



# **TAMIL NADU LEGISLATIVE ASSEMBLY**

## **COMMITTEE ON GOVERNMENT ASSURANCES**

### **BROCHURE**

**Legislative Assembly Secretariat,  
Chennai - 600009**



## TAMIL NADU LEGISLATIVE ASSEMBLY

### COMMITTEE ON GOVERNMENT ASSURANCES

#### **Scope and Functions:**

While replying to questions in the House or during the discussions on Bills, Resolutions, etc., Ministers sometime give assurances or undertakings on behalf of the Government either to consider a matter or to take action or to furnish the House with fuller information later. But these by themselves are not and cannot be sufficient unless those assurances, promises, etc., are fulfilled by Government.

The House is also entitled to know whether the Government have fulfilled the assurances, promises, etc., made by them on the floor of the House.

Up to the year 1955 there was no machinery to watch and see how far the assurances given by Ministers on the floor of the House were implemented and also within what time. The only course open to members interested in such matters was to pursue them by themselves by giving notice of fresh questions or by raising it during the discussion on the Budget. This naturally involved delay and Members had also no means of knowing whether all assurances made by Ministers on the floor of the House have been implemented or not. In order to watch the implementation of such assurances, necessary provision has been made in the Tamil Nadu Legislative Assembly Rules for the constitution of a Committee, viz., Committee on Government Assurances in the year 1955.

The first committee was constituted in 1955.

The functions of the committee are to scrutinize the assurances, promises and undertakings given by Ministers, from time to time, on the floor of the House and to report on-

- (a) extent to which such assurances have been implemented; and
- (b) where implemented. Whether such implemented, whether such implementation has taken place within the time necessary for the purpose.

#### **Constitution:**

The committee consists of not more than twelve members nominated by the Hon. Speaker for each financial year. The chairman of the committee is nominated by the hon. Speaker from amongst its members. If the chairman is not present at any meeting, the committee shall choose another member to act as chairman for that meeting.

The Hon. Speaker may discharge a member from the committee, if he is not presently at three consecutive meetings without the permission of the chairman. The quorum for the meeting is three. In the case of equality of votes on any matter, the

chairman has a second or casting vote. In other respects the rules applicable to a select committee of the assembly shall apply to this committee.

**Forms of Assurances:**

To determine what is an assurance, a promise or an undertaking, a list of statements which would constitute assurances has been approved by the committee (vide appendix II). This list though not exhaustive serves as a guide for culling out the assurances from the proceedings of the Legislative Assembly. The committee is the final authority to decide whether a particular statement by a Minister would constitute an assurance or not.

**Procedure:**

The assurances, undertaking, promise, etc., given on the floor of the House by the Ministers are culled out by the Legislative Assembly Secretariat from the proceedings with the standard list of assurances as a guide and placed before the committee to its approval. After the committee has approved them they are communicated to the Departments concerned for taking action thereon. On receipt of replies as to the action taken thereon from the Departments concerned for taking action thereon. On receipt of replies as to the action taken there from the Departments, a statement showing the action taken on each assurance is placed before the Committee.

The Committee considers the action taken thereon from the Departments, on each assurance and decides whether a particular assurance has been implemented fully or and decides whether a particular assurance has been implemented fully or whether it should be pursued by the Committee. The Committee is the final authority to decide whether an assurance has been done within a reasonable time consistent with the nature of the assurance, as the value of the assurances and also the public interest in them will be lost if they are not implemented quickly and the position communicated to the House. The Committee has fixed a maximum time limit of two months from the date of giving of an assurance within which it should be normally implemented. If it is not possible to comply with the above requirement, the Departments have to send a report to the Committee giving the reasons for the delay. The Committee may also examine the Secretaries to Government or Heads of Departments concerned, when it considers it necessary with regard to any particular assurance.

After considering the replies, the Committee reports to the House the cases wherein there have been inordinate delays in implementing the assurances and the cases where the implementation has no it been satisfactory and such other matters as it deems fit.

The particulars of assurances which the Committee considers implemented or closed are included in the report.

The Committee has to present the report to the House at least once in six months.

The report is presented to the House either by the Chairman or by any other member on his behalf.

#### **Procedure after dissolution of the house:**

According to the well established parliamentary practice, the assurances given by the Ministers on the Floor of the House which remain pending implementation by Government do not lapse on the dissolution of the House. They are therefore being pursued by the Committee nominated soon after the new Assembly is constituted after dissolution.

A summary of the recommendations of the previous Committees are given at Appendix III.

#### **Work of the previous Committees:**

During the term of the First Assembly 1,270 assurances were given. The Committee presented three reports to the Assembly. When the first Assembly was dissolved 83 assurances remained to be implemented. The above assurances were pursued by the Committee of the Second Assembly and closed. During the term of the Second Assembly 1,569 assurances were given out of which 1,190 were considered by the Committee as implemented or closed. The committee also dropped 70 assurances as they had lost their utility by lapse of time. Three hundred and nine assurances were pursued by the Committee of the Third Assembly and closed. The Committee presented eleven reports to the Assembly. During the term of the Third Assembly 1,115 assurances were given out of which 846 were considered by the Committee as implemented or closed. The remaining 269 assurances had to be pursued by the Committee of the Third Assembly. The Committee presented ten reports.

Two hundred and sixty six Assurance were pending when the Third Assembly was dissolved in 1967. out of 266 assurances, 141 Assurances were considered by the Committee as implemented or closed.

During the term of the Fourth Assembly 995 assurances were given out of which 325 were considered by the Committee as implemented or closed. The Committee presented six reports.

During the Fifth Assembly 1,446 assurances were given. Out of these 80 assurances were treated as implemented. The Committee presented nine Reports to the House. When the Fifth Assembly was dissolved on 31<sup>st</sup> January 1976 six assurances given during the years 1962- 1966, 38 assurances given during the years 1967- 1971 and 645 assurances pertaining to the years 1971 – 1975 were pending implementation.

At the time of dissolution of the Fifth Assembly there were 689 Assurances pending implementation by the Government.

During the Sixth Assembly (i.e.) up to 13<sup>th</sup> February 1980, 2,359 assurances were given and according to the existing parliamentary practice, the pending Assurances in the previous Assembly were pursued and out of which 973 Assurances were treated as implemented or read and recorded.

During the period of Seventh Assembly (from June 1980 to 15<sup>th</sup> November 1984) 1,223 Assurances were given. The total pending Assurances for the period was 3,410 out of which 2,350 Assurances were treated as implemented or read and recorded.

During the period of Eighth Assembly (i.e.) from February 1985 to December 1987, 1777 Assurances were given. The total pending Assurances for the period was 2837, out of which 979 Assurances were treated as implemented or read and recorded.

During the period of Ninth Assembly (i.e.) from April 1989 January 1991, 1,989 Assurances were given. The total pending Assurances for the period was 2,684 out of which 1,358 Assurances were treated as implemented or read and recorded.

During the period of Tenth Assembly (i.e.) from October 1991 to March 1996, 2,247 Assurances were given. The total pending Assurances for the period was 2,290 out of which 1,774 Assurances were treated as implemented or read and recorded.

During the period of Eleventh Assembly (i.e.) from May, 1996 to February 2001, 3,932 Assurances were given. The total pending Assurances for the period was 4,025 out of which 1791 Assurances were treated as implemented or read and recorded.

The year-wise and Department-wise details of pending Assurances (2234) are given in Appendix IV and V.

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**APPENDIX-I****Extract from the Tamil Nadu Legislative Assembly Rules.****COMMITTEE ON GOVERNMENT ASSURANCES**

247. Functions of the Committee .- Subject to the provisions of the Rules, a Committee on Government Assurances may be constituted to scrutinise the assurances, promises and undertakings given by Ministers from time to time on the floor of the House and to report on –

- (a) the extent to which such assurances have been implemented and
- (b) where implemented whether such implementation has taken place within the minimum time necessary for the purpose.

248. Constitution of the Committee.- (1) The Committee shall consist of not more than twelve members who shall be nominated by the Hon. Speaker.

(2) The term of office of the members of the Committee shall expire at the end of each financial year. If, under any circumstances such a nomination is not made, the existing members of the Committee will continue to hold office until new members are nominated.

249. Chairman of the Committee.- (1) The Chairman of the Committee shall be nominated by the Hon. Speaker .

(2) if the Chairman of the Committee absent from any meeting, the committee shall choose another member to act as Chairman of the committee for that meeting.

250. Quorum.- in order to constitute a meeting of the Committee shall make report to the shall be three including the Chairman or the member presiding.

251. Report by the Committee.- The Committee shall make report to the House at least once in six months.

252. Procedure to be followed.- Except as aforesaid the rules applicable to a Select Committee of the Assembly shall apply.

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**APPENDIX-II****Standard List of Forms constituting Assurances as Approved by the Committee**

1. The matter is under consideration.
2. Enquiries are being made.
3. I shall inform the Hon. Member.
4. This is primarily the concern of Central Government.
5. I shall write to the Central Government.
6. I assure the House all suggestions made by Hon. Members will be considered.
7. I shall consider the matter;
8. We will put the matter in the shape of a resolution.
9. I shall see what can be done about it.
10. I will look into the matter before I can say anything.
11. The suggestions will be taken into consideration.
12. The matter will be considered at the  
.....conference to be held  
on.....
13. The matter is till under examination and if any thing requires to be done it will certainly be done.
14. The matter will be taken up with the Government of.....
15. I have no information but I am prepared to look into the matter.
16. The suggestions made will be borne in mind while framing the rules.
17. Copy of the report when finalized will be placed in the Legislature Library.
18. I shall supply it to the Hon. Members.
19. If the Hon. Member's allegation is true, I shall certainly have the matter gone into.
20. I will draw the attention of the Government who I hope will take adequate steps in this direction.
21. It is a suggestion for action which will be considered.
22. (Discussion on Demands) All the points raised by various members will be considered and the result will be communicated to each member.
23. Information is being collected and will be laid on the Table of the House.
24. I am reviewing the position.'
25. All specific pointing on which information is asked for and promised.
26. Certainly, action will be taken.
27. It will be executed during the current financial year.
28. It will be included in..... year Budget.
29. It will be examined in accordance with the financial position.
30. It may be considered.
31. In future, their demands will be considered/ examined.
32. The case is pending in the Court. Steps will be taken to bring the case to the final disposal early.
33. It may be considered after taking into account of the financial resources.
34. Announcements finally made by the Hon. Ministers concerned during the course of reply to the debates on Demands for Grants.



### APPENDIX-III

#### Summary of Important Recommendations made by the previous Committees

1. The assurance should be normally implemented within a maximum period of two months from the date of giving.
2. The replies to assurances should be to the point and quite in keeping with the assurances actually made by the Ministers on the floor of the House.
3. It is for the Committee to decide whether reply by a Minister in a particular case is an assurance or not.
4. In case where the Government have<sup>4</sup> decided to defer action on matters contained in the assurance, the department concerned should state the period for which they have been deferred and for what reasons and when they will be taken up.
5. The responsibility of the Government does not end by merely laying down some instructions to the subordinate authorities but they should follow them up and satisfy themselves that their instructions have been carried out and communicate it to the committee.
6. The department should state the period within which the Government could be expected to take final action in a matter, at least approximately without using vague expressions like "in due course", "will take some time", etc.
7. when a reply is given on the floor of the House by a Ministers and subsequently when that reply is not found to be correct a copy of the correct reply should be placed on the table of the House.
8. To enable the Committee to determine whether an assurance has been fully implemented or not, the department should state in their replies whether the schemes said to have been sanctioned by the Government have been actually taken on hand.
9. The replies furnished by departments should be self-contained.
10. Whenever Hon. Ministers make an incorrect statement they must correct it by making a statement on the floor of the House.
11. If the department finds any difficulty in implementing an assurance, it may assign its reasons to the Committee and it is for the Committee to decide whether to pursue the assurance or close it. (Third Report-Third Assembly.)
12. Assurances regarding minor irrigation schemes which would help in increased food production should be dealt with on an emergency basis. (Third Report-Third Assembly)
13. Sufficient care and caution must be exercised to ensure correctness of information in regard to implementation of assurances (Seventh Report-Third Assembly)
14. It would be desirable if the Secretaries to Government keep a close watch over the assurances and bring it to the kind notice of the Hon. Ministers, if they are not implemented within a reasonable time commensurate with the labors and time required to gather the particulars. (Eight Report-Third Assembly)
15. The Committee requires specific information as to the steps taken by Government in the course of implementing the assurances instead of general replies.(Ninth Report-Third Assembly)
16. The Government may impress on the Heads of Departments, Collectors and others concerned that appropriate and speedily action should be taken on assurances given by the Hon. Ministers on the floor of the House and they

should not be allowed to lapse into usual administrative in time, it will lose its value and importance. Hence the departments should take expeditious steps to implement the assurances (Ninth Report-Third Assembly and First Report-Fourth Assembly)

17. Unless appropriate step[s] are taken by the departments to implement the assurances given by the Ministers on the floor the House no useful purpose would be served in giving them. Such lapses on their part in taking prompt action is a matter which the committee views with considerable apprehension.(Third Report-Fourth Assembly)
18. A Register of assurances should be maintained by each one of the Departments of the Secretariat to watch the progress and stage of implementation. The Committee reiterates not only the desirability but also the necessity to maintain such registers and would like all the departments to intimate whether they have acted on this recommendation and if not to do so immediately. (Fourth Report- Fourth Assembly)
19. It is necessary for the effective functioning of the Committee that due importance is given in the matter of implementation of Government Assurances. The Government on their part should take adequate steps to cooperate with the Committee and inform the steps taken towards the implementation of the assurances (sixth Report- Fourth Assembly.)
20. The Committee would impress upon the Government, the imperative necessity for the early implementation of each and every assurance given on the Floor of the House. The Committee further trusts that the Government would treat them with the utmost urgency adopting at the same time the suggestion second procedure laid down by the Committee namely, the maintenance of the Register of Assurances kept in the Departments of the Secretariat and periodical check-up personally by the Secretaries concerned, to determine the varying stages and to take further action towards bringing the assurances to a fruitful end. (Sixth Report- Fourth Assembly).
21. The Departments of Secretariat are required to send an interim reply if not a final report, on the action taken on the Assurances within the prescribed time. The Committee urges that immediate action for the implementation of all pending assurances should be taken and the same be communicated to it without further loss of time, as the purpose of the several assurances given on the floor of the House will be lost if there is undue delay in implementing them. (Ninth Report-Fifth Assembly)
22. The Tamil and English versions of the Report of action taken by the Departments of Secretariat may be sent on each and every assurance (Ninth Report-Fifth Assembly)
23. The Committee desires that evasive replies to the Assurances should be avoided and that the replies should be specific. (Third Report-Seventh Assembly)
24. Even though the Committee has recommended several times the importance of taking speedy action in respect of assurances and that replies should be sent within two months, it is with deep concern record the failure of the Departments to take note of the earlier recommendations to take note of the earlier recommendations of the Committee. The Committee reiterates that the assurances should be implemented within a period of two months. If the assurances are not implemented, the Departments should assign the reasons there for. (Ninth Assembly-Fourth Report)

25. The Departments of Secretariat should send the action taken reports and notes to the Committee after examining the same with intensive care whether they are entirely connected and treated to the Assurances (Ninth Assembly-Fifth Report)
26. The Committee follows the same guidelines which were framed already so as to get a large number of Assurances implemented in the District itself avoiding delay to clear of the tendency and also to enable the people to get benefited of the assurances as anticipated by the members expeditiously.
27. The Committee recommends that Secretaries to the Government Departments concerned should give instructions to the District Collectors to furnish replies within 15 days on those Assurances which are related to various development schemes, particularly J.V.T. decentralized plan, employment guarantee programmed which are implemented from out of the Common Welfare Fund of the Panchayat. (10<sup>th</sup> Assembly-33<sup>rd</sup> Report)
28. The Committee recommends that action should be taken to prevent the use of intoxication drugs by falling in line with Kerala and Maharastra States and to conduct awareness programmed among the public about the dangers involved in the use of intoxication drugs. (Eleventh Assembly-Sixty First Report)
29. The Committee recommends that the Department should take action to construct compound walls to such Hospitals where compound walls are not available. (Eleventh Assembly-Sixty Report)

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**APPENDIX-IV**

**Statement showing number of Assurances given, number if Assurances treated as read and recorded or implemented and number of Assurances pending year wise**

Year	Number of Assurances Given	Number of Assurances Implemented or read and recorded.	Number of Assurances Pending
(1)	(2)	(3)	(4)
1983	335	334	1
1984	274	274	...
1985	461	460	1
1986	681	678	3
1987	635	631	4
1989	391	389	2
1990	548	546	2
1991	376	369	7
1992	480	470	10

**Statement showing number of Assurances given, number if Assurances treated as read and recorded or implemented and number of Assurances pending year wise**

Year	Number of Assurances Given	Number of Assurances Implemented or read and recorded.	Number of Assurances Pending
(1)	(2)	(3)	(4)
1993	747	730	17
1994	360	343	17
1995	231	202	29
1996	389	312	77
1997	719	548	171
1998	695	468	227
1999	924	365	559
2000	1099	98	1001
2001	106	...	106
			2234

**Statement showing the number of Assurances pending – Department-wise and year-wise**

Sl.No	Name of the Departments	1991	1992	1993	1994	1995	1996
1.	Adi-Dravidar and tribal Welfare Department	-	2	1	2	2	5
2.	Higher Education Department	-	1	-	-	-	2
3.	Home Department.	-	-	-	-	1	-
4.	Rural Development Department.	-	-	1	2	2	-
5.	Energy Department.	-	-	-	-	-	-
6.	Animal Husbandry and Fisheries Department	-	-	1	-	-	1
7.	Co-operation, food and Consumer Protection Department.	-	-	-	-	-	2
8.	Handlooms, Handicrafts Textiles and Khadi Department.	-	-	-	-	1	1
9.	Law Department.	-	-	-	-	-	2
10.	Social Welfare and Nutritious Noon Meal Programme Department.	-	-	-	-	3	-
11.	Small Industries Department.	-	-	-	2	2	3
12.	Environment and Forest Department.	-	-	-	-	-	6
13.	Information and Tourism Department.	-	-	-	1	-	1
14.	Information Technology Department.	3	-	-	-	-	4
15.	Tamil Development Culture and Religious Endowment Department.	-	-	-	-	1	5
16.	Planning and Development Department						
17.	Industries Department.	1	-	-	-	1	13
18.	Labour and Employment Department	-	-	1	1	1	2
19.	Municipal Administration and Water Supply Department.	-	1	2	1	1	7
20.	Finance Department.	-	-	-	-	2	-

Sl.No	Name of the Departments	1991	1992	1993	1994	1995	1996
21.	Highways Department	3	-	2	1	-	5
22.	Personnel and Administrative Reforms Department.	-	-	-	-	-	1
23.	School Education Department.	-	-	-	1	1	2
24.	Backward Class, Most Backward Class Minorities Welfare Department.	-	-	-	-	-	-
25.	Public Department.	-	-	-	1	-	-
26.	Public Works Department.	-	-	3	6	1	4
27.	Transport Department	1	-	-	1	2	4
28.	Health and family Welfare Department.	-	-	-	1	1	1
29.	Prohibition and excise Department.	-	-	-	-	-	-
30.	Commercial Taxes Department.	-	-	1	-	-	1
31.	Revenue Department.	-	-	2	-	1	2
32.	Housing and Urban Development Department	-	-	-	2	-	-
33.	Agriculture Department.	-	-	-	-	-	2
34.	Social Reforms Department.	-	-	-	-	-	-

**Statement showing the number of Assurances pending – Department-wise and year-wise...(contd.)**

Sl.No	Name of the Departments	1997	1998	1999	2000	2001
1.	Adi-Dravidar and tribal Welfare Department	11	8	24	32	--
2.	Higher Education Department	2	5	4	15	..
3.	Home Department.	..	18	26	27	6
4.	Rural Development Department.	11	9	50	112	6
5.	Energy Department.	3	3	27	71	7
6.	Animal Husbandry and Fisheries Department	1	2	10	40	1
7.	Co-operation, food and Consumer Protection Department.	17	6	31	55	11
8.	Handlooms,Handicrafts Textiles and Khadi Department.	4	11	14	23	2
9.	Law Department.	..	2	2	..	..
10.	Social Welfare and Nutritious Noon Meal Programme Department.	3	5	8	10	..
11.	Small Industries Department.	2	5	5	12	2
12.	Environment and Forest Department.	..	8	17	19	1
13.	Information and Tourism Department.	2	5	14	15	2
14.	Information Technology Department.					
15.	Tamil Development Culture and Religious Endowment Department.	7	17	22	38	3
16.	Planning and Development Department					
17.	Industries Department.	25	17	11	16	..
18.	Labour and Employment Department	2	2	7	21	2
19.	Municipal Administration and Water Supply Department.	14	22	125	114	16
20.	Finance Department.	4	1	2	..	..
21.	Highways Department	6	8	35	98	8
22.	Personnel and Administrative Reforms Department.	..	2	..	..	1
23.	School Education Department.	7	3	28	44	2
24.	Backward Class, Most Backward Class Minorities Welfare Department.	..	1	5	20	6
25.	Public Department.	2	..		1	..
26.	Public Works Department.	6	10	25	26	4
27.	Transport Department	1	4	5	11	..
28.	Health and family Welfare Department.	13	25	28	58	9
29.	Prohibition and excise Department.	1	..	..	..	..
30.	Commercial Taxes Department.	4	1	1	13	3
31.	Revenue Department.	6	13	18	31	3
32.	Housing and Urban Development Department	1	3	5	12	3
33.	Agriculture Department.	16	11	10	66	7
34.	Social Reforms Department.	..	..	..	..	2