srinagar. The Committee would like to know the latest position about the way the Lake View Centaur Hotel will now be managed and how does Rs.5 crores outlay for 2012-13 fit into this. The Committee would also like to have information on the viability/ necessity of running the Hotel Centaur, Delhi Airport.

Directorate General of Civil Aviation

13.31 The Committee notes that the construction of headquarters of DGCA is pending for many years. One or the other hindrance is mentioned as the reason for the delay. It has been brought to the notice of the Committee that some vested interests were trying to ensure that the land allotted to DGCA is not handed over to it for the construction of the headquarters. Perhaps they want to use the centrally located prime land for commercial purposes. The other theory doing the rounds in Media is that the lack of office space and the resultant chaos and confusions at the DGCA is suitable for the unscrupulous elements to take advantage. The Committee, therefore, recommends that the reasons as well as agencies responsible for the delay in the project may be identified and brought to its notice within two months. The Ministry must make all out efforts for ensuring that DGCA gets its office building at the earliest.

13.32 The Committee notes that a large part of plan allocation of Rs.60 crores for DGCA will be expended for strengthening/modernization of premier aviation regulatory authority. The Committee notes that the aviation regulator has taken a number of measures that have started showing positive results in respect of curbing malpractices in DGCA including making examination, inspection and certification processes more transparent, increasing aviation safety, enforcing discipline in airline operators, both domestic and international. The Committee reiterates its earlier position for strengthening the DGCA for making it more effective. The Committee hopes that the proposed Civil Aviation Authority will have sufficient powers to develop/regulate Indian skies far more efficiently and effectively. The Committee feels that DGCA should play a more pro-active role in fare determination and routes re-scheduling of private players, as many a times air travelers are taken for a ride by these players. The Committee also likes to know the status of filling up of vacancies at various levels in DGCA so that the functioning and performance of this agency is not adversely affected by the manpower shortage.

General Observations

13.33 The Committee notes that various recommendations and provisions made in the Budget has raised lot of expectations on the aviation sector. Direct import of ATF by Indian carriers, moderate budgetary support for Air India and customs duty exemption for the MRO industry, will send some positive signals to the aviation industry. The Committee also notes that provision has also been made for setting up of the Air Freight Stations

which may provide much needed fillip for the developing air cargo industry and easy facilitation of cargo movements. One adverse impact of the Union Budget on aviations sector is the hike in service tax rates to 12 per cent plus cess which will result in hike in airfares.

13.34 The Committee feels that Ministry should take up the issue of uniform taxation of ATF with the Ministry of Finance so that air fares do not see much fluctuation specially upward, quite often. The Committee hopes that scheduled infusion of equity into Air India will give some fresh lease of life to the 'Maharaja' and with the structured implementation of turn around plan, Air India could be in a position to re-establish its position in both the international and domestic markets.

13.35 The Committee notes that the air connectivity to major cities of North-Eastern parts of the Country still remain as a distant dream only. The scheduled operators in the country had to deploy their services to meet the requirements of Route Dispersal Guidelines but they resort to what is described as 'Cherry picking' or 'Cream skimming'. In other words, the private airline operators deploy their services only on the profitable routes in North-Eastern Region depriving air connectivity to tier-II cities there. The Committee hopes that the Government should come out with an innovative initiative to expand air connectivity in North-Eastern Region by strengthening the airport infrastructure to develop the tourism and trade of that region. Promotion of helicopter services in the North-Eastern Region is another viable option before the Government to include more cities from that region in the aviation map of the country.

(c) 175th Report

Demands for Grants (2012-13) of Ministry of Culture

Eleventh Five Year Plan

13.36 The Committee notes that out of Rs.3524.11 crore earmarked for XIth Five Year Plan, an amount of Rs.3104.00 crore was likely to be spent leaving a saving of Rs. 430.00 crores. The Committee notes that the unspent amount was mainly in respect of the archives, museums, libraries and activities for NE region. The Committee was informed that due to non-finalization of upgradation and modernization programmes and deferment of activities of Victoria Memorial and Salarjung Museums, funds could not be utilised under 'Museums'. Similarly, Asiatic Society, Kolkata also could not utilize the grant for modernization of infrastructural facilities. The Committee views any kind of underutilization of allocations as a lapse, specially those due to avoidable reasons. In this case, most of the reasons given by the Ministry were avoidable ones.

13.37 For example, the Committee has seen itself how the affairs of the National Museum, Delhi were being (mis)managed. The Committee in its 167th Report has conveyed its impression about all these aspects and the Action Taken Notes furnished by the Ministry amply reflect that even the Committee's recommendations do not evoke required response/action. The Committee, therefore, recommends that being concerned with art and culture, the Ministry has to be pro-active and utilize the allocations judiciously provided for XIIth Plan. The Committee also recommends the Ministry to ensure that the schemes/plans do not suffer on account of under-utilization of funds and shortcomings/flaws are corrected during the XII Plan period.

Budgetary Allocation

13.38 The Committee notes with concern that out of Rs.805.00 crore provided at RE 2011-12, expenditure upto 29th February, 2012 was Rs.570.72 crore. The Committee has a doubt if the Ministry of Culture would have been able to utilize the remaining amount of Rs.234.28 crore in just one month *i.e.* March 2012. If it is so, the same is against the established financial norms for spending. The Committee deplores the habit of incurring expenditure at the fag end of the year. The Committee recommends that proper monitoring of the schemes/plans should be done with reviewing of progress in every quarter to ensure that rushing for last minute expenditure at the end of the financial year is avoided. The main reasons for non-utilization are non-finalization of upgradation/modernization plans of Museums, and non-finalization of schemes which were started in XI Plan period. The Committee notes that the expenditure is less in those areas which are critical for preservation and propagation of culture and invariably require more funds such as ASI, Museums and archives. The Committee recommends that proper planning should be made at the time of proposal of the plan/schemes and an effective monitoring mechanism be put in place and ensure that the expenditure is incurred fully and uniformly.

Twelfth Five Year Plan (2012-17)

13.39 The Committee was informed that the Ministry of Culture had projected a requirement of Rs. 18353.94 crore for the XII Plan to carry out its on-going as well as new schemes and activities. The Committee, however, notes with concern that for the year 2012-13, 1/3rd has been given than what was proposed by Ministry of Culture. The Committee is of the view that the Culture sector has not received the priority it deserved.

13.40 It strongly recommends to give it adequate funds for the XII Plan. Ministry's financial performance was not bad except in Museum, Libraries, Achieves, etc. during the entire XI plan period. The Committee hopes that the Planning Commission would consider the importance of culture and art in human development and contribution of culture related activities and services to GDP, employment generation and above all, instilling a sense of national pride/identity. The Committee emphasizes the need for developing proper linkages not only with the Tourism which is conspicuous by absence today, but also with the Ministries such as Road & Highways, Transport, Civil Aviation, Railways, etc. with a view to having an integrated developmental activities for promoting and show-casing our rich cultural and art traditions to the world.

Annual Plan 2012-13

13.41 The Committee notes that against the projected demand of Rs.2916.43 crore. Ministry of Culture has been allocated only Rs.864.00 crore for 2012-13, less than 1/3 of what was proposed by the Ministry. The Ministry had made plans for utilizing the enhanced allocation for schemes like preservation and conservation of monuments by ASI, introduction of new schemes for libraries, celebrating centenaries, strengthening and expansion of ongoing plan schemes implemented by Zonal Cultural Centres for creative industries, benefit of Tribal/Rural artists at the grass root level, ten new schemes by National Archives, financial assistance for Professional Groups and Individuals, for specified performing arts, National Mission for Monuments and antiquities, Sangeet Natak Akademi, NSD etc. The Committee notes the apathy of the Government towards the cause of preservation and promotion of our ancient culture and has allocated plan outlay of less than 1/3 of what was proposed by the Ministry of Culture. During the XIth Plan also Art and Culture got a share of only 0.16% of the total central plan allocation of the Government of India. The Committee recommends that Ministry of Culture certainly deserves a better treatment in allocation of funds in view of its importance. The Committee recommends that Ministry should strive to utilize the allocations optimally by September every year so that while submitting proposal for RE, Ministry can justify its stand for more allocation which is based on trend of last 6 months' expenditure. However, the Ministry should also take extra care/ measures to monitor the schemes/plans on regular basis.

13.42 In view of effecting a cut of about 70% in Ministry's projected demand, the Committee feels that either the Ministry's projections were unrealistically high or the Planning Commission and Ministry of Finance did not accord the importance this Ministry deserves. There is a need to sensitize the concerned agencies to appreciate the contribution of art and culture to our nation's life. Ministry has proposed some very good schemes that were overdue and must be taken up on priority.

Archaeological Survey of India (ASI)

13.43 The Committee notes that ASI could incur expenditure of Rs.133.90 crore upto 29th February, 2012 out of the revised allocation of Rs.161.75 crore. The Committee hope that with the mandate of its various work, ASI would be able to utilize the resources allocated to it in RE 2012-13. The Committee notes the constraints faced by ASI due to its specific nature of work whereby maintenance and conservation is limited to only a few months and also the fact that the RE allocation is received in March and as per specific instruction of Department of Expenditure, the expenditure cannot be more than 33% in the last quarter 25 and 15% in the last month. The Committee recommends that ASI should utilize the allocation in a time frame and opt for relaxation on case-to-case basis.

13.44 The Committee notes that Ministry of Culture had sent a letter to Principal Secretary, PMO for creation of Non-lapsable fund in 2008. The Committee would like to know the response of the PMO in this regard. It recommends that owing to the nature of seasonal work, the Ministry's proposal for creation of non-lapsable fund for ASI activities deserves serious considerations.

13.45 The Committee also notes the various initiatives taken by the Ministry for conservation and preservation of heritage. The Committee notes that ASI maintains 44 museums and has opened site museums at six sites. The Committee recommends that these Museums should be provided adequate allocation for maintenance and upgradation. Although ASI has been making efforts to provide visitors facilities at the world heritage sites, the Committee feels that it is inadequate and not properly maintained. The Committee recommends that Ministry of Culture should associate with the schemes of other Ministries such as Tourism and Rural Development to provide basic facilities such as toilets for visitors.

13.46 The Committee notes that there is a huge gap between the sanctioned strength and assessed strength, almost in all categories of staff and officers in ASI which is certainly telling upon the work relating to preservation and protection of our monuments. The Committee is at a loss to note that Institute of Archaeology which was set up in 1985, has remained non-functional for want of requisite staff till date. The Government has engaged manpower management and planning consultants to prepare a report on the restructuring and strengthening of ASI and its recommendations are under consideration of the Government. The Committee recommends that Government should examine those recommendations for early implementation in order to give fillip to the activities of the ASI. The Committee feels that there is urgent need to meet the requirement of staff and officers, particularly in the field of archaeology, science, conservation, epigraphy, attendants and horticulture.

13.47 The Committee recommends the Government to consider ASI as scientific department and make available the benefits which are available to other scientific and technical bodies in the Government. In this connection, the Committee reiterates its earlier recommendations contained in its 91st report on the "Functioning of ASI".

Horticulture Branch, ASI

13.48 The Committee notes that inspite of having five Commissions/Committees for restructuring of ASI including the Horticulture Branch, nothing has been done in this regard so far. The Committee notes that allocation for the Horticulture Branch has been on decline despite the increase in the number of Gardens over the years. It is learned that some of the post have been got downgraded. The Horticulture Branch not only maintains Gardens but it also preserves the intangible heritage in the form of trees and plants. If the area surrounding the monuments is beautiful, more people are inclined to visit the monuments. The Committee feels that this Branch has been discriminated continuously against in respect of staff and budgetary allocations. The Committee, therefore, recommends that the Ministry should realize the importance of the Horticulture Branch and take immediate steps to strengthen and restructure it according to the requirement.

Museums

13.49 The Committee is dismayed to note that only Rs. 76.95 crore could be utilised upto February, 2012 out of Rs. 109.13 crore RE for Museums and other schemes. Even the BE was reduced at RE stage. The Committee notes that these savings were mainly due to nonfinalization of upgradation and modernization programmes in respect of Victoria Memorial Hall, NCSM, Salarjung Museum, and Indian Museum. The Committee feels that upgradation / modernization of Museums are very important for the Museums if they have to keep themselves in the forefront in this technological era to keep visitors attracting towards Museums. The Committee, therefore recommends that Ministry of Culture should take initiative to put the plans in order and take prior approval of the Plans so that modernization/upgradation activities are not deferred.

13.50 The Committee had examined the functioning of National Museum, Delhi and while doing so, it has found that our Museums are not being properly managed, for which various explanations were submitted. It is noted that there is no dearth of funds. But the other reasons such as large number of posts lying vacant for years, lack of personnel with required training/skill, poor upkeep/maintenance, galleries being closed for longer period, CPWD not being able to do the work in time, lack of close coordination with other agencies, etc. were the problems mainly affecting their working.

13.51 The Committee notes with concern the delay in setting up the Museum at Jaipur, although sufficient allocation was made under the head 'Museums'. The Committee did not know the reason for the delay. It desires that the Ministry should monitor the work on a regular basis to implement the proposal. The Committee hopes that as assured by the Ministry the proposal for setting up the Museum will be finalised within a period of three months. Any delay beyond this period may be communicated to the Committee alongwith the reasons.

13.52 The Committee also recommends that the timings of the Museums specially in the metro cities should be changed to keep it open in the evening, particularly during school vacations so that they can be visited by children in the evenings.

13.53 The Committee notes that the Art acquisition Committee is not being revived due to shortage of storage space. It would be done once ASI vacates the Museum premises and construction of Phase III is finished. The Committee finds this argument specious. There is no timeframe either for completion of the third phase or for shifting out of the ASI office. It means the art acquisition will be held up till an indefinite time. The Committee would like to reiterate all its recommendations contained in its 167th Report on National Museum and would like to have latest position in respect of its recommendations/ observations made in that report alongwith the ATNs of this report.

13.54 When asked about the physical verification of artefacts of the Museums, reply furnished by the Ministry revealed that the physical verification of objects has not been done in National Museum, New Delhi and National Gallery of Modern Art since 2003 and 2000 respectively. The Committee does not know if it is to be carried out with a fixed periodicity. Physical verification is to ensure that the invaluable treasures of the nation are not missing or mishandled by unscrupulous elements. If it is not done for a longer period, fixing the responsibility will be a daunting task. The Committee, therefore, recommends that for the sake of preserving the invaluable treasures, the Government should take immediate steps to conduct physical verifications in National Museum, New Delhi and National Gallery of Modern Art, at the earliest.

13.55 The Committee notes that an MoU has been signed by the National Museum with Google Art Project to make its artefacts accessible globally. It is also redesigning its website. The Committee expresses its happiness on the efforts made for adoption of new techniques for the Museum sector. These processes are, however, taking longer time. The Committee recommends that efforts should be made for expediting these two processes in a timebound manner so that the reach of National Museum becomes international.

13.56 The Committee is of the view that existence of such a large number of vacant posts and that too for a long time, let alone the requirement, shows our (non) seriousness with the Museum's affairs. The reasons given are purely technical, vague and repetitive which could have been expedited, if done with required will and commitment. These vacancies would have been arisen over a period of time and the Ministry must have been aware of these vacancies. How the Museums are being looked after with such a depleted manpower could be anybody's guess. The Committee recommends that the Ministry should take immediate steps to fill up all the vacant posts in fixed time schedule.

13.57 The Committee does understand the non-availability in India of managerial as well technical workforce in Museum sector, but how the world class Museum in Europe & America are being managed and how this shortage is being overcome by them. The Committee notes that Working Group Report of 12th Plan mentions about this problem but would like to know detailed proposals for overcoming this shortage of cultural managers and technical experts. The Committee recommends to devise suitable courses for this purpose to be introduced in our academic institutions and universities at various levels. Idea of having a separate cadres of Museum staff and inter Museum transfer also needs serious consideration.

Vacant Posts in Various Organizations

13.58 The Committee notes that large number of vacancies existing in the cultural institutions including Akademis, Museums, Libraries, etc. Somehow the Ministry has not been able to fill those vacancies which are existing for a longer time. The Committee learnt that many of these posts have been lapsed due to delay in recruitment process but a few of these were got revived from the Ministry of Finance after a longish procedure. The Committee wonders how with so many vacancies lying vacant in various cadres and also the head of the organization, these premier institutes are functioning. The Committee knows that there are various recruitment rules and the posts in the purview of UPSC that takes a lot of time. The Committee reiterates its earlier recommendations to keep these posts out of purview of UPSC and the same should be pursued vigorously. The Committee recommends that the Ministry should make all out efforts to fill the vacant in all the institutions.

Libraries

13.59 The Committee notes that the allocation of Rs. 46.27 crore could be utilized only in the year 2011-12 out of the RE of Rs. 54.97 crore as the National Mission on Libraries could not be implemented. The Committee notes that the National Mission on Libraries is an ambitious project of the Government which can do a lot to improve education and knowledge of the populations if it is implemented in right earnest. The Committee is also of the view that there is a need to strengthen the existing libraries and awareness about reading is to be made focus in the internet world of today. For this with the help of Ministry of Human Resource Development initiative should start from the primary classes. The Committee also recommends that to setup such a vast network of libraries specialized and trained staff would be required. For this purpose requirement should be assessed of the various categories of staff so that the Mission succeed its objective in spreading knowledge as per plans.

Gandhi Heritage Sites Mission and Portal

13.60 The Committee is at a loss to know that allocation proposed of Rs 20 crore has been drastically reduced to Rs 2.00 crore in 2012-13 to set up such a noble project. The Committee recommends that allocation should be increased at RE stage. The Committee is also of the view that proper monitoring should be made of the project so that it is in place in a fix time schedule. The Committee is also of the view that a Mahatma Gandhi Heritage Trail linking all the places visited by Mahatma Gandhi at various places and major struggles organized in India during the freedom struggle should be conceptualized and made a reality. This would help public and especially the children to connect themselves to Gandhiji and in turn learn the importance of the facet of Non-violence and the struggles undertaken by Gandhiji which led to the independence of our country. From tourism point of view also Gandhi Heritage trail would be a success as it will be visited by people of all countries.

National Mission on Monuments and Antiquities (NMMA)

13.61 The Committee notes that the work of the National Mission on Monuments and Antiquities is progressing at a slow pace. During the Eleventh Five Year Plan the Mission could document only 80000 built heritage and sites out of 4 lakh estimated. If this pace continues it will take another 20 years to complete the documentation. The Committee recommends that there is a need to augment the work of NMMA with an objective to complete the Mission during the Twelfth Five year Plan. The Committee also recommends that the Ministry should take appropriate measures, wherever required to preserve and protect the documented monuments.

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Demands for Grants (2012-13) of Ministry of Tourism

Analysis of Eleventh Five Year Plan (2007-12)

13.62 The Committee notes that the total allocation made for the Eleventh Plan was Rs. 4997 crore and the Ministry was able to spend Rs. 4690.57 upto Dec., 2011.

13.63 The Committee also notes that as per year-wise utilization detail (Table I) submitted by the Ministry, the total utilization during the Eleventh Plan had been around 98% on an average.

Product/infrastructure Development for Destinations and Circuits

13.64 The Committee also emphasizes the need for a thorough review of the physical achievements made on the infrastructure projects of the Ministry during the Eleventh Plan period.

13.65 The Committee also desire that information regarding the status of projects sanctioned before the Eleventh plan period which are still continuing may be submitted to the Committee.

Assistance to IHMs/FCIs/IITM/NIWS

Overseas and Domestic Promotion

13.66 The Committee notes that extra allocation of Rs.145 crore was made for the Overseas Promotion and Publicity including Market Development Assistance as the plan outlay was only Rs.1010 crores but the total allocations stands at Rs.1155 crores. Compared to other projects, the expenditure pace is also very prompt in this case as

Rs. 1024.00 crore has been incurred upto 31st Dec. 2011, whereas in the case of Domestic Promotion and Publicity including Hospitality there was a cut in allocations amounting to Rs.81 crores as the allocation of Rs.345 crore was made against an outlay of Rs.426 crore. The expenditure stands at Rs. 315.85 crore. The Committee notes that the expenditure on Domestic Promotion has no such momentum in comparison to the expenditure pattern of the Overseas promotion. The Ministry has admitted that 3/4th of the economy in the tourism sector is contributed by the domestic tourists and domestic tourists has witnessed a growth of more than 10%.

Incentives to Accommodation Infrastructure

13.67 The Committee feels that during Eleventh Plan period the project was not properly implemented by the Ministry as per the expenditure pattern and this late hour wake up for more allocations could have been avoided.

Computerization and Information Technology

13.68 The spending pattern on the computerization and Information technology is also very poor as the total expenditure stands at Rs. 57.30 crores out of outlay of Rs. 121.00 crores and allocation of Rs. 83.50 crores. The Committee recommends that the detailed review may be made to ascertain, in the age of technological advancement where most of the tourist promotion are dependant on websites why Ministry of Tourism is unable to tap the potential.

13.69 Market Research including 20 Years Perspective Plan The total spending for Market Research including 20 years Perspective Plan stands at Rs.14.49 crores, whereas the expenditure is Rs.19.50 crores. The Committee notes that States like Kerala, Karnataka, Tamil Nadu, Gujarat, West Bengal, Odisha, J&K and Rajasthan which are having greater tourism potential were not covered. The Committee, therefore, recommends that the remaining States need to be included in the next phase.

Assistance for Large Revenue Generating Projects

Creation of Land bank for Hotels

13.70 The Committee notes that creation of Land Bank for Hotels could not pick up during the Eleventh Plan period as the amount of Rs.12.02 crores actually allocated for the purpose remained fully unutilized at the end of the Eleventh Plan. The Committee recommends that this project may be reviewed so that amount, though symbolic, of Rs.1.00 crore for the year 2012-13 earmarked for the purpose is utilized.

13.71 Assistance to Central Agencies for Tourism infrastructure development The Committee observes that Assistance to Central Agencies for Tourism Infrastructure Development was provided extra allocations of Rs.7.01 crore over and above the total outlay of Rs.25 crores, *i.e.* Rs.32.01 crore whereas the spending stands only at Rs.20.51 crores. The Committee feels that this is the result of poor planning and implementation of the project. The Committee also recommends that if there is any bottlenecks at the administrative level for the scheme, it should be properly revisited and necessary corrective measures need to be taken.

Salient Features of the Twelfth Five Year Plan

13.72 As regards the imparting 'pro-poor approach' during Twelfth Plan aimed at increasing net benefit to the poor from tourism and poverty reduction, the Committee finds it better said than done. It may be theoretically unquestionable but it is practically difficult to achieve. We should always aim at something that is in the realm of possibilities and closer to ground realities.

Budgetary Allocations for 2012-13

13.73 Keeping in view various targets fixed by the Ministry regarding the requirement of additional infrastructure, manpower and other facilities, tourist flow, etc., the Committee recommends that additional funds may be earmarked for the Ministry of Tourism so that their future development plans may be progressed as proposed.

Product/Infrastructure Development for Destination and Circuits

Training

13.74 The Committee, therefore, recommends that the Government should take steps to provide allocation adequate enough to meet the requirement of trained personnel to serve the increasing tourism potential of the country.

Accommodation Infrastructure

Tax Structure

13.75 The Committee, therefore, recommends that adequate tax exemptions may be given to the tourism sector to ensure its growth in all the possible areas of the country. Therefore, the Committee also recommends that both the Central and State Governments should work out a uniform tax structure in the tourism sector.

Environmental Issues and Eco Tourism

13.76 The Committee recommends that for tourists, carry-bags from local handicrafts should be made available with slogans on environment and tourism.

Isolation of Island Region in Tourism Development

13.77 The Committee is, however, of the view that tourism activities should not be allowed to be detrimental to the environmental balance. The Committee is of the view that there should be strict adherence to the environmental regulations while promoting tourism. Our environmentally fragile areas could not be blindly opened for access to the tourists; however the regulations should not be applied uniformly in a country like India where the diversity of geographical distribution is maximum.

Cruise Tourism Potential

13.78 The Committee also recommends that appropriate Rules and Regulations may be formulated for regulating cruise tourism to ensure planned growth of the sector. Further, there is need to put strict rules for ensuring safety measures such as provision of safety equipments like life jackets, trained manpower etc.

Connectivity and Tourism

13.79 The Committee recommends that air connectivity to major small tourist places should be explored keeping in view the increase in number of tourists to make the tourist places more popular. The Committee also notes that there is need to connect hill stations by deploying aircrafts and helicopter services for increased connectivity.

13.80 The Committee was informed that both Ministry of Railways and Ministry of Tourism have agreed to collaborate in the upgradation of 24 railway stations in the country. The Committee recommends that this plan should be implemented immediately and in the next year's railway budget more railway stations should be included for similar upgradation.

General Observations and Recommendations

13.81 The Committee appreciates the 'Clean India' concept propagated by the Ministry. The Committee recommends that it should have a major focus from the grass root levels.

(e) 177th Report

Demands for Grants (2012-13) of Ministry of Shipping

Annual Plan 2011-12

13.82 The Committee notes that the funds at BE 2011-12 was reduced to almost half at RE 2011-12 and the utilization was only 50% of BE. The reason submitted by Ministry of Shipping such as delay in approval, non-submission of extension of dredging subsidy, non receipt of proposal/incomplete proposals from shipyards are of routine nature and not convincing.

13.83 The Committee is perturbed to note that the spending pattern of the Ministry of shipping is resulting in cuts in allocations by the Finance Ministry. The Committee recommends that the Ministry should look into the reasons for low utilization and take remedial measure by way of proper planning and implementation.

Annual Plan 2012-13

13.84 The Committee recommends that the allocated funds should be utilized fully as many important projects especially in the Port sector are to be completed within the scheduled time in order to cope up with the growing demand and the competition posed by the private ports of the country.

Ports

13.85 The Committee considers the ports as the back-bone of the trade and commerce thereby the strongly linked to the economic growth of a country. The Committee observed the enhancement of provisions to the port sector under Plan Head to Rs.380.98 crore in the 2012-13 compared to Rs. 246.59 crore in 2011-12. The Committee is not satisfied with the reasons for low utilization and expresses its concerns that on the delayed projects, resulting in two-fold loss - more spending due to cost overruns and loss of revenue which otherwise would have been generated after completion of the extra capacity. The Committee strongly recommends for prioritized action on the above.

13.86 The Committee notes the targets of 675.25 MCM in the capital dredging and 429.99 MCM in maintenance dredging activities during the XI Plan period wherein only 278.93 MCM and 291.63 MCM respectively could be achieved which constituted 41.31% and 67.82% of the targets.

13.87 The Committee notes the projected cargo targets by the end of 12th Plan of about 1758 million tonnes as compared to 885 million tonne during 2010-11 which is more than double. The Committee recommends that the major ports may plan the capacity addition of 526.44 million tonnes as projected by working group, on a fast track mode. The Committee therefore emphasise the need for monitoring of the progress in works as per the expenditure guidelines periodically.

Dredging Corporation of India (DCI)

13.88 The Committee notes that maximum number of its barges of DCI are very old. The Committee hopes that with addition of new barges into the fleet and upgradation of the existing ones, the DCI may be able to meet the requirement of the Ports. The Committee recommends that addition of barges may be done on a fast track keeping in view the additional dredging requirements of 625.36 Million Cubic Meters as projected for the major ports and minor ports in the country during the 12th Plan period.

Inland Waterways Authority of India (IWAI)

13.89 The Committee notes that water transport has various advantages compared to road transport. Water transport is cheap, can handle huge volumes of cargo and less impact on environment. The Committee is of the view that a strong inland water transport system is able to handle effective, cheap and environment friendly cargo transport mechanism. The Committee, therefore strongly recommends that the available resources should be strengthened in order to have a well connected water transport facility through out the country.

Central Inland Water Transport Corporation Limited (CIWTC)

13.90 The Committee notes the various steps taken by Government in regard to CIWTC. The Committee is of the opinion that main reason for non-performance of CIWTC is lack of working capital and infusion of funds for modernization of construction/production techniques and no recruitment of manpower and lack of new technology.

13.91 The Committee also notes the submission of the Secretary regarding the merger of CIWTC with IWAI. The Committee has expressed its concern over the future of persons working in CIWTC. The Committee hopes that the staff of CIWTC will not be forced to opt VRS against individual's will and CIWTC will be merged with IWAI if the assets of CIWTC is taken over by it. The Committee also recommends that till the merger process is completed adequate funds and manpower be made available to CIWTC to carry out its operations. The Committee also recommends the Government to allow the use of interest income by CIWTC, which otherwise have to pay income tax on interest income.

Shipping Corporation of India (SCI)

13.92 The Committee is concerned about the financial status of the SCI especially connected with the ship acquisition programme. The Committee notes that the ship acquisition programme during 11th Plan could not materialize due to various reasons and it has even affected adversely its revenue generation and SCI is in fear of depletion of reserves.

13.93 The Committee recommends that SCI should take coordinated action with the PSUs to ensure that the business opportunities emanating from the PSUs are not siphoned away by foreign companies.

Research and Development

General Observations and Recommendations

13.94 The Committee is of the view that even though the Indian tonnage is growing as per the projections, the India fleet are not gaining the momentum. Even the fleet acquisition plans of the SCI has been passing through a very difficult phase. At the same time Indian ship building industry and ship repair sector are equally struggling to get enough business.

13.95 The Committee is concerned over the environmental impact of the ship breaking activities and the frequent dumping of abandoned vessels and waste materials into the Indian territorial waters.

13.96 The Committee is of the view that the interests of Major Ports are not made to languish at the cost of Private Ports, wherein tax payers crore of Rupees have been invested. The Committee feels that the Major Ports are loosing business to the Minor Ports; if we compare the growth rates of the two. The Committee strongly recommends to look into these aspects and making level playing field for both the Major and Minor Ports.

13.97 The Committee came to know that in JNPT Port a scanner was setup to scan the containers a few years back. However the same is not working now. On being asked about the status of non-functioning of the scanner, the Committee was informed that the entire management operation and installation of scanner is under the Customs Department and the Customs Department will install the scanner and operate it. The Committee is of the view that JNPT and Ministry of Shipping should take immediate action to make the scanner operational in consultation with the Customs Department. The reasons for the nonoperationlisation of the scanner, till now, may please be furnished to the Committee.

13.98 The Committee notes that the inland water transport is not being regulated properly and there are no Rules/Guidelines and if there exists some, it seems it is not being implemented. The Committee notes one of the worst boat tragedies in Assam, in which hundreds of people died when a packed steamer carrying over 300 passengers sank in the Brahmaputra river after being caught in a severe storm midstream on 30th April 2012. The boat was overloaded, with passengers on its roof. The Committee notes that, it seems, there is no mechanism in place to check the implementation of safety measures for inland waterways transport. The Committee recommends that strict enforcement of the Rules should be ensured by the Ministry to check the recurrence of such accidents.

(f) 178th Report

Demands for Grants (2012-13) of Ministry of Road Transport and Highways

Eleventh Plan (2007-12)

13.99 The Committee finds that the Ministry of Road Transport was able to get Rs.78,158.00 crores at BE as against the approved Eleventh Plan outlay was Rs.71,830.00 crores. The major component for the enhanced plan outlay was the introduction of special programme for development of roads in LWE affected areas in 2009 for which Rs.2,325.00 crores was allocated. The Ministry was able to spend Rs.74,607.36 crores against the total budgetary support of Rs.78,158.00 crores (BE) for the whole plan period. The Committee, thus, notes a saving of around Rs. 3500.00 crores. Such savings in infrastructure projects as development and maintenance of national highways should have been avoided. The Committee feels that the Ministry's performance in spending allocation for certain projects needs lot of improvement. The Ministry was able to get Rs.400.00 crores (BE) for development of Vijayawada-Ranchi Road but they could spend Rs.67.25 crores only for the whole plan period. Another case is the development of Mughal road in Jammu and Kashmir for which the total plan outlay Rs.127.50 crore was reduced to Rs.50.00 crores (BE) for the plan period. But the Ministry was not able to spend any money on the project for the period. The Ministry's ability to spend allocations under non-plan heads for the Eleventh Plan period was also not very good. Their spending on the development of information technology, machinery equipments, R&D planning studies, training and other charges are not very encouraging though their allocations were small only. The Committee hopes that the Ministry will take corrective measures to improve its performance in Twelfth Plan period.

Annual Plan 2011-12

13.100 The Committee finds that performance of the Ministry in spending the allocated funds under both plan and non-plan was not satisfactory during the year 2011-12. The reasons submitted by the Ministry for savings of fund under various heads at the end of last fiscal are of routine nature and repetitive. The Committee finds that Rs.400.00 crores (BE), allocated as plan outlay to Road Transport sector, was reduced to Rs.150.00 crore at RE stage, of which the Ministry was able to spend Rs.123.41 crores only. The Committee feels that such a reduction in RE stage for a plan outlay should have been avoided. Road transport sector consists of major programmes relating to road safety, trauma care, human resources development, training, etc. The Ministry could have ensured that the allocation was spent to the maximum extent. The Committee is not satisfied with the reasons submitted by the Ministry for under utilization of funds. Savings on the allocation shows the failure on part of the Ministry in proper planning and execution of various road projects.

Annual Plan 2012-13

13.101 The Committee finds that the Ministry of Road Transport and Highways has been allocated Rs.33,000 crores (BE) as annual plan for 2012-13 as against Rs.37,500 crores (BE) plan outlay for the year 2011-12. It means a reduction in fund allocation for various programmes under the Ministry. The Committee feels that substantial deduction in the outlay projected by the Ministry under the component of NH (O) and under NHAI (Investment) will slow the pace of the development of national highways under NHDP and non-NHDP segments. The Committee hopes that the Ministry will improve its performance in spending the allocation under various heads. The Committee recommends that the Ministry may take up the enhancement of plan outlay for NH (O) projects with the Planning Commission to avoid diversion of funds from Cess meant for NHDP projects, which is a disturbing trend. The Committee hopes that additional requirement of funds for maintenance of national highways to the tune of Rs.1,000 crore will be considered by the Planning Commission at a later stage as development of national highways without proper repair and maintenance is a callous wastage of national resources.

National Highways (Original) Works: NH(O)

13.102 The Committee is of the view that development of Non-NHDP national highways are as important as of national highways covered under various programmes of NHDP. The Committee was informed that 21% of the existing national highways network is single lane or intermediate lane. Developments of these national highways to minimum two-lane standards need huge investments. The Committee notes that against a projected requirement of Rs.8,848.25 crores for this head, the Ministry was able to get Rs.6,042.80 crores for the year 2012-13. As a result thereof the NHAI may be forced to divert cess earmarked for NHDP to development of national highways under NH(O). This diversion will delay the development of both NHDP and non-NHDP national highways. The Committee hopes that the Ministry of Road Transport and Highways must impress the Planning Commission to allocate more funds for the development of non-NHDP national highways at RE stage. The Committee feels that the development of non-NHDP national highways will get due attention from the Ministry of Road Transport and Highways and Planning Commission in the coming years. The Committee may be apprised of the status of construction of rail-cum-road Bridge at Ganga, Munger for which the construction works were started way back in 2002.

Development of National Highways in North-Eastern Region

13.103 The Committee notes that the Ministry has a special programme for the development of national highways in North-Eastern parts of the country. The Committee hopes that the Ministry will take up the funding of Phase 'B' of SARDP-NE comprising 35 roads with an aggregate length of 3723 km. during the 12th Plan with Planning Commission aggressively. The Committee also hopes that the Ministry will improve its performance in spending the allocated funds as also in achieving the targets set for development of national highways in NE region in coming years so that economic growth, trade and tourism are not affected due to non-availability of motorable road in this part of the country. Many of the reasons for delay in execution of projects at various places of North-East need individualized attention and local solutions. The Committee recommends that to remove the bottlenecks, authorities and agencies concerned may be approached and activated.

Special Programme for Development of Roads in the Left Wing Extremism (LWE) Affected Areas

13.104 The Committee finds that major portion of roads developed under LWE scheme are State roads and the development of these roads need a great deal of coordination with State Governments. Though the project was

started with a target of development of 5477 km. roads in 34 districts of 8 States affected by Left Wing Extremism at an estimated cost of Rs. 7300 crore in 2009, the development work in 1335 km. length only could be completed with an expenditure of Rs. 1891 crore, till March, 2012. The Committee feels that with such speed of execution of projects, the completion of the programme will be delayed with an increase in the cost of project in the coming years. The Committee feels that an efficient monitoring mechanism with the involvement of concerned States is the need of the hour to ensure proper utilization of funds and speedy implementation of projects. The Committee is of the view that delay in the execution of these projects may defeat the very purpose of formulating the project. These areas are badly in need of development. The Committee, therefore, recommends that all out efforts be made to construct the roads in those areas within the targeted period.

National Highways Authority of India

13.105 The Committee finds that NHAI is not in a position to complete any project whether it is NHDP or non-NHDP within the scheduled period, although financing has not been an issue for them. NHAI is adding projects after projects without achieving the targets in the older ones. The much publicized GQ and NS and EW corridors under NHDP have not been completed till date. The much talked about construction of 20 kms. per day has been a distant dream so far. The Committee notes that as against 13.72 km. constructed in the year 2009-10, it has dwindled to 10.15 km. in 2011-12. Such a slide in achieving this target by NHAI shows their deficiency either in planning of programmes or proper execution of the same.

13.106 The Committee feels that implementation of recommendations of B K Chaturvedi Report on the revised strategy for implementation of National Highways Development Project has not resulted in much progress in this mega project. The Committee hopes that NHAI will chalk out a workable solution to complete all the pending projects in time, irrespective of its size, to minimize the cost over run.

Roads of Inter-State connectivity and economic importance

13.107 The Committee finds that total unspent balance available for States under this scheme is Rs.2,406.05 crore which is of non-lapsable nature. The Committee notes a decline in number of projects approved under Economic Importance since 2009-10. Only 2 projects were approved in 2011-12 as against 51 approved in 2011-12 under Inter-State Connectivity. The Committee feels that the Ministry of Road Transport and Highways should impress upon the State Governments to identify more State roads for development and enhancing their connectivity to nearby national highways. The Committee may be apprised on the status of approved projects under both the categories. The Committee hopes that development of State roads, for opening up of new areas for economic growth should be given more priority, as availability of funds for these schemes is not a big issue.

Maintenance and Repairs of National Highways

13.108 The Committee feels that maintenance and repair of national highways is not getting the attention it deserves. The Committee notes that Rs.1998.03 crore has been allocated for maintenance and repair of national highways but it is only 66% of the requirement projected by the Ministry. The Committee feels that the ceiling of allocation of 40% of the actual requirements as per the Ministry's stipulated norms should be revisited and recommends that it needs to be suitably augmented as per the requirement. The annual addition to national highways network should also be given due consideration for allocation of funds for maintenance and repair. Funds should not be a stumbling block in carrying out the repair work. The Committee is of the view that due importance should be given by the Planning Commission and the Ministry of Finance for the maintenance of national highways in coming years.

13.109 The Committee recommends that in future plans should be prepared under which new roads may be constructed only after ensuring the availability of fund for the maintenance and repair of existing roads.

Road Transport

13.110 The Committee feels that the Ministry will not be in a position to satisfy itself by merely implementing above mentioned measures for road safety unless it properly implements the Central Motor Vehicles Rules and Act. The Committee notes that the mandatory fitment of Auto dipper device – an essential safety device needed to be fitted on the vehicle for a safer night travel, to enforce Rule 106 of Central Motor Vehicles Rules 1989 and Section 110(1)(j) of Central Motor Vehicles Act, 1988 has not been implemented strictly in the country so far. The Committee also expresses its disappointment over the delay in introduction of re-drafted Motor Vehicles (Amendment) Act which consists major recommendations of the Standing Committee on measures to strengthen road safety and related issues.

Model Driving Training Schools

13.111 The Committee finds that Rs.120 crores was allocated for refresher training to drivers in unorganized sector and human resource development for the year 2011-12. It was reduced to Rs.28.50 crores at RE stage of which the Ministry was able to spend Rs.10.90 crores only. This clearly shows a tardy implementation of the scheme by the Ministry of Road Transport and Highways. The revised scheme for setting up of Institute of Driving Training and Research Centre (IDTRs) has not seen any progress and the establishment of such centres are delayed due to one or other reasons. The Committee also feels that the Ministry should involve the State Governments for establishment of more and more such training centres. The Committee feels that imparting of training to drivers in unorganized sector is one of the major steps toward road safety in the country, but it depends on the Ministry's willingness and planning to materialize it.

13.112 The Committee notes that the vehicles manufacturers have a role to play in training the drivers, it is their duty to ensure their safety also. Every manufacturer in the country should be asked to open training centres for drivers in areas wherever their showrooms exist. Accordingly, the Committee recommends that the Government should make it compulsory for the vehicle manufacturers to open driving training centres. The Committee hopes that active involvement of major auto manufacturers in this novel programme will help the Ministry in attaining the objective behind the setting up of Institute of Driving Training and Research Centre (IDTRs).

National Highway Accident Relief Scheme

13.113 The Committee notes that the Ministry was able to spend Rs.21.01crores only out of the allocation of Rs.31.75 crores at RE level for the year 2011-12. Now Rs.30 crores has been allocated for the year 2012-13 for the purpose of National Highways Accident Relief Scheme. The Committee finds that reduction in allocation for the current fiscal and the inability to spend the allocated money in the last year, shows the lack of seriousness of the Ministry towards providing medical assistance to victims of road accidents and strengthening of National Highways Patrolling Scheme. The Ministry's inability in purchasing ambulances during the last year citing procedural delays will definitely put lives of users of national highways at higher risk.

Setting up of Inspection and Certification Centres

13.114 The Committee finds that Rs.12.43 crores was spent against an allocation of Rs.84.00 crores at BE stage which was drastically reduced to Rs.14.00 crore at RE stage. Again a sum of Rs.90.00 crores has been allocated for the current fiscal. The Committee fails to understand the logic behind such a huge variation in allocation under this head. The Committee may be furnished the reasons for non-utilization of funds and apprised of the status of model Inspection and Certification centres sanctioned so far and the probable dates of commencement of functioning of such centres.

13.115 Strengthening of Public Transport System The Committee desires to know the results of improving and strengthening of public transport system in the above mentioned States as a total of Rs.70.065 crores have been allocated since its inception. The Committee hopes that some monitoring mechanism will be available with the Ministry of Road Transport and Highways for the proper utilization of funds allocated under this category to promote public transport in a big way. The Committee hopes that the greater utilization of public transport in coming days will lead to lesser traffic snarls in the road and substantial reduction in pollution also.

General Observations

13.116 The Committee after examining the demands of the Ministry of Road Transport and Highways finds that the allocation for the Ministry needs a relook at the time of RE stage. The Ministry was not able to convince the Planning Commission in getting the required funds for various projects mainly due to the underutilization of funds for the year 2011-12 and also reduction of funds for various schemes at RE level during 2011-12. The Committee feels that the Ministry should improve its record in fund utilization and advise its project executing agencies accordingly.

13.117 The Committee feels that the Ministry should do its homework to identify the projects under various heads before going for Budget Estimates. During the last year Rs.400 crores was estimated for Road Transport sector but was reduced to Rs.150 crores at RE level. Such drastic cut in funds will not benefit the Ministry in the long run for carrying out major programmes under research and development, road safety and other related issues concerning road transport.

13.118 The Committee hopes that an effective coordination mechanism at the central level will ensure hassle free clearances for road projects and achievement of targets within the prescribed time. The Committee feels that the Ministry will impress the State Governments to give necessary clearances for the road projects in time so that projects are completed without cost over run.

(g) 179th Report

One hundred seventy ninth Report on action taken by the Government on the recommendations/ observations of the Committee contained in its one hundred sixty seventh Report on ‘Functioning of National Museum’

13.119 The Committee notes the status of work undergoing in various galleries. The Committee hopes that the steps taken to open the closed Galleries will be completed in a fixed time schedule. As regards need for obtaining financial sanction beyond Rs.1 lakh from IFD, the Committee finds it very low. The Committee is happy to know that this limit has since been enhanced upto Rs. 10 lakhs and hopes that now the works should get expedited faster. The Committee does not consider the water seepage from the roof to be beyond the Ministry’s control; it was perhaps due to lack of required monitoring and coordination with the CPWD authorities.

13.120 The Committee would like to know if it is possible to have guidelines for renovation of Galleries laid down and if yes, the reason for not having it done so far may be given. The Ministry should share the 14 point Agenda formulated to carry forward the museum reforms as well as the actions taken so far in this regard, with the Committee.

13.121 The Committee would like to know the progress regarding shifting of ASI as well as roadmap for phase III project, if any. However, the Committee notes that the work is still to be started and depends on several ifs and buts and does not know how much space would be generated after phase III.

Maintenance of the National Museum

13.122 The Committee is of the view that since CPWD will remain the agency for maintenance works of phase I and phase II, there is need for close liaison with them to attend the work promptly. National Museum should also be able to alert CPWD in advance before the monsoon period starts. All the staff should also be sensitized to bring even the small seepage problem to CPWD’s notice before they become unmanageable. The Committee hopes that with the construction of building at 3rd phase, the things will improve.

Display of Exhibits

13.123 The Committee does not find the reply of the Ministry convincing. Acquisition of Artifacts, an integral function of any Museum should be a continuous process and lack of space to keep acquired objects should not be an excuse. Idea of acquiring alternate storage on temporary basis should have been explored. The Committee recommends that steps should be taken for creation of Art Acquisition Committee at the earliest.

Verification of Collections

13.124 The Committee is happy to know that verification process has been started. It would like to know when the physical verification would be completed and also the status of consent from the experts. The Committee reiterates that verification should be a continuous process and all the efforts be made in this regard.

13.125 The Committee notes that National Museum has to go a long way in making use of the latest technology. The Museum has still not finalized the MoU for virtual move around in the Museum Gallery. Besides this, there is no reply on the recommendation of the Committee for digitization of objects and for giving access to scholars, researchers and general public. The Committee may be apprised of the action taken on these recommendations.

13.126 The Committee notes a studied silence about issues relating to shifting of ASI and the steps taken by the Ministry in this regard. The Committee would like to have details about this process started way back in 2003. It hopes that Ministry of Culture, under whose purview both, ASI and National Museum fall, will take steps to shift ASI in a time-bound manner so that National Museum can go ahead with the construction of IIIrd phase.

Goswami Committee Report

13.127 The Committee may be apprised of the activities suggested by the Museum Advisory Board for the National Museum and the action taken so far for effective functioning of National Museum. (Para 94)

Conclusion

13.128 The Committee notes that the reply of the Government does not reflect the seriousness with which it had summed up its impression received during its visits and deliberations on issues relating to working of the National Museum. Instead, it side-tracks the Committee's concerns and recommendations.

(h) 180th Report

One hundred eightieth Report on action taken by the Government on the recommendations/ observations of the Committee contained in its one hundred and seventy second Report on Development of Tourism in North-Eastern Region

13.129 The Committee notes with concern that the Ministry's reply does not reflect the seriousness required to boost tourism in these states. The Committee is not satisfied as the Ministry has thrown no light on the reasons for decreasing the tourist arrivals to certain North Eastern States. The Committee recommends that steps should be taken to attract more and more tourists to the North Eastern States so that 'the paradise unexplored' did not remain unexplored for long.

13.130 The Committee observes that compared to 2010-11 the amount sanctioned so far during 2011-12 to Assam, Meghalaya and Tripura seems to be very less. Also, the number of projects sanctioned has come down. The State Governments may be sensitized to submit the projects for allocation and utilize the funds in a time bound manner.

13.131 The Committee notes that tourism potential of 'Neer Mahal' as important tourist destination could not be exploited so far. Reason being that the State Government did not submit any proposal for financial assistance. The Committee recommends that Government of India may bring to notice of the Government of Tripura to ask them to submit the proposal for development of 'Neer Mahal' on priority basis.

13.132 The Committee recommends that the Governments of Assam, Meghalaya, Nagaland, Sikkim and Tripura also may be informed to avail the benefit of Central Financial Assistance of Rs.5 crore for setting up Convention Centre. The Committee also reiterates its earlier recommendation for review of classification of cities in NE Region and upgrade appropriately by taking up the matter again with Ministry of Urban Development as special case for promoting tourism.

13.133 The Committee notes the steps taken by the Ministry for creating Hotel accommodation infrastructure in the country. However the Committee's concern of existing high luxury taxes and pollution charges remain unanswered. The Committee recommends Ministry of Tourism to take up the matter with the concerned agencies to review the tax structure for making these affordable to tourists of all the categories.

13.134 The Committee notes the amount sanctioned in the Xth and XIth Five Year Plans. However, the status of work completed so far is not provided to have a comparative view. The Committee also desires to know further steps taken by Ministry of Tourism to augment the scheme.

13.135 The Committee notes that the benefit of Central financial assistance for construction of Helipad has not been availed by other States except Sikkim. The Committee recommends that the scheme may be reviewed to assess the reasons for non utilization of funds under this scheme.

13.136 The Committee recommends that measures should be taken to involve more travel associations in the meetings. The official site should also be made more interactive with the facility for providing replies to various stakeholders. The Committee also desire to have details of conference/meeting held and participants who took part therein.

13.137 The Committee notes that a major chunk of the flight operation to North East connecting Delhi are now run by private airlines. At the same time Air India is talking about traffic demand and commercial viability in these routes. If the two criteria above are not meeting in these regions, why the private airlines flourish there? The Committee recommends that the contribution of the national carrier need to be enhanced in the region connecting other major cities of the country as the demand is very high after introduction of the LTC package for the Government employees.

13.138 The Committee wants to know the steps taken for re-transfer of Lengpui airport to Airports Authority of India. The Committee hopes that with the completion of the projects at various airports of the NER and the operationalisation of runways, night landing will also start there. The Committee recommends that the latest developments with regard to Tezu project be informed in due course.

13.139 The Committee finds the reply of the Government casual. The Airline Operators will always look for profit making routes to operate their aircrafts. Therefore, Government's intervention is required to provide air connectivity to North-Eastern Region.

13.140 The Committee is not satisfied with the reply and points out that the Ministry has not given proper replies on the recommendations/observations of the Committee. However, on the basis of reply to para 114, the Committee reiterates its recommendation at para 124 and desires that Ministry of Civil Aviation/Air India may look into the matter and ensure that route dispersal guideline should be modified so as to ensure that Air India, the national carrier get the slots judiciously.

13.141 The Committee also desires to know the action plan of the Ministry to utilize the maximum benefit from the higher allocation ratio kept for the NE Region as a concession to their limited working season of 5-7 months in a year.

13.142 The Committee also desires to know the impact of these measures in improving the tourist flow to these States. The details of assessment made may be furnished in the regard.

13.143 The Committee recommends that the matter may be pursued with Ministry of Railways and information may be furnished at the earliest.

13.144 The Committee further recommends that Government of India should pursue with the Government of Tripura to furnish the detailed project on these lines for an early follow up action.

(i) 181st Report

One hundred eighty first report on action taken by the Government on the recommendations/ observations of the Committee contained in its one hundred sixty eighth Report on the Directorate General of Civil Aviation (DGCA) – Issues and Challenges

13.145 The Committee notes that on the issue of strengthening the powers-legal, administrative and financial of DGCA, the Ministry submitted before the Committee that creation of Civil Aviation Authority with adequate legal, administrative and financial powers to fulfill the requirement of adequate manpower, infrastructure and resources was under process. However, the Committee could not see any progress in strengthening the DGCA and creating the new authority with required powers.

13.146 The Committee would like to know the status of preparation of recruitment rules for new posts and revision of existing recruitment rules to address the shortage of man power in the DGCA. The Committee hopes that the shortcomings pointed out in the Audit Report of United States Federal Aviation Authority in respect of human resources in DGCA have been completely addressed by the Government before the next audit takes place.

13.147 The Committee notes that the recent reports of the Central Vigilance Commission on the performance of higher-level officials of DGCA exposes the inefficient functioning of vigilance division there. The Committee hopes that the remedial action taken by DGCA will strengthen its vigilance mechanism and the licensing system a transparent but effective one.

13.148 The Committee notes the reply of the Ministry. The Committee would like to have the details of action taken by DGCA on erring airline operators and flying training institutes during the last year and the remedial action taken by those firms.

13.149 The Committee notes the reply of the Ministry. The Committee feels that DGCA should ensure that the airlines operators do not to indulge in unfair trade practices in fixing air fares during festival and other peak seasons much to the discomfort of the travelling public.

13.150 The Committee notes the reply of the Ministry. The Committee has been informed that the proposed Civil Aviation Authority will function as regulator with dedicated powers and not like the existing arrangement where a lot has to be depend on the Ministry of Civil Aviation for discharging its duties and responsibilities. The Committee on perusal of the replies to some of the recommendations observes that Action Taken Replies are linked with setting up of Civil Aviation Authority. The Committee, therefore, decides that the matter of regulation of civil aviation sector, if necessary, will be taken up for examination after setting up of Civil Aviation Authority.

(j) 182nd Report**Action taken by the Government on the recommendations/ observations of the Committee contained in its one hundred sixty ninth Report on the Helicopter Operations in India**

13.151 The Committee notes the reply of the Ministry. The Committee may be apprised on the action taken by National Disaster Management Authority over the proposal submitted by Pawan Hans Helicopters Limited on the disaster management.

13.152 The Committee notes the reply of the Ministry. The Committee would like to have information on the introduction of helicopter services in the above mentioned new areas and the impact of such services on promotion of tourism on these areas.

13.153 The Committee notes the reply of the Ministry and feels that merely setting up two or three flying training institutes is not going to address the issue of shortage of pilots in helicopter industry totally. The Committee is of the opinion that setting up more flying training institutes or pilot training institute is the need of the hour.

13.154 The Committee notes the reply of the Ministry and likes to have the information on the action taken by the Ministry of Finance on the proposal of PHHL on including helicopter service in LTC for Government employees.

13.155 The Committee notes the reply of the Ministry. The Committee feels that in the absence of proper infrastructure and adequate support from the state governments, the helicopter industry in the country could not see much growth in coming years.

(k) 183rd Report**Action taken by the Government on the recommendations/ observations of the Committee contained in its one hundred seventy seventh Report on the Demands for Grants (2012-13) of Ministry of Shipping****Performance during XI Plan**

13.156 The Committee is not satisfied with the reasons given for under-utilisation of funds of IMU as that is due to non clearance of plan/design from local bodies and the Patta and land of Vizag campus has not been transferred. The Committee observes that this delay in construction work have deprived a number of eligible students from getting admission to IMU.

13.157 The Committee notes with concern the delay in the recruitment of technical staff, research and development activities in IMU could not be carried out and finally the funds left unutilized.

13.158 The Committee recommends the Ministry of Shipping to expedite Rehabilitation-cum-Restructuring of HDPEL which has already been delayed. This is a need to sensitize the concerned agencies to ensure that necessary approved plan for execution of schemes is obtained in time so that funds allotted for those schemes do not remain un-utilized.

Annual Plan 2011-2012

13.159 The Committee notes the reply and observes that the reasons for under utilization of funds given are same as those given during submission of Demands for Grants' detailed note. The Committee notes with concern that provision for subsidy to private ship-yard was being made continuously for many years but the same remains under utilized every year. The Committee may be informed of the steps taken for utilization of non-plan outlay for the subsidy for private shipyards.

Annual Plan 2012-13**Ports**

13.160 The Committee has noted the reply but wishes to express serious apprehensions about the future of DCI in the emerging scenario. The report of the Committee should be expedited and implemented in right perspective.

Central Inland Water Transport Corporation Limited (CIWTC)

13.161 The Committee has time and again suggested to taken over of CIWTC by the IWAI. While it has taken its assets, manpower issue is yet to be settled. The Committee still believes that the manpower can be better utilized by IWAI in its future development.

Shipping Corporation of India (SCI)

13.162 The Committee, however, desires to know whether any financial implications are there to SCI in the form of penalty etc. while scrapping the order or deferring the delivery of the vessels already ordered has been done.

13.163 The Committee, surprised to note that the SCI has not been able to expand its tonnage, particularly at a time when the Ministry/the Ports are projecting an upward trend in the import and export volume of cargo. Also it has been observed that SCI is not able to meet even 10% vessel requirement of the all PSUs taken together.

13.164 The Committee finds the lack of foresightedness on the part of SCI as it could not sense the steep decline in the ship prices in the international markets thereby throwing SCI in to deep trouble and huge financial loss in the form of ship purchase orders and as a result, therefore, the SCI is now in a financial crisis. The Committee would like to know how and under what circumstances such an ambitious project was initiated. Was any responsibility fixed in this regard?

13.165 The Committee notes that the reply itself is a pointer to the lack of business oriented approach in the SCI. The SCI should make efforts to ensure that atleast the PSU orders should not slip from their hands. The Ministry of Shipping may take an inter ministerial level MoU for the purpose.

(I) 184th Report

Action taken by the Government on the recommendations/ observations of the Committee contained in its one hundred seventy sixth Report on the Demands for Grants (2012-13) of Ministry of Tourism

13.166 The Committee notes with satisfaction that the “Integrated Development of Buddhist Circuit at Lalitagiri, Ratnagiri, Udayagiri and Langudi” in Odisha has been completed by the state government that making a saving of about Rs. 150 lakhs.

13.167 The Committee constrained to say that Ministry’s reply is casual in nature and provided no clear picture about the opening of new IHMs and FCI which were sanctioned during in 11th Five Year Plan. The Committee may be informed of the latest status in this regard. (Para:24)

13.168 The Committee hopes that the entire allocation made for the scheme Capacity Building for Service Providers would be utilized by the Ministry.

13.169 The Government should not be satisfied by merely spending of plan outlays of its different schemes, rather it should be linked to the physical achievement of the scheme. The Committee desires to know the details of Global Online Media Campaign.

13.170 The Committee feels that Port Trusts have to play an active role in promoting cruise tourism in the concerned state/region. The Committee would like to know the progress made in implementing the scheme.

13.171 The Committee recommends that Planning Commission, in view of the importance of Tourism sector, enhance the allocations suitably.

13.172 The Committee finds the ‘pro-poor’ approach, the scheme ‘Hunar-se-Rozgar’ and promotion of rural tourism are attractive and hopes that these schemes do not meet the fate as such schemes normally do.

13.173 The Committee notes that the Ministry is totally indifferent towards the recommendation of the Committee. The Committee recommends that the Ministry should be proactive in developing tourism projects on the lines of M.G. Road Market in Gangtok. The Committee wants the Ministry of Tourism to take up the matter with the State Government of Sikkim.

13.174 The Committee feels that the overseas campaign strategy of the Government has not proved effective enough to boost up the foreign tourist inflow as the share of foreign tourist arrival stagnating around 0.6% in terms of world arrival. The Committee therefore, recommends that the overseas promotion scheme may be reviewed for better results.

13.175 The Committee's specific recommendation could not evoke a specific reply, it is quite ambiguous. The reply did not give any details of the impact of the overseas offices on tourist arrivals in India. The Committee reiterates its recommendation that the Government must have a re-look into the necessity of various tourism promotion offices abroad.

13.176 The Committee, however, is of the view that apart from writing letters to State CMs, there should be more concrete steps required from the part of Ministry of Tourism in achieving this goal. The reply does not contain any interaction with ASI or Ministry of Culture, in these efforts of the campaign put by the Ministry of Tourism. Similarly, Ministry Road of Transport and Highways also could not be spared from their responsibilities.

13.177 The Committee is of the view that cleanliness campaign should not be restricted to a particular place as cleanliness of total surroundings matters for to its success or failure. The Ministry of Tourism may bear this aspect in mind while formulating the activities under the scheme.

13.178 The Committee desires that Ministry of Tourism may approach State Governments to submit their interests in opening up new institutions. Also the HRD Ministry may be consulted to this effort so that the infrastructure available with the institution under them could be utilized without going for additional investments for making such facilities.

13.179 The Committee notes the reply and opined that instead of conducting a fresh move against use of plastic bags, the Ministry of Tourism also should explore the avenues already existing on these goals and combined approach from other agencies also may be invited to ministry's efforts on these lines.

13.180 The Committee notes that the Ministry is silent about the Rules and Regulations for regulating cruise tourism. The Committee reiterates its recommendations.

13.181 The Committee feels that the Ministry of Tourism should make a study on the requirements of A&N Islands and take steps to meet the requirements in co-ordination with them.

13.182 The Committee notes the observations of the working group for improving the regional air connectivity to promote tourism in new areas. The Ministries of Tourism and Civil Aviation may examine the recommendations of the working group and may come up with schemes. The Committee further recommends that there should not be any compromise on the national security in permitting foreign/chartered flights/tourist in the restricted air fields.

13.183 The Committee desires to know the steps taken by the Ministry of Road Transport and Highways for improvement of NH-31 and NH-55.

13.184 The Committee notes that the Ministry of Tourism could not understand the recommendations of the Committee and they have done little to further the recommendation of the Committee concerning to the connectivity of hilly areas.

13.185 The Committee notes the reply and hopes that efforts of A&N Administration and Lakshadweep Administration are able to provide better connectivity to these islands and tourists may not face any problems in moving from one island to another.

13.186 The spirit of the recommendations of the Committee is that the Ministry of Tourism should take initiatives instead of awaiting State Governments to take the initiatives. The Committee reiterates its recommendations.

13.187 The Committee observes from the reply given by the Ministry that the clean India campaign is organized as a mere passive work through media ads, website enabled awareness generations etc. and there is not a single physical activity proposed in it. So the Committee is doubtful of its success level as field work groups should be identified and rigorous visible activities for this aim should be organized in coordination with various local bodies, State Governments, NGOs, etc. (Para:267)

13.188 The Committee also recommends that there is a need for enforcing the clean India concept among the general public. The Committee may be apprised about the outcome of the MoU with Ministry of Railways.

(m) 185th Report**Action taken by the Government on the recommendations/ observations of the Committee contained in its one hundred and seventy fourth Report on the Demands for Grants of Ministry of Civil Aviation (2012-13)**

13.189 The Committee notes the reasons furnished by the Ministry of Civil Aviation for under-utilization of funds by Air India and Airports Authority of India during the Eleventh Plan period. The Committee notes that most of the outlays that Airports Authority of India and Hotel Corporation of India could not spend were to be arranged out of internal resources. However, Public Sector Undertaking which set up out of tax payers' money can not be absolved over the lack of commitment merely because no Government budgetary support was given to them. The Committee hopes that the Ministry will impress all the organizations under its purview to spend the allocated funds during the Twelfth Plan to the maximum extent.

13.190 The Committee feels that Air India is still in critical phase. Any laxity in any matter relating to Air India can play havoc to the public sector carrier. The Committee notes the reply of the Ministry. The Ministry, therefore, should pursue with Planning Commission vigorously for allocation of requisite funds at RE stage so that the ongoing Air India projects are not delayed.

13.191 The Committee notes the reply and hopes that the planned executing of Turn Around Plan of Air India will help the national carrier to improve its financial health and dwindling market share. The Committee, however, feels that commencement of MRO and Engineering Services through subsidiaries at the earliest will give the early bird advantage to Air India in these sectors.

13.192 The Committee notes the reply of the Ministry. The Committee had already taken note of the issue of non-utilization of an amount of Rs.87.66 crore approved for GBS schemes. The Committee hopes that Government will ensure that Airports Authority of India get all necessary clearance in time so that it is able to utilize the GBS optimally.

13.193 The Committee notes the reply and hopes that the Ministry of Civil Aviation will pursue the issue with the State Government of Bihar keeping mind the safety of travelling public in this sector.

13.194 The Committee notes the reply of the Ministry. The Committee is of the view that air connectivity to Leh and Kargil are very critical for promotion of tourism in this region. The Committee recommends that the matter may be pursued with the Ministry of Defence so that the matter of expansion of airports at Kargil and Leh is resolved at the earliest.

13.195 The Committee notes the reply of the Ministry and hopes that allocated funds will be fully utilized for the renovation of Centaur Hotel Delhi and Srinagar so that they regain their lost glory and become important properties in the hospitality market.

13.196 The Committee notes the reply of the Ministry. The Committee is, however, not happy with pace of recruitment in DGCA. The Committee is of the view that vacancy in crucial positions may affect the efficiency of DGCA. The Committee, therefore, recommends that efforts may be made to fill up the vacancies at the earliest.

(n) 186th Report**Action taken by the Government on the recommendations/observations of the Committee contained in its one hundred and seventy fifth Report on the Demands for Grants (2012-13) of Ministry of Culture**

13.197 The Committee is of the view that with the utilization of overall allocation in the Eleventh Five Year Plan, there is a need to monitor the expenditure in all the heads thereby utilizing the allocation judiciously and carrying out the activities which were actually planned.

13.198 The Committee notes the reply and hopes that monitoring of expenditure will be reviewed regularly. Further, the Ministry should endeavor that the utilization of funds will be as high as it was during 2010-11.

13.199 The Committee hopes that Ministry of Culture would constantly review the policies/programs with various Ministries for tourism related issues. The Committee also hopes that the Ministry of Culture would take the benefit of schemes of other Ministries like Tourism, for road connectivity to connect important tourist destinations.

13.200 The Committee recommends that the Ministry of Culture should take up the need for more allocations with the Planning Commission and Ministry of Finance. The Committee hopes that Planning Commission/Ministry of Finance would adopt pragmatic approach while considering the requirement of funds by Ministry of Culture.

13.201 The Committee recommends that the matter of creation of 'Non-Lapsable Fund for Conservation and Preservation Activities on National Monuments of ASI' should be taken up with Finance Ministry and the Committee apprised of the outcome.

13.202 The Committee is not happy with the stop-gap arrangement of merging Museums with ASI circles to overcome the shortage of staff. The Committee recommends that immediate steps be taken up to recruit the staff as per requirement.

13.203 The Committee views the delay in restructuring of ASI and Institutions of Archaeology seriously. The Committee recommends that there should be time bound plan to put the things in order so as to help ASI which is doing valuable services for conserving and preserving our heritage. (Para 36)

13.204 The Committee may be apprised whether at any time the matter was taken up with the concerned Ministry to understand the peculiar nature of work of scientists of ASI. The Committee would like to have the details of background in which the notification was issued declaring ASI a scientific institute.

13.205 The Committee hopes that the matter will be expedited and implemented at the earliest and restructuring of ASI including Horticulture Branch will be completed in a time bound manner.

13.206 The Committee is not satisfied with the steps taken by the Ministry to fill up the vacant posts. The Committee notes that the advertisements have been issued just for few posts. RRs are still under formulation and approval from DoPT/UPSC. The Vacancies will definitely affect the functioning of the institutions. The Committee therefore recommends that the Ministry should take action for recruitment at all levels in a time bound manner so that these organizations can work effectively and efficiently.

13.207 The Committee recommends for introduction of suitable courses should be taken up seriously and concerted efforts made for identification of courses in consultation with the Ministry of Human Resource Development. The Committee again desires that the Ministry to offer their comments in the matter of creation of separate cadres of Museum staff and inter-Museum transfer policy.

13.208 The Committee notes that these are replies frequently repeated by the Ministry. The Ministry has not moved further from the positions which were available a couple of years back. The Ministry have to take proactive measures to move forward to fill up the vacancies.

13.209 The Committee has been drawing the attention of Ministry of Culture to present the information on financial performance *vis-a-vis* physical achievements. The Committee is however restrained to find nothing new in their replies except that noted for compliance. The Committee wants the Ministry to provide the details of action taken in compliance of recommendation of the Committee.

13.210 The Committee is not satisfied with the position of vacancies in various organizations/Institutes under the Ministry of Culture. In the absence of adequate staff, the organizations cannot function properly. There is a need to fill-up the vacancies on a war-footing level.

(o) 187th Report

Action taken by the Government on the recommendations/ observations of the Committee contained in its one hundred and seventy eighth Report on the Demands for Grants of Ministry of Road Transport and Highways (2012-13)

13.211 The Committee notes the reply of the Ministry and hopes that the Ministry will improve its spending pattern in the coming years and utilize funds adequately. The Committee finds that the reasons given by the Ministry for under-utilization of funds are of routine nature. Funds under-utilization can be minimized by proper planning and coordination with various agencies.

13.212 The Committee notes the reply of the Ministry and hopes that the Ministry will pursue its case with Planning Commission for getting adequate budgetary support so that ongoing national highways and other road projects are not delayed for want of funds.

13.213 The Committee notes the reply of the Ministry and feels that development of NHDP and non-NHDP national highways should be given equal importance by the Government. The Committee may be apprised on the original cost of Munger rail-cum-road bridge work and the expenditure incurred so far.

13.214 The Committee notes the reply of the Ministry and recommends that national highways in the North-Eastern Region of the country should get required funds to make them all-weather motorable roads, where connectivity is a big problem.

13.215 The Committee is not convinced with the argument that absence of the regular Chairman has not in any way affected the proficiency of NHAI and that rather there have been improvement in work awarded. If the Committee buys the argument of the Ministry, then it is implied that there is no need to have a regular head of NHAI. The Committee again recommends that Government should ensure that NHAI or similar organization should not be without a regular head for long.

13.216 The Committee hopes that the Ministry of Road Transport and Highways will get the required funds at RE stage for maintenance of national highways so that these national highways remain motorable for all the time of the year.

13.217 The Committee notes the reply of the Ministry and hopes that the initiatives taken by the Ministry for maintenance and repair of national highways with the available resources would yield the desired outcome.

13.218 The Committee notes the reply of the Ministry and hopes that the funds allocated under National Highway Accident Relief Scheme are spent judiciously by the agencies involved in providing accident relief at national highways. (Para 74)

VII. Secretariat

13.219 The Committee (T&T) headed by an Assistant Director constitutes the Secretariat of the Committee. A Joint Secretary, a Director and a Joint Director, remained in-charge of the Branch.

13.220 To assist the Committee in its work, materials received from the Ministries, various non-governmental organizations and individuals were studied from which points were culled out. The questionnaires for written replies/evidence were also prepared for the use of the Committee.

13.221 The work relating to drafting, consideration and approval of draft reports by the Committee along with their presentation, laying, printing and distribution was undertaken. The Secretariat also dealt with the work relating to the scrutiny of action taken notes received from the Ministries concerned on the recommendations contained in the Reports of the Committee and prepared the Draft Action taken Reports of the Committee on it.

13.222 The Secretariat also studied material like Parliamentary Debates, Answers to Parliamentary Questions, Budget Estimates, Five Year Plan Documents, Books, Journals, CAG reports, newspapers etc. relevant to the subjects under examination of the Committee.

ANNEXURE–XVIII*(See Para 13.6)***Details of Meetings of the Committee on Transport, Tourism and Culture during the year 2012**

Sl. No.	Date	Duration Hrs. Mins.	Subject
1.	06.02.12	2.35	Oral evidence on the (i) Road safety and related issues and (ii) National Highways Authority of India (Amendment) Bill, 2011.
2.	13.02.12	1.40	Oral evidence on Funding of Highways Projects in the country.
3.	21.02.12	2.24	Oral evidence on (i) the 'Functioning of Commission of Railway Safety'. (ii) the 'Ground Handling operations of Air India'.
4.	13.03.12	0.55	Consideration and adoption of draft Report on the National Highways Authority of India (Amendment) Bill, 2011.
5.	12.04.12	5.25	Oral evidence on the Demands for Grants (2012-13) of (i) Ministry of Tourism and (ii) Ministry of Civil Aviation.
6.	16.04.12	4.35	Oral evidence on the Demands for Grants (2012-13) of (i) Ministry of Shipping and (ii) Ministry of Culture.
7.	19.04.12	2.25	Oral evidence on the Demands for Grants (2012-13) of Ministry of Road Transport and Highways.
8.	26.04.12	1.15	Consideration and adoption of draft Report on the Demands for Grants (2012-13) of Ministry of Civil Aviation
9.	03.05.12	0.35	Consideration and adoption of the draft reports on the Demands for Grants (2012-13) of (i) 175th Report of Ministry of Culture; (ii) 176th Report of Ministry of Tourism; (iii) 177th Report of Ministry of Shipping; and (iv) 178th Report of Ministry of Road Transport and Highways.
10.	17.05.12	1.05	Consideration and adoption of draft reports on the Action Taken by the Government on the Committee contained in its (i) 167th Report on the Functioning of National Museum (ii) 172nd Report on the Development of Tourism in North-Eastern Region.
11.	07.06.12	2.25	Oral evidence of experts/associations on Road Safety.
12.	14.06.12	2.45	Oral evidence on the 'Functioning of Sahitya Akademi, Lalit Kala Akademi, Sangeet Natak Akademi and National School of Drama'.
13.	04.07.12	2.05	Oral evidence on the 'Funding of Indira Gandhi National Centre for Arts and National Gallery of Modern Art'.
14.	18.07.12		Visit to Indira Gandhi National Centre for Arts, New Delhi.

Sl. No.	Date	Duration Hrs. Mins.	Subject
15.	26.07.12	1. 15	Oral evidence of eminent artists on the Functioning of Sahitya Akadem, Lalit Kala Akademi, Sangeet Natak Akademi and National School of Drama.
16.	11.10.12	1.45	Oral evidence on the 'Functioning of Commission of Railway Safety'.
17.	18.10.12	1.40	(I) Consideration and adoption of draft Reports on the Action Taken by the Government on the recommendations/ observations of the Committee contained in its (i) 168th Report on the Directorate General of Civil Aviation (DGCA)-Issues and Challenges and (ii) 169th Report on the Helicopter Operations in India. (II) Oral evidence on the 'Development of National Waterways – Potential and Challenges'.
18	05.11.12	1.00	(I) Consideration and adoption of draft Reports on the action taken by the Government on the recommendations/ observations of the Committee contained in its 175th, 176th and 177th Reports. (II) Oral evidence on the Functioning of Commission of Railway Safety.