

YSR-PSV/11.00/1A

The House met at eleven of the clock,
MR. CHAIRMAN in the Chair.

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MR. CHAIRMAN: Question No.61.

SHRI M. VENKAIAH NAIDU: Sir, one minute. (Interruptions)

श्री अली अनवर अंसारी: महोदय, ...(व्यवधान)... हमने क्वेश्चन ऑवर सस्पेंड करने के लिए ...(व्यवधान)... रंगनाथ मिश्रा कमीशन की रिपोर्ट ...(व्यवधान)... जिस तरह से लिब्रहान कमीशन की रिपोर्ट...(व्यवधान)... आपने कल हाउस में ...(व्यवधान)...

श्री सभापति: देखिए, आप ये सब सवाल 12 बजे उठाइएगा। ...(व्यवधान)...

श्री अली अनवर अंसारी: आपने कल हाउस में बहस कराई। आपने Leader of Opposition को मौका दिया, मिनिस्टर को भी मौका दिया। ...(व्यवधान)... दो वर्षों से यह रिपोर्ट ...(व्यवधान)... यह बात अखबारों में छप चुकी है ...(व्यवधान)...

श्री सभापति: देखिए, आप यह बात 12 बजे कहिए। ...(व्यवधान)... नहीं, आप हाउस में अखबार नहीं दिखाएँगे ...(व्यवधान)...

श्री अली अनवर अंसारी: सर, यह double standard नहीं होना चाहिए। ...(व्यवधान)...

श्री सभापति: आप 12 बजे अपनी बात कहिए...(व्यवधान)... आपको मौका मिलेगा। ...(व्यवधान)...

श्री अली अनवर अंसारी: सर, यह रिपोर्ट दो वर्षों से पड़ी हुई है ...(व्यवधान)... इस रिपोर्ट को यहाँ पेश कीजिए ...(व्यवधान)... यह दलित मुसलमानों और दलित ईसाइयों का मामला है ...(व्यवधान)... यह गरीबों का मामला है, महोदय ...(व्यवधान)... यह रिपोर्ट छप चुकी है। ...(व्यवधान)...

श्री सभापति: आप हाउस में अखबार नहीं दिखाएँगे ...(व्यवधान)...

श्री अली अनवर अंसारी: सर, यह हाउस की अवमानना का मामला है...(व्यवधान)... यह रिपोर्ट छप चुकी है ...(व्यवधान)...

श्री सभापति: प्लीज़, आप बैठ जाइए ...(व्यवधान)... प्लीज़, प्लीज़...(व्यवधान)...

SHRI KUMAR DEEPAK DAS: Sir, on bomb blast issue yesterday..(Interruptions)

श्री अली अनवर अंसारी: नहीं, सर। ऐसा नहीं होगा ...(व्यवधान)... ऐसा नहीं होगा, सर ...(व्यवधान)...

MR. CHAIRMAN: Please resume your places and let the Question Hour proceed. (Interruptions)

श्री अली अनवर अंसारी: ऐसा नहीं होगा, सर ...(व्यवधान)... आप मौका दीजिए और सरकार को कहिए कि ...(व्यवधान)... इस पर पूरे देश में आंदोलन हो रहा है ...(व्यवधान)...

SHRI BIRENDRA PRASAD BAISHYA: Sir, on bomb blast issue of..(Interruptions)..

MR. CHAIRMAN: Please resume your places. (Interruptions) Please, Mr. Baishya. (Interruptions) I am afraid..(Interruptions)..

श्री अली अनवर अंसारी: दलित मुसलमानों और ईसाइयों का पूरे देश में आंदोलन हो रहा है ...(व्यवधान)... ये दो वर्षों से रिपोर्ट रखे हुए हैं ...(व्यवधान)...

श्री सभापति: आप बैठ जाइए ...(व्यवधान)... Question No.62. (Interruptions)

श्री अली अनवर अंसारी: यह गरीब लोगों, दलित मुसलमानों का सवाल है ...(व्यवधान)... सर, यह क्या हो रहा है...(व्यवधान)... यह बहुत गलत बात है, सर ...(व्यवधान)...

MR. CHAIRMAN: Question No.62. (Interruptions) Please resume your places. (Interruptions) Please allow the Question Hour to proceed. (Interruptions) Please don't come into the well. (Interruptions) I am sorry..(Interruptions).. No, this is not the way to raise issues. (Interruptions) No, this is not the way to raise issues. (Interruptions)

SHRI M. VENKAI AH NAIDU: Sir, I have given a notice. We want the House ..(Interruptions)..

MR. CHAIRMAN: I request the hon. Members to resume their places and allow the Question Hour to proceed. (Interruptions) आप अपनी जगह वापस जाइए

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...(व्यवधान)... Sorry, there will be no agitation here. (Interruptions) I am sorry, there will be no agitation here. (Interruptions) This is not correct. (Interruptions) Please resume your places. (Interruptions) I am sorry, but I have to adjourn the House for ten minutes. I would request the Leaders of Parties to see me in the Chamber.

The House then adjourned at three minutes past eleven of the clock.

--YSR/MKS-DS/11.10/1B

The House reassembled at thirteen minutes past eleven of the clock, MR. CHAIRMAN in the Chair.

MR. CHAIRMAN: The Government wishes to make a statement.

SHRI M. VENKAIAH NAIDU: Sir,.... ...(Interruptions)...

MR. CHAIRMAN: Just a minute please. Pawanji.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI PAWAN KUMAR BANSAL): Sir, my submission is that I am aware of it. ...(Interruptions)...

SHRI S.S. AHLUWALIA: Sir, let us submit our case. ...(Interruptions)...

MR. CHAIRMAN: Okay. ...(Interruptions)...

SHRI M. VENKAIAH NAIDU: Sir, let us submit our case first. ...(Interruptions)...

SHRI AMAR SINGH: Let us get an opportunity, Sir.(Interruptions)...

MR. CHAIRMAN: All right. ...(Interruptions).... Just two minutes each. ...(Interruptions).... All right. Two minutes each. ...(Interruptions).... Please resume your places.

SHRI M. VENKAIAH NAIDU: Sir, it is painful to intervene in the Question Hour and becoming responsible for getting the Question Hour postponed or lapsed. I do recognise it, but the fact of the matter is--even yesterday, we said it--that there is a serious, burning issue which has come up during the Session of the Parliament. We are a Council of States. There is a massive fraud and scam which has taken place in the State of Jharkhand. The entire country and all media is full of reports of that massive scam. And there is President's rule in the State. ...(Interruptions)... There is President's rule in the State. Sir, ...(Interruptions)...

MR. CHAIRMAN: Let the hon. Member finish it.

SHRI M. VENKAIAH NAIDU: So, this requires the attention of the House; otherwise, we will be failing in our duty. I have been told by my friends that we will be discussing the general corruption. General corruption is different. This is a specific issue where the money is siphoned off, kept in foreign banks and, then, kept in various establishments.

MR. CHAIRMAN: Fine.

SHRI M. VENKAIAH NAIDU: And the accused person is no less than a Chief Minister who has been propped up by the ruling party here at the Centre!

MR. CHAIRMAN: No, no; please. ...(Interruptions)...

(Followed by TMV/1C)

-MKS-TMV-AKA/1C/11.15

SHRI M. VENKAIAH NAIDU: So, we have no confidence about a fair probe. (Interruptions)....

MR. CHAIRMAN: All right. Your two minutes are over.

SHRI M. VENKAIAH NAIDU: In order to have a fair probe the House should discuss it. (Interruptions)...

MR. CHAIRMAN: You just come to the substantive point. (Interruptions)...

SHRI M. VENKAIAH NAIDU: I am coming to that point. (Interruptions)...

I am also a senior Member. (Interruptions)...

MR. CHAIRMAN: Please. (Interruptions)...

Look, we agreed on a procedure. (Interruptions)...

पाणि जी, बैठ जाइए। ..(व्यवधान).. Please. You made your point. Please. (Interruptions)...

SHRI M. VENKAIAH NAIDU: I am concluding, Sir. (Interruptions)...

I will go by your order, Sir. (Interruptions)...

MR. CHAIRMAN: Your point is registered. (Interruptions)...

Please. I think you made your point. (Interruptions)...

SHRI M. VENKAIAH NAIDU: My point is that the person needs to be put behind bars immediately, and there has to be a detailed inquiry and there has to be a discussion in the House. ... (Interruptions)...

MR. CHAIRMAN: All right. You made your point. That is enough. (Interruptions)...

SHRI M. VENKAIAH NAIDU: The purpose of yesterday's leak was to divert the attention of the House and the country from the Jharkhand scam. That is why I demand that I should be permitted, after the Question Hour, to raise the issue. (Interruptions)....

MR. CHAIRMAN: Please resume your places. (Interruptions)...

Please resume your places. (Interruptions)...

Mr. Ali Anwar Ansari. Two minutes. (Interruptions)...

आप बैठ जाइए। ..(व्यवधान).. बैठ जाइए। बैठ जाइए। ..(व्यवधान)..

One by one, please. (Interruptions)...

One by one, please. (Interruptions)...

आप लोग बैठ जाइए। ..(व्यवधान).. आप लोग बैठ जाइए, प्लीज़। ..(व्यवधान).. Please resume your places. Mr. Ali Anwar Ansari. (Interruptions)...

श्री अली अनवर अंसारी : महोदय, ..(व्यवधान).. महोदय, ..(व्यवधान)..

MR. CHAIRMAN: No, no. Please don't make a speech. (Interruptions)...

What is your point? (Interruptions)...

श्री एस0एस0 अहलुवालिया : अगर सत्ता पक्ष के लोग इस तरह से obstruction create करेंगे ..(व्यवधान)..

श्री एम0 वेंकैया नायडु : अगर सत्ता पक्ष के लोग इस तरह से ..(व्यवधान).. सच्चाई सुनने के लिए ..(व्यवधान)..

श्री अली अनवर अंसारी : महोदय, ..(व्यवधान).. महोदय, ..(व्यवधान)..

MR. CHAIRMAN: Will you please resume your places? (Interruptions)...

Please resume your places. (Interruptions)

श्री अली अनवर अंसारी : महोदय, ..(व्यवधान)..

MR. CHAIRMAN: Please. (Interruptions)... Please. (Interruptions)...

श्री अली अनवर अंसारी : महोदय, ..(व्यवधान).. महोदय, ..(व्यवधान)..

श्री सभापति : आप लोग बैठ जाइए। ..(व्यवधान)..

श्री अली अनवर अंसारी : महोदय, ..(व्यवधान)..

श्री एस0एस0 अहलुवालिया : गरीबों का, आदिवासियों का क्या हश्र कर रहे हो। ..(व्यवधान)..

श्री अली अनवर अंसारी : महोदय, ..(व्यवधान)..

MR. CHAIRMAN: Please sit down. (Interruptions)...

SHRI BIRENDRA PRASAD BAISHYA: What about Assam, Sir? (Interruptions)...

MR. CHAIRMAN: Please sit down. (Interruptions)... Please sit down. (Interruptions)... One minute. (Interruptions)... Please. (Interruptions)... Please resume your places. (Interruptions)... Please resume your places.

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(Interruptions)... I am afraid Members are not willing to abide by the agreement made. The Chair has no option but to adjourn the House till 12 o'clock.

The House then adjourned at eighteen minutes past eleven of the clock till twelve noon.

RSS/VNK/1D/12.00

**The House re-assembled at twelve of the clock,
MR. DEPUTY CHAIRMAN in the Chair.**

PAPERS LAID ON THE TABLE

1. **SHRI MUKUL ROY:** Sir, I lay on the Table, a copy each (in English and Hindi) of the following Notifications of the Ministry of Shipping under sub-section (4) of Section 124 of the Major Port Trusts Act, 1963:

- (1) G.S.R. 684 (E), dated the 17th September, 2009, publishing the Madras Port Trust Employees' (Retirement) Amendment Regulations, 2009.
- (2) G.S.R. 689 (E), dated the 23rd September, 2009, publishing the Tuticorin Port Trust Employees' (Retirement) Amendment Regulations, 2009.
- (3) G.S.R. 766 (E), dated the 20th October, 2009, publishing the Kandla Port Trust Employees' (Retirement) Amendment Regulations, 2009.
- (4) G.S.R. 685 (E), dated the 17th September, 2009, publishing the Cochin Port Trust Employees' (Retirement) Amendment Regulations, 2009.
- (5) G.S.R. 601 (E), dated the 27th August, 2009, publishing the Visakhapatnam Port Trust Employees' (Recruitment, Seniority and Promotion) Amendment Regulations, 2009.

2. **SHRI NAMO NARAIN MEENA:** Sir, I lay on the Table

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I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs), under sub-section (3) of Section 21 of the Coinage Act, 1906:

- (1) G.S.R 570 (E), dated the 12th August, 2009, publishing the Coinage of the One Hundred Rupees and Five Rupees coined to commemorate the occasion of SAINT ALPHONSA BIRTH CENTENARY Rules, 2009.
- (2) G.S.R. 577 (E), dated the 17th August, 2009, publishing the Coinage of the One Hundred Rupees and Ten Rupees coined on the occasion of HOMI BHABHA BIRTH CENTENARY YEAR Rules, 2009.

II. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs), under Section 48 of the Foreign Exchange Management Act, 1999:

- (1) G.S.R. 298 (E), dated the 1st May, 2009, publishing the Foreign Exchange Management (Guarantees) (Second Amendment) Regulations, 2009.
- (2) G.S.R. 547 (E), dated the 24th July, 2009, publishing the Foreign Exchange Management (Borrowing or Lending in Foreign Exchange) (Second Amendment) Regulations, 2009.
- (3) G.S.R. 548 (E), dated the 24th July, 2009, publishing the Foreign Exchange Management (Export and Import of Currency) (Amendment) Regulations, 2009.
- (4) G.S.R. 609 (E), dated the 28th August, 2009, publishing the Foreign Exchange Management (Transfer or issue of any Foreign Security) (Fourth Amendment) Regulations, 2009.
- (5) G.S.R. 610 (E), dated the 28th August, 2009, publishing Corrigendum to G.S.R. 13 (E), dated the 5th January, 2008, to substitute certain entries in the original Notification.
- (6) G.S.R. 611 (E), dated the 28th August, 2009, publishing Corrigendum to G.S.R. 209 (E), dated the 25th March, 2008, to substitute certain entries in the original Notification.
- (7) G.S.R. 612 (E), dated the 28th August, 2009, publishing Corrigendum to G.S.R. 91 (E), dated the 15th February, 2008, to substitute certain entries in the original Notification.

III. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs), under Section 31 of Securities and Exchange Board of India Act, 1992:

- (1) No. LAD-NRO/GN/2009-10/12/169546, dated the 14th July, 2009, publishing the Securities and Exchange Board of India (Intermediaries) (Amendment) Regulations, 2009.
- (2) No. LAD-NRO/GN/2009-10/13/172730, dated the 11th August, 2009, regarding Notification under Regulation 3 of the Securities and Exchange Board of India (Certification of Associated Persons in the Securities Markets) Regulations, 2007.
- (3) No. LAD-NRO/GN/2009-10/15/174471, dated the 26th August, 2009, publishing the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2009.

IV. A copy each (in English and Hindi) of the following papers, under Section 619(A) of the Companies Act, 1956:

- (a) Annual Report and Accounts of the Industrial Development Bank of India (IDBI), Mumbai, for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Bank.

V. A copy each (in English and Hindi) of the Annual Reports of the following Banks for the year 2008-09, together with the Accounts and Auditors Report thereon, under sub-section (8) of Section 10 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970:

- (a) Central Bank of India;
- (b) Syndicate Bank;
- (c) Punjab and Sind Bank;
- (d) United Bank of India;
- (e) Bank of India;
- (f) Bank of Maharashtra;
- (g) Union Bank of India;
- (h) Allahabad Bank; and
- (i) Andhra Bank.

VI. A copy each (in English and Hindi) of the following papers, under sub-section (5) of Section 30 of the Small Industries Development Bank of India, Act, 1989:

- (a) Nineteenth Annual Report and Accounts of the Small Industries Development Bank of India (SIDBI), Lucknow, for the year 2008-09, together with the Auditors Report on the Accounts.
- (b) Review by Government on the working of the above Bank.

VII. A copy (in English and Hindi) of the Annual Report on the working and activities of the State Bank of India for the year 2008-09, together with the Accounts and Auditors Report thereon, under sub-section (4) of Section 40 of the State Bank of India Act, 1955.

VIII. A copy each (in English and Hindi) of the Annual Report on the working and activities of the following Banks for the year 2008-09, together with the Accounts and Auditor's Report thereon, under sub-section (3) of Section 43 of the State Bank of India (Subsidiary Banks) Act, 1959.

- (a) State Bank of Mysore;
- (b) State Bank of Hyderabad;
- (c) State Bank of Patiala;
- (d) State Bank of Bikaner and Jaipur;
- (e) State Bank of Indore; and
- (f) State Bank of Travancore.

IX. A copy each (in English and Hindi) of the following papers, under sub-section (3) of Section 18 of the Securities and Exchange Board of India Act, 1992:

- (a) Annual Report of the Securities and Exchange Board of India (SEBI), Mumbai, for the year 2008-09.
- (b) Review by Government on the working of the above Board.

3. **SHRI S.S. PALANIMANICKAM:** Sir, I lay on the Table

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub-section (4) of Section

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94 of the Finance Act, 1994, together with Explanatory Memoranda on the Notifications:

- (1) G.S.R. 776 (E), dated the 23rd October, 2009, seeking to exempt certain taxable services in relation to execution of a works contract in respect of canals, other than those primarily used for the purposes of commerce and industry.
- (2) G.S.R. 712 (E), dated the 30th September, 2009, amending Notification No. G.S.R. 489 (E), dated 7th July, 2009 to insert certain entries therein.
- (3) G.S.R. 694 (E), dated the 23rd September, 2009, publishing the Taxation of Services (Provided from outside India and received in India) Rules, 2009.
- (4) G.S.R. 695 (E), dated the 23rd September, 2009, publishing the Export of Services (Second Amendment) Rules, 2009.
- (5) G.S.R. 696 (E), dated the 23rd September, 2009, seeking to exempt certain taxable services provided by a person to any other person during the course of manufacture or processing of alcoholic beverages by the service provider.
- (6) G.S.R. 654 (E), dated the 9th September, 2009, rescinding Notification No G.S.R. 617 (E), dated the 31st August 2009, except as respects thing done or omitted to be done before such recession.
- (7) G.S.R. 634 (E), dated the 3rd September, 2009, amending G.S.R. 488 (E) dated the 7th July, 2009 to insert certain entries therein.
- (8) G.S.R. 625 (E), dated the 1st September, 2009, seeking to exempt taxable service provided by sub-broker to stock-broker in relation to sale of purchase of securities listed on a registered stock exchange.
- (9) G.S.R. 626 (E), dated the 1st September, 2009, seeking to exempt taxable service in relation to the manufacture of pharmaceutical products, medicines, perfumery, cosmetics or toilet preparations containing alcohol.
- (10) G.S.R. 627 (E), dated the 1st September, 2009, seeking to exempt the taxable service provided to any person in relation to transport of goods by rail.

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- (11) G.S.R. 628 (E), dated the 1st September, 2009, amending Notification No. G.S.R. 115 (E), dated 1st March, 2006 to substitute certain entries therein.
- (12) G.S.R. 617 (E), dated the 31st August, 2009, seeking to exempt the taxable service provided to any person in relation to transport of certain goods by rail.
- (13) G.S.R. 618 (E), dated the 31st August, 2009, amending Notification No. G.S.R. 115 (E), dated the 1st March, 2006 to substitute certain entries therein.
- (14) G.S.R. 619 (E), dated the 31st August, 2009, seeking to exempt transport of certain goods through national waterway, inland water and coastal shipping from taxable service.
- (15) G.S.R. 583 (E), dated the 19th August, 2009, publishing the Export of Services (Second Amendment) Rules, 2009.
- (16) G.S.R. 584 (E), dated the 19th August, 2009, appointing 1st September, 2009 as the date on which the provisions of the Finance Act, 2009 shall come into force.
- (17) G.S.R. 551 (E), dated the 27th July, 2009, seeking to exempt certain service provided or to be provided in relation to management, maintenance or repair of roads from Service Tax.

II. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub-section (2) of Section 38 of the Central Excise Act, 1944, together with Explanatory Memoranda on the Notifications:ꣳ

- (1) G.S.R. 571 (E), dated the 12th August, 2009, amending Notification No. G.S.R. 94 (E), dated the 1st March, 2006 to substitute certain entries in the original Notification.
- (2) G.S.R. 578 (E), dated the 18th August, 2009, exempting duty of excise on Dough for preparation of Baker's wares of Heading No. 1905 during the period from the 28th February, 2005 to 27th May, 2008.
- (3) G.S.R. 623 (E), dated the 31st August, 2009, amending Notification No. G.S.R. 266 (E), dated the 31st March, 2003 to substitute certain entries in the original Notification.

- (4) G.S.R. 645 (E), dated the 7th September, 2009, publishing the CENVAT Credit (Second Amendment) Rules, 2009.

III. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub-section (7) of Section 9A of the Customs Tariff Act, 1975, together with Explanatory Memoranda on the Notifications:-

- (1) G.S.R. 557 (E), dated the 30th July, 2009, seeking to impose provisional anti-dumping duty on all imports of Polypropylene, originating in, or exported from Oman, Saudi Arabia and Singapore at the specified rates.
- (2) G.S.R. 558 (E), dated the 30th July, 2009, seeking to impose provisional anti-dumping duty on all imports of Carbon Black used in rubber applications, originating in, or exported from Australia, People's Republic of China, Russia and Thailand at the specified rates.
- (3) G.S.R. 564 (E), dated the 4th August, 2009, seeking to continue the imposition of anti-dumping duty on all imports of Titanium dioxide, Anatase grade, originating in, or exported from the People's Republic of China at the specified rates for a period of five years.
- (4) G.S.R. 604 (E), dated the 27th August, 2009, seeking to impose final safeguard duty on import of Dimethoate Technical at the specified rates.
- (5) G.S.R. 605 (E), dated the 27th August, 2009, rescinding Notification NO. G.S.R. 186 (E), dated the 23rd March, 2009.
- (6) G.S.R. 621 (E), dated the 31st August, 2009, seeking to impose final anti-dumping duty on imports of Flexible Slabstock Polyol, originating in or exported from the People's Republic of China, Republic of Korea and Chinese Taipei for the period of five years consequent upon a sunset review by the Designated Authority.
- (7) G.S.R. 702 (E), dated the 24th September, 2009, rescinding Notification No. G.S.R. 430 (E), dated the 19th July, 2006.
- (8) G.S.R. 709 (E), dated the 29th September, 2009, seeking to continue the imposition of final anti-dumping duty on imports of Sun/Dust Control Polyester Film, originating in or exported from the Chinese Taipei (Taiwan) and United Arab Emirate (UAE) for the period of five

years, consequent upon a sunset review by the Designated Authority.

- (9) G.S.R. 713 (E), dated the 30th September, 2009, rescinding Notification No. G.S.R. 751 (E), dated the 17th November, 2004.
- (10) G.S.R. 720 (E), dated the 1st October, 2009, amending Notification No. G.S.R. 748 (E), dated the 16th November, 2004, to add certain entries in the original Notification.
- (11) G.S.R. 724 (E), dated the 6th October, 2009, amending Notification No. G.S.R. 659 (E), dated the 7th October, 2004, to add certain entries in the original Notification.
- (12) G.S.R. 734 (E), dated the 8th October, 2009, seeking to impose definitive anti-dumping duty on imports of 'Plain Medium Density Fibre Board' originating in, or exported from the People's Republic of China, Thailand and Sri Lanka based on the final findings in second Sunset review investigations being conducted by the Directorate General of Anti-dumping and Allied duties.
- (13) G.S.R. 749 (E), dated the 13th October, 2009, amending Notification No. G.S.R. 663 (E), dated the 8th October, 2004, to add certain entries in the original Notification.
- (14) G.S.R. 758 (E), dated the 16th October, 2009, seeking to impose provisional anti-dumping duty on imports of Phosphorus Pentachloride (PCL5), originating in or exported from the People's Republic of China at the specified rates.
- (15) G.S.R. 759 (E), dated the 16th October, 2009, amending G.S.R. 647 (E), dated the 28th September, 2004 to add certain entries in the original Notification.
- (16) G.S.R. 792 (E), dated the 30th October, 2009, seeking to impose definitive anti-dumping duty on import of Nylon Tyre Cord Fabric (NTCF), originating in, or exported from, Belarus at the specified rates for a period of five years from 29th April, 2009, in pursuance of the findings of the Designated Authority.
- (17) G.S.R. 797 (E), dated the 5th November, 2009, seeking to impose definitive safeguard duty on imports of Soda Ash at the rate of 20% ad valorem when imported into India from the People's Republic of China.

IV. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 159 of the Customs Act, 1962, together with Explanatory Memoranda on the Notifications:-

- (1) G.S.R. 710 (E), dated the 29th September, 2009, exempting certain materials imported under the Advance Authorization Scheme.
- (2) G.S.R. 674 (E), dated the 14th September, 2009, exempting certain goods imported into India against a duty credit scrip.
- (3) G.S.R. 751 (E), dated the 14th October, 2009, amending Notification No. G.S.R. 118(E), dated the 1st March, 2002 to insert certain entries therein.
- (4) G.S.R. 675 (E), dated the 14th September, 2009, amending Notification Nos. G.S.R. 277 (E), dated the 1st April, 2003, G.S.R. 222 (E), dated the 8th April, 2005 and G.S.R. 408 (E), dated the 10th July, 2006 to substitute certain entries therein.
- (5) G.S.R. 669 (E), dated the 11th September, 2009, exempting certain imports under 3% Export Promotion Capital Goods scheme.
- (6) G.S.R. 668 (E), dated the 11th September, 2009, exempting imports of certain capital goods under Zero duty EPCG scheme.
- (7) G.S.R. 667 (E), dated the 11th September, 2009, exempting certain imports under Zero duty Export Promoting Capital Goods scheme for common service providers.
- (8) G.S.R. 666 (E), dated the 11th September, 2009, exempting certain imports under 3% Export Promoting Capital Goods scheme for common service providers.
- (9) G.S.R. 665 (E), dated the 11th September, 2009, exempting certain imports under Advance Authorization scheme for Annual Requirement.
- (10) G.S.R. 664 (E), dated the 11th September, 2009, exempting certain imports under Duty Free Import Authorization scheme.
- (11) G.S.R. 663 (E), dated the 11th September, 2009, exempting certain imports under Duty Exemption Pass Book Scheme.
- (12) G.S.R. 662 (E), dated the 11th September, 2009, exempting certain imports under Advance Authorization scheme.

- (13) G.S.R. 661 (E), dated the 11th September, 2009, exempting certain imports under Vishesh Krishi and Gram Udyog Yojana (Para 3.13.2 of FTP).
- (14) G.S.R. 660 (E), dated the 11th September, 2009, exempting certain imports under Vishesh Krishi and Gram Udyog Yojana(Para of 3.13.4 of FTP).
- (15) G.S.R. 659 (E), dated the 11th September, 2009, regarding exempting certain imports under Focus Market Scheme.
- (16) G.S.R. 658 (E), dated the 11th September, 2009, exempting certain imports under Focus Product Scheme.
- (17) G.S.R. 657 (E), dated the 11th September, 2009, exempting certain specified goods imported by the service providers against the duty credit scrip issued under the Served From India Scheme(SFIS).
- (18) G.S.R. 559 (E), dated the 31st July, 2009, amending Notification No. G.S.R. 118 (E), dated the 1st March, 2002, to substitute certain entries in the original Notification.
- (19) G.S.R. 567 (E), dated the 6th August, 2009, amending Notification No. G.S.R. 590 (E), dated the 13th August, 2008, to add certain entries in the original Notification.
- (20) G.S.R. 644 (E), dated the 7th September, 2009, seeking to provide the exemption from the whole of the customs duties and the additional customs duties to all goods imported from Antarctica into India.
- (21) G.S.R. 697 (E), dated the 23rd September, 2009, amending Notification No. G.S.R. 393 (E), dated the 30th June, 2006 to substitute certain entries in the original Notification.
- (22) G.S.R. 698 (E), dated the 23rd September, 2009, amending Notification No. G.S.R. 394 (E), dated the 30th June, 2006, to substitute certain entries in the original Notification.
- (23) G.S.R. 701 (E), dated the 24th September, 2009, amending Notification No. G.S.R. 583 (E), dated the 13th July, 1994, to substitute certain entries in the original Notification.

V. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 296 of the

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Income-tax Act, 1961, together with Explanatory Memoranda on the Notifications:

- (1) S.O. 2227 (E), dated the 2nd September, 2009, publishing the Income-tax (12th Amendment) Rules, 2009.
- (2) S.O. 2292 (E), dated the 9th September, 2009, amending Notification No. S.O. 709 (E) dated the 20th August, 1998 to insert certain entries in the original Notification.
- (3) S.O. 2413 (E), dated the 22nd September, 2009, amending the Notification No. S.O. 1281 (E) dated the 27th July, 2007 to substitute certain entries in the original Notification.
- (4) S.O. 2480 (E), dated the 30th September, 2009, regarding appointment of the Chief Commissioner (Centralised Processing Centre, Bengaluru) as Chief Commissioner of Income-tax.
- (5) S.O. 2481 (E), dated the 30th September, 2009, regarding appointment of Commissioner (Centralised Processing Centre) Bengaluru, as subordinate to the Chief Commissioner of Income-tax (Centralised Processing Centre) Bengaluru.
- (6) S.O. 2482 (E), dated the 30th September, 2009, regarding authorizing Chief Commissioner (Centralised Processing Centre), Bengaluru for exercising powers and perform the function in respect of Commissioner of Income-tax (Centralised Processing Centre), Bengaluru.
- (7) S.O. 2483 (E), dated the 30th September, 2009, regarding authorizing Commissioner of Income-tax (Centralised Processing Centre), Bengaluru, for exercising limited concurrent jurisdiction in respect of all cases where the return of income has been furnished.

VI. A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 77 of the Narcotic Drugs and Psychotropic Substances Act, 1985, together with Explanatory Memoranda and delay statement on the Notifications:

- (1) G.S.R. 12 (E), dated the 6th January, 2009, amending the Narcotic Drugs and Psychotropic Substances (Regulation of Controlled Substances) Order, 1993 to substitute certain entries in the original Notification.
- (2) S.O. 2862 (E), dated the 11th December, 2008, empowering the

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officers of the Coast Guard (Gazetted Rank) constituted under the Coast Guard Act, 1978 to exercise the powers and perform the duties specified in Section 42 of the Act.

- (3) S.O. 2863 (E), dated the 11th December, 2008, empowering the officers of the Coast Guard (Gazetted Rank) constituted under the Coast Guard Act, 1978 to exercise the powers and perform the duties specified in sub-section (2) of Section 41 of the Act.
- (4) S.O. 2864 (E), dated the 11th December, 2008, empowering the officers of the Coast Guard (Gazetted Rank) constituted under the Coast Guard Act, 1978 to exercise the powers and perform the duties specified in Section 53(1) of the Act.

4. SHRI JITIN PRASADA: Sir, I lay on the Table

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Petroleum and Natural Gas, under Section 62 of the Petroleum and Natural Gas Regulatory Board Act, 2006:

- (1) G.S.R. 273 (E), dated the 21st April, 2009, publishing the Petroleum and Natural Gas Regulatory Board (Guiding Principles for Declaring or Authorizing Natural Gas Pipeline as Common Carrier or Contract Carrier) Regulations, 2009.
- (2) G.S.R. 274 (E), dated the 21st April, 2009, publishing the Petroleum and Natural Gas Regulatory Board (Access Code for Common Carrier or Contract Carrier Natural Gas Pipelines) Amendment Regulations, 2009.
- (3) G.S.R. 295 (E), dated the 30th April, 2009, publishing the Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Amendment Regulations, 2009.
- (4) G.S.R. 323 (E), dated the 14th May, 2009, publishing the Petroleum and Natural Gas Regulatory Board (Procedure for development of Technical Standards and Specifications including Safety Standards) Regulations, 2009.

II. A copy (in English and Hindi) of the Ministry of Petroleum and Natural Gas Notification G.S.R. 655 (E), dated the 10th September, 2009, publishing

Liquefied Petroleum Gas (Regulation of Supply and Distribution) Amendment Order, 2009, under sub-section (3) of Section 6 of the Essential Commodities Act, 1955.

5. **SHRI S. GANDHISELVAN:** Sir, I lay on the Table

I.(1) A copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:

(a) Thirtieth Annual Report and Accounts of the Indian Medicines Pharmaceutical Corporation Limited (IMPCL), Mohan, Almora, for the year 2007-08, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the working of the above Corporation.

(2) Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (1) above.

(Ends)

**REPORT OF THE DEPARTMENT RELATED PARLIAMENTARY
STANDING COMMITTEE ON SCIENCE AND TECHNOLOGY,
ENVIRONMENT AND FORESTS**

DR. T. SUBBARAMI REDDY (ANDHRA PRADESH): Sir, I present the Two Hundred and Third Report (in English and Hindi) of the Department-related Parliamentary Standing Committee on Science and Technology, Environment and Forests on the National Green Tribunal Bill, 2009.

(Ends)

**MOTION FOR ELECTION TO THE ALL INDIA INSTITUTE OF MEDICAL
SCIENCES (AIIMS), NEW DELHI**

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): Sir, I move the following Motion:

That in pursuance of clause (g) of Section 4, read with sub-section (1) of Section 6 of the All India Institute of Medical Sciences Act, 1956

(25 of 1956), this House do proceed to elect, in such manner as the Chairman may direct, one Member from among the Members of the House to be a member of the All India Institute of Medical Sciences (AIIMS).

The question was put and the motion was adopted.

(Ends)

MR. DEPUTY CHAIRMAN: Now, we will take up the Calling Attention...(Interruptions)...

SHRI KUMAR DEEPAK DAS: We want a statement on Assam.

SHRI S.S. AHLUWALIA: Sir, what happened to the statement? ... (Interruptions)...

श्री एम. वेंकैया नायडु: सर, आप clarify कीजिए कि मिनिस्टर असम, रंगनाथ मिश्रा रिपोर्ट और झारखंड के मुद्दे को कब लेने वाले हैं? ..(व्यवधान).. Sir, there is a way to resolve the issue.

MR. DEPUTY CHAIRMAN: Please go back to your seats. We will solve the issue...(Interruptions)... आप बैठिए ... (Interruptions)...

श्री अली अनवर अंसारी: महोदय, आज सुबह की मीटिंग में यह तय हुआ था कि पहले हम लोग बोलेंगे, तब मंत्री महोदय इसका जवाब देंगे ..(व्यवधान).. इसलिए पहले हम लोगों को बोलने दिया जाए ..(व्यवधान)..

MR. DEPUTY CHAIRMAN: As far as Assam is concerned ... (Interruptions)...

SHRI BIRENDRA PRASAD BAISHYA: Sir, I want a statement from the Minister...(Interruptions)... It was assured that he will make a statement. ... (Interruptions)...

MR. DEPUTY CHAIRMAN: I will ask the Minister...(Interruptions)...

THE MINISTER OF STATE FOR PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN): Sir, the Home Minister will make a statement today on Assam.

MR. DEPUTY CHAIRMAN: The Home Minister is going to make a statement on Assam before the House rises today.

श्री एस.एस. अहलुवालिया: सर, यह तय हुआ था कि पहले हम लोग बोलेंगे, तब मंत्री जी बोलेंगे ..(व्यवधान)...

श्री उपसभापति : आपको बोलने तो दिया गया..(व्यवधान)..

श्री एस.एस. अहलुवालिया : सर, पहले मेम्बर को तो सुन लीजिए..(व्यवधान)..

Sir, they ask for permission to make a submission on the floor of the House, but you do not allow, and simply say that the Minister will come back. ... (Interruptions)..

(followed by 1e)

MP-VK/1E/12.05

श्री उपसभापति : नहीं, नहीं, जवाब देने की बात तय नहीं हुई थी। ... (व्यवधान)... देखिए अंसारी साहब, यह तय हुआ था कि दो मिनट बोलने दीजिए, लेकिन हाउस डिस्टर्ब हो गया तो क्या करें? ... (व्यवधान)... आपको बात करने के लिए चेयरमैन साहब ने दो मिनट तो दिए हैं ! ... (व्यवधान)... किसके लिए? ... (व्यवधान)... असम पर स्टेटमेंट तो गवर्नमेंट कर रही है। ... (व्यवधान)... नहीं, नहीं, ऐसे नहीं होगा। (व्यवधान)... देखिए, there is no notice. (Interruptions).. देखिए, क्वेश्चन ऑवर सस्पेंड नहीं हुआ है। There is no notice. (Interruptions)..

श्री अली अनवर अंसारी : हमने नोटिस दिया है.... हमने नोटिस दिया है। सर, हमें बोलने दीजिए। ... (व्यवधान)...

MR. DEPUTY CHAIRMAN: Suspension of Question Hour is not notice.... (Interruptions).

श्री एस.एस. अहलुवालिया : इतनी देर में तो वे अपनी बात रख देते ! ... (व्यवधान)...

श्री उपसभापति : अब एक साथ तीन-चार लोग बोलेंगे तो मैं कुछ नहीं कर सकता हूँ।
...(व्यवधान)... आप लोग अपनी सीटों पर जाइए।(व्यवधान)... Please go to your seats.

(Interruptions) The Minister of Parliamentary Affairs has said that a statement would be made before the House rises for the day.

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Sir, the statement is ready. Whenever you fix the time, we will make the statement.

SHRI M. VENKAIAH NAIDU: Sir, before the Minister makes a statement, let the hon. Member, who has given notice, bring it to the notice of the House and then the Minister can make a statement.

MR. DEPUTY CHAIRMAN: Naiduji, they gave the notice yesterday. The Home Minister agreed yesterday that he would make a statement. (Interruptions). That is over. Now the Minister will make a statement. I will allow clarifications. (Interruptions).

श्री उपसभापति : प्लीज़.. कुमार दीपक दास जी, आपका काम हो गया, बैठिए। ...(व्यवधान)...

SHRI M. VENKAIAH NAIDU: Even about Ranganath Mishra report also.

श्री अली अनवर अंसारी : रंगनाथ मिश्र कमीशन पर हमें दो मिनट बोलने दीजिए।

श्री उपसभापति : हां, दो मिनट बोलिए। ...(व्यवधान)... आप बैठिए।....(व्यवधान).... क्लैरिफिकेशन्स स्टेटमेंट के बाद पूछिएगा। ...(व्यवधान)... अंसारी जी, बोलिए।

RE: REPORT OF RANGANATH MISHRA COMMISSION

श्री अली अनवर अंसारी (बिहार) : महोदय, रंगनाथ मिश्र कमीशन की रिपोर्ट को आए दो साल हो गए। यह कमीशन ऑफ इनक्वायरी ऐक्ट के तहत गठित है। इसकी legal validity है और सरकार को छः माह के अंदर हाउस में ATR के साथ आना है। हर सेशन में हमने स्पेशल मेशन के ज़रिए, ज़ीरो ऑवर में इस सवाल को उठाया कि उसको हाउस में lay कीजिए, लेकिन lay नहीं किया गया। एक आदमी जाता है, आर.टी.आई. के तहत आवेदन लगा देता है और आर.टी.आई. ऑफ़िशियल ऑर्डर करता है कि उस रिपोर्ट को दीजिए। हमारे स्पेशल मेशन का, हमारे ज़ीरो ऑवर का मंत्री जवाब नहीं देते हैं और अब एक अखबार, "चौथी दुनिया" में पूरी रिपोर्ट

छप गई है, तो हम लोग किस बात के लिए यहां हैं? यह हाउस की अवमानना का सवाल है। हम लोग चीखते रहे, चिल्लाते रहे, आपकी जो प्रक्रिया है, उसके तहत ही हम सवाल उठा रहे हैं। हमारा यह शौक नहीं है, हमें वेल में जाना खराब लगता है, लेकिन आप उसको allow नहीं करते हैं। मंत्री जी बताएं, यह दलित मुसलमानों का और दलित ईसाइयों का सवाल है, मज़हब की बुनियाद पर ...(व्यवधान)...

श्री उपसभापति : आपने अपनी बात कह दी।(व्यवधान)...

श्री अली अनवर अंसारी : इसलिए कि वे मुसलमान हैं, इसलिए कि वे ईसाई हैं। क्या गुनाह किया है इन लोगों ने? इसलिए इस बात का मंत्री जी जवाब दें कि कब वे इसको हाउस में lay करेंगे और इसकी सिफारिशों को लागू करेंगे? जब तक वे यह आश्वासन नहीं देंगे, तब तक हम लोग इसी तरह से इस सवाल पर बोलते रहेंगे। ...(व्यवधान)..

श्री एन.के. सिंह (बिहार) : सर, मैं इनसे पूर्णतः सहमत हूँ।

(समाप्त)

RE: LAW AND ORDER SITUATION IN ASSAM

SHRI KUMAR DEEPAK DAS (ASSAM) : Sir, there is a serious situation to note that the State of Assam has proved to be a total failure in providing security to the life and property of the people of Assam.

Sir, a day before yesterday, very sad incident took place, In a twin bomb blast at Nalbari, Assam, seven people died and 50 innocent people got severely injured..

During the last week, the situation became more volatile. There were a number of incidents of killings, abductions, extortions, etc., that took place in various districts of the State. On 14th November, one Munna Brahma was shot dead at Thuribari, Kokrajhar. Tulsi Ram Rai was abducted at Missamari, Sonitpur. On 7th November, a school teacher Ghanshyan Sarma was abducted at Sindhrihora, Udalguri.

(Contd. by 1F)

RG/SC/12.10/1F

SHRI KUMAR DEEPAK DAS (contd.): On 16th November, the Uttar Pradesh-bound NRL oil tanker was damaged, the loss of which was about Rs.10 crores. On the same day, one Surya Brahma, ex-BLT member, was shot dead at Salakati. On 17th November, a lecturer of Law College, Kokrajhar Someswar Brahma, was shot dead at Molandubi. Kabi Ranjan Brahama and five others were injured in an attack by an unknown guman, when two others were killed in a similar incident on the same day. Again, on the same day, Rs.2.87 lakhs were looted from a businessman at Bongaigaon...

MR. DEPUTY CHAIRMAN: Don't go into the details.

SHRI KUMAR DEEPAK DAS: It is a serious situation...

MR. DEPUTY CHAIRMAN: Your two minutes are over...(Interruptions)

SHRI KUMAR DEEPAK DAS: So, what is happening in Assam is that the Government has failed to protect the life and property of the people of Assam.

(Ends)

SHRI AMAR SINGH: Sir,...(Interruptions)

MR. DEPUTY CHAIRMAN: When the Home Minister makes a statement, I will allow clarifications then. Why are you all agitating now?(Interruptions)
Please sit down...(Interruptions)

SHRIMATI BRINDA KARAT: Sir, it was agreed that every party will make a one-line statement on the Dr. Ranganath Misra Commission Report...(Interruptions) It is a very serious issue. Sir, kindly allow it.

MR. DEPUTY CHAIRMAN: What I understand is that the hon. Chairman said that those Members, who had given the Notice for the suspension of the Question Hour, would be given two minutes each.

श्री अमर सिंह : सर, यह तय हुआ था कि रंगनाथ मिश्र की रिपोर्ट के बारे में सारे नेता एक-एक मिनट बोलेंगे। ..(व्यवधान).. चेयरमैन साहब के यहां यह तय हुआ था।

श्री उपसभापति : जिन्होंने नोटिस दिया है, उनके बारे में था।

श्री अमर सिंह : नहीं सर। यह तय हुआ था, तभी हाउस ठीक से चला। जितनी देर बहस हो रही है, उतनी देर में तो हो जाता। वही बात तय हुई है।..(व्यवधान)

श्रीमती वृंदा कारत : वही बात तय हुई है।..(व्यवधान)..

श्री अमर सिंह : वही बात तय हुई है। हम लोग एक मिनट से ज्यादा नहीं बोलेंगे। ..(व्यवधान)..

श्री उपसभापति : इसके ऊपर डिस्कशन नहीं है। सस्पेंशन ऑफ क्वेश्चन ऑवर का नोटिस दिया गया था। इस पर यह तय हुआ था कि जो भी तीन नोटिसेज़ आए थे, उनको बोलने दिया जाएगा। ..(व्यवधान)..

**RE: DEMAND FOR LAYING RANGANATH MISRA
COMMISSION REPORT ON THE TABLE OF THE HOUSE**

श्री अमर सिंह (उत्तर प्रदेश) : इस मामले में हम सबने कहा था कि हम लोग एक-एक मिनट बोलेंगे। ..(व्यवधान)..हम यहां भाषण देने के लिए खड़े नहीं हुए हैं। मैं सिर्फ इतना कहना चाहता हूं कि जितनी कमेटीज़ बनी हैं, चाहे रंगनाथ मिश्र कमेटी हो, चाहे लिब्रहान कमीशन हो, चाहे सच्चर कमेटी हो या श्रीकृष्ण आयोग हो, ये सारी कमेटीज़ सरकार ने बनायी हैं, लेकिन बनाकर इनको संग्राहलय में रखा दिया, इनका अनुपालन नहीं हो रहा है। अगर लिब्रहान कमीशन की रिपोर्ट इंडियन एक्सप्रेस में जारी होने के बाद सरकार एक मजबूरी

रखे, तो आज "चौथी दुनिया" में रंगनाथ मिश्र कमेटी की रिपोर्ट भी लागू हो गयी, निकल गयी है। इसे भी अगर सरकार अपने मन से दो-चार दिन में पेश नहीं करती है तो फिर वही दृश्य होगा, जो इंडियन एक्सप्रेस में लिब्रहान कमीशन के बाद हुआ है। इसके लिए फिर हम लोगों को जिम्मेदार न ठहराया जाए। अगर "चौथी दुनिया" के हिन्दी के अखबार में निकला है..(व्यवधान)..

श्री उपसभापति : आपका प्वाइंट हो गया। मैंने आपको एक मिनट दे दिया है।

(Ends)

SHRI SITARAM YECHURY (WEST BENGAL): Sir, I also associate myself with the entire issue. We seek your protection on this. The Government establishes Commissions of Inquiry. Firstly, these Commissions take inordinately long time, and even when the Reports come, we only get to know of these from other sources. Now, this is not a healthy practice in democracy. As for the Ranganath Misra Commission Report, this is something which has been agitating the people, all of us, for a long time. Apparently, the Report was ready many, many months ago. Why is it that we have to learn of the Reports from the media? And, this Report has got a very sensitive matter about the Dalit Christians, Minorities, etc. The Reports must be made available to us so that we can formulate a proper policy...(Interruptions) One final sentence, Sir. We call upon the Government to assure us that the Report will be tabled at the earliest.

(Ends)

MR. DEPUTY CHAIRMAN: Now I have identified Jayanthiji...(Interruptions) On behalf of the Congress (I) Party, she will speak. The leaders alone will speak...(Interruptions)

SHRIMATI JAYANTHI NATARAJAN: I was looking for my leaders...(Interruptions)

SHRI SITARAM YECHURY: I would like to join her in looking for the leaders.

SHRIMATI JAYANTHI NATARAJAN (TAMIL NADU): Sir, I would like to associate myself with the request that whatever Report, the Government has, that should be tabled in Parliament.

(Continued by 1G)

1G/12.15/ks-mcm

SHRIMATI JAYANTHI NATARAJAN (Contd.): However, Sir, I have one additional point to make. The hon. Member who spoke before me has said that the same thing that happened after Liberhan Commission will happen in the House. This does not reflect well on the House that you get up and say that the House proceedings will be stalled on every occasion. Already, we have lost three days of the working of this House because of this attitude. (Interruptions) I think that the Report should be tabled and we should discuss it and... (Interruptions)

MR. DEPUTY CHAIRMAN: That is her opinion. Please. (Interruptions)

SHRIMATI JAYANTHI NATARAJAN: Don't threaten the House. (Interruptions) Don't threaten the House. (Interruptions)

MR. DEPUTY CHAIRMAN: Shri Tariq Anwar. (Interruptions) One minute. (Interruptions) Amar Singhji. (Interruptions) Amar Singhji. (Interruptions) हो गया।.....(ब्यवधान)

SHRIMATI JAYANTHI NATARAJAN: You cannot threaten and disturb the House. (Interruptions) Sir, they are not ready for parliamentary democracy. (Interruptions)

श्री तारिक अनवर : सर,.....(ब्यवधान)

श्री उपसभापति : अमर सिंह जी, हो गया।.....(व्यवधान) आप बैठिए, आप बैठिए.....(व्यवधान) प्लीज, यह ठीक नहीं है।.....(व्यवधान) अनवर साहब, आप बैठिए।.....(व्यवधान) प्लीज सिट डाउन।.....(व्यवधान)

SHRI AMAR SINGH: 'Papa don't preach'. (Interruptions) 'Papa don't preach'. (Interruptions)

MR. DEPUTY CHAIRMAN: Please, sit down. (Interruptions) Please, sit down. (Interruptions) मि० तारिक अनवर।

श्री तारिक अनवर (महाराष्ट्र) : महोदय, रंगनाथ मिश्र की रिपोर्ट के संबंध में जो हमारे साथियों ने यहां रखा, मैं उससे अपने आपको जोड़ते हुए मैं समझता हूं कि सरकार को रंगनाथ मिश्र की रिपोर्ट को जल्द से जल्द टेबिल करना चाहिए, क्योंकि पूरे देश के अल्पसंख्यक समुदाय का ध्यान उस ओर है और यह मांग लगातार होती रही है कि रंगनाथ मिश्र रिपोर्ट को जल्द से जल्द पेश किया जाए तथा इसको पेश ही नहीं किया जाए, बल्कि उसकी जो रिकमंडेशंस हैं, उस पर अमल भी होना चाहिए।.....(व्यवधान)

सरकार की नीयत यह थी कि रंगनाथ मिश्र की रिपोर्ट बहाल करने के पीछे जो इस देश का अल्पसंख्यक समुदाय और विशेष रूप से मुस्लिम समुदाय की जो बात है, उस पर विचार करने के लिए और उस पर रिकमंडेशन करने के लिए यह रंगनाथ मिश्र कमीशन बनाया गया था। अब जब वह रंगनाथ मिश्र कमीशन की रिपोर्ट अखबार में छप चुकी है तो मैं होम मिनिस्टर साहब और सरकार से यह चाहूंगा कि जल्द से जल्द उसको टेबिल किया जाए।

MR. DEPUTY CHAIRMAN: Now, it is 12.15 p.m. I will request the Home Minister to lay the Report. (Interruptions) Let the Report be laid. I will call you.

SHRI S. S. AHLUWALIA: Sir, it will take only one minute. (Interruptions) This is about Jharkhand, Sir. (Interruptions)

MR. DEPUTY CHAIRMAN: I shall do that. Let the Report be laid first. (Interruptions)

SHRI M. VENKAIAH NAIDU: You can allow him for one minute. (Interruptions) He can respond and then lay the Report. (Interruptions)

MR. DEPUTY CHAIRMAN: It is 12:15.

SHRI M. VENKAIAH NAIDU: What is so sacrosanct about 12:15? Sir, my point is, we had given notice for suspension of Question Hour. It was not to suspend the Question Hour but to discuss the issue and seek assurance from the hon. Minister. The Minister is very much here. (Interruptions)

MR. DEPUTY CHAIRMAN: No, no. For that, you need to give a separate notice. (Interruptions)

SHRI M. VENKAIAH NAIDU: Sir, the hon. Home Minister is here. (Interruptions)

SHRI S. S. AHLUWALIA: Sir, there is President's Rule in Jharkhand. And there has been widespread corruption charges against the former Chief Minister, Mr. Koda.

THE MINISTER OF HOME AFFAIRS (SHRI P. C. CHIDAMBARAM): I am not going anywhere. (Interruptions) I am saying I am not going anywhere.

SHRI S. S. AHLUWALIA: We wanted to know your stand, from you. What is your stand? (Interruptions) Are you going to stay here?

SHRI P. C. CHIDAMBARAM: Yes, I told you.

SHRI S. S. AHLUWALIA: All right. (Interruptions)

श्री साबिर अली : डिप्टी चेयरमेन सर,.....(व्यवधान)

श्री उपसभापति : आपको बुलाऊंगा, बैठिए।.....(व्यवधान) Please sit down. I will call you. क्या बात है, आप बैठिए न।.....(व्यवधान)

श्री साबिर अली : सर, मुझे भी बोलने दिया जाए, क्योंकि मैं भी अपनी पार्टी का लीडर हूँ।.....(व्यवधान)

श्री उपसभापति : आपको बुलाऊंगा। आप सुन रहे हैं न।.....(व्यवधान) आप बैठिए।.....(व्यवधान) आपको मैं कौन सी जुबान में बोलूँ। बैठिए न, प्लीज।.....(व्यवधान) मैं कह रहा हूँ, आपको बुलाऊंगा। आप बैठिए।.....(व्यवधान) आपको और कौन सी जुबान में बोलूँ। इंगलिश में बोला, उर्दू में बोला, हिन्दी में बोला।.....(व्यवधान) आप बैठिए।.....(व्यवधान)

PAPERS LAID ON THE TABLE (CONTD.)

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Sir, I lay on the Table:-

- I. A copy (in English) of the Report of the Liberhan Ayodhya Commission of Inquiry constituted to inquire into a definite matter of public importance, namely, the destruction of the Ram Janma Bhoomi-Babri Masjid structure at Ayodhya on the 6th December, 1992, along with the memorandum of action taken thereon, under sub-section (4) of Section 3 of the Commission of Inquiry Act, 1952.
- II. Statement (in English and Hindi) giving reasons for not laying the Hindi version of the Report.

(Ends)

...(Interruptions)...

श्री अमर सिंह : यह बहुत गलत काम कर रहे हैं।.....(व्यवधान)

(1h/GS पर क्रमशः)

TDB-GS/12.20/1H

श्री अमर सिंह (क्रमागत) : सर, यह बहुत गलत बात है। ये जय श्रीराम का नारा हाउस में क्यों लगा रहे हैं ? ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: The House is adjourned till 2 o' clock.

**The House then adjourned at twenty minutes past
twelve of the clock.**

kgg/asc/1j/2.00

**The House re-assembled at two of the clock,
MR. CHAIRMAN in the Chair.**

MR. CHAIRMAN: Hon. Members, what happened in the House earlier today has caused me a great anguish and I am sure the whole House would share it. An unsavoury incident does not bring any credit to this House which has its own traditions and conventions which all the Members are aware of. As the House of Elders, we are expected by the public to set certain standards. I hope, all of us will think about it and try to find better ways of conducting our business. Since we have lost some time, we will sit late today to complete the business of the House.

(Ends)

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI PAWAN KUMAR BANSAL): Sir, the Government shares the sentiments expressed by Mr. Chairman about what happened today morning. Sir, it is together that we all have to preserve, maintain and enhance the dignity and prestige of the House through our conduct in the House. Sir, there will always be occasions when difference of opinion may arise, they manifest themselves, or, they may exist already amongst different Members, different sections of the society

and the political spectrum. But, it is again together that we have to resolve those through democratic means, through the accepted parliamentary norms and I am sure, Sir, all sections of the House would regret on what has happened today. We share your anguish and this should be an occasion for all of us to rededicate ourselves for upholding the noble and lofty principles of Parliamentary democracy.

(Ends)

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Chairman, Sir, we share the sentiments, as expressed by you, in its entirety. This House is a forum where even conflicting opinion, and at times viciously conflicting opinion, have to be resolved by the forum of debate and that debate has to be carried on keeping in mind all norms of Parliamentary practices and dignity. What happened today seems to deviate from that. I share the sense of regret which the hon. Parliamentary Affairs Minister has expressed. I assure you, on this side, that we will do our utmost to keep those norms of dignified behaviour in mind while debating.

(Ends)

श्री अमर सिंह (उत्तर प्रदेश) : आदरणीय अध्यक्ष महोदय, मैं आपके क्षोभ से सहमत हूँ और जो माननीय संसदीय कार्य मंत्री जी ने कहा है, उससे भी सहमत हूँ तथा भाई अरुण जेटली जी ने भी जो कहा है, उससे भी सहमत हूँ। मैं यह भी बताना चाहता हूँ कि संसद में यह मेरा चौदहवां वर्ष है, मुझ से इस तरह की कोई घटना नहीं हुई है। आज सदन में जो कुछ भी हुआ है, वह भावनाओं के अतिरेक में हुआ। वह इसलिए हुआ कि कभी भी हमारे माइनोरिटीज के ...(व्यवधान)..

श्री सभापति : प्लीज़-प्लीज़, बोलने दीजिए। ...(व्यवधान)....

(1k/LPपर क्रमशः)

-ASC/LP-SSS/205/1K

श्री सभापति : बोलने दीजिए ..(व्यवधान)..

श्री रुद्रनारायण पाणि :..(व्यवधान)..आप लोग अलग हैं..(व्यवधान)..आप लोग अलग हैं..(व्यवधान)..

श्री सभापति : पाणि जी..(व्यवधान)..प्लीज..(व्यवधान)..पाणि जी..(व्यवधान)..आप लोग जरा मेहरबानी करके बैठ जाइए..(व्यवधान)..

श्री रघुनन्दन शर्मा : आप लोग..(व्यवधान)..

श्री अमर सिंह : हम ऐसी कोई बात नहीं कहेंगे..(व्यवधान)..शर्मा जी, ऐसी कोई बात हम नहीं कहेंगे..(व्यवधान)..

श्री रघुनन्दन शर्मा : अपनी सीट छोड़कर कौन आया था?..(व्यवधान)..

श्री अमर सिंह : आप मेरी बात सुन लीजिए ..(व्यवधान)..मैं ऐसी कोई बात नहीं कहूंगा जिससे और गड़बड़ हो। आप हमें सुन लीजिए, उसके बाद आप हमें प्रताड़ना देना चाहें तो दे लीजिएगा। मैं यह नहीं चाहता था कि सदन में..(व्यवधान)..

श्री सभापति : अब आप उसमें मत जाइए, आपको जो कुछ कहना है, जल्दी से कह दीजिए, हमारे और भी लोग हैं।

श्री अमर सिंह : मैं यह कह रहा हूँ कि जो हमारे संसदीय कार्य मंत्री ने कहा, जो हमारे नेता प्रतिपक्ष ने कहा कि हम लोग आपस में बैठकर बात कर लें, मैं सुरेंद्र जी के पास इसलिए गया था, क्योंकि सुरेंद्र जी हमारे सहपाठी रहे हैं। हम लोग साथ पढ़े हैं, वे हमारे पुराने मित्र हैं..(व्यवधान)..मैं इन्हें..(व्यवधान)..आप मेरी बात सुनिए..(व्यवधान)..मैंने इसलिए जगह छोड़ी, मैं अधिकार के साथ गया था कि ये नारे मत लगवाओ, बात ज्यादा बढ़ गई, लेकिन मैं अपने पुराने मित्र से, जो हमारे सहपाठी रहे हैं, हम लोग एक साथ कांग्रेस में रहे, छात्र आंदोलन में साथ रहे, हमने एक साथ पढ़ाई-लिखाई की है..(व्यवधान)..मैं साफ कह रहा हूँ..(व्यवधान)..मैंने अपने व्यक्तिगत निजी संबंधों का उपयोग करते हुए..(व्यवधान)..

श्रीमती वृंदा कारत : सर, इनका यह मतलब है कि ट्रेनिंग एक ही जगह पर हुई।

MR. CHAIRMAN: Please don't...

श्री अमर सिंह : मैं उन्हें समझाने गया था, लेकिन एक दुखद घटना हो गई। अगर इस घटना से कुछ रोष पैदा हुआ है तो मैं इसके लिए अपने पुराने मित्र से, सहपाठी से, सुरेंद्र से कहता हूँ कि उसे भूल जाए। उनसे कहता हूँ कि "बीती ताहि बिसार के आगे कि सुधि ले।" मैं अपनी भावनाओं से पहली बार भटका हूँ। मैं उन पर नियंत्रण रखने की कोशिश करूंगा। बहुत-बहुत धन्यवाद।

..(व्यवधान)..मैं खेद व्यक्त करता हूँ और आप लोगों से भी अनुरोध करता हूँ कि ऐसा प्रोवोकेशन मत कीजिए। मैं आपसे ऐसा अनुरोध करता हूँ कि आप नारे मत लगाइए, चाहे और कुछ कीजिए।

(समाप्त)

श्री सभापति : ठीक है अमर सिंह जी। अहलुवालिया जी, आप कुछ कहना चाहते हैं?

श्री एस. एस. अहलुवालिया (बिहार) : सभापति जी, आपने पीठासीन अधिकारी के रूप में जो क्षोभ व्यक्त किया है, वह स्वाभाविक है। मेरा संसद में यह बाइसवां वर्ष है। मैंने बहुत सारे पतझड़, बहुत सारी वर्षा ऋतु, बहुत सारी वसंत ऋतु, सभी कुछ यहां गुजारा है। मैं समझता हूँ कि आज जो कुछ हुआ, यह दुर्भाग्यजनक है। ऐसा नहीं होना चाहिए था। यह बात सही है कि अमर और मैं, दोनों एक साथ कलकत्ता विश्वविद्यालय में पढ़े हैं..(व्यवधान)..कलकत्ता से पढ़े हैं। वे उत्तर प्रदेश में बस गए, मैं बिहार में बस गया। मैं बिहार से सांसद हुआ, वे उत्तर प्रदेश से सांसद हुए। हम लोग छात्र राजनीति..(व्यवधान)..एक बात सुन लीजिए..(व्यवधान)..हम लोगों ने छात्र राजनीति एक साथ शुरू की थी, मताविरोध हो सकता है, मत पार्थक्य भी हो सकता है, हम दोनों का लक्ष्य भी दूसरा हो सकता है, पर आज जो कुछ हुआ, वह नहीं होता तो बहुत अच्छा होता। ऐसा आइन्दा से न हो तो और अच्छा हो, यही कल्पना करते हुए मैं आप लोगों से इजाजत चाहूंगा।

(समाप्त)

MR. CHAIRMAN: Thank you very much. Can we now get on with the business of the day?

SHRI M. VENKAIAH NAIDU: Definitely, Sir. It is very easy to say sorry and then move ahead. But already the damage has been done. I am not going into that. Sir, my point is, sometimes it really pains us. When we, senior Members of the House give a notice on a burning issue, you must at least have the courtesy that some response has to be given. You have been kind enough in the morning. The Chair has been kind enough to permit me to...

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI PAWAN KUMAR BANSAL): I rose to give a response, Sir, but at that time I was not perhaps permitted to say a word.

SHRI M. VENKAIAH NAIDU: That is what I am saying. My point is, we do not normally raise an issue every time and then ask for permission. When we raise an issue concerning the Council of States and that too a burning problem, after all, the Government is expected to respond in whatever manner it feels and then, the House can decide. This is an important issue. I request you to please tell the Government to see that it is discussed at the earliest and fix up some time on this.

(Contd. by NBR/1L)

-SSS/NBR-AKG/1L/2.10.

SHRI M. VENKAIAH NAIDU (CONTD.): Suppose, had this Report been placed on the Table of the House on the first day of the Session, all this would not have happened. Why is the Government doing like this? I am not able to understand.

MR. CHAIRMAN: I am sure, the Government will take it seriously.

SHRI M. VENKAIAH NAIDU: Sir, at least, even now, the hon. Minister can respond what is happening on Mr. Madhu Koda.

संसदीय कार्य मंत्री (श्री पवन कुमार बंसल) : सर, उन्होंने prompt कर दिया। अगर साथ के शब्द वे नहीं लगाते, तो मुझे पता नहीं लगता कि वे किस बात के लिए कह रहे हैं ... (व्यवधान) ... शायद नजमा जी ने prompt किया है। मैं इतना बताना चाहता हूँ कि इन्होंने काउंसिल ऑफ स्टेट्स का जिक्र करके शायद उसमें कोई distinction करने की कोशिश की है। मैं उस बात में नहीं जाना चाहता कि पार्लियामेंट को किन बातों के ऊपर आपस में चर्चा करनी है, लेकिन मधु कोड़ा के विषय पर मैं इतना कहना चाहता हूँ कि इस वक्त वह Income Tax और Directorate of Enforcement के तहत investigation की स्टेज पर है और वह स्टेज नहीं है कि उस पर पार्लियामेंट किसी तरह discuss करे, लेकिन मैं माननीय सदस्य को यह विश्वास दिलाना चाहता हूँ कि law will take its own course. बिल्कुल ठीक ढंग से उसमें जिस चीज़ की जरूरत है, उस हिसाब से होगा। ... (व्यवधान) ...

श्री प्रकाश जावडेकर : आप anti corruption में FIR करेंगे, तो वे गिरफ्तार हो जाएंगे।

श्री पवन कुमार बंसल : आप न्यूज़ आइटम पर ज्यादा जा रहे हैं। मैं आपको जो बात कह रहा हूँ, वह हाउस में कह रहा हूँ कि that is under investigation and please let the investigation proceed impartially and fairly which we would do...(Interruptions)...

श्री बलबीर पुंज : सर, क्वात्रोच्ची वाले मामले में भी तो law was taking its own course.

श्री पवन कुमार बंसल : वैसे तो कई मामले और निकलते रहेंगे ... (व्यवधान) ...

(समाप्त)

(MR. DEPUTY CHAIRMAN IN THE CHAIR)

SHRI M. VENKAIAH NAIDU: Sir, I am not going into the details. My request to the Chair is: please fix up time to discuss this particular issue in a structured manner. We have given a specific notice on this. Surely, our...

MR. DEPUTY CHAIRMAN: Mr. Venkaiah Naidu, the Business Advisory Committee has discussed this and we have agreed in the BAC...

SHRI M. VENKAIAH NAIDU: No, Sir.

MR. DEPUTY CHAIRMAN: Yes, yes. It is discussed. It is one of the subjects.

SHRI S.S. AHLUWALIA: Sir, that discussion was under corruption. Sir, we are not interested to discuss corruption right from Kanyakumari to Kashmir and Kutch to Kohima. We can discuss that separately. But, this is a State matter. I belong to Jharkhand State. The corruption has taken place in Jharkhand. Sir, taking plea from the Minister of Parliamentary Affairs saying that it is under investigation...(Interruptions)... When Harshad Mehta's case and Kethan Parekh's case were under investigation, the discussion was started on the floor of the House and a JPC was constituted. It is not like that.

MR. DEPUTY CHAIRMAN: Mr. Ahluwaliaji, please listen to me.

SHRI S.S. AHLUWALIA: Sir, it is not like we never discussed such matters. It is a matter of serious concern for a tribal State ...(Interruptions)...This is to be discussed first...(Interruptions)...Sir, Rs. 12,000 crores have been siphoned...(Interruptions)...All the newspapers and magazines are coming out with copies of the diary...(Interruptions)...We wanted to know who are those beneficiaries. The point is simple.

MR. DEPUTY CHAIRMAN: Mr. Ahluwalia, please.

SHRI S.S. AHLUWALIA: Sir, the point is very simple. Copies of diaries are produced by magazines and the names have been mentioned about the senior leaders of the main political parties and officers. We want to know that. We want to know who the beneficiaries of this scam are.

MR. DEPUTY CHAIRMAN: Mr. Ahluwalia, I would like to remind you. You are a Member of the BAC. I would not like to divulge whatever has transpired in the BAC. But, after a detailed discussion, including on this issue which you have raised, a consensus was arrived at the BAC that we will discuss on the overall issue of corruption in which this matter can also be taken up.

SHRI SITARAM YECHURY: Sir, to assist you, I would like to say that in the BAC...

SHRI S.S. AHLUWALIA: How a photocopy of the diary seized by the Enforcement Department is appearing in magazine and newspaper? I would like to know the names of senior political leaders or Ministers. I want to know. This is the right of the Council of the States. The House wants to know the facts and whom they wanted to protect. I have an apprehension

that before you detect something, they are going to eliminate him. That is why I want to raise this issue. Why don't you discuss this matter first?

SHRI SITARAM YECHURY: Sir, in the BAC, if you remember, four issues were raised regarding corruption. One, of course, was with regard to Madhu Koda and this whole thing. The other one was dropping of the case against Quattrocchi and sealing the Bofors scandal. Third one was on Spectrum scandal and the fourth one was on the mining scandal that is taking place in various parts of Karnataka. So, all these four issues are important. And, therefore, we have decided to have a discussion on these four issues.

(Ends)

SHRI S.S. AHLUWALIA: Sir, it is not possible to discuss all these issues under one discussion, because four different Ministers are involved in this. How can you do it under one discussion?

(FOLLOWED BY USY "1M")

-NBR-USY/SCH/1m/2.15

SHRI SITARAM YECHURY: So, you decide, Sir, which way these four issues should be discussed. But these need to be discussed. (Interruptions)

MR. DEPUTY CHAIRMAN: Short Duration Discussion on 'corruption' has been admitted. It has been decided. I would only urge upon the hon. Members to participate in it when it is listed.

SHRI M. VENKAI AH NAIDU: How can we discuss all the four issues in one go? How many hours....(Interruptions) Jharkhand is under President's rule and we are duty-bound to discuss it. (Interruptions)

MR. DEPUTY CHAIRMAN: You can discuss it when the Jharkhand Budget comes. (Interruptions)

SHRI S.S. AHLUWALIA: We would not like to discuss with the Jharkhand Budget. We will not pass the Jharkhand Budget unless... (Interruptions)

SHRI M. VENKAIAH NAIDU: This is a very serious discussion. We will be failing in our duty if we do not discuss it. (Interruptions) I only urge upon the Chair not to.... (Interruptions)

MR. DEPUTY CHAIRMAN: Mr. Naidu, you are a very senior Member. You must cooperate with the Chair to see that some business is also transacted. Any amount of this sort of thing would not help. Let us transact some business. We have other platform and we will definitely discuss it. (Interruptions) We discussed it in our daily meeting. (Interruptions) We will discuss it. (Interruptions) Right now this business is not here. (Interruptions)

SHRI M. VENKAIAH NAIDU: Sir, I don't want that I should be allowed to speak right now. But there should be a specific and structured debate on what has happened in Jharkhand.

MR. DEPUTY CHAIRMAN: We will definitely take it up. We will discuss it with the Chairman and will take it up accordingly. Now, let us take up Calling Attention. (Interruptions)

SHRI D. RAJA: Sir, in the morning, it was agreed that each party would be given some time to have its say on the Ranganath Misra Report.

MR. DEPUTY CHAIRMAN: It has already been discussed sufficiently. Almost everything has been said.

SHRI D. RAJA: Sir, I would go by the decision of the Chair. But it was decided like that only.

MR. DEPUTY CHAIRMAN: I am requesting that we should close this matter now and take up the business. (Interruptions)

श्री अली अनवर अंसारी: सर, पहले मिनिस्टर को जवाब देना था ...(व्यवधान)

MR. DEPUTY CHAIRMAN: Mr. Ansari, your point is over. (Interruptions)
Your point is over. (Interruptions)

श्री अली अनवर अंसारी: पहले आप मिनिस्टर साहब से जवाब दिलवाइए ...(व्यवधान)

MR. DEPUTY CHAIRMAN: Mr. Ansari, this is not the way. Please sit down.
(Interruptions)

श्री अली अनवर अंसारी: पहले वह जवाब दे रहे थे ...(व्यवधान) पॉलिटिकल पार्टीज़ के मैम्बर दो-दो मिनट बोल लें, उसके बाद वे जवाब दे दें। (व्यवधान)

MR. DEPUTY CHAIRMAN: Okay, Mr. Raja, you speak in one line whatever you want to say. (Interruptions)

SHRI S.S. AHLUWALIA: Sir, you have allowed everybody. (Interruptions)

श्री अली अनवर अंसारी: सर, आप ही ने कहा था कि पहले वह जवाब देंगे ..(व्यवधान)

MR. DEPUTY CHAIRMAN: No; no. I cannot force the Government to give a reply. (Interruptions) नहीं-नहीं, आप ठीक नहीं बोल रहे हैं ...(व्यवधान)

SHRI D. RAJA: It is not that this issue has been raised today only. It has been raised on several occasions in this august House. It is all the more necessary for the Government to come out as to when it is going to table the Report in the House because this issue is related to *dalit* Christians and *dalit* Muslims. This is agitating the minds of the minority community all over the country. Why is the Government not coming forward to place the Report? That is what we are asking. Let the Government come out with a concrete assurance in this regard. (Interruptions)

MR. DEPUTY CHAIRMAN: Okay, your one minute is over. (Interruptions)

श्री अली अनवर अंसारी: सर, आप ही ने कहा था कि पहले वह जवाब देंगे ..(व्यवधान)

श्री उपसभापति: नहीं-नहीं, आप ठीक नहीं बोल रहे हैं ...(व्यवधान)

श्री एस.एस. अहलुवालिया (झारखंड): उपसभापति महोदय, सुबह से रंगनाथ मिश्र की रिपोर्ट National Commission for Religious and Linguistic Minorities के बारे में चर्चा हो

रही है। कई वर्ष पहले यह रिपोर्ट सरकार को दी गई है, लेकिन उसके बावजूद वह सभा पटल पर नहीं रखी गई है। लेकिन एक अखबार - चौथी दुनिया में आरटीआई के तहत यह पूरी रिपोर्ट ले कर उसे छाप दिया गया है। दुर्भाग्यजनक यह है कि यह जो सदन की कार्यवाही, विंटर सेशन शुरू हुआ है, वहां पर रिपोर्ट लीक हो रही है और उसी को लेकर यह हंगामा हुआ है। रिपोर्ट पहले सदन में आनी चाहिए, उसके बाद ही कहीं और उस पर चर्चा होनी चाहिए। इस पर पहले सदन में चर्चा होनी चाहिए थी।

हमारी पार्टी का पक्ष इस रिपोर्ट के कंटेंट्स के खिलाफ है, क्योंकि हम इस चीज़ के पक्षधर हैं कि इससे धर्मांतरण को बढ़ावा दिया जाएगा। फिर भी मैं मांग करता हूँ कि यह रिपोर्ट सभा पटल पर रखी जाए और उस पर पूरी बहस हो कि सरकार की मंशा क्या है? सरकार की मंशा धर्मांतरण को बढ़ावा देने की है या उसको रोकने की है - इस विषय को सामने लाकर उस पर चर्चा की जानी चाहिए।

PSV/1n पर आगे

PK-PSV/1N/2.20

श्री राजनीति प्रसाद(बिहार): सर, मैं अपनी बात एक मिनट में ही खत्म कर दूँगा। क्या यह जरूरी है कि पूरा हंगामा होने के बाद ही आप उसको टेबल करें? क्या यह जरूरी है कि अखबार में निकलने के बाद ही आप उसे टेबल करें? सर, रंगनाथ मिश्र कमीशन की रिपोर्ट आए दो वर्ष हो गए। उसे टेबल पर क्यों नहीं रखा गया? यह एक दुर्भाग्यपूर्ण बात है। उसको टेबल करने के बारे में ही नहीं, बल्कि उसमें जो action taken है, उसके बारे में भी हम लोगों को निर्णय करना चाहिए। ...(समय की घंटी)... यह बहुत जरूरी है।

(समाप्त)

CALLING ATTENTION TO THE GOVERNMENT'S CHANGING POSITION ON CLIMATE CHANGE

SHRIMATI BRINDA KARAT (WEST BENGAL): Sir, I beg to call the attention of the Minister of Environment and Forests to the Government's changing position on Climate Change.

पर्यावरण एवं वन मंत्रालय के राज्य मंत्री (श्री जयराम रमेश): माननीय उपसभापति महोदय, मैं श्रीमती वृन्दा कारत जी का, श्री मोइनुल हसन जी का और श्री एनके सिंह जी का शुक्रगुजार हूँ कि उन्होंने यह Calling Attention Motion की नोटिस दी है। मैं पर्यावरण एवं वन मंत्री होने के नाते किसी भी प्रकार की बहस के लिए तैयार हूँ। चाहे वह Calling Attention हो, Short Duration या Long Duration हो, कुछ भी duration हो...

श्री उपसभापति: उन्होंने Calling Attention के लिए दिया है, तो Calling Attention पर ही बोलिए।

श्री जयराम रमेश: कुछ भी duration हो, मैं तैयार हूँ। आज के संदर्भ में सिर्फ Calling Attention है। इस Calling Attention Motion के procedure के तहत एक statement तैयार किया गया है। वह statement यहाँ आप सब को बाँटा जा रहा है। मैं जानता हूँ कि..

श्री उपसभापति: आप उसे पढ़िए।

श्री जयराम रमेश: सर, मैं उसे सिर्फ पढ़ना नहीं चाहता हूँ, क्योंकि मेरा यह कहना है कि यह एक गम्भीर विषय है। कई चीजें लिखी भी नहीं जाती हैं, बल्कि वे बहस में सामने आती हैं। तो मैं सभी सदस्यों को आश्वासन दिलाना चाहता हूँ कि मैं पूरी तरह से तैयार हूँ। जो कोई शक है, आशंका है, कोई doubt है, कोई भय है, मैं उसको पूरी तरह से साफ करूँगा।

श्री उपसभापति: नहीं, नहीं। यह Calling Attention है। We have to follow the rules. आप तैयार हैं, लेकिन

SHRI JAIRAM RAMESH: I do not want to go through the formality of reading the Statement because it is not in my habit to read out prepared Statements.

श्री उपसभापति: आप उसे पढ़ दीजिए।

SHRI JAIRAM RAMESH: Let me read it out, but I want to reassure the hon. Members that I am prepared for any debate at any point of time. I have written letters to 72 Members of Parliament, to 30 Chief Ministers explaining the Government's position on climate change and it is in this background that I will read out the Statement.

Sir, I rise to address this august House in response to the Calling Attention Motion concerning Government's changing position on climate change.

The impacts of climate change due to the manmade accumulation of green house gases such as carbon dioxide are indeed a critical global issue which has been highlighted at almost all international forums since 2007 after the submission of 4th assessment report of the Inter-Governmental panel on Climate Change and the initiation of the Bali Action Plan, leading to the 15th Conference of Parties at Copenhagen in December, 2009.

The internationally-agreed regime for climate change is laid down in the United Nations Framework Convention on Climate Change. UNFCCC as it is called, 1992, under which all industrialized countries have binding commitments to reduce their emissions due to their historical responsibility. The parties to the UNFCCC signed the Kyoto Protocol in 1997 to agree on quantified and specific emission reduction targets for each of the 37 industrialised countries that are listed in the Annexure-I of the Convention.

In December 2007, parties adopted the Bali Action Plan to enhance the implementation of the Convention. Negotiations are currently underway to determine the quantified emission reduction targets of the parties to Kyoto Protocol for the second commitment period beginning from 2013 and also define the targets of emission reduction for US, comparable with other Kyoto parties, in pursuance of the Bali Action Plan which calls for full, effective and sustained implementation of the UNFCCC through long-term cooperative action now and beyond 2012. It is a comprehensive dialogue to address the

four major building blocks of climate change, namely, mitigation, adaptation, technology and finance.

As per the principles of equity and common but differentiated responsibilities and respective capabilities of the UNFCCC, developing countries including India have no obligation to reduce the green house gas emissions. The UNFCCC recognises that the economic and social development and poverty eradication are the first and overriding priorities of the developing countries parties. In course of meeting the developmental needs, the emissions of the developing countries are bound to rise.

(Contd. by PB/10)

PB/10/2.25

SHRI JAIRAM RAMESH (CONTD.): In recent international negotiations conducted under the UNFCCC, the industrialized countries have called upon developing countries to contribute to the global effort to address climate change. They have suggested that while the developed countries will take appropriate emission reduction targets in the mid term, the developing countries should follow a low carbon development path and deviate in terms of Green House Gas (GHG) emission from business as usual scenario. It has been suggested that the developing countries should place their domestic mitigation actions at the same level of international review as the mitigation commitments of developed countries.

Mr. Deputy Chairman, Sir, India's position on the on-going climate change agreement negotiations is clear, credible and consistent. India's approach to these negotiations is fully anchored in the UNFCCC and the Kyoto Protocol. India has argued in international negotiating fora that the developed country parties must take action in accordance with the principle

of equity and 'common but differentiated responsibilities and respective capabilities' in order to achieve the objectives of the convention.

India is acutely conscious of the local impacts of climate change within our own country. Embedded in the UNFCCC and the Bali Action Plan, India is fully alive to its global responsibilities as well. The Prime Minister has already stated that India will never allow its per capita emissions of Green House Gases to exceed that of the developed countries. Even with 8-9 per cent GDP growth every year for the next two decades, India's per capita emissions is likely to be well below the developed country averages. There is simply no case for the pressure that India, which has among the lowest emissions per capita, has to face to actually reduce the emissions.

While India is willing to accept measurement, reporting and verification or MRV, as it is called, as per agreed procedures for those actions that are supported by the international community in terms of finance and technology through agreed channels, its voluntary actions financed from its own domestic resources cannot be subjected to international review. While India has already taken a number of steps, on its own, to adapt to climate change and mitigate its emission in the interest of its energy security and sustainable development, India will take further voluntary and nationally appropriate actions for addressing climate change strictly in accordance with the priorities and objectives laid down under the National Action Plan for Climate Change. India is engaged in the international negotiations on climate change as a responsible member of the international community. In the recent negotiations in multilateral and bilateral fora, India has articulated its position along the above lines.

Mr. Deputy Chairman, Sir, let me assure through you that the views, opinions and advice of the hon. Members of this august House are indeed invaluable and we will be guided by them. Let me also assure the House that we will continue to play a positive role in the international negotiations at Copenhagen without compromising on our national endeavour of social and economic development and eradication of poverty in accordance with the principles and provisions of the UNFCCC, the Bali Action Plan and the Kyoto Protocol. (Ends)

MR. DEPUTY CHAIRMAN: Now, Members will seek clarifications. Mrs. Brinda Karat.

SHRIMATI BRINDA KARAT (WEST BENGAL): Sir, in the Chairman's chamber today, we had made a request that the time for discussion on this should be slightly extended because it is a very important matter.

SHRI M. VENKAIAH NAIDU: Madam, one second, please. Normally, the Chair will be saying, 'No discussion, clarification', but, here, the Minister is saying, 'let us have a discussion.' But the Chair is saying, 'clarification'.

MR. DEPUTY CHAIRMAN: It is because the Chair has to control the House.

SHRIMATI BRINDA KARAT: Sir, should I request, kindly be a little flexible as far as ...

MR. DEPUTY CHAIRMAN: No; I only ...

SHRIMATI BRINDA KARAT: Sir, I don't want to take any more time; I want to start. My only request is, please be a bit flexible.

MR. DEPUTY CHAIRMAN: My only request is, please also keep the 'time' in mind.

SHRIMATI BRINDA KARAT: Sir, the only thing is, this is an extremely technical issue and to grapple with these issues, it does take a bit of time. But since this Calling Attention is limited very specifically to the Government's changing policy, I will try and confine myself to those major points. However, it is necessary, Sir, to also go back to what the agreed policies of the Government's have been

MR. DEPUTY CHAIRMAN: Please keep the time.

SHRIMATI BRINDA KARAT: ... because unless you understand what the agreed policy is, how can you understand what the change is? Therefore, Sir, one point that I would like to make right at the outset is that at present the hon. Prime Minister is in the United States of America and what we learnt from the newspapers today, which is not reflected in your statement at all, is that what the Prime Minister is signing -- according to the number of bilateral agreements which are to be signed between the Prime Minister of India and the President of the United States or between the two countries -- is an agreement relating precisely to this issue of climate change.

(Contd. By 1p/SKC)

1p/2.30/skc

SHRIMATI BRINDA KARAT (Contd.): What the parameters of that Agreement are, you would know best; the Parliament certainly has not been taken into confidence. So, the first question that arises is, since we are heading towards the Copenhagen Summit and since there are such clearly differentiated positions and responsibilities as far as the discussions in Copenhagen Summit are concerned, what is the haste for India now to rush into a bilateral agreement precisely with that country with which we have the gravest of differences? So, my first suggestion would be-- and I am sure all

hon. Members of the House would agree with me-- that pending the understanding and discussions of the Copenhagen Summit, it would be much more appropriate to keep pending any such bilateral agreement with the United States of America which concerns any aspect of climate change which is to be discussed in Copenhagen. So, that, I think, is the first point that requires to be made. Why does this point require to be made? Obviously, the Prime Minister, according to the Constitution of India, can go and sign any agreement. But the fact is that the spirit which pervades the entire political sphere is, a breakdown of consensus, and, unfortunately, in the past, on certain issues we have succeeded in having a consensus in spite of deep differences amongst us. One of the areas of consensus was that of national sovereignty. Now, there are different interpretations today of national sovereignty. Some people think that hitching our wagon to that of the United States of America is the best way to defend national sovereignty. My party and I disagree with this, but there are two different positions on this. When you talk about something like climate change, signing agreements and making statements which are binding on India, in the present breakdown of consensus on these issues vis-a-vis our strategic relationship with America, which is leading the charge of the developed capitalist countries against that of the developing countries on issues which are of prime concern to them, I would say, please, do not do anything without taking Parliament into confidence. I think this is a very important issue. The Government of India should not take Parliament for granted. I want to put on record that there is no consensus, and the reason why there is no consensus, I regret to say, is the unilateral statements and the

changing stances, which would put a comedian to shame, as far as the issue of climate change is concerned. Now, why do I say this?

Sir, on the issue of climate change, we have been in debate. There were Ministers earlier in the BJP Government and there were discussions in the last UPA Government with Left support. And there were certain building blocks which were absolutely incontrovertible and on which there was no controversy. The first thing is that today, in this entire issue of emission of Greenhouse gases, the responsibility of the developed capitalist world has been recognised by the Kyoto Protocol, and by the subsequent agreements and discussions which the Minister has very kindly reminded us of in his statement. So, one thing is the responsibility of the developed capitalist world. There is this predatory nature of capitalism to grab the largest share of the common space. Today, 75 per cent of that entire space has been captured by the developed capitalist world; where they have a population of only 20 per cent, they have captured 80 per cent; there is very little Carbon space left. And, therefore, the agreed position that the Government had taken was that (1) The control of emissions by the developed world has to be the basis for any further action; (2) Whatever actions developing countries like India take are linked to that, and in all these negotiations the pressure was delinked, saying, you are equally responsible, particularly the growing economies like China and India. We are being blamed for the higher emissions. And, therefore, the entire effort of the industrialised and developed world is to delink what they have done in the past, the crimes they have committed in capturing that space in the past, and the actions that are required today. Therefore, the issue of linking our domestic actions with that of the actions of the industrialised countries are

also key to the consensus which are developed in this country. The third very important point was that they had to pay; the Kyoto Protocol had common but differentiated responsibilities, and linked to this was that the polluters had to pay, both in terms of money as well as technology transfer.

(Contd. by hk at 1q)

HK/1q/2.35

SHRIMATI BRINDA KARAT (CONTD.): These were some of the basic blocks on which there was a consensus and the political strategy emanating from that, as far as India is concerned, was always in coordination with the Group of 77 countries, more recently with the five other countries within that Group. So, this was the political strategy which India had adopted and this had a wide consensus. Now, we find that there is a major shift on this. There are three notes which were circulated. I was the fortunate recipient of the Minister's letter to selected Members of Parliament and Chief Ministers. I was very happy to receive that letter. In that letter, he has said the same thing that he is saying here that we are committed to Kyoto, we are committed to the positions that we have had, etc., etc. Very soon after that letter reached us was a Report published in a national newspaper, The Times of India, by a very, I would say, committed reporter who follows these things and that Report was concerning a so-called Discussion Note sent by the hon. Minister, Jairam Rameshji, supposedly to the Prime Minister, and that became a calling attention motion for the entire country because we all read that what the Minister was writing to MPs is something entirely different from what the Minister was writing to the Prime Minister. So, that, of course, itself was a red alert. At that time, the Congress managers and others in the PMO said, "No, this is his individual opinion. This has got nothing to do

with Government policy." They tried to assuage the apprehensions and fears. But on November 16, when the Minister made his official Statement to the pre-Copenhagen Summit, we found exactly those same shifts clearly stated in the Minister's Statement. Now, what are these? That is what I want to come to.

MR. DEPUTY CHAIRMAN: How much do you need?

SHRIMATI BRINDA KARAT: Sir, I have five points to make. ..(Interruptions).. Since I have already given the background, with your kind permission I am just going to delineate to you and to this House.

MR. DEPUTY CHAIRMAN: How much time do you need?

SHRIMATI BRINDA KARAT: Maybe ten to fifteen minutes.

MR. DEPUTY CHAIRMAN: Already you have taken ten minutes. ..(Interruptions)..

SHRIMATI BRINDA KARAT: Sir, in the Statement here ..(Interruptions)..

MR. DEPUTY CHAIRMAN: Others also need that much time. ..(Interruptions)..

SHRIMATI BRINDA KARAT: I will finish it quickly. In the Statement here he said, "The Prime Minister has already stated that India will never allow its per capita emissions to exceed that of the developed countries." Exactly the Prime Minister had made that Statement earlier in Germany in 2007 and then again when you released the National Action Plan. And what did he say? He said, "We will not exceed." What did the Minister say in the pre-Copenhagen meeting? I will read it out from his Statement. "India is prepared to reflect in any Agreement its commitment to keep its per capita emissions below that of the developing countries." The Prime Minister says, "We will not exceed." The national consensus is on conversion. And what

does the Minister say, "We will keep per capita emissions below that of the developing countries." If this is not a major shift in our policy, then what constitutes a shift? ..(Interruptions)..

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): This is a shift in language. ..(Interruptions)..

SHRIMATI BRINDA KARAT: This is a major shift. What is the shift in language? We are not talking about semantics here. In your Statement, you are talking about 'exceeding', and in this Statement you are saying that you will not go 'below'. What does it mean? It constitutes a major shift. India is prepared to reflect ..(Interruptions)..

SHRI JAIRAM RAMESH: She is confused herself. ..(Interruptions)..

SHRIMATI BRINDA KARAT: Please Jairamji. Let me read it out again. This is Prime Minister's Statement: "In the meantime, I have already declared, as India's Prime Minister, that despite of developmental imperatives, our per capita GHG emissions will not exceed the per capita GHG emissions of the developed countries."

(Contd. by 1r/KSK)

KSK/MP/1R/2.40

SHRIMATI BRINDA KARAT (CONTD): What does the Minister say? "India is prepared to reflect in any agreement its commitment to keep its per capita emissions below that of the developed countries." Undoubtedly, that is not an issue of language. It is an issue of making a commitment that you are going below that of the developed countries...(Interruptions).

MR. DEPUTY CHAIRMAN: Brindaji, please conclude.

SHRIMATI BRINDA KARAT: The second point, Sir.

SHRI PRASANTA CHATTERJEE: Let her place her points. The Minister is also agreeing.

MR. DEPUTY CHAIRMAN: It is not the Minister agreeing. Please, let us not argue. It is not the Minister agreeing. It is the House; the time allocated. Please conclude.

SHRIMATI BRINDA KARAT: The second point is about delinking. This is what he says. In this statement which he has made, he has made certain unilateral commitments in an international forum which are delinked from the actions that the developed countries are expected to take. And, not only that, our domestically financed action plans are now going to be open for international consultations. What does his statement say?

MR. DEPUTY CHAIRMAN: Brindaji, this is not the way.

SHRIMATI BRINDA KARAT: Sir, please, this is a very important point.

MR. DEPUTY CHAIRMAN: Please, this is not...(Interruptions). Please, listen to me for a minute. If you are taking fifteen minutes, how can I deny fifteen minutes to the other Members? Please tell me...(Interruptions).

SHRI A. VIJAYARAGHAVAN: Sir,...(Interruptions).

MR. DEPUTY CHAIRMAN: Don't support. It is between me and Member. I don't want your support. I am requesting Brindaji to conclude. How can I refuse fifteen minutes to other Members if I give that much time to you?

SHRIMATI BRINDA KARAT: Sir, I will just read it out.

MR. DEPUTY CHAIRMAN: Please conclude.

SHRIMATI BRINDA KARAT: I will not make any comments.

MR. DEPUTY CHAIRMAN: It does not mean that you can take all the time.

SHRIMATI BRINDA KARAT: I will read it without any comments. Sir, this is another statement which he has made. "India has several nationally appropriate mitigation actions which it is considering to convert into nationally accountable mitigation outcomes." And, this he has prepared to put under a basis for international consultations. (Time-bell)

MR. DEPUTY CHAIRMAN: Mr. N.K. Singh.

SHRIMATI BRINDA KARAT: In other words, Sir, a national action plan, which is domestically financed, is now going to be open for international consultation; it does allow an international intervention in our domestic affairs. This is another significant change in it. And, third the most important aspect is...(Time-bell)

MR. DEPUTY CHAIRMAN: Brindaji, will it help us? This is not the way of helping.

SHRIMATI BRINDA KARAT: Please, let me complete this point.

MR. DEPUTY CHAIRMAN: I will leave to you, whatever time you want.

SHRIMATI BRINDA KARAT: The third most important aspect is, in this entire...

MR. DEPUTY CHAIRMAN: If hon. Members don't understand, what can we do?

SHRIMATI BRINDA KARAT: In this entire statement, the important issue of India insisting on transfer of technology and funds from the industrialised country has not been mentioned at all. In other words, what we are now stating is...(Time-bell)...exactly in this paragraph of the Minister in which he has delineated the demands of the industrialised countries. The Minister's statement on November 16th signals an acceptance and acquiescence by India to all those demands of the industrialised countries.

MR. DEPUTY CHAIRMAN: Mr. N.K. Singh.

SHRIMATI BRINDA KARAT: And, the last point I want to make is that in his letter, the last point in his letter to the Prime Minister.

MR. DEPUTY CHAIRMAN: You have already made that point.

SHRIMATI BRINDA KARAT: The Minister has said, "We should...(Time-bell)...distance ourselves. India must not stick to G-77 alone..."(Interruptions).

MR. DEPUTY CHAIRMAN: I am sorry, this is not the way of...(Interruptions).

SHRIMATI BRINDA KARAT: We must realise that it is now embedded to G-20...(Interruptions). Sir, the entire political strategy...(Time-bell)

MR. DEPUTY CHAIRMAN: Brindaji, do you want...(Interruptions).

SHRIMATI BRINDA KARAT: ...which the United States wants to impose on India, isolate India...(Time-bell).

MR. DEPUTY CHAIRMAN: Please, conclude.

श्री एस.एस. अहलुवालिया : सर, इनको बोलने दीजिए।

श्री उपसभापति : अब देखिए, ये कहते हैं कि बोलने दीजिए। We have so much legislative business. We have not completed any legislative business...(Interruptions).

SHRIMATI BRINDA KARAT: ...isolate India from the developing world and thereby strengthen its own strategy. It is exactly the strategy which is...(Interruptions).

MR. DEPUTY CHAIRMAN: Let this time be allocated to other Members.

SHRIMATI BRINDA KARAT: How can I make a point? This is not correct. Please let me complete. Sir, please understand when he has said in his letter to the Prime Minister, he wants to shift...

MR. DEPUTY CHAIRMAN: Whatever you want to say, you have said.

SHRIMATI BRINDA KARAT: ...shift from G-77 countries.

MR. DEPUTY CHAIRMAN: You are repeating. Everytime, you are referring to the letter to the Prime Minister.

(followed by 1s - gsp)

GSP-SC/2.45/1s

SHRIMATI BRINDA KARAT: Sir, there are ten points. (Interruptions)

MR. DEPUTY CHAIRMAN: It is not necessary that every point should be repeated. (Interruptions) You are a senior Member. You are an experienced Member. (Interruptions)

SHRI AMAR SINGH: For an ignorant Member like us, it is very important that she speaks. (Interruptions)

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM

RAMESH): Sir, I would like to mention that the Member... ...(Interruptions)...

Sir, she is repeatedly referring to my letter to the Prime Minister. I want her to authenticate that letter. (Interruptions) I want her to authenticate that letter. I am challenging her, Sir. (Interruptions) I am challenging her.

SHRIMATI BRINDA KARAT: Sir, this entire approach of the Government of India is in tune... ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Brinda *ji*, you have taken sufficient time. Please understand.

SHRIMATI BRINDA KARAT: Sir, it is in tune with the... ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Your point is not the only point which should go on in the House.

SHRIMATI BRINDA KARAT: Sir, it is in tune with the strategic alliance which is being pushed by the United States of America; (Time-bell) the shift in the climate change negotiations signalled by various statements of the Environment Minister is clearly reflected in that weakening before the United States of America.

MR. DEPUTY CHAIRMAN: Mr. N.K. Singh.

SHRIMATI BRINDA KARAT: And, therefore, Sir, we strongly reject this. We demand a full-fledged discussion on this, and, before going to Copenhagen, the Government should take the sense of the House and only that sense should *inform* our discussions and interventions in Copenhagen. (Ends)

SHRI MOINUL HASSAN: Sir, henceforth, the individual member will not give the name. (Interruptions) It is not a general discussion. It is a Calling Attention. (Interruptions)

MR. DEPUTY CHAIRMAN: It is a Calling Attention. You read the rules. It is not that all the Members who give the notice... ...(Interruptions)...

SHRI MOINUL HASSAN: Next time, individual member will not give name... ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No, no. It is only party-wise; Notice by any number of Members can be given. ...(Interruptions)... Time is fixed, and, within that time, we have to do it. Read the rules regarding Calling Attention. Please go through the Rules. Mr. N.K. Singh.

SHRI N.K. SINGH (BIHAR): Mr. Deputy Chairman, Sir, in view of the brevity of time, I am going to raise only a couple of important issues. Brinda *ji* has touched on some important issues. I do not share her perception on some of them but she has certainly highlighted some very critical issues on which there is an emerging national consensus, which we need to protect.

First of all, I must thank the Secretariat for rightly placing this subject, hopefully, under the domain of the Minister for Environment and Forests. I hope that whereas he is incharge, he has the mandate to be able to commit the country's negotiating position, considering the multiplicity of organisations, the conflicts which have emanated between them, considering that the Prime Minister has a Special Group with a Special Envoy whose views are often at variance with the views expressed by the Minister for Forests and Environment. Therefore, we hope very much that in the thirteen days to go before Copenhagen, more than thirteen contradictions which are evident, will be resolved in some credible manner.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) IN THE CHAIR

We also hope that the Minister, when he has listed the six critical issues, namely, the issue of adaptation, namely, to adapt to the inevitable consequences of climate change; the issue of mitigation on what can be done to avert the kind of prospect which looks inevitable; the issue of technology, namely, availability of technology at costs which are affordable to countries like India; the issue of finance on the burden sharing in

managing climate change; the issue of technology; and the issue of management verification, are issues on which, Sir, there will be parallel negotiations, many parallel activities, and, we will need to bind them together in an overarching framework. So, my first suggestion to the hon. Minister is not to regard Copenhagen to be an event, please regard it as a process. And, from the point of view, I share the view which Brindaji has expressed that while the G-2, perhaps, in China has already, to some extent, poured a lot of cold water, lowering expectations on what can happen from Copenhagen, we should also be in no hurry to enter into arrangements which are not in our long-term interest. (Contd.

by sk-1t)

SK/1T/2.50

SHRI N.K. SINGH (CONTD.): Having said this, Sir, I have some important considerations which India should have. First and foremost that for a country like India, it is only ethical and it is only expeditious that per capita income and per capita emission must be the credible basis for making commitments. Having said this, we must not be unmindful of the fact that whereas we may not have been a contributor to the global stock of pollution, we are an important contributor to the flow of pollution. Therefore, when we are taking on obligations, we need to view these obligations in a manner of historicity between stocks and flows. The second important consideration, Sir, which we need to have is common and differentiated responsibility is a well-accepted principle. But, having said this, let us know that we must not allow our shoulders to be used for being firing the guns of others. Common and differentiated responsibility, Sir, in today's context helps really a very important neighbour of ours which is having one power

station being fired every week. Therefore, we need to view the common and differentiated responsibility in a manner which is flexible enough, an astringent view on Annexe-I countries and Annexe-II countries would mitigate against long-term advantages.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please put your question and then finish.

SHRI N.K. SINGH: Yes, I am going to ask the questions only, Sir. I will require about 5-7 minutes for your indulgence. Third, Sir, considering that the Chair had been fairly indulgent, and for good reasons, to the very important points made by Brindaji, I hope, you will be able to take some measure of indulgence, perhaps not of the same extent.

Third, Sir, on voluntary action on energy intensity, something which even the Chinese have agreed, the proposals of the Environment Minister, in my view, are credible enough to lure the energy intensity, and some of the suggestions, therefore, embedded on a letter, written or not written by him, but reported in the newspaper, look to be efforts in the same direction and are credible. They are reasonable and we should try and encourage greater national dialogue on that. Fourth, consistent with international disclosures, I agree that its international disclosures must be confined for those areas where technology and finance have been exogenously available. And, that must be a guiding principle. Having said this, we must also recognise that in today's inter-dependent world, technology and finance are both fungible, and, therefore, you cannot push this button beyond a point. Fifth, Sir, investment approach to mitigation recognises that there is a historicity of opportunity to invest in infrastructure for low carbon growth. There is nothing deterministic about the relationship between emission and

growth, between emission and poverty reduction. India is about to lock in to a high-growth trajectory. (Time-bell) Let it be a low carbon growth trajectory.

Sir, being not very reasonable, if I may say so, and I think this House must accept consistent norms. My preceding Speaker has spoken for exactly 22 minutes. I am not seeking 22 minutes. But I will expect you to take a reasonable and a fair view.

THE VICE-CHAIRMAN (PROF. P.J.KURIEN): Mr. Singh, as per the rules ..(Interruptions)..

SHRI N.K. SINGH: Sir, I am not contesting that. You are the final arbiter of the rules. But the rules were just interpreted a few minutes ago in a particular way. ..(Interruptions)..

THE VICE-CHAIRMAN (PROF. P.J.KURIEN): No, no. ..(Interruptions).. Please.(Interruptions).. Since you raised it, the first Speaker can ..(Interruptions)..

SHRI N.K. SINGH: You are the final arbiter of the rules, Sir. Nobody will question that, Sir. ..(Interruptions)..

THE VICE-CHAIRMAN: Listen please ..(Interruptions).. One second ..(Interruptions).. The first speaker is always allowed to take more time. Other Speakers take less time.

SHRI N.K. SINGH: I am not seeking any of that measure of time.

THE VICE-CHAIRMAN: No, no. You please put your question.

SHRI N.K. SINGH: That is what I am doing, Sir.

SHRI S.S. AHLUWALIA: Questions are very difficult and lengthy questions. ..(Interruptions).. Please allow him to speak.

SHRI N.K. SINGH: We must distinguish between who adjusts and who pays for it. Developed countries like India have a historic opportunity to leapfrog than retrofit. These may be expensive but does not mean that India must pay for it. We must show imagination, innovate, create jobs and bargain that the burden of payment does not rest upon our shoulders. Finally, Sir, the dynamics of international negotiations always need flexibility. Developed countries have yet to demonstrate, I entirely agree with Brindaji, seriousness of intent and coherence of action to persuade poorer countries like India in accepting concomitant obligations.

(continued by 1u/ysr)

-SK/YSR-GS/2.55/1U

SHRI N.K. SINGH (CONTD.): National interest must be paramount. However, boxing ourselves in a corner cannot augur well for negotiating outcomes. Rising economic clout of India has concomitant international obligations. We need to show vision and leadership qualities at Copenhagen. And you can do that, Minister, if you educate us a little more and have flexibility and an approach which protects India's paramount interest and is consistent with India showing leadership abilities in 13 days from now in Copenhagen. Thank you, Sir.

(Ends)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Shri Rajiv Pratap Rudy, please confine yourself to five minutes.

SHRI RAJIV PRATAP RUDY (BIHAR): Sir, such important issues should not be confined to a calling attention. I think it should have been a bigger debate.

उपसभाध्यक्ष महोदय, इस विषय पर चर्चा पिछली बार भी सदन में बहुत विस्तार से हुई थी और मुझे स्मरण है कि जब प्रधान मंत्री जी मैजर इकोनामिक फोरम की बैठक में गए थे, तो वहीं से उन्होंने एक रूप दिया था, स्वरूप दिया था और उन्होंने कहा था कि, 'We will accept two degree cap' और जब हम लोगों ने पिछली बार सदन में चर्चा के दौरान सवाल उठाया कि प्रधान मंत्री ने किस उद्देश्य के तहत यह घोषणा कर दी कि हम two degree cap स्वीकार करेंगे। इसी सदन में मंत्री जी ने इसको कहीं न कहीं घुमा-फिराकर कहा कि प्रधान मंत्री जी ने जो मैजर इकोनामिक फोरम में बातें रखी थीं और जिस दस्तावेज पर हस्ताक्षर किया था, it was an aspiration मतलब वह हमारी सोच थी और उसी समय से यह contradiction शुरू हुआ और दुनियाभर के लोग, जब इतने बड़े forum पर प्रधान मंत्री जी गए, तो उन्होंने कहा कि भारत के साथ कोई कठिनाई नहीं है। भारत तैयार है और भारत दुनिया के साथ कदम से कदम मिलाकर चलने के लिए तैयार है और हम टू डिग्री कैपिंग के लिए तैयार हैं। जब सदन में हम लोगों ने

इस विषय को उठाया, तो मंत्री जी बिल्कुल उलट गए और कहा कि जब प्रधान मंत्री जी वहां गए थे, तो सोच रहे थे कि हमारी कल्पना है। एक तरफ हमारे देश के प्रधान मंत्री हस्ताक्षर करके आते हैं और दूसरी तरफ सदन में मंत्री कहते हैं कि वह सिर्फ प्रधान मंत्री जी की एक कल्पना थी। अब हम उस बात को वहीं से शुरू करें, जिस कल्पना के बारे में चर्चा हुई और आज हम किस स्थिति तक वहां पहुंच गए हैं।

महोदय, विरोधाभास इस देश के वरिष्ठ मंत्रियों के माध्यम से, प्रधान मंत्री का बयान, मंत्री का बयान और आजकल तो यह भी पता चलने लगा है कि मंत्री जी को कि इस सरकार में बहुत पढ़े-लिखे मंत्री हैं, कुछ अच्छे काम कर रहे हैं और कुछ और भी अच्छे काम करना चाह रहे हैं, कुछ विदेश का काम देख रहे हैं, तो सरकार में कुछ बोलने की परम्परा बन गई है। महोदय, मैं माननीय मंत्री जी से कहूंगा कि आपने अध्ययन किया है। आप थोड़ा तारतम्य अपने विभाग से बैठाएं, कई ऐसे समाचार प्रकाशित हो रहे हैं, जिसमें प्रधान मंत्री जी की सोच कुछ और है, मंत्री जी की सोच कुछ और तथा विभाग की सोच कुछ और है। इसमें अगर आप सामंजस्य नहीं बैठाएंगे, तो दुनिया के लोग पूरी चीज को देख रहे हैं। आपका बयान, आपके निगोशिएटर का बयान और प्रधान मंत्री का बयान और जब भी आप अंतर्राष्ट्रीय फोरम पर बैठते हैं, तो वे सभी कागजों को आपके सामने रख देते हैं और आपको अपना सिर झुकाना पड़ता है। हमने इस विषय को इसलिए देखा है कि कोपेनहेगन में जाने से पहले जो बाली एक्शन प्लान था, बाली एक्शन प्लान में आपने कहा कि लिटिगेशन होगा, अडॉप्टेशन होगा, हम अपनी कैपेसिटी बिल्डिंग करेंगे और 2007 से क्योटो प्रोटोकाल से आप चलते आ रहे थे। आपने लगातार चलकर तय किया कि दुनिया के सामने कि हम इस स्वरूप में, इस अपने क्लाइमेट चेंज के दस्तावेज को पूरा करेंगे, लेकिन कहीं न कहीं बड़े देशों का, मुझे क्षमा करेंगे, लेफ्ट पार्टिज़ का obsession अमेरिका है। मैं इसमें यह कहना चाहूंगा कि सिर्फ अमेरिकीनिज्म नहीं है, सिर्फ अमेरिका के कारण नहीं है, जितने विकसित देश हैं, वे कमजोर देशों को, विकासशील देशों को दबाना चाहते हैं, सिर्फ अमेरिका का यह प्रयास नहीं है। क्योंकि अमेरिका वामपंथियों के लिए एक महत्वपूर्ण विषय होता है, इसलिए अमेरिका तक सीमित हैं। लेकिन उसमें सारे विकसित देश हैं, जो दुनियाभर में उत्सर्जन कर रहे हैं, पॉल्युशन कर रहे हैं, लेकिन भारत और भारत जैसे विकासशील देशों पर वे दबाव बनाना चाह रहे हैं।

महोदय, हम आपके माध्यम से मंत्री जी से क्योटो प्रोटोकाल के बारे में पूछना चाहते हैं, क्योंकि अमेरिका और विकसित देश कहते हैं कि अब उसे वहीं समाप्त कर दिया जाए। क्योटो प्रोटोकाल के तहत मैं आपसे पूछना चाहूंगा कि क्योटो प्रोटोकाल में कुछ कमिटमेंट्स थे, The developed nations have to meet these commitments. अब वे चाहते हैं कि आप उस बात को भुला दें और नये सिरे से नया समझौता करके दुनिया को फिर एक बार उस समझौते के तहत लाओ, यह एक चिंता का विषय है, जिसके बारे में, हम जानना चाहते हैं। शब्दों का उपयोग अंतर्राष्ट्रीय माहौल में किया जाता है, 'common but differential responsibility' अब इन शब्दों का उपयोग किस देश द्वारा किस तरह से किया जाएगा और कौन-सा दायित्व आपको सौंपा जाएगा, यह हमेशा एक प्रश्न बना रहता है।

(1W पर जारी)

ASC-RSS/1W/3.00

श्री राजीव प्रताप रूडी (क्रमागत) : महोदय, जब हम उत्सर्जन की बात कहते हैं, तो हम बार-बार कह देते हैं कि जो हमारा carbon emission है, वह अभी 1.4टन है, जबकि अमेरिका जैसे देश का 20टन है और वर्ल्ड एवरेज लगभग 4 टन के आसपास है। कोई भी आदमी स्वाभाविक तौर से यह कहेगा कि जब हमने इस दुनिया में आज तक ऐसा उत्सर्जन नहीं किया, पॉल्युशन नहीं किया, तो आखिर हम उसका भुगतान क्यों करें? आखिर हम उसकी भागीदारी क्यों करें? जब हम भागीदारी करेंगे, तो एक तरफ जब आप इस भागीदारी में भाग लेने की बात कर रहे हैं, तो आप चाहते हैं कि हम पर कुछ binding commitments हों। हम यह कहना चाहेंगे कि जो binding commitments की चर्चा आती है, तो अखिर यह बार-बार क्यों आती है? विशेषकर भारत के ऊपर बार-बार यह दबाव क्यों डाला जाता है कि भारत ही एक कमजोर देश दिखता है, जिस पर कहा जाता है कि आप binding commitments कर लें, आखिर, ऐसा क्यों होता है? यह ऐसी स्थिति क्यों है विकासशील देशों में बार-बार यह बदाव भारत पर डाला जाता है क्योंकि पूरी दुनिया भारत की तरफ देखती है। सभी विकसित देश भारत पर दबाव डालते हैं, ऐसा क्यों होता है? क्या आप बहुत ज्यादा अमेरिका और विकसित देशों की गुडविल के लिए अपने आप अपनी स्वायत्ता समाप्त कर देना चाहते हैं? ऐसी क्या कमी है, जो भारत को ही सबसे कमजोर देखा जाता है, यह मैं जानना चाहता हूँ। हमारे प्रधान मंत्री जी बार-बार यह कहते हैं

कि भारत को आठ से नौ प्रतिशत तक का विकास करना है। जब आपको नौ प्रतिशत विकास करना है, तो आपको निश्चित रूप से बिजली की आवश्यकता होगी। भारत में थर्मल पावर्स हैं, जिनसे हम कोयले से बिजली का उत्पादन करते हैं। जब आप यह कहते हैं कि इससे emission सबसे अधिक होता है, तो एक तरफ आपके सामने गरीबी है, दूसरी तरफ विकास है, औद्योगीकरण है। आज भी हम अपने आपको गरीब मानते हैं, क्योंकि इस देश में बहुत सारी ऐसी आवश्यकताओं को पूरा करना है। आप कहते हैं कि इसमें शिफ्ट होना है, We should look for an alternative source of energy. हम इसको कैसे करेंगे? हमारे पास साधन कहां हैं? आज अगर भारत में प्रत्येक व्यक्ति, हर उद्योगपति यह तय भी कर ले कि सबसे अधिक उत्सर्जन करेंगे, पॉल्युशन करेंगे, तो फिर हम दुनिया के अनुपात में पहुंच ही नहीं सकते हैं, क्योंकि हमारे पास साधन ही नहीं हैं, चाहे हम अपनी पूरी ताकत लगा दें। यदि हम अगले सौ वर्षों तक अपनी ताकत लगा देंगे, फिर भी सबसे ज्यादा पॉल्युशन करेंगे। आज हमारे पास साधन कहां हैं? आज हमारे पास पैसे कहां हैं? हम साधनों के अभाव में उस हद तक कैसे पहुंच सकते हैं? महोदय, कहीं न कहीं इसमें यह जरूरी है कि हम इस विषय का सामंजस्य स्थापित करें, जबकि हम वहां जा रहे हैं। दुनिया के विकसित देशों ने अपने यहां गरीबी की लड़ाई लड़ ली है। They have become happy, they are good. आज अमेरिका में जिस प्रकार से उपभोक्तावाद है, भौतिकवाद है, हम उसमें उनके सामने कहीं भी नहीं हैं। महोदय, दुनिया के लोगों में हम यह चर्चा करते हैं कि विकसित देशों को कल की चिंता है। अगले सौ साल में उसका असर हमारे बच्चों पर क्या होगा? हमें कल की भी चिंता है और हमें आज की भी चिंता है। हमें आज की भूख की चिंता है और कल के भविष्य की चिंता है, इसमें कहीं न कहीं सामंजस्य लाने की आवश्यकता है। जो विकसित देश हैं, वे सौ साल आगे की सोच रहे हैं, हम वर्तमान की सोच रहे हैं। हम आज भूख की सोच रहे हैं। आज हम गरीबी की सोच रहे हैं। जिस प्रकार से हमारे देश ने इन समस्याओं का सामना करना है, हमें कहीं न कहीं इस बड़ी पेचीदा समस्या पर ध्यान देना होगा। कोई ऐसा कमिटमेंट न हो, कल को हम यह तय न करें कि अगर हमें बिहार में कोई फैक्ट्री लगानी हो, मध्य प्रदेश में कोई फैक्ट्री लगानी हो, तो इसको अमेरिका तय करेगा, आस्ट्रेलिया करेगा। ... (समय की घंटी).. कहीं न कहीं एक बड़ी साजिश बन सकती है, जिससे हमें सचेत होना पड़ेगा। महोदय, आप क्या चाहेंगे?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You have taken six minutes. Take one or two minutes and conclude. Put your questions.

श्री राजीव प्रताप रूडी : महोदय, मेरा सवाल यह है कि मंत्री जी कोपेनहेगन में जाएंगे और इस समझौते पर हस्ताक्षर करके आएंगे। हमने भारतवर्ष में पॉपुलेशन पर, अपनी जनसंख्या पर नियंत्रण किया है। इस पूरे समझौते में जो व्यक्ति जिस प्रकार से अपनी जीवन शैली को रखता है, उपयोग करता है, उपभोग करता है, उससे carbon foot print बनता है। हमारा carbon foot print दुनिया में सबसे कमजोर है, क्योंकि हमारे पास साधन नहीं हैं। आज भी जब हम अपनी संख्या को कम करने की बात करते हैं, तो आज भारत अपने सामने आबादी की चुनौती को स्वीकार करता है। जब हम इस आबादी की चुनौती को स्वीकार करते हुए, उसे कम करना चाहते हैं, तो क्या अंतर्राष्ट्रीय स्तर पर, उस चुनौती को जो हम अपने देश के भीतर लगा रहे हैं, हम अपनी आबादी को नियंत्रित कर रहे हैं, क्या अंतर्राष्ट्रीय पैमाने पर इसकी कोई पहचान बन रही है? बहुत से ऐसे पैमाने हैं, आज आप यह सहमति प्रदान कर रहे हैं कि उत्सर्जन में कटौती की जाए, लेकिन पिछले 55-60 वर्षों में भारत के भीतर जितना हमने पर्यावरण की दृष्टि से प्रयास किया है, क्या उसको अंतर्राष्ट्रीय पैमाने पर कोई अहमियत मिल सकेगी?

(1X/LP पर क्रमशः)

-ASC/LP/MKS/3.05/1X

श्री राजीव प्रताप रूडी (क्रमागत) : अगर इन सभी विषयों को समेकित ढंग से विचार करके अंतर्राष्ट्रीय पैमाने पर रखें तो शायद एक पहलू बन सकता है। आप कदम बढ़ा रहे हैं, उस कदम बढ़ाने में एक सामंजस्य बनाकर, यदि इस देश की आवश्यकताओं, गरीबी, भुखमरी, विकास और आने वाले भविष्य की चिंता करते हुए इस समझौते पर बढ़ें तो निश्चित रूप से हमारा समर्थन आपके साथ रहेगा।

(समाप्त)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you, Mr. Rudy. Shri Syed Azeez Pasha. He is not here. Shri Sanjay Raut.

श्री संजय राउत (महाराष्ट्र) : उपसभाध्यक्ष जी, इस सदन में कोपेनहेगन के बारे में चर्चा हो रही है। चर्चा तो होती है, आज कोपेनहेगन है, कल दूसरा देश होगा, दूसरी आर्गुमेंट होगी, लेकिन

मुंबई जैसे शहर, जिसको ग्लोबल वार्मिंग का सबसे ज्यादा खतरा है, उसके बारे में मैं सिर्फ दो-तीन क्लैरिफिकेशन्स पूछना चाहूंगा। Sir, it will not be wrong if we say that Mumbai is sinking and that is due to global warming and large-scale reclamation. But, Sir, I am sorry to say that such an important issue is quite neglected and also, not much planning is being done about it. Sir, there is no preventive solution or a prior notice to climate effect or any specific change expected in the time to come. अभी फयान हो गया, "फयान" से ज्यादा नुकसान मुंबई को हो गया। मुंबई के आसपास जो समुद्री तट हैं, उनको हो गया। उसके बारे में कोई जानकारी न पहले मिली थी, न जो कुछ नुकसान हुआ, उसके बारे में भी हमें सचेत किया गया था। मेरा सिर्फ एक क्लैरिफिकेशन है। मैं चाहता हूँ कि जब हमें इस प्रकार की जो वार्मिंग मिलती है, दो महीने पहले फयान की बात होती थी कि फयान आने वाला है, लेकिन न मुंबई को किसी ने सचेत किया था, न ही हमारे कोंकण के जो समुद्री तट हैं, उनको सचेत किया था, इसलिए लगभग दो सौ से ज्यादा मछुआरे आज भी लापता हैं। उनका सबसे बड़ा नुकसान हुआ है। दूसरी बात यह है कि मुंबई महाराष्ट्र की कैपिटल सिटी है, मुंबई देश को सबसे ज्यादा योगदान देती है, हम मुंबई को देश का फाइनेंशियल सेंटर कहते हैं। अगर आज इस मुंबई को ग्लोबल वार्मिंग से खत्म होने का डर है, डूबने का संशय है, तो मैं आपसे सिर्फ इतना पूछना चाहता हूँ कि मुंबई को बचाने के लिए आपके पास क्या ऐक्शन प्लान है? आप मुझे बताइए कि आप मुंबई के लिए क्या करना चाहते हैं? यह मुंबई और देश की जनता भी जानना चाहती है। (समाप्त)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you, Mr. Raut.

श्री अमर सिंह (उत्तर प्रदेश) : सर, मैं आपके माध्यम से अपने मित्र जयराम जी से यह जानना चाहता हूँ ..(व्यवधान).. अखबारों में मैंने पढ़ा है, मैं आपसे कोई चुनौती नहीं चाहता हूँ, जैसा आपने ..(व्यवधान)

श्री एस.एस.अहलुवालिया : जयराम जी के बीच में श्री जोड़ देते तो बात खत्म हो जाती।

श्री अमर सिंह : जैसाकि उन्होंने मेरी साथी वृंदा जी को दिया कि पत्र के बारे में बताओ, सच्चा है कि झूठा है, लेकिन मैं सिर्फ जानकारी चाहता हूँ, मैंने अखबारों में पढ़ा कि इस महत्वपूर्ण मसले पर, कार्बन एमिशन के मसले पर प्रधानमंत्री कार्यालय में और इनके इस विषय पर जो सलाहकार

हैं उनमें और आप में गंभीर मतभेद है। हम अभी तक आपकी सरकार के समर्थक दल हैं। आप मानें न मानें हम अभी तक तो हैं।

(akg/1y पर जारी)

AKG-TMV/1Y/3.10

श्री अमर सिंह (क्रमागत) : हम लोगों से प्रश्न पूछा जाता है कि आपके वन और पर्यावरण मंत्री का एक विचार है और इस विषय पर प्रधान मंत्री कार्यालय के जो उनके नियुक्त सलाहकार हैं, उनका एक विचार है। मेरा एक सीधा-सरल प्रश्न है कि यह जो मतों की विभिन्नता है, वह आपकी कोपेनहेगेन की संभावित यात्रा के पहले समरसता पर आ जाएगी या नहीं, या इसमें विषमता रहेगी? यह जो समाचार पत्रों में चित्रण है, यह चित्रण उतना ही सच है, जितनी कमेटी की रिपोर्टें सच्ची हैं, जो लीक हो जाती हैं, क्योंकि आजकल तो समाचार पत्रों की credibility सदन से ज्यादा हो गई है। समाचार पत्रों में पढ़ कर पता चलता है कि सदन में अगले दिन क्या होगा। इसलिए समाचार पत्रों की प्रामाणिकता पर विश्वास करते हुए, विश्वसनीय मानते हुए, क्योंकि दो-दो रिपोर्टें वहाँ अग्रिम रूप से आ गईं और वही सत्यापित हुईं, इस मत की विभिन्नता को भी सत्य मान कर, क्योंकि मैंने समाचार पत्रों में पढ़ा है, मैं आपसे जानना चाहता हूँ कि कृपया बताइए कि यह विषमता है या समता है - प्रधान मंत्री के आपसे संबंधित मंत्रालय के सलाहकार में और आदरणीय मंत्री महोदय, मेरे माननीय मित्र श्री जयराम जी, आपमें, क्योंकि अगर विषमता है, तब तो बड़ी मुश्किल है और अगर समता है, तो आप बता दीजिए कि समता है? मैं कोई चुनौती नहीं दे रहा हूँ। प्रामाणिक समाचार पत्र, जो सदन से पहले अग्रिम सूचनाएँ देते हैं, उन्होंने प्रधान मंत्री के सलाहकार और माननीय मंत्री जी के आपसी वैचारिक द्वंद्व की अग्रिम सूचना दी है। धन्यवाद।

(समाप्त)

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Thank you, Amar Singhji.

Shri D. Raja. He is not there. Shri Azeez Pasha.

SHRI SYED AZEEZ PASHA (ANDHRA PRADESH): Sir, I completely agree with what Mrs. Brinda Karat has said in regard to the change of stand of the Government. The very same Government had put up a very stiff fight in Kyoto by signing the Protocol. Now we are suspicious whether we are

going to stick to the same thing or whether we are going to be pressurised under the bilateral agreement which we are going to sign. There is some change. Mr. Rajeev Pratap Rudy was saying that the Communists are obsessed with the US. It is not a question of obsession with the US because the US is the leader of all developed countries. They are the main polluters. जैसे कहा जाता है, "उलटा चोर कोतवाल को डाँटे।" ये जितने भी developed countries हैं, वे असल polluters हैं। जब हम अमेरिका बोलते हैं, तो इसका मतलब है कि we are concerned about all the developed countries. So, keeping in view the vital interests of our country we should be over cautious while going to Copenhagen. While endorsing the views of my colleague, Mrs. Brinda Karat, my party and I also want to express the same sort of caution that we should take into consideration the interests of our nation, and we should not be carried away by any sort of pressure from any corner as is happening in the bilateral agreement. Thank you very much. (Ends)

SHRI SHANTARAM LAXMAN NAIK (GOA): Sir, the climate issue is taken as an environmental issue some time. I would like to remind the hon. Minister that there is a taluka known as Canacona in Goa which he has visited recently in some other connection. Now in that taluka, all of a sudden, there was constant rain for five hours. After five hours the entire taluka was flooded. Nobody had seen such a flood for centuries. But the surprising part is this. Even after two months, no technical man, whether weather chief or the NIO or anybody, could say what the reason is. Now the NIO is stating that because there were rains earlier and the soil was soaked in water, the soil could not take in any additional water, and, therefore, there was flood. The technicians said this after two months. The weather chief was saying that he was holidaying on that day and his people

were also holidaying on that day. This is the sort of weathermen in Panaji. I would urge the hon. Minister that in such circumstances criminal prosecution should be launched against the persons who have been negligent.

Secondly, climate has become a weapon today. We can understand snow melting. Now that is going to be used as a weapon by our enemies. They want to melt the snows in the Himalayas and destroy the country.

(Contd. by 1Z/VK)

VK/1Z/3.15

SHRI SHANTARAM LAXMAN NAIK (CONTD): Reports are emanating from different angles. Kindly throw some light on that.

Lastly, if we had to believe our TV channels, nobody would have survived at this point of time. They have given 2012 as the date when we all would be finished. Some other channels have given five dates of different years when we all would be finished; the entire world would be finished. Are you allowing such predictions? Are you allowing such telecast to create havoc among the masses? This issue does not concern the Ministry of Information and Broadcasting. It concerns you. You have to take up this matter at the highest level to find a solution to this problem. Thank you.

(Ends)

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Vice-Chairman, Sir, we are discussing a very important subject, which in the last few years, has almost brought to the fore the desire of the developed countries like India as also the poorer countries, to get their own share of

a cleaner environment. We are also concerned, as the opening speaker, Shrimati Brinda Karat, has mentioned, that the whole world has accepted the principle that the polluter must pay. The genesis of this negotiation has been that the nature was supposed to be fair and equal for all, but today the nature is becoming an instrument of unfairness. The developed countries have polluted it to such an extent that the developing and the poorer countries will now have to pay the cost and face the consequences for the pollution caused by the developed world. The key of this negotiation really is, as mentioned by some of the preceding speakers, the cost of switchover of this technology, the cost of capping our own emission norms. We are one of those countries which have still not developed enough. Therefore, if our emission norms are capped to such an unreasonable extent and we do not have the resources for the changed technology, our norms itself would be capped and our growth itself would be capped. Our entire fight against poverty and for removal of that poverty itself will suffer. The statement of the hon. Minister very rightly mentions today that we have had a consistent position. He has also written to some of the Members of Parliament where he had said that we have a very clear and consistent position on this. Why is it that doubts have arisen about the consistency of our position? One doubt is very clear as to what happened a few months ago to which my friend, Shri Rudy, has referred. When we were almost compelled to accept the position, which the Minister himself, in the presence of the US Secretary of State, had to dilute the position which we had accepted, a question was raised: "Are we diluting our position under pressure from some of the developed countries?"

But the second issue seems to be more serious today. That is an issue which my friend, Shri Amar Singh, has just now referred to. We live in a Parliamentary System, where the Cabinet and the Government are responsible to the Parliament. Every Minister is part of the collective responsibility of that Cabinet. Even when we speak in terms of a consistent and a clear stand, which we have had -- on which, at least, for the last decade and a half, there has been consistency irrespective of change of Governments -- there are, today, some doubts being raised and these are those doubts which the opening speaker, Shrimati Brinda Karat, has referred to, that there is an uneasy feeling -- we would like the Minister to be candid about it -- which all of us have reflected, the media occasionally reflects and various sections in the Government reflect that somewhat the Minister is not a part, and is not in full agreement and in tandem with that consistent stand which the Government of India has had for all these years. There have been references that India has been one of the leading nations as far as the developing countries are concerned. We are amongst the leaders of the G-77, which is a group of 131 countries. Not only in the climate change negotiations, in WTO and also in other negotiations, we along with Brazil, along with South Africa and along with China, are amongst the leaders of those negotiations. Now it appears that the Minister has views that we must no longer continue to lead this group of G-77; we must have our own independent position.

(Contd. by 2A)

RG/3.20/2A

SHRI ARUN JAITLEY (contd.): On emission norms, is he in agreement with the consistent stand which he has evolved? Thirdly, instead of accepting

internationally binding emission cuts, which the Minister has consistently said that they would oppose, -- I will be fair to him in acknowledging that fact -- he has said, "We will have a domestic legislation under which we will impose cuts on ourselves and open that out for international review or international consultations." Now, is that another way of reaching the same position which the Minister seeks to deny? Now, the question is: Is there a consistent stand that we have? The Prime Minister's Office has a Special Envoy. You have a set of negotiators. You have statements emanating from the Minister, coming from time to time, and at times, those statements are no longer consistent with what our negotiators on the international fora are arguing. It has happened more than once that our negotiators are putting across a particular viewpoint at the international negotiations, and exactly at the same time, a statement to the contrary emanates from the Minister, and that embarrasses the position of our negotiators. So much so, our negotiators have put it down in writing, and have acknowledged this embarrassment, which they have had, in writing, that these statements are inconsistent with the consistent stand that the Government of India has had. For example, I will just read out one or two paragraphs. The Key Negotiator writes to the Government of India saying, "Every time we put across our Indian position, either the Americans or somebody else waves off the Minister's statement to us and tells us to clarify which the Indian position is, whether it is what we are arguing there, or, what the Minister had said elsewhere." When confronted with this situation, there are legitimate doubts which arise as to what happens to this principle of collective responsibility. After all, even in a system of collective responsibility, a Minister is an instrument, who represents the Government of India. Sir, I would just read

what the negotiator writes. He says, "Earlier, in this Session, I had an occasion to point a verification of independent NAMAs, on the line of our brief. The U.S. Delegate, Jonathan Pershing, took the floor to question my statement claiming that it was at variance with the recent statement of our Minister in New York. I responded by suggesting that the Delegates should speak on behalf of their own Government as they represent, and refrain from seeking to interpret the position of other Governments. I said that the Indian Delegation required no assistance in this regard. The Persian Negotiator tendered a personal apology, but his initial off-the-cuff comment provided a clear clue of the United States' assessment of our stand that even though I was arguing something, the Minister's statement was something else." He then goes on to add, "This was confirmed during a subsequent bilateral meeting with the U.S. Delegation. We were informed in clear terms, that the U.S. interprets our Minister's offer of a WTO-like dialogue, as covering all the essential elements of the negotiations. On yet another occasion, the Chairman of the Annual Working Group (AWG) on the Kyoto Protocol invited us for consultations to sound us on the proposal of the developed countries to create a common forum for discussing the U.N.F.C.C.C and the Kyoto Protocol issues. The object of the proposal was to ensure the early demise of the Kyoto Protocol. Before commencing our negotiations, the Chairman handed over to me a copy of our Minister's interview in *The Mint* and invited me to read it. After politely glancing at the title, I passed it on the paper to another Member of the Delegation signalling thereby that we receive our instructions directly from our Minister and have no need to seek Ministerial guidance through columns of the newspapers. Obviously, however, the Chairman of the AWG was under the impression that the contents of the

Press Report was such that they cause us to reconsider our position in the consultations." So, twice this has happened that in the course of consultations, our negotiators are confronted with Ministerial statements to the contrary. We then have the Report of the *Times of India* which Brindaji referred to. The Report merely exaggerated certain positions, but it does refer to a very important document.

(Continued by 2B)

2b/3.25/ks-sch

SHRI ARUN JAITLEY (CONTD.): So, even in a Cabinet form of government where international negotiations are at stake, the Minister's views are divergent from the consistent stand of the Government of India. We now have, the *Times of India* interview. Of course, the Minister almost dared the Member to verify the contents; but, let us see what happens thereafter, after that report in the *Times of India*. Now, this is a statement, which is in inverted commas, by our negotiator to *The Economic Times* after that report appeared, based on the Minister's document to the Prime Minister's Office.

The negotiator gives this interview in quotes: "In my view, the Prime Minister's Office has clarified the position in a more timely and welcome manner. It is now clear that the document in question is only a note for discussion and not official policy. It has been clarified that there will be no shift in stand on the basis of consensus and with the sanction of Parliament. This is most appropriate since climate change policy has always been on national consensus. It is anybody's privilege to suggest a radical or fundamental change. But people should avoid airing their views outside till it becomes official policy".

Sir, our concern today -- and this is precisely what my friend, Amar Singhji, just now mentioned in his own customary style -- is: how can we have such key negotiations going on on this issue where there has been a consistent stand of the Government of India and somewhat divergent view of the Minister? The Minister may fall in discipline and say that he will pursue whatever the stand of the Government of India is but, at the end of the day, others are also clever, if not cleverer; they see through our stand falling apart.

So, I would like the Minister to clarify in the course of his reply whether he is fully in agreement with the consistent stand that we have had in the last decade and a half or whether he feels that this requires a serious change and, therefore, if it requires a serious change, it is for the Government to consider whether we are following that stand or we require somebody who is ideologically committed to the stand to negotiate on behalf of the Government of India. Thank you very much.

(Ends)

SHRI MOINUL HASSAN (WEST BENGAL): Sir...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Put one question only.

SHRI MOINUL HASSAN: I will take one and-a-half minute only, Sir.

THE VICE-CHAIRMAN: One minute only.

SHRI MOINUL HASSAN: Sir, I refer to the note that has been circulated by the Minister to different departments and I will quote two sentences here. It says, "India will make low carbon sustainable growth, a central element of its Twelfth Plan growth strategy. This will mean taking on commitments to reduce energy-to-GDP intensity and corresponding emission reduction outcomes for the year 2020". My question is: what is the basis of making

a commitment for reducing the energy intensity of GDP for the entire economy as a whole? I will not go into the details of my first question.

My second question is: so far as global emissions are concerned, India's part is only 4 per cent, even less than 4 per cent. In per capita terms, India's position is 137th. So, we are not responsible for global warming.
(Ends)

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Put your question.

SHRI MOINUL HASSAN: India did not create this problem of global warming. Therefore, what is our responsibility? It is the responsibility of the polluters, those who are polluting our world by the use of technology and emissions.

श्री प्रकाश जावडेकर: सर, मैं सिर्फ एक ही question पूछना चाहता हूँ। मंत्री महोदय के जिस पत्र को लेकर इतना सारा विवाद हुआ, मैंने कभी-भी नहीं देखा है कि मंत्री महोदय ने उस पत्र को डिनाई किया हो या पेपर पर defamation का केस डाला हो। इतने बड़े अंतर्राष्ट्रीय मंच तक यह केस जाता है, इसलिए कायदे से तो इनको नोटिस देना चाहिए था। क्या इन्होंने नोटिस दिया?

THE VICE-CHAIRMAN: Mr. Minister, please. (Followed by 2c/tdb)

TDB/2C/3.30

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): Sir, I am grateful for the opportunity for having this Calling Attention Motion called. We have had nine speakers and the tenth one who asked a question. And, rather than respond to each individual speaker, I will just take some of the main issues that have been raised.

(MR. DEPUTY CHAIRMAN IN THE CHAIR)

I would like to reiterate, once again, Sir, that as the Minister for Environment and Forests, I stand prepared for any form of discussion at any point of time on any issue relating to climate change before the Copenhagen process starts on the 7th of December. I also want to reiterate two other points, Sir, as a reflection of the transparency with which I believe we should conduct the running of any Ministry, but particularly the Ministry that I have been holding since the 29th of May. As I said, I have written to all the Chief Ministers; I have written to 72 Members of Parliament. Admittedly, some Members of Parliament have been left out; an anomaly which I will rectify; and in that letter, I have tried to explain in as detailed a manner as possible what the Government's thinking is on climate change.

Sir, I have also at different points of time put on the website of our Ministry all the documentations that we have been bringing out from time to time on climate change, both the technical aspects of climate change as well as the negotiating aspects of climate change. Sir, I have nothing to hide, and whatever criticism has been made, I will try to respond in as effective a manner as possible. I just want to recall, Sir, that on the 18th of July, I was hailed by this very House as the great defender of India's sovereignty, when I, in front of the visiting U.S. Secretary of State, Hillary Clinton said that India will not take on legally binding emission reduction cuts. The Leader of the Opposition was gracious enough to compliment me personally. Four months later, I stand here being accused of having undermined India's sovereignty and given in to American pressure. Sir, in four months, I don't think that I could have changed my position this dramatically. ...(Interruptions)... Please listen to me, Sir. I have listened very carefully, please listen to me. As I said, you may disagree with me. I am prepared to have a discussion with you. So,

Sir, in four month's time, I have not made any deviation from what remains a non-negotiable position for me personally and for the Government of India that under no circumstances will the Government of India accept a legally binding emission reduction cut as part of any international agreement. This is written in stone; this is cast in stone. This remains a fundamental non-negotiable for me personally; it remains the non-negotiable for all of us who are entrusted with the responsibility of negotiating the international agreement. India, under no circumstances, will take on legally binding emission reduction cuts, which we believe is the obligation of the developed countries, including the United States.

Sir, the hon. Leader of the Opposition raised a very pertinent question and so did the opening speaker, Mrs. Brinda Karat that why have these doubts surfaced now, and it is my duty to respond to this question clearly and categorically. Sir, what I have been trying to do in the last six months is to introduce an element of flexibility in our position why we remained anchored with the basic principles of the UNFCCC, the Kyoto Protocol and the Bali Action Plan. I have never, never -- and I would like to make this clear to my friend, my colleague, Mrs. Brinda Karat -- advocated India's abdication of its position on the Kyoto Protocol. I have never said this. I have always believed that Annex-I countries have a historical responsibility for fulfilling legally binding emission cuts and that the developing countries like India are obligated to take on nationally appropriate mitigation actions.

Sir, my only purpose has been to open up windows of flexibility for India because the world is changing; different countries are taking different positions. Brazil has announced emission reduction cuts; South Korea has announced emission reduction cuts; Indonesia has announced emission

reduction cuts. And, my whole purpose is that India should not be isolated. That is my whole objective that the finger-pointing game should not start and the finger, the blame should not be put on India's door.

(Contd. by 2d-kgg)

kgg/2d/3.35

SHRI JAIRAM RAMESH (contd.): So, flexibility is what I have been advocating.

Sir, hon. Member, Smt. Brinda Karat, said that I advocated giving up G-77. I have not said that, Sir. I have said that while we have one foot in G-77, we have to be mindful of other responsibilities that India has as an emerging, rising industrial power. In fact, Sir, if I may be permitted a personal word here, I went out of my way to negotiate a partnership agreement with China. The environment in our country was not conducive to an agreement with China. But, on 21st October, India and China signed a partnership agreement for collaboration on climate change. Why would I want to do it if I was an American stooge? Why would I want to sign an agreement with China knowing full well that China today is the world's largest emitter? It accounts for 23 per cent of the greenhouse gases and India is at number 5, at less than 5 per cent. Yet, I went to China, I spent 3 days in China; I and my Chinese counterpart negotiated an agreement. This was the first agreement for China, it was the first agreement for India; because we believed that China and India have common cause to resist the pressure of the developed countries to take on legally binding emission cuts.

Sir, I would like to recount a very interesting episode that had happened when we signed the memorandum of understanding or the partnership agreement with China on the 21st of October. The Chinese

Vice-Chairman of the National Reforms and Development Commission, Shi Sheng Hua, was coming out after signing; and, the television journalists asked him, 'What is China going to do to ward off the pressure from America, to take on legally binding cuts?' Sir, to my surprise and to the surprise of the TV interviewer, Mr. Shi Sheng Hua's reply was, "'Ward off pressure' is the wrong word. China seeks to engage the world." Sir, that is what we are trying to do. We are not here trying to isolate ourselves or box ourselves into a corner, we would like a country of India's size, a country of India's aspirations to have its options open while clearly recognising the red line that we will never compromise on the issue of legally binding emission cuts. But we have to have the option open. We have to have some flexibility. And we need to negotiate internationally not from a defensive position, but from a position of strength.

Sir, the hon. Leader of the Opposition spoke about my proposal for domestic legislation. Sir, I have no hesitation in saying that this is a different position than what India's position was one year ago. Yes, it is a different position. It is a new idea, and my idea is that what we do domestically should be determined by us domestically in Parliament. What commitments we take on internationally is an entirely separate issue.

Sir, Mr. Sanjay Raut is not here; oh, he has just come back, Sir; he spoke about Mumbai. There is no country in the world which is as vulnerable to climate change as India. We are vulnerable because of our coastline. We are vulnerable because of the south-west and north-east monsoon. We are vulnerable because of the Himalayan glaciers. We are vulnerable because of our forest cover. There is no country in the world which is as vulnerable to climate change as India is. My position before I became a Minister and

as Minister remains that it is in India's self-interest to respond creatively and aggressively to climate change as part of a domestic agenda. Sir, that is why I would like to remind the hon. Leader of the Opposition, with whom I have spent some time to explain to him this thinking. But, I put forward the concept of a nationally accountable mitigation outcome. What does it mean by nationally accountable? To whom? To the Parliament. I am saying, let Parliament decide what these mitigation outcomes are. Parliament in its collective wisdom could pass a law, if that is what the Government wants and if that is what the Parliament wants.

(Contd. by sss/2e)

SSS/2E/3.40

SHRI JAIRAM RAMESH (CONTD.): Let it pass a law. Let it enforce performance standards in transport, in industry, in agriculture, in buildings, in forestry, in different sectors of the economy and let us be accountable to Parliament. Sir, I do not have to remind you -- there are two distinguished Ministers of the previous to previous Government present here -- it is your Government that passed the Fiscal Responsibility and Budget Management Act. The FRBM Act of 2003 was passed by the NDA Government and I am saying do a climate change conversion of the FRBM Act. That is all I am saying. Take domestic obligations, report to Parliament and whatever gets reported to Parliament come in the public domain. Sir, the hon. Leader of the Opposition said that now we are opening up whatever we are doing for international review. No, Sir. That is not the proposal. Whatever actions are supported by international finance and international technology will be open for international review. All those actions that are not supported by international finance and technology which we do domestically, unilaterally

on our own, we will make it open for international discussion, international consideration, international consultations. We are an open society. We are a democratic society. We have a media that is holding us accountable. We have a civil society that holds us accountable. We do not need monitoring, reporting and verification with some international body. Any Government in India goes through this monitoring, reporting and verification everyday in Parliament, in civil society and in the media. So, all I am saying is, as an open society, as a democratic society, as a society, as a Government accountable to Parliament, let us have the courage of our convictions if we think that climate change is a serious issue which I believe it is, let us take on performance outcomes for ourselves. Sir, I must say here that we are great at producing plans in our country. But, we are very poor in converting plans into outcomes. Sir, you ask an Indian Government or an Indian civil servant or an Indian politician to produce an action plan. We will produce it very easily but what does it mean at the end? That is where China scores over us and that is what I want us to do. I want us to have the discipline to convert an action into an outcome and that outcome gets accountable to Parliament. Sir, for me Parliament is supreme. If I am accountable to Parliament I am accountable to no other body, national or international. Sir, the answer to the hon. Leader of the Opposition is -- the domestic norms and idea of mine -- it is up to the Government to accept the idea of domestic legislation. That is being discussed now. Maybe we will have a comprehensive legislation. Maybe we will have part legislation. That process of discussion is on but the idea is that we convert the nationally appropriate mitigation actions which are very general in nature to nationally accountable mitigation outcome which is very specific, which is accountable

and which can be monitored easily. Sir, lot of references have been made to differing voices in the Government. Sir, I cannot deny that perceptions are different. I cannot deny that there has been a certain continuity of thought and I cannot deny that some of these ideas that I have tried to bring into the public domain -- not in a back handed manner -- I have tried to do it with a purpose, to create a new body of thinking which will give us some flexibility, some room for manoeuvre in the international sphere and it cannot be anybody's case, Sir, that we do not need this flexibility. We need this flexibility. We need this room for manoeuvre because frankly, Sir, I am under no illusions. We have huge problems of poverty. We have huge problems of unemployment but at the same time the world recognises India as an emerging power.

(Contd. by NBR/2F)

-SSS/NBR-SCH/2F/3.45

SHRI JAIRAM RAMESH (CONTD.): We are the fourth largest economy in the world. We will soon become the third largest economy of the world. We are soft power growing for ourselves. We have aspirations for sitting in the international community of nations in a respectable manner. If we want to be accepted internationally, we should also be prepared to engage the rest of the world internationally. We should not smell a conspiracy in every attempt at engagement. This is only my request to you. If I were to do something in a hidden manner, if I were to do in a subterfuge, if I were to do in a backhanded way with nobody knowing, with the hon. Prime Minister not knowing -- there have been reports in the newspapers recently, my positions have deviated from what the hon. Prime Minister's directive was -- there is nothing further from the truth in this. As a Minister in the Council

of Ministers, if I flout the hon. Prime Minister's directive, I will not last for more than two minutes. I am bound by what the hon. Prime Minister tells me. The ultimate authority for me, as a Minister, is the Prime Minister. So, for any newspaper item and for any hon. Member to believe a newspaper item which says that I have flouted the hon. Prime Minister's directive, I categorically and comprehensively deny that. There is absolutely no truth in this rumour. But, at the same time, the caution that Mr. Amar Singh and Mr. Arun Jaitley have given, I would say that I am well aware of this that the domestic differences could be used internationally to weaken our negotiating position. I take full cognizance of this. I have, in my own way, in the last couple of weeks, tried to bring about greater coherence in our presentation and I assure the hon. Members that there will be no private enterprise in Copenhagen negotiations. We are going as representatives of the Government of India. And, Sir, as a mark of my respect for Parliament, five months ago, I wrote a letter to the hon. Speaker of Lok Sabha and the Chairman of the Rajya Sabha asking both of them to nominate four hon. Members of Parliament to join me in the delegation to Copenhagen. If I have something to hide, if I have to capitulate to the Americans in Copenhagen, will I take Members of Parliament with me and capitulate? I would capitulate in solitude. I would not capitulate with Members of Parliament breathing down my neck. So, I would humbly request the hon. Members to please look at what I have said in the context of trying to introduce a small element of flexibility and to ensure that India does not earn the reputation of a deal-breaker. The hon. Prime Minister's words to me, when I took over this Ministry on 29th May, were, 'We did not cause the problem of global warming. But, make sure that you are a part of the solution to global

warming." And that is what I have tried to do. We have not caused the problem of global warming. But, increasingly, as Mr. NK Singh pointed out, if you look at the incremental emissions, India is, in absolute terms, not in per capita terms, an increasing contributor to the new stock of Co₂ in the atmosphere. So, without getting into questions of who is responsible, I entirely agree that polluter must pay. We do not have polluter must pay principle within India. How can we argue for polluter must pay internationally? Madam, for your information, I am trying to institute that the polluter must pay principle within India to begin with.

SHRI RAJIV PRATAP RUDY: With retrospective effect?

SHRI JAIRAM RAMESH: Sir, today, the hon. Chairman of the Standing Committee on S & T has presented the Report on the National Green Tribunal. We are going to soon come forward with a National Environmental Protection Authority. What is all this for? This is to ensure that the polluter must pay domestically. The short point is, India must negotiate from a position of strength. India must negotiate from a position of leadership and not negotiate from a position of defensiveness. We have nothing to feel defensive about. I would like to end here. I would like to respond, in writing, to each of the individual, specific points that have been raised. I will be responding to each hon. Member individually. But, let me reiterate that I stand prepared, at any point of time, to have a discussion on any issue as open a manner as possible.

(CONTD. BY USY "2G")

-NBR-USY-MCM/2G/3.50

SHRI JAIRAM RAMESH (CONTD.): I have nothing to hide. I can assure Shri Amar Singh, Shri Arun Jaitley and all others that it will be my endeavour

to ensure that the fears, which they have expressed on the lack of coherence or cohesiveness in the Government's view, will be plugged sooner or later.

(Ends)

MR. DEPUTY CHAIRMAN: Now, let us take up the legislative business, that is, Bills to be withdrawn. Lotteries (Prohibition) Bill, 1999.

THE LOTTERIES (PROHIBITION) BILL 1999

श्री प्रकाश जावडेकर (महाराष्ट्र) : उपसभापति महोदय, सरकार ने जब आज लेजिस्लेटिव बिजनेस रखा, उसमें Lotteries (Prohibition) Bill को देख मुझे लगा कि इसको पास करने के लिए कह रहे हैं, लेकिन यह तो वापिस लेने के लिए कह रहे हैं। इसलिए मुझे बड़ा दुख हुआ और मैं विरोध के लिए खड़ा हुआ हूँ। मैंने स्टेटमेंट देखा reasons for withdrawal of Lotteries (Prohibition) Bill. उसमें सबसे बड़ा कारण क्या लिखा है,

"Since there was no unanimity on the aforesaid Bill in the Standing Committee, the Committee had suggested that the Government should explore the possibility of evolving a larger political consensus in the matter".

अब इसके आधार पर वे कर रहे हैं। लेकिन मैं बतलाना चाहता हूँ कि स्टैंडिंग कमेटी ने एक दूसरे शब्द का भी उपयोग किया है कि 're-look' करें। 're-look' का मतलब, वापिस लें, ऐसा नहीं कहा है। 1999 का यह बिल पास हो, जिसमें लॉटरी पर पाबंदी लगनी है। यह बिल पास होने के लिए कमेटी कह रही है कि यह पास होना चाहिए। कहीं भी कमेटी की प्रोसिडिंग्स में ऐसा नहीं आया कि यह बिल पास नहीं होना चाहिए, विद्द्रो होना चाहिए। कमेटी की यह रिकमंडेशन है ही नहीं। तो कमेटी ने यह कहा है कि इसमें जो भिन्न राय है, तो इसको एक करना चाहिए, यह उन्होंने कहा है। अब मुझे कभी-कभी ऐसा आश्चर्य होता है पौलिटिकल कंसेंसस का। पौलिटिकल कंसेंसस की बात कहां से पैदा हुई? कोई जरूरी नहीं है, लोकतंत्र का मतलब मैजॉरिटी भी है। अगर मैजॉरिटी से सरकार बनती है, मैजॉरिटी से बिल भी बनते हैं, तो क्या जरूरत है लॉटरी जैसे एक ऐसे विषय पर कि जो समाज का विनाश कर रहा है उसके लिए पौलिटिकल कंसेंसस बने और एक आदमी को या छोटे ग्रुप को एक ऐसा अधिकार मिले कि वह वीटो कर सके सामाजिक सुधार को? लॉटरी चलाना अच्छा है, ऐसा कौन कहेगा, आप भी नहीं

कहोगे। क्या मंत्री महोदय यह कहने के लिए तैयार हैं कि समाज के लिए लॉटरी बड़ी अच्छी चीज है, लॉटरी बड़ी अच्छी चीज है समाज हित के लिए? क्या आप यह कहोगे कि सब के लिए अच्छा है, इसलिए आप लॉटरी खेलो? मुझे यकीन है कि आप ऐसा तो नहीं कहोगे। लॉटरी को अच्छा तो कोई कह नहीं रहा है। जो चीज अच्छी नहीं है, जिसकी मान्यता नहीं है वह चीज अगर पौलिटिकल कंसेंसस से नहीं हो रही है और उसके लिए यह कहना कि हम इसको वापिस ले रहे हैं, यह मुझे लगता है कि बहुत दुखद् है और शर्मनाक है। क्योंकि पौलिटिकल कंसेंसस का क्या मतलब है, इसके लिए आप बिल रखते। तो वही तो मैं कह रहा हूँ कि जो पौलिटिकल कंसेंसस बनाना था उसकी आड़ में आप बिल वापिस लेने जाओगे, ऐसा स्टैंडिंग कमेटी ने नहीं सोचा था। उपसभापति महोदय, 1998 में जो बिल बना वह सिंगिल डिजिट लॉटरी को बैन करने वाला बिल था, वह लॉटरी रेग्यूलेशन बिल है। 1999 में बहुत लोगों के कहने के बाद एक नया बिल आया जो Lotteries (Prohibition) Bill है, जिसमें सभी प्रकार की लॉटरीज पर बैन है। लेकिन उसकी आड़ में आज एक कंसेंसस की बात कह कर फिर से वापिस जाने के लिए कह रहे हैं, तो मुझे लगता है कि यह बहुत गलत है।

(2H/GS पर क्रमशः)

PK-GS/2H/3.55

श्री प्रकाश जावडेकर (क्रमागत) : मंत्री महोदय, मैं आपको बताना चाहता हूँ कि सोशल रिफोर्म जो होता है, समाज की भलाई का जो काम है, या आज महिलाएं देश में पढ़ रही हैं, लेकिन क्या महिलाओं को जिन्होंने पढ़ाने का काम शुरू किया, मैं महाराष्ट्र से आता हूँ, वहां छत्रपति साहू महाराज थे या महात्मा फुले थे, जिन्होंने यह काम करवाना शुरू किया, लोगों ने उनको पत्थर मारे, अगर उस समय पॉलिटिकल कंसेंसस की बात करके कोई सोशल रिफार्म करना चाहेगा, तो ऐसा कभी नहीं होगा। सोशल रिफार्म के लिए सरकार को आगे आना पड़ता है, समाज की भलाई के लिए सोचना पड़ता है और उसके आधार पर कार्य करना पड़ता है, लेकिन दुर्भाग्य से मुझे कहना पड़ रहा है कि इसमें माफिया का दबाव हुआ है। लाटरी माफिया है, जिसका लाटरी में बहुत इन्टरेस्ट है और जिनका हजारों करोड़ का कारोबार है, उन लाटरी माफिया के दबाव में यह काम होता है, इसलिए आज सरकार केवल नियमों की बात कर रही है तथा 1999 के कानून को वापिस ले रही है। इसमें भी बहुत खामियां हैं, अगर मंत्री जी इसको पढ़ते, तो उन्हें पता चल

जाता। इसमें लिखा है कि यह जो स्टडी ग्रुप था, जिसने रिकमंडेशन दी है, उसके मुताबिक हम ये रूल वापिस लेकर 1998 के बिल के अनुसार जल्दी रूल बनायेंगे। उसमें लिखा है - Double-digit lottery should be banned. 1998 के लाटरी बिल में Double-digit पर बैन नहीं है, तो Without amending the law, how will you introduce this? यह रूल कैसे बनेगा, वह तो सिंगल डिजिट लाटरी बैन का बिल था, यानी इस पर कुछ काम नहीं किया है। आपसे मेरी प्रार्थना है कि आप इसको वापिस लेने का जो प्रस्ताव लाए हो, इस पर पुनर्विचार करो, क्योंकि यह समाज की भलाई के लिए नहीं है।

महोदय, मैं आखिर में एक मुद्दा और बताना चाहता हूं। लोग कहते हैं कि लाटरी में बहुत सारे लोगों को एम्प्लायमेंट है, सरकारों को रेवेन्यु मिलता है, यह कोई आर्गुमेंट है? अगर चरस-गांजा, ड्रग्स को भी आफिसियल करोगे, जो युवा पीढ़ी का सत्यानाश कर रही है, ऐसे ड्रग्स को मान्यता दोगे, तो भी रेवेन्यु बढ़ेगा। क्या रेवेन्यु बढ़ाने का सरकार के पास यही रास्ता बचा है ? सरकार के पास रेवेन्यु बढ़ाने के बहुत सारे रास्ते हैं, लेकिन आप लोग वैसा नहीं कर रहे हैं। अंत में, एक मुद्दा और है कि सोशल बैलेंसशीट नाम की कोई कल्पना है या नहीं है ? सोशल बैलेंसशीट का मतलब यह होता है कि एक चीज़ के निर्णय से क्या समाज को लाभ हुआ, क्या समाज को नुकसान हुआ ? मैं सरकार को बताना चाहता हूं, आह्वान करता हूं, चुनौती देता हूं कि वह देश को यह समझाए कि लॉटरी से समाज का क्या-क्या फायदा होता है। मैं यह सब बताने को तैयार हूं कि लॉटरी से समाज का क्या-क्या नुकसान होता है। इस समाज के हर गरीब परिवार की महिला, हर गरीब परिवार की माता और हर गरीब परिवार की बहन यह कहेगी कि लॉटरी जैसा कोई दुश्मन नहीं है। आप इसको बढ़ावा देने निकले हैं, इसलिए मैं इसका विरोध करने के लिए खड़ा हुआ हूं। बहुत-बहुत धन्यवाद।

(समाप्त)

SHRI D. RAJA (TAMIL NADU): Sir, as a matter of principle, we are opposed to these kinds of lotteries, but it has to be seen in the practical context in which we are. This Bill is one of the oldest Bills. As I understand, it is a very old Bill. I think the Government has a point in withdrawing this Bill, that is, the Lotteries Prohibition Bill, 1999. But, at the same time, the Government

of India will have to give an assurance that the Government will come before the House with a fresh Bill, comprehensively addressing all the concerns. The Government will also have to consult with the State Governments. Without proper consultation with the State Governments and taking their views, I do not think that it is proper on the part of the Union Government to push through this in such a manner.

(Contd. by PB/2J)

PB-ASC/2J/4.00

SHRI D. RAJA (CONTD.): So, I wish the Government gives an assurance that it will come forward before this House with a fresh Bill, addressing all the concerns. Sir, there are State Governments which themselves run the lotteries and there are private companies which run the lotteries.

I agree with my friend, Mr. Javadekar, that many families are ruined by participating in such lotteries. The consumerism is promoted in various ways. If you see, everywhere you will find this consumerist element, trapping the people into some kind of gamble. This is bad for the society. But, at the same time, the point is, how the Government is going to address the practical questions?

Therefore, I urge upon the Government to give an assurance that it would come before the House with a fresh new Bill, addressing all the concerns. That is what I want to say. It is an old Bill and it cannot stand as it is brought today. I don't find anything wrong if the Government wants to withdraw it but you must give an assurance that you are for another Bill, a fresh Bill, which will address the concerns of everyone. That is how I look at this Bill.

(Ends)

SHRI A. VIJAYARAGHAVAN (KERALA): Sir, at the time of the withdrawal, I would also like to raise some difference of opinion with regard to this process.

Sir, when this Bill was brought in the year 1999, at that time also during the discussion, we had expressed our difference of opinion. The defect in this Bill is that it is generalising all kind of lotteries whether it is single digit lotteries or whether it is on-line lotteries or whether it is State-run lotteries. They have generalised all these lotteries. Here, Sir, I agree with the fact that there are on-line lotteries, there are single-digit lotteries and there are lotteries run by mafia, etc. All of them are there. Some of the States are utilizing this for strengthening the lottery mafia. That thing is also there.

But, Sir, we have to understand the fact that there are some States where the State Governments are running it in a proper way. I am representing a State where we have a State Government lottery since 1969. During all these forty years, the State lottery is there and it is providing employment to the poor man, the differentially-able people in Kerala. Sir, lakhs of differentially-able people are using the paper lottery for their livelihood. If there is a blanket ban, they will all become beggars the next day. Then, there are women, who are destitute women. What would be their future, Sir, if there is a blanket ban on it? So, we have to take note of this. Therefore, the defect in the Bill is that we are generalising all these lotteries. So, you have to differentiate between all these lotteries, namely, the lotteries run by the mafia, the on-line lotteries, the computer-lotteries, the single-digit lotteries, double-digit lotteries, etc. There are malpractices in this. My suggestion is, try to avoid all these malpractices and also take into account all those State Governments which are providing employment to the

destitute and differentially-abled people. Their rights should be ensured. I think, this House should be unanimous in this regard.

Sir, I expect an assurance from the Minister concerned that when he comes with a comprehensive Bill, he will take note of all these aspects. Thank you.

(Ends)

श्री अमर सिंह (उत्तर प्रदेश) : उपसभापति महोदय, माननीय सदस्यों ने सदन में इस बिल पर विस्तार से चर्चा की है। अभी पिछले दिनों एक बहुत ही महत्वपूर्ण किसानों के मुद्दे पर, सम्पूर्ण विपक्ष ने एक साथ होकर, सरकार को घुटने टेकने पर मजबूर किया है। मैं गन्ना किसानों के बारे में संदर्भित कर रहा हूँ, सरकार द्वारा कुछ ऐसे प्रावधान लाए गए थे, जो उनके हितों के प्रतिकूल थे। मैं यह बात नहीं कहूँगा कि सरकार एकदम खराब काम करती है। सरकार कभी-कभी अच्छा काम भी करती है, जैसे इसने एक अच्छा काम यह किया कि यह लॉटरी के विरोध में यहां पर एक बिल लाई है। यह लॉटरी समाज में बहुत बड़ी प्रतिकूलता और विषमता लाती है। मुझे अनुभव है कि लॉटरी के कारण कई परिवारों ने आत्महत्या भी की है। यह लॉटरी एक जुए की तरह है। लॉटरी की बुराइयों और कुरीतियों से ही प्रभावित होकर सम्भवतः हमारे ईमानदार, योग्य और प्रतिभावान गृह मंत्री चिदम्बरम जी यह बिल यहां लेकर आए।

(क्रमशः LP/2kपर)

2k/4.05/lp-sk

श्री अमर सिंह (क्रमागत) : अब यह बिल इस हाउस की संपत्ति हो गई है। एक अच्छी चीज आई है। यह हमारे हाउस की संपत्ति हो गई है। एकाएक यह अच्छा काम हुआ है, हम इसके लिए गृह मंत्रालय और सरकार को साधुवाद देना चाहते थे कि गन्ना किसानों के हितों के प्रतिकूल आचरण करने के बाद एक गरीब आदमी, जो लॉटरी खेलते-खेलते आत्महत्या कर लेता है, उस लॉटरी की बुराई और कुरीति को खत्म करने के लिए आप एक बिल लेकर आए हैं। हमारी ये जो सुखद अनुभूति थी, यह क्षणिक रही। आज जब हमने सदन का कागज देखा तो पता चला कि आम आदमी के लिए यह जो अच्छा काम करने का निर्णय लिया था, इसके लिए भी इनका

मन बदल गया। अब कहते हैं कि नहीं, नहीं आत्महत्या करो, भूखो मरो, पत्नी के जेवरात बेचो, लेकिन लॉट्री जरूर खे लो। इन्होंने लॉट्री बैन करने के लिए जो काम किया था, अब इसको वापस ले रहे हैं। अब यह हमारी संपत्ति है, हमारा अपना मामला है, हाउस की संपत्ति को हम हाउस से वापस नहीं जाने देंगे। बड़ी मुश्किल से यह पकड़ में आया है, एक अच्छा काम हुआ है, यह मेरा मानना है। विपक्ष के नेता माननीय अरुण जेटली जी से हम अनुरोध करेंगे कि यह जो अच्छी चीज आई है, इसको पकड़ लें, जकड़ लें। हम भी पकड़ते-जकड़ते हैं। अभी हमारे वामपंथी साथी कह रहे थे, Destitute women की बात कर रहे थे, मैं यह मानता हूँ, विशेष रूप से वामपंथी साथियों के लिए मानता हूँ कि अंधाधुंध पैसे की कमाई के लिए वहाँ की सरकार लॉट्री नहीं करेगी। आप इसको बैन न करें, संशोधन कर दें कि स्टेट वाले करेंगे, केरल वाले करेंगे, बंगाल वाले करेंगे, असम वाले करेंगे और उसमें एक स्ट्रिकचर कर दें कि उससे जो कमाई होगी, वह कमाई वेलफेयर के लिए जाएगी। आप वह कर दें। हम आपको साधुवाद दे रहे हैं कि आप कीजिए, लेकिन इसका अर्थ यह नहीं है कि असम का कोई व्यक्ति है, हम नाम नहीं लेंगे, सत्ताधारी दल से संबद्ध है, उसका बहुत नाम है, हम नाम नहीं लेंगे, नाम नहीं लेना चाहिए, वे इस सदन में नहीं हैं, वे बहुत जोर से कर रहे हैं, कोई बहुत बड़ा न्यूज मैग्नेट है, उसके पास पता नहीं कितने चैनल्स हैं, वह भी बहुत interested है, हमारे पास भी तरह-तरह के लोग आए हैं कि बोलना मत, गांधी के बंदर की तरह चुप रहना, न देखना, न सुनना, न बोलना, गांधी के तीन बंदरों को याद करो और राज्य सभा में जाकर तीन बंदरों को याद करके न देखो, न बोलो और न सुनो। गृह मंत्री जी यह काम हम नहीं कर सकते हैं। आपने एक अच्छा काम किया है, इस अच्छे काम को बुराई में बदलने के लिए हम आपको सहयोग नहीं दे सकते हैं। अब यह बिल आ गया है, हम इसे पकड़ेंगे, जकड़ेंगे, अपने पास रखेंगे और अगर आपको कोई संशोधन करना है तो संशोधन कीजिए। हम संशोधन करने का स्वागत करेंगे ताकि केरल वाले हमारे वामपंथी साथियों का जो एक संशय है वह ठीक हो जाए और बाकी मामले में हम वामपंथी साथियों से भी सविनय अनुरोध करेंगे कि यह जो कुरीति है, इसका विरोध करें।

(समाप्त)

DR. K. MALAISAMY (TAMIL NADU): Sir, I shall take only a minute to seek clarifications. It is seen from the statement of the Minister that the Bill was introduced as early as in 1999. Now, the Bill is being withdrawn after ten years. I would like to say that before withdrawing the Bill they should have applied their minds. He has explained the circumstances under which the Bill is being withdrawn. Sir, in bureaucracy, there is a light-hearted saying: If you want to kill a decision, appoint a committee! After appointing a committee and after going through several exercises they have decided to withdraw the Bill. My point is, before withdrawing the Bill they should have applied their minds and then arrived at a conclusion. My point is, you introduced the Bill as early as in 1999. You should have thought over all the implications and worked out details. You should have done all that when you brought the Bill in 1999. After ten years you think over the implications. In other words, you are trying to bring in half-baked bills and you have not applied your mind. Sir, in the statement they have said that the future needs would be taken care of by the rules. If that be the case, I would like to ask whether the rules that they propose would take care of all the implications and contingencies. Are they going to be effective or adequate? Not at all.

(Ends)

(Followed by hk at 2)

HK-AKG/2L/4.10

श्री एस.एस. अहलुवालिया (झारखंड) : उपसभापति महोदय, मेरे माननीय विद्वान सांसदों ने Lotteries Bill के withdrawal के खिलाफ अपने विचार रखे हैं। मैं सिर्फ यह बात कहना चाहता हूँ कि मंत्री महोदय ने अपने स्टेटमेंट में कहा है -- Reasons for withdrawal of Lotteries (Prohibition) Bill, 1999 -- "However, since there was no unanimity on the aforesaid Bill in the Committee, the Committee suggests that the

Government should explore the possibility of evolving a larger political consensus in the matter." अगर Standing Committee किसी भी विधेयक पर unanimous report देती है, तो क्या सरकार उसे मान लेती है? उस वक्त वह कहती है कि it is not a mandatory recommendation. When there is no unanimity, you are saying that you are not going to proceed further because there is no unanimity. Now you are proposing that you will constitute a Committee of Secretaries headed by the Union Home Minister and the Finance Secretary and other State Governments as Members to examine the suggestions made by various political parties and the State Governments and to make suitable recommendations. आपने जो recommendations लिखी हैं, जिनमें double-digit lottery should be banned, और बहुत सारी चीज़ें लिखी हैं। वहाँ पर आपने प्वायंट 4 में एक और बात लिखी है कि "There should be no draws on national holidays." Do you know that on the salary day, whether it is a marginal farmer's salary day, or, an unorganised sector worker's salary day, or, a factory worker's salary day, when he comes out of the cashier's counter the next place he reaches is the lottery-ticket seller. A poor man buys or purchases the ticket and is provoked or attracted to big, big prizes to fulfil the dreams of his family members. He spends half of his day's or month's salary to purchase tickets thinking that he may get the prize. He starts day-dreaming that he will get this prize, or, he can get rid of all his debts, or, he can fulfil the demands of his wife and children, or, he can fulfil the demands of his parents and every month he buys tickets. But at the end of the month when the result comes, out of frustration he goes to a liquor shop and purchases liquor. He wanted to forget that. But again the month starts with all this. As our learned friend, Mr. Vijayaraghavan said, Kerala and other States are doing this. They are providing employment to

unemployed youths and young boys and girls. Many families are running after selling the tickets and earning their commission. That is correct. There should be a proper regulatory authority to regulate the system. There are cheats and big mafias in private sector. They are doing it in every nook and corner of the country; they are running lotteries in the name of committees, in the name of chit fund, etc. They provoke people, they attract people, they force people to buy their things and ultimately they cheat people. Who is the sufferer? The lower-middle class and the poor section of the society. So for the protection of their rights, we must have a comprehensive Bill. Till the Government brings a comprehensive Bill, let it be there. Otherwise, you bring amendment on this Bill. There is a Standing Committee Report. A detailed Report is there. You bring your amendment and whatever fine-tuning you want to do in this Bill, you do it. But you cannot withdraw this Bill from the House. Once the Bill is introduced with good intention, let it be there. However, there are some smaller States; they are improving their economy for social service sector and they are earning their money. You bring a comprehensive Bill and then come to the House. Then if you want to interchange it, do it. Otherwise, bring amendment in this Bill itself and pass this Bill.

(Ends)

(Followed by 2m/KSK)

SCH-KSK/4.15/2m

डॉ. (श्रीमती) नजमा ए. हेपतुल्ला: महिलाओं का बिल ये नहीं ला रहे हैं, यह कह कर कि यूनानिमिटी नहीं है ..(व्यवधान)

श्री अजय माकन (गृह मंत्रालय में राज्य मंत्री): उपसभापति महोदय, माननीय सदस्यों ने बड़े विस्तार से अपनी बातें रखीं। मेरे सीनियर कुलीग श्री चिदम्बरम जी के ऑथेंटिकेटिड स्टेटमेंट में इसके डिटेल्ड रीज़न्स दिए गए हैं और वह सबको सर्कुलेट किया गया है। मैं केवल उसमें से कुछ बातों को दोबारा से दोहराना चाहूंगा।

इससे पहले कि मैं अपनी बात को आगे रखूं, जैसा कि अभी प्रकाश जी ने बताया कि स्टैंडिंग कमेटी ने कहा कि इसको लार्जर पॉलिटिकल कंसेंसस के लिए रखा जाए, लेकिन उसके बाद सीधे के सीधे इसे विद्‌ड्रॉ क्यों किया जा रहा है। इसमें सरकार सीधे के सीधे स्टैंडिंग कमेटी के बाद इसको विद्‌ड्रॉ नहीं कर रही है, इसके बीच में बहुत सारे स्टेप्स भी लिए गए हैं। कुछ स्टेप्स ऐसे भी लिए गए, जब सत्ता में हमारी सरकार नहीं थी, पुरानी सरकार थी, लेकिन तब भी किसी तरीके से कोई कंसेंसस या यूनानिमिटी रीच नहीं किया जा सका।

जब 23 दिसम्बर, 1999 को यह स्टैंडिंग कमेटी को भेजा गया, उस समय 14 फरवरी 2000 को वापस सरकार ने कहा कि इसमें लार्जर पॉलिटिकल कंसेंसस इवॉल्व किया जाए। उसके बाद 8 फरवरी, 2003 को जब All India Chief Ministers की कॉन्फरेंस हुई, उसमें भी यह विषय उठाया गया, लेकिन चीफ मिनिस्टर्स की कॉन्फरेंस में भी इसमें किसी तरीके से यूनानिमिटी नहीं आई। 6 फरवरी, 2006 को तत्कालीन होम मिनिस्टर ने पार्लियामेंट में हमारी सभी पॉलिटिकल पार्टिज़ के जितने भी लीडर्स हैं, उन सबको बुला करके फिर से इसके ऊपर चर्चा की। उस समय overwhelming view यह निकला कि लॉटरीज़ को प्रोहिबिट नहीं किया जाना चाहिए, लेकिन इसमें एक स्ट्रॉंग और इफैक्टिव रैगुलेशन की जरूरत है, जिससे उसको रैगुलेट किया जा सके।

उसके बाद उसकी वजह से और उसके फॉल आउट से 6 फरवरी को सब लीडर्स के साथ में एच.एम. की मीटिंग हुई, तो यूनियन होम सैक्रेटरी के नेतृत्व में 24 फरवरी को एक कमेटी फॉर्म की गई, जिसमें सभी स्टेट्स के फाइनांस सेक्रेटरीज़ डाले गए। 4 अप्रैल 2006 को, केवल डेढ़-दो महीने के बाद ही सभी स्टेट्स के फाइनांस सेक्रेटरीज़ ने होम सेक्रेटरी के साथ मीटिंग

की और उस मीटिंग के अंदर केवल त्रिपुरा ने कहा कि इस पर बैन होना चाहिए, यह प्रोहिबिट होना चाहिए। उसके अलावा बाकी सब के सब स्टेट्स के फाइनांस सेक्रेटरीज़ ने कहा कि इसे बैन करने की जरूरत नहीं है, बल्कि इसे बेहतर तरीके से नियंत्रित करने के लिए बेहतर रैगुलेशन्स को लेकर आने की जरूरत है। उसके बाद 27 नवम्बर, 2006 को इसके ऊपर एक स्टडी ग्रुप बनाया गया। उस स्टडी ग्रुप के अंदर कुछ सिलैक्टड स्टेट्स के रिप्रेज़ेंटेटिक्स थे, Ministry of Law and Justice के रिप्रेज़ेंटेटिक्स थे और Ministry of Finance के रिप्रेज़ेंटेटिक्स भी थे। उस स्टडी ग्रुप को दो प्वाइंट्स देखने के लिए कहे गए थे। एक प्वाइंट था - "Whether the Lottery should be continued" और दूसरा प्वाइंट था, "If so, then make suitable recommendations for better regulation and operation."

स्टडी ग्रुप ने, जिसके अंदर Ministry of Law and Justice के रिप्रेज़ेंटेटिक्स भी थे, 18 जुलाई, 2009 को अपनी एक रिपोर्ट सब्मिट की और कहा कि इसके अंदर 'The Lotteries (Prohibition) Bill, 1999' को विद्‌ड्रॉ करना चाहिए और उसकी जगह rules under 'The Lotteries (Regulation) Act, 1998' को ला कर हम इसको बेहतर तरीके से रैगुलेट कर सकते हैं। इसलिए जैसा कि प्रकाश जी ने कहा कि इसमें कैसे हम डबल डिजिट बैन कर सकते हैं, मैं उन्हें बताना चाहता हूँ कि जिस स्टडी ग्रुप में Ministry of Law and Justice के रिप्रेज़ेंटेटिक्स थे, उन्होंने कहा है कि हम केवल रैगुलेशन्स के माध्यम से ही डबल डिजिट को बैन कर सकते हैं। श्री चिदम्बरम जी ने इसमें जो स्टेटमेंट दी है, उसमें भी उन्होंने कहा है कि "double digit lottery should be banned". तीसरे नम्बर पर यह लिखा हुआ है।

उसके अलावा यह भी पूछा गया कि on-line लॉटरीज़ को किस तरीके से रैगुलेट किया जाए, वह भी रैगुलेशन्स के माध्यम से ही हो सकता है।

अंत में मैं केवल इतना कहना चाहता हूँ कि दस साल से यह बिल लगातार इसी तरीके से हाउस में पेंडिंग पड़ा हुआ है और इसके ऊपर कोई फाइनल डिस्सिज़न नहीं हो रहा है। हम लोग इसे वापस ले करके, जो The Lotteries (Regulations) Act, 1998 इस हाउस में पास हुआ था, उसके माध्यम से वह सब चीज़ें अचीव कर सकते हैं, जो आप लोग चाहते हैं और जो आप लोगों के विचार हैं। हम लोग कोशिश करेंगे कि रैगुलेशन्स के माध्यम से हम उसको ठीक करें और वे रैगुलेशन्स सदन के पटल पर भी रखे जाते हैं। अगर किसी भी तरीके से उन रैगुलेशन्स

के ऊपर आप लोगों की असहमति है या उसमें किसी भी प्रकार की कमी नजर आती है, तो सरकार फिर से उसके ऊपर ओपन है और हम इसके ऊपर फिर विचार कर सकते हैं। अगर हाउस की इसके ऊपर कोई यूनानिमिटी नहीं है, तो हम इसे विद्‌ड्रॉ नहीं करेंगे, लेकिन अगर यूनानिमिटी है, तो मैं यही निवेदन करना चाहूंगा कि आप हमें इजाजत दें कि हम इसको विद्‌ड्रॉ करें। रैगुलेशन्स के माध्यम से हम लॉटरीज़ के अंदर जो भी इम्प्रूवमेंट्स कर सकते हैं, हम आप लोगों के विचारों को उसमें incorporate करने की पूरी कोशिश करेंगे।

(समाप्त)

2n/psv पर आगे

GSP-PSV/2N/4.20

श्री एस0एस0 अहलुवालिया: आप regulation ले आइए, Bill को withdraw कर लीजिए। You can show up, there is no problem. (Interruptions)

संसदीय कार्य मंत्री (श्री पवन कुमार बंसल): सर, श्री अजय माकन ने उसमें सारा कुछ विस्तारपूर्वक बता दिया है। कौन-सा कानून बनाना है या नहीं बनाना है, यह बात हमारे साथ आप मानेंगे कि इसका फैसला सरकार को करना होता है। यह 10 वर्षों से पड़ा है और इसमें आगे कोई काम नहीं हो पाया है। यह इसी कारण से हुआ, क्योंकि इसमें मतभेद थे। अलग-अलग प्रांत की जो लॉटरीज़ हैं, उनके अपने-अपने विचार कुछ और थे। उन सभी बातों को देखते हुए आज सुबह ही अहलुवालिया जी हमें बार-बार याद दिला रहे थे कि this is the Council of States. इस प्रकार जो स्टेट्स हैं, उनके इस पर अलग-अलग विचार हैं। वे यह नहीं चाहते कि आप इसे prohibit करो या इसपर टोटल पाबंदी लगा दो। इसलिए मैं यह दरखास्त करूंगा कि इस पर हमें इजाजत दी जाए, ताकि उस regulation में और जो संशोधन करने हैं, वह जल्दी से ... (व्यवधान)...

श्री एस0एस0 अहलुवालिया: आप वह regulation ले आइए। ... (व्यवधान)...

श्री अमर सिंह: वह regulation आप ले आइए। ... (व्यवधान)...

श्री पवन कुमार बंसल: वह हम ले आएँगे। ... (व्यवधान)...

श्री एस0एस0 अहलुवालिया: नया बिल लाने में तो कोई रुकावट नहीं है। ... (व्यवधान).... आप वह ले आइए।

श्री पवन कुमार बंसल: इसके लिए Standing Committee है। वह मसला Standing Committee में चला जाता है। Standing Committee किसी भी मसले को उठाकर विचार कर सकती है। उसके तहत किसी भी वक्त जो भी Subordinate Legislation के रूल्स होते हैं, वे Subordinate Legislation Committee में जाते हैं और जो विषय की समिति होती है, उसमें चले जाते हैं। इसलिए सर, मेरी दरखास्त एक बार फिर होगी कि हमारी जो परम्पराएँ हैं कि सरकार कौन सा बिल लाना चाहती है, कौन सा विधेयक रखना चाहती है, कौन सा विधेयक किस हालात में, किस शकल में लाना चाहती है, वह सरकार के पास रहना चाहिए। मेरी यह दरखास्त है कि आप इस बात को मानें, आगे आपकी मरज़ी। ...(व्यवधान)...

डा.(श्रीमती) नजमा ए. हेपतुल्ला: आप विदग्ध कर लेंगे, तो Sub-ordinate Legislation कैसे आएगा? When the Act is withdrawn, then, the subordinate legislation...
...(Interruptions)...

SHRI PAWAN KUMAR BANSAL: No, no. There is another Act.
(Interruptions)

DR. (SHRIMATI) NAJMA A. HEPTULLA: Then, you bring another Act and withdraw it. (Interruptions)

गृह मंत्रालय में राज्य मंत्री (श्री अजय माकन): सर, यह 1999 का Lotteries (Prohibition) Bill है। इससे एक साल पहले 1998 का Lotteries Regulation Act आ चुका है। जो regulations हैं, Sub-ordinate Legislation, उस एक्ट के तहत, जो 1998 में Lotteries Regulation Act यहाँ पर संसद से पास हुआ था, उसके तहत हम लेकर आना चाहते हैं। Regulations के अन्दर हम कोशिश करेंगे कि हमारे सदस्यों की जो भावनाएँ हैं, उनको हम incorporate करें। यह बिल पड़ा रहे इसके अन्दर लगभग इतने सालों से, उसमें ...(व्यवधान)...

SHRI S.S. AHLUWALIA: Sky is not going to fall on our head. Bring a new Bill, and, withdraw it. What is wrong in it? (Interruptions)

SHRI PAWAN KUMAR BANSAL: Ahluwalia ji, I would request you...
...(Interruptions)...

श्री एस0एस0 अहलुवालिया: नहीं, आप Parliamentary Affairs Minister हैं। आप जुरा लिस्ट में से देख कर यह बताइए कि कितने बिल ऐसे हैं। मैं आपको दिखा दूँगा कि कितने बिल ऐसे हैं, जो पिछले 15 सालों से या 20 सालों से pending हैं। ...(व्यवधान)...

श्री पवन कुमार बंसल: हम वही प्रयास कर रहे हैं कि वह नहीं रहें।

श्री एस0एस0 अहलुवालिया: आप at one stage withdraw कर लीजिए ...(व्यवधान)... There are obsolete Acts in the country which should be repealed but are not repealed. What does it mean?

SHRI PAWAN KUMAR BANSAL: There is an exercise for it.

SHRI S.S. AHLUWALIA: The point is either you do not send this or... ...(Interruptions)... Why do you have two standards for two Committees or two Bills? When we send a unanimous Report from the Standing Committee, you say, it is not mandatory. Here, there is no unanimity; because it fits you, you say something else. (Interruptions) We will not accept it. That is not fair. (Interruptions)

SHRI PAWAN KUMAR BANSAL: Sir, it is not a question of what suits us or what does not suit us. It is not that. (Interruptions)

SHRI S.S. AHLUWALIA: My point is simple. I am not opposed to the Regulatory Authority for the Lotteries. You bring it. Stop the lottery *mafia*. Bring a Bill, come back to the House, and, the same day, you can withdraw. There is no problem. (Interruptions)

श्री उपसभापति: अहलुवालिया जी, उनका कहना है कि 1998 का जो एक्ट है, उसमें वह एक regulation बनाएँगे। ...(व्यवधान)... वह उसे बनाने का assurance दे रहे हैं।

श्री एस0एस0 अहलुवालिया: 1998 का Lotteries Regulation Act बना हुआ है, उसमें आप संशोधन ले आइए। यह कल ले आइए और कल ही withdraw कर लीजिए। आप वह ले तो आइए। ...(व्यवधान)...

SHRI PAWAN KUMAR BANSAL: It is a simultaneous decision. This Bill was taken up for consideration again, and, therefore, the opinion was that instead of going in for another Act, those changes can be brought about through the regulations under the other Act. (Interruptions) इसमें कुछ भी गलत नहीं है। There is nothing wrong in it, Sir.

SHRI M. RAMA JOIS: Under the 1998 Act, let them frame the regulation. Because it has to be laid on the Table of the House, let them place those regulations and then withdraw it.

SHRI PAWAN KUMAR BANSAL: These are the precedents being set that the Government wants to introduce a Bill or the Government wants to withdraw a Bill, and, it is being obstructed. (Interruptions) Okay. Fine, Sir. It is fine, Sir. (Interruptions)

SHRI S.S. AHLUWALIA: There is a provision in the Rule Book. There is a provision to object to it. (Interruptions)

SHRI PAWAN KUMAR BANSAL: These are the precedents which are being set. (Interruptions) It is all right. (Interruptions) These are the precedents which you are setting. (Interruptions)

MR. DEPUTY CHAIRMAN: Are you moving it?

श्री अजय माकन: सर, अगर इसमें opposition की रजामंदी नहीं है, तो मैं प्रेस नहीं कर रहा हूँ, लेकिन मैं फिर से यह कहना चाहूँगा कि ये दोनों चीजें अपने आप में विरोधाभासी हैं। एक तरफ हम लोग Regulations लेकर आना चाह रहे हैं और बिल already पार्लियामेंट के अंदर रखा हुआ है। इस तरह इन दोनों चीजों में विरोधाभास है। मैं सिर्फ यही कहना चाहूँगा।

(2एम/एस0के0 पर आगे)

SK/20/4.25

MR. DEPUTY CHAIRMAN: Okay, the Bill is not pressed.

We will now take up the Representation of the People (Second Amendment) Bill, 2008.

**THE REPRESENTATION OF THE PEOPLE (SECOND AMENDMENT)
BILL, 2008**

THE MINISTER OF LAW AND JUSTICE (SHRI VEERAPPA MOILY): Sir, I beg to move that the Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951, be taken into consideration.

Mr. Deputy Chairman, Sir, in a Parliamentary democracy, the process of election has to be free, fair and equitable. We are very proud to say that our Parliamentary democracy is the largest and the most successful one. But, at the same time, we have to acknowledge the fact that there is some deterioration in the standards and practices. And also the elections, the perception is, are sometimes influenced by money power, muscle power, caste power, corrupt practices and also unfair means. Over the years, we have seen that our Acts, regulations and the laws of the country will have to be strengthened to provide for contingencies, to provide to sustain the democracy, to provide any kind of an accident which can overtake the free and fair election process. There are several negative influences which creep in to destroy the system, to distort the system. These things have been debated outside, debated on the floor of the House. Even the political parties many a time come together, deliberate on that and also suggest a number of measures to remedy. In July 2004, the Election Commission forwarded about 22 proposals from out of the experience of the discussions held with political parties and also because of the practical experiences which are being felt by them. We have now brought in only 5 components

out of those 22 proposals and others are under process. But I do not say that this is quite exhaustive; I do not say that even the 22 proposals will meet the requirement of the time. That is why I have been thinking that there should be a national consultation to have a comprehensive electoral reform and the state-of-art election process to be set in this country so that we remove all the distortions. That is what we would like to do at a later time. But as far as these 5 components are concerned which are the subject matter of the amendment presently presented here, these have been examined by the Departmental-related Parliamentary Standing Committee. They have examined it in their 33rd Report which is before the House. We have examined it. One of the components is 'appointment of appellate authority in districts against orders of electoral registration officer'. This is amendment to section 24 of the RPI Act, 1950.

(Continued by 2p - yrsr)

-SK/YSR/4.30/2P

SHRI M. VEERAPPA MOILY (CONTD.): All of us have witnessed names of voters missing from the electoral roll. This is a big issue. Initially, they find their names in the list. But when they go to cast their vote, they find that their names have been erased. It does not happen just with one voter. Sometimes the number is so substantial that it is definitely a factor in the failure or success of a candidate. We have witnessed that. What role does an administration play at the district level? Many a time it is influenced and this is done on a physical verification. There is no systemic approach to have a clean electoral roll. The officer's job is to ensure that an eligible person's name is included and retained in the electoral roll. It is a matter of right to him. It cannot be denied to him. He cannot be deprived of that right. Right

to vote is the right vested in the electorate. But that is denied. He is not responsible for that. It is because of the system which prepares electoral roll. We are now with an amendment wherein we have proposed to appoint an appellate authority in the district itself instead of Chief Electoral Officer to simplify the procedure to redress the grievances of the electorate in the preparation of electoral roll. In addition to that, it has been proposed to add a new clause empowering the Chief Electoral Officer for revision of the order passed by the District Election Officer. It will be done in a time-bound programme, not after the election. I don't think on this measure, there will be much dispute.

Second component of this Bill is simplification of procedure for disqualifying a person found guilty of corrupt practices. Many a time to arrive at a decision takes a lot of time and then one election is over. That is why we thought that we have to specify the time in section 8A of the Representation of the People Act. If a person is found guilty of corrupt practices, the current procedure for disqualification is that the High Court pronounces the judgement in an election petition. Many a time, after the decision of the High Court, it goes to the Supreme Court. While it is pending, another election comes. It is no justice at all. It is negation of justice. We need to work on this. That is why through the concerned State Legislature Secretary or the Secretary-General of the Rajya Sabha or the Secretary-General of the Lok Sabha, as the case may be, the recommendation goes to the President. Then it goes to the Election Commission under Section 8A (3) where a judicial hearing is given to the affected party. Its opinion in this regard is communicated to the President who thereupon decides the period of disqualification according to such

opinion. We are actually capsuling it with a time-bound programme. This is a very important thing and the circuitous route consists *inter alia* the registry of the High Court, Secretary of the concerned House of legislature and the President of India before reaching the Election Commission of India to enable it to render its opinion to the President. The journey is horrendous. It never ends. It does not get any termination. So this is important.

In fact, Section 8A is sought to be modified to provide a time-limit of three months within which the specified authority will have to submit the case of a person found guilty of corrupt practices to the President. It will have a far-reaching impact on having a fair and free election.

The third component of this Bill is the increase in security deposit of candidates. This is sought to be done by seeking an amendment of section 34 of the Representation of the People Act.

(Contd. By RSS/2Q)

RSS/2Q/4.35

SHRI M. VEERAPPA MOILY (CONTD.): Sub-section 1 of section 34 containing the requirement of security deposit was substituted by the Representation of the People Act of 1996, and each candidate for election to the House of People is required to deposit an amount of Rs. 10,000/- as security deposit and for State Assembly, Rs. 5,000/-, and the amount of security deposit was last revised in 1996. As the time has come to increase it, the Election Commission of India had sent a proposal regarding the increase in security deposit of candidates to Rs. 20,000/- in case of election to the House of People and Rs. 10,000/- for Legislative Assembly. For candidates belonging to the Scheduled Caste and Scheduled Tribes, the deposit amount would be half of the respective amounts.

The fourth component is amendment of section 123(7) of the Representation of the People Act, 1951. Section 123 deals with certain practices which are deemed to be corrupt practices for the purpose of the said Act. Clause 7 of the said section mentions the categories of the officials of the Government whose involvement in furtherance of the electoral prospects of any candidates at an election is to be treated as a corrupt practice for the purpose of the Act. Sir, this covers how to discipline the bureaucracy. They play havoc many a time. We need to discipline them. We can catch them with a proper claw of the law. This is what is intended. It is a question of furthering accountability among the officers on election duty.

The last component is to restrict the publication and dissemination of exit polls conducted during elections to Lok Sabha and Legislative Assemblies. This is a matter which the House will have to deliberate properly. Many a time, the exit polls are held. Nowadays, elections are spread over to one month, sometimes, to two months, and exit polls keep coming on the same day, and that has an influence over the electorate. It will give advantage to some people. I do not want to attribute any motive to the media or any person as it is. But the question is, that will definitely give an advantage to persons, advantage to political parties. That is why I said that the election should not only be free and fair, elections should also be equitable. Equitable treatment will have to be given to the respective political parties and the persons who are standing for the elections. I have seen it in many countries. For example, U.K., Germany and many other countries, they do not allow the exit polls before the announcement of the results. Yes, they can announce it before the last polling. These are few components that we have selected. Of course, this is not the end of the

journey in the electoral reforms. I am again reiterating the matter that we will come out with comprehensive reforms for elections because we are credited to be the largest Parliamentary Democracy. We continue to be there in future also. That means we should always revisit, revisit every step they take so that our Parliamentary Democracy is the best in the world. With this, I commend the Bill for consideration of the House.

(Ends)

The question was proposed.

SHRI S.S. AHLUWALIA (JHARKHAND): Mr. Deputy Chairman, Sir, I am speaking on the Representation of the People (Second Amendment) Bill, 2008. The Bill seeks certain amendments in the principal Act, the Representation of the People Act, 1951. Sir, we have got roughly about 201 sections in the principal Act, the Representation of the People Act of 1950 and 1951.

(contd. by 2r)

MKS-MP/4.40/2R

SHRI S.S. AHLUWALIA (CONTD.): In the last 59 years, we amended many sections because with the passage of time, so many developments had taken place in the electoral process. The constituency also has become big; the number of polling booths also has increased. When the principal Act was enacted, at that time, the country's size was 35 crores. Now, we are more than a billion. We are working on the same Act. At that point of time, electronic media was not there. Now, there is an electronic media. At that point of time, so much of print media was not there. Telephones or communication systems were not so strong. Just to get a trunk call connected, you had to wait for hours together, for days together, to connect. But, now, you can send an SMS within the fraction of a second

and you can communicate to anybody right from Kashmir to Kanyakumari and from Kohima to Kutch. There are different political parties. Although regional political parties are there, some of them contest elections in the whole of India. With these developments, don't you feel that we should come out with a new comprehensive version of the Representation of the People Act?

Now, Sir, what is the lacuna? I give you a small example. A person who is in the judicial custody cannot vote. A person who is in the jail cannot vote, but a person who is in the jail can contest! A person in the judicial custody can contest an election but a person who is in the jail cannot vote! If a person is not entitled to vote, how can he contest? It is a simple thing. But the point is, when you change, you must apply your mind. Time and again, the Election Commission has given you a lot of suggestions that you should bring forward this amendment in the principal Act. Time and again, we have found, through the judgments of High Courts and Supreme Court, that many suggestions have appeared, and we have discussed them. But we have not incorporated them in the principal Act. We have not amended that. Again, we have brought this Bill in a piecemeal manner. If you see, just now, the hon. Minister and my learned friend, my elder brother, Veerappa Moilyji, was explaining that there are five elements; five amendments are to be made in the Bill. Now, what are those five amendments? With these five different fields, there is no connectivity. If you see, number one is 'exit poll'. 'Exit poll' is connected with the electronic media and the print media. Appeal process. 'Appeal process' for what? For inclusion or deletion of a voter's name from the voters' list. The day before yesterday, I was reading a news-item. What is the procedure to get

your name included in the voters' list? A simple process. You must have a ration card, and for having a ration card, you must have a residence proof. That is enough for getting your name included in the voters' list. The day before yesterday, I was reading a news-item; that was from Chittoor District of Andhra Pradesh. One ration card was issued in the name of Mahatma Gandhi, son of Nathuram Godse! Sir, would you like to see a name appearing in the voters' list as "Mahatma Gandhi, son of Nathuram Godse?"

(Contd. by TMV/2S)

-MKS-TMV-SC/2s/4.45

SHRI S. S. AHLUWALIA (CONTD.): The other day I read that in the names of some national leaders job cards were issued under NREGA. You know, Moilyji, during the Emergency the names of senior leaders appeared under the birth control operation and the money was released. There was an Inquiry Commission and it appeared in the Shah Commission inquiry also. So, our system is not foolproof. Now you have brought it that for deletion and inclusion, instead of the Chief Electoral Officer, the District Magistrate or the ADM should be there. It is fine. Normally, the District Electoral Officer also sits in the same campus where the District Deputy Commissioner or the District Magistrate or the ADM sits. One of the ADMs ultimately becomes the District Electoral Officer. Now you have brought in this process and you are saying that this is a big achievement. I don't understand how you are going to protect the rights because you know that to get your name included, you need a PAN card, you need residential proof and you need a ration card.

I read another report where it was stated that there were about 3.5 million false ration cards in a particular State. It is strange. It means that

by using the 3.5 million false cards you can make 3.5 million false voters also. Recently, one terrorist with Taliban link was caught in Lucknow. He had a PAN card; he had a ration card and he had a voter ID card. He had everything. It means that you don't need an Appellate Committee. But you need a foolproof system at the ground level where these cards are made, where they can check the genuineness of the person whether he or she is a citizen of the country or not, whether he or she is a *bona fide* resident of the country or not, whether he or she is a voter of any other State or not. There is the issue of Bangladeshi infiltrators. The Delhi High Court has given you a direction to deport them. Their names are appearing in the electoral list. Election after election, whether it is the municipal election or the general election or the Assembly election, they are participating. Despite the order of the High Court they were not deported. So, how are we going to function?

That is why, again and again, I am making the request.

Then, you are bringing in the corrupt practices, disqualification, election procedure and the Mizoram aspect. In 1998 and in 1999, the Election Commission of India attempted to bar the publication of opinion polls. They went to court. They went to court quoting article 19 (1) of the Constitution. A civil writ petition was filed in the Supreme Court stating that the ECI ban was violation of article 19(1) of the Constitution. The Supreme Court later ruled that under article 324 of the Constitution the ECI had no power to impose such guidelines, but did not address the issue whether this was a Constitutional violation. Then another writ petition was filed in 2004 which is pending before the Supreme Court. The judgement has not yet come. But in the meantime, in 2008, the Representation of the People

(Second Amendment) Bill was brought forward and it went to the Standing Committee, and the Standing Committee called the stakeholders and they had discussed it.

(Contd. by 2T/VK)

VK/2T/4.50

SHRI S. S. AHLUWALIA (CONTD): They have discussed everything. I have nothing against the media. I have nothing against the print media or the electronic media. But you cannot raise the question of fundamental right everywhere. If you have a fundamental right, I also have a fundamental right. Canada requires the publication of any election survey to include details of the survey. In Canada, if you are publishing a survey, you must have to give the formula of the survey; how many people you have surveyed and what was the answer given by them. You have to disclose all this. But here nobody does that. Canada prohibits publishing any new survey results on the election date and before the poll closes. France bans the publication of opinion polls on a day before the ballot and the day of the ballot. It requires individuals who publish opinion surveys to also release information on data collection. It is done in France which is more advanced in the communication system than India. Italy allows the conduct of opinion polls but forbids publication and diffusion of these fifteen days prior to election. Exceptions are allowed if the publication is released with an information note about the poll and it is recorded on a website. They have to give the details as to what was the sample of the survey; how many people responded; what was the question and what was the response.

In the United States of America, of course, there is no restriction. But the United Kingdom forbids publication of exit polls on the election day and

any forecast before the elections are over. Punishment includes fines up to level 5 on the standard scale or imprisonment up to six months. South Africa prohibits any person from printing, publishing or distributing the results of exit polls during the prescribed hours for an election. These are the points. You have addressed these issues. You have discussed these matters.

Now there is the issue of multi-phase election process. I belong to the State Jharkhand, a small State with 81 Members of Legislative Assembly. But here election is conducted in five phases. Tomorrow, there will be phase-1 and the last phase will be on 18th of December. If tomorrow there is an exit poll, will it not affect the rest of the election process? Same political parties are contesting.

The Election Commission recommended many things. They have said that prohibit the person accused of an offence which is punishable with imprisonment for five years from standing in elections. There is no mention of any amendment in this regard from the Government side. That is why I have raised this issue. A person who is in jail is not entitled to vote, but a person who is in jail is entitled to contest an election. That means a person who is not entitled to vote can contest an election. You have brought in this clause of increase in security deposit.

Then comes the issue of contesting from multiple seats. The Election Commission has requested that one candidate should not contest an election from more than one constituencies. The candidate, who wins from multiple constituencies, must bear an expenditure of Rs. 10 lakhs for Lok Sabha by-election and Rs. 5 lakhs for Assembly by-election.

(Contd. by 2U)

SHRI S.S. AHLUWALIA (contd.): Now, what happens is that in every political party, some people want to contest from two or even three constituencies. After elections, they resign. And, due to their resignation, there is by-election. Now, by-election means more expenditure. Who bears this cost! It is borne by the National Exchequer. So, the Election Commission requested you to amend the law. But no action has been taken. Then, regarding disqualification of offences, they requested you to simplify the procedure. You have done that. As regards campaign accounts, they wanted that political parties should get their accounts audited by Government-approved auditors and make these available to the general public. Again, no action. As regards advertisements, they wanted that advertisements, on behalf of a political party or a candidate, by a surrogate, should be accompanied by the name and details of the surrogate. Then, it was suggested that Government advertisements should be prohibited six months prior to the date of dissolution or expiry of the term of the House, except in case of giving public information or announcing Government schemes. No action in both these cases...(Interruptions)

श्री शान्ताराम लक्ष्मण नायक : इसकी जरूरत नहीं है।

श्री एस0एस0 अहलुवालिया : जरूरत नहीं है, आपके हिसाब से जरूरत नहीं है, क्योंकि चुनाव की तिथि घोषित होने के बारे में सरकार को मालूम होता है। उसके छह महीने के पहले से सरकार के सभी विभागों को बोलते हैं कि प्रचार करो, सरकारी खजाने से पैसे निकालकर टी0वी0, रेडियो पर प्रचार होता रहता है। एक मिनट के प्रचार पर लाखों रुपये का खर्च आता है। .. (व्यवधान)...

श्री उपसभापति : आप तो इस पर बोलने वाले हैं। आप बीच में मत बोलिए।...(व्यवधान)...

श्री राजनीति प्रसाद : Sir, I also wanted to give my name.

श्री उपसभापति : ऐसा है कि डिबेट शुरू होने के पहले नाम देना चाहिए।

श्री राजनीति प्रसाद : .मैं आपकी बात मान लेता हूँ। सर, क्या करें ? हाउस चलेगा नहीं, इसलिए नाम नहीं दिया।

श्री उपसभापति : ऐसा नहीं होता है। आप हाउस में बैठे थे, आपको नाम देना चाहिए था।

श्री राजनीति प्रसाद : चलने की उम्मीद नहीं थी, इसलिए हमने नाम नहीं दिया।

SHRI S.S. AHLUWALIA: I am just reading out the recommendations sent by the Election Commission of India, which the Government has either not accepted, or, where no action has been taken while bringing in the Amendment to the RPI Act. Again, there was a suggestion regarding removal of the Election Commissioners. Currently, the Chief Election Commissioner can be removed only in a manner similar to the impeachment of a Judge of the Supreme Court. It was sought that the same protection should be extended to other Election Commissioners. Here, no action. No action means that it has neither been accepted nor rejected. Then, it was suggested that the expenditure of the Commission should be charged to the Consolidated Fund of India. No action. Then, transfer of Election Officers should not be made without the approval of the Commission once the General Election or by-election has been called. Then, they wanted imposition of a six-month ban on transfer of officers prior to the date of term of expiry or dissolution of the House. No action. They further wanted that the authority to make rules should rest with the Election Commission. No action. I would like to know from the hon. Minister as to whether they had any consultation with the various political parties on the various recommendations made by the Election Commission. Did you do any such exercise? If so, what was the response?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY):

Mr. Deputy Chairman, Sir, I would like to intervene on this. No action does

not mean inaction. No action, sometimes, denotes that no further amendment is necessary or that those proposals may be under the consideration of the Governments. These are the only two answers. Then, so far as these five proposals are concerned, you may kindly recall that in 2004, there was an all-party meeting called by the Chief Election Commissioner, and these have been agreed to. Whatever has been agreed to by them, the same has been brought about. In respect of other proposals out of 22, we will, definitely, discuss with you, and if you arrive at a consensus, we will not hesitate to bring them before Parliament.

(Followed by 2W)

2w/5.00/asc-ks

SHRI S. S. AHLUWALIA (CONTD.): That is the reason. Instead of bringing forward amendments in the Representation of the People Act in a piecemeal manner, you should have brought in a comprehensive Bill

SHRI M. VEERAPPA MOILY: Sometimes, it is not possible to wait for the last amendment to be agreed upon.

SHRI S. S. AHLUWALIA: Sir, I don't know from where you have the pressure. Now, you want to change the Companies Act of 1956. You are bringing in a new Bill. You are changing about 400 Sections. Here, there are only 200, and these relate to the basic concept of democracy in our country. The same voters are voting for Panchayats, your mini-Parliaments, Zilla Parishads, Municipal Corporations, Legislative Assemblies, Legislative Councils and, then, the Parliament. That is the base. Now, you want to change the Tax Codes, the Income-Tax Act. You want to change the entire Tax Code. You are the architect of that blueprint, I know.

SHRI M. VEERAPPA MOILY: I can just assure the House that tomorrow or the day after, after you pass this Bill, we will take up the rest of the 17. If you are in a position to arrive at a consensus, I am prepared to call for a meeting. We will arrive at a consensus. We will also involve the Election Commission. We will go by that. We have no problem. But, at the same time, it cannot stop somewhere. Things should move on. That is what is our *bona fide* intention is.

SHRI S.S. AHLUWALIA: I am not saying that you repeal this Bill today and, tomorrow, bring a new Bill. There shouldn't be a vacuum. But have you started the process? You were the Chairman of the Administrative Reforms Commission where you dealt with ten or twelve reports.

SHRI M. VEERAPPA MOILY: Fifteen reports.

SHRI S.S. AHLUWALIA: So, you dealt with fifteen reports in the ARC before becoming the Law Minister of this country. You have dealt with so many things. You must have seen the procedure relating to the Representation of the People Act and you must have felt that it needs change.

SHRI M. VEERAPPA MOILY: Yes, there is a chapter on that.

SHRI S.S. AHLUWALIA: There is a chapter. So, it needs change. Now, implement it. Now, bring a comprehensive background note. Call an all-party meeting.

MR. DEPUTY CHAIRMAN: He has just now given the assurance. After this, he is going to have a meeting and, if there is a consensus, he doesn't mind bringing a Bill.

SHRI S.S. AHLUWALIA: I can tell you, Sir, why I am saying this. There is a clause relating to corrupt officers, corrupt practices and disqualification. You waited till the Madras High Court gave the judgement in 2000; and they

might have gone to the Supreme Court; and, from the Supreme Court, when they came back, then only our eyes were opened. Then only we came to know about the corruption. That is why I have given that small example of Chittoor district where a ration card was issued in the name of Mahatma Gandhi, son of Nathuram Godse and with the help of the ration card, he will get his name included in the voters' list and the voter's name will be Mahatma Gandhi, son of Nathuram Godse. Is it correct? But a man with the name of Mahatma Gandhi, son of Nathuram Godse does not exist at all. (Interruptions) हो नहीं सकता, ऐसा हो रहा है। मेरे कहने का मतलब यह है कि इन चीजों को रोकने के लिए foolproof system होना चाहिए। ...(व्यवधान)..

SHRI M. VEERAPPA MOILY: That is why, we have brought it in here. There should be a sense of accountability on those officers. That is why, punishment is provided for here. One cannot do it. An appellate authority is also provided now. That all shows that a lot of accountability has been ensured in the whole system. That is why, we brought this amendment.

SHRI S.S. AHLUWALIA: This appellate authority is to take care of only the registration and inclusion and correction of names in the Electoral Rolls. If my name is not included, then only the appellate authority comes into the picture. But I am saying the basic requirement to get your name included is the ration card and, if ration card is fictitious, what will you do? Now, my learned friend, the hon. Home Minister, is fortunately here and he is in-charge of internal security also. He should be aware of these facts.

(Contd. By tdb at 2x)

TDB/2X/5.05

SHRI S.S. AHLUWALIA (CONTD.): He should be aware of these facts that one ration card, a fictitious ration card can create havoc. And a fictitious man, in that name, can claim so many benefits. When you contest an election, you need to have your name in the voters' list. It does not matter whether you have an ID or a photo ID, but you must have a certified copy of the voters' list. So, tomorrow, we will find that a person who is not a citizen of India at all has contested elections. As you know, in Lucknow, a person was caught, you must be aware of that case, who had PAN Card, bank account, Voter ID Card, ration card and everything. So, he can contest election, and tomorrow he can also become a Minister of our country. If I go by the spirit of articles 74 and 75, the President of India can nominate a Prime Minister, and on the advice of the Prime Minister a person can become a member of the Council of Ministers.

SHRI RAJNITI PRASAD: Maybe the Prime Minister.

SHRI S.S. AHLUWALIA: Maybe, under certain circumstances, when no party is getting a majority, with the help of somebody, he can become the Prime Minister. So, one should have a serious thought over it. So, my submission is this. ...(Interruptions)... Moilyji, please listen to me.

SHRI M. VEERAPPA MOILY: I am listening to you.

SHRI S.S. AHLUWALIA: You are taking brief of the Home Minister. So, the point is, we are certainly going to support these five options. But, after getting this support, the Government should come forward with a comprehensive Bill so that we can give a good framework to our people. We could not give a foolproof democratic system to our forefathers, at least, we can give it to our future generation. To have a good democratic system,

there should be a good election management system. So, it can be done through the Representation of the People Act. Thank you very much. ... (Interruptions)...

MR. DEPUTY CHAIRMAN: Now, Shri Shantaram Naik. ... (Interruptions)...

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Sir, I have to make the statement. ... (Interruptions)...

MR. DEPUTY CHAIRMAN: No, no; the debate is going on. ... (Interruptions)...

SHRI M.V. MYSURA REDDY: Sir, I have a point of order.

MR. DEPUTY CHAIRMAN: What is your point of order?

SHRI M.V. MYSURA REDDY: Sir, the Bill which has been circulated to us has the name of Shri Hansraj Bhardwaj. ... (Interruptions) ... I want to know whether the Law Minister is Shri Hansraj Bhardwaj or Shri Veerappa Moily. ... (Interruptions) ... This is the Bill circulated to us. ... (Interruptions) ... It is in the statement of the Minister. ... (Interruptions)...

MR. DEPUTY CHAIRMAN: It is in the Bill which has been circulated to the Members. ... (Interruptions)...

SHRI P. CHIDAMBARAM: That is how it was introduced here. ... (Interruptions) ... The Rajya Sabha does not dissolve. ... (Interruptions)...

SHRI BIRENDRA PRASAD BAISHYA: Sir, the hon. Home Minister is here. He has to make a statement on Assam blasts. ... (Interruptions)...

MR. DEPUTY CHAIRMAN: He will make a statement, but the clarifications will be on some other day.

SHRI BIRENDRA PRASAD BAISHYA: No, Sir. Why, Sir?

MR. DEPUTY CHAIRMAN: It is because the debate is going on. ...(Interruptions)... The debate is going on and, in between, it is difficult to allow clarifications on the statement. ...(Interruptions)...

SHRI P. CHIDAMBARAM: Mr. Baishya, I am ready for clarifications. But, since the debate has started, I will make the statement today, and tomorrow you seek the clarifications. ...(Interruptions)...

SHRI S.S. AHLUWALIA: Tomorrow will never come. ...(Interruptions)...

SHRI BIRENDRA PRASAD BAISHYA: Sir, give me just one minute to speak on this. Sir, the situation in Assam is very critical. Since yesterday we have been raising it in the House. ...(Interruptions)... We want to seek certain clarifications from the hon. Home Minister. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: So, the debate will go on up to 5.30. Then, the Statement of the Home Minister will be at 5.30, and we will continue the debate on the Bill tomorrow. ...(Interruptions)... Four hours are fixed for this Bill. Now, Shri Shantaram Naik.

SHRI SHANTARAM LAXMAN NAIK (GOA): Sir, I would like to begin by agreeing to some extent with my learned friend, Shri Ahluwaliaji, in the sense that he has said that the Bill is not exhaustive. That has been rightly answered by the Law Minister that in case there is a consensus on various issues, then, a comprehensive Bill can be brought in. But, one of the sections which needs immediate attention is Section 29 of the Representation of People Act, 1951, which deals with the registration of political parties.

(Contd. by 2y-kgg)

kgg/2y/5.10

SHRI SHANTARAM LAXMAN NAIK (contd.): As the section today stands, you register a party submitting the constitution of every party. Every political party has to submit a copy of its constitution to the Election Commission and there it is registered.

After the Liberhan Commission Report, I do not think the BJP has got any right to remain in the Statute Book. Therefore, its registration needs to be cancelled. If there is any flaw in section 29, it has got to be amended. The spirit of section 29, the spirit that requires political parties to be registered is after giving a commitment and that commitment has been shattered into pieces. It has come to light now. Each and every leader is identified as a violator. Therefore, what right do you have to remain as a political party? When a nomination is filed before the Returning Officer, what do you do? You would take an oath saying that you would protect the Constitution. When you get elected, again you take that oath of protecting the Constitution. When you become a Minister, there also you take that oath that you would protect the secularism and the Constitution. But, when you go for public meetings, you would say that secularism is of the Congress party and that you do not believe in secularism. This is your commitment as a political party. Therefore, I say that while you are making certain changes, make a commitment to yourself and to your political party.

I would like to say that there are 22 proposals submitted by the Election Commission. But the Election Commission should be asked, 'You are submitting these 22 proposals. What happened in the past? Instead of submitting proposals, without caring for Parliament, under article 324, in the guise of article 324, various laws have been created left and right.' If these

22 proposals cannot be used, what about the hundred laws that have been created?

SHRI S.S. AHLUWALIA: They are guidelines, not laws!

SHRI SHANTARAM LAXMAN NAIK: I would say that they are laws because they are enforceable. I could have brought a volume to show how many pages of laws are passed by Parliament and how many pages are created under article 324. Therefore, the Election Commission should be asked. I would even go to the extent of saying that if there are any good aspects of law covered by those notifications issued under article 324, let us incorporate them into the law. Let us go to that extent even. But, let them not remain in the form of notifications or orders issued day in and day out under article 324. Why do they issue those? Because, every candidate has got only fifteen days. Only during the election time they would issue. No candidate can go to a court, he does not have the patience nor the time. So, you issue any order under article 324! In fact, this started happening during the time of Mr. Seshan. Mr. Seshan said, 'My powers are under article 324 and these are far more powerful than the powers vested under Representation of the People's Act, 1951.' Therefore, Sir, the task is with you and this is a serious task.

I would say time and again, let us restore the powers back to Parliament. Our powers have been taken away partly by the Supreme Court and partly by the Election Commission. You know in the case of Lyngdoh Committee. What happened? The Supreme Court constituted the Lyngdoh Committee for governing election to universities and colleges. Fine! The Lyngdoh Committee gave its report. They gave several recommendations making the elections very restrictive. After five years, what did the Supreme

Court itself say? 'This constitution of the Lyngdoh Committee by the Supreme Court amounts to the judicial legislation.' Therefore, they then referred it to a five-judge Bench. They have realised one instance. But there are so many other cases where through interpretation they have encroached upon our powers for which we have not done anything.

(Contd. by sss/2z)

SSS/2Z/5.15

SHRI SHANTARAM LAXMAN NAIK (CONTD.): Same thing is with the Election Commission. Therefore, I have always said that we passed 20 per cent laws and 80 per cent laws are created by the Election Commission and by the Supreme Court. Now, Sir, as far as the Appellate Authority is concerned, it is a good idea that registration of electorate should be there. But, what about Appellate Authority on certain issues other than elector which crop up during filing of nomination? The present law is that there is no remedy. You can only file election petition. If this law is allowed to be retained or some remedy is to be given and supposing I file some assessment of my wealth and property and I give a wrong statement. What is the remedy? The other party's remedy is election petition after the results are over. Is there no remedy in between just like you are giving remedy as far as registration of electorate is concerned? Secondly, if the Muslim voters are in substantial number, say thousands of voters which may impact elections, will this authority have a right to stay the election in that particular constituency? If this right is not vested, then, this power of Appellate Authority has no meaning. Kindly give a thought to this aspect. Then, as far as exit poll is concerned, it was required that this should be covered under a statute. We are speaking of guidelines etc. Now, you have done

the right thing by bringing this. Now, I would like to know whether the definition of company includes a society registered under a Societies Act and a trust registered under a Trust Act because there may be a trust which may manage a television channel. So, I would like to know whether those people will be covered under this. Then, Sir, you have given powers. As it is, they have taken powers of Parliament under article 324. Now, here also under clause 7, you are giving powers to specifying dates etc. for exit poll, for notification. All those powers have been given to Election Commission to issue orders. Why don't you frame rules? If you want to do some detailing under exit polls, then, that detailing should be done under rules rather than the orders issued by the Election Commission. One may argue that for exigency, power is required to be given to Election Commission. There is no exigency. You may well decide what is to be done and include in the form of rules. Then, another aspect, Sir, which has not been touched in this, and, which I would like you to touch at any future date is the entire staff which is given to by Election Commission is deemed to be on deputation. This is well understood because unless you say it is deemed to be on deputation they will have no control. It is correct. The law says -- I do not have the RP Act now, but, a particular section in the RP Act clearly mentions it -- that this power is limited till the process of election is over. But, Election Commission has, time and again, taken a stand that their power extends beyond that. How it is possible? How do they act against a particular section and the provision is specifically mentioned. Suppose, if a case is filed against an officer for some indiscipline during elections, how can an election Commission monitor even after the process is over? That is the duty of the prosecuting machinery of the State. They cannot say, you

show me the charge sheet, you show me the evidence. I will guide, I will monitor. The Election Commission cannot say this, but, they have been doing this. Therefore, let this be very specific and clear. There is no need of an amendment. It only requires to be brought to the notice of the Election Commission that you do not have the power to monitor cases of Government servants whenever disciplinary action is there after the election process is over.

(Contd. by NBR/3A)

-SSS/NBR-PSV/3A/5.20.

SHRI SHANTARAM LAXMAN NAIK (CONTD.): The Election Commission sends observers. There is a clear-cut provision for observers. I fully agree with it. There is no point on that. But, the instructions given to them are so vague that in each State the election observers frame their own laws. They will list out various things. Supposing, people, in an election campaign office, are eating Samosas or Butter Nans. They say, 'I will decide the rate of what you are eating.' They say, the rate of Samosa is Rs. 10 and Butter Nan, Rs. 5 or whatever it is. Although the workers of the party have brought the same from hotel for Rs. 2 or Rs. 3 or whatever it is, still they decide the rate. Suppose, if we buy caps for workers, they decide the rate, although he might have brought caps for triple the rate of what the observers decided. If you are holding a rally and wish to bring chairs, they will say, 'I will decide how many chairs have to be brought and account them.' So, these are the vague things which need to be controlled. I remember, a lady leader of ours went to the Election Commission. I also accompanied. She said, 'If I put 'Hand' symbol on my sari, is it permissible.' He said, 'No. It is not permissible. How is it permissible?' She asked, 'What will you do?' He

said, 'I will charge money for that sari.' She asked again, 'If I don't pay, what will you do.' He said, 'I will confiscate sari.' What does it mean? It means, first, they will ascertain whether you are wearing sari with the permission of the candidate. If there is a permission of the candidate, then charges will be included in the account of the candidate. If candidate says that he has not given the permission, then, the sari will be confiscated. It may appear exaggeration. But, the 'law' of observers and their concept is similar to this. I have explained this because I was with that lady when this exchange of words took place with the Member of the Election Commission. Suppose, in a VIP rally, if we notify that 40 persons will be our main campaigners -- of course, there is a difference of opinion on this -- sometimes, they say that expenditure of this rally will be on candidate if that candidate is brought on the dais and present himself before voters with folded hands. But, if candidate sits on chair down below, then expenditure goes to the account of the party. These sort of funny equations, Sir, are not proper. And, again, it is not uniform. In some States they say it is different. If candidate sits even down below the dais, the expenditure is put in the account of candidate. So, this create problem as, ultimately, the expenditure goes beyond certain limit on account of such kind of illogical interpretation. You have referred that the expenditure being increased from Rs. 10,000 to Rs. 20,000. Kindly see that the expenditure of the candidate also increased similarly. Otherwise, Rs. 10,000 more will go from candidate's account. They will do this. You have hardly any power. As far as increasing the expenditure is concerned, they will issue their own notification.

Another issue which applies to Goa, Tamil Nadu, Karnataka and many States, particularly Kerala, is several seamen work on ships and other people

go to Gulf for jobs. The Election Commission officials go to their houses and if they find that those people are not available, they will delete their names from the electoral list. Actually, they will go either to Gulf for one or two years for work or work on ship for one or two years. The ship is not his house. He is just working in that. But, because he is working in ship or in Gulf, as the case may be, and not present at home, his name is removed from the electoral rolls. To remove this anomaly, the Ministry of Law and Justice introduced a Bill. I wanted to know what the status of the Bill. It had lapsed two years back. It is absolutely essential. Since it is linked with NRI thing, I think, it has not been introduced again. Forget about NRIs. We are not concerned with that. But, the interests of this category of people who are working on ships or in Gulf countries need to be protected.

(FOLLOWED BY USY "3B")

-NBR-USY/3B/5.25

SHRI SHANTARAM LAXMAN NAIK (CONTD.): ...so that, whenever they are here, they can vote.

SHRI M. VEERAPPA MOILY: It is under active consideration.

SHRI SHANTARAM LAXMAN NAIK: Thank you, Sir. Lastly, I would like to mention that our electoral system, we can proudly say, is a very foolproof system. We have got a legislation, called, RPF, 1950, another legislation, called, RPF 1951; similarly, we have got other rules too. These entire things, when put together, make perfect machinery and, therefore, we have been successful all these years. But, Sir, kindly see to it that Parliament's power to legislate on election is not taken away. It is your job to see that the Election Commission is told that their powers, under section, 24 are restricted. Similarly, the Supreme Court has to be told that its powers of

creating laws, in the name of interpretation, are also limited. Thank you very much, Sir.

(Ends)

MR. DEPUTY CHAIRMAN: We will take up further discussion on the Bill tomorrow. Now, a statement by the hon. Minister of Home Affairs.

STATEMENT RE. TWIN BOMB BLASTS IN NALBARI DISTRICT OF ASSAM

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Mr. Deputy Chairman, Sir, it is with a deep sense of anguish that I have to inform this House about the unfortunate incidents of two bomb blasts in Nalbari district of Assam on November 22, 2009 which have resulted in the loss of 6 lives and injuries to 52. The preliminary reports indicate that the perpetrators of these crimes belong to the United Liberation Front of Asom (ULFA). In the past few weeks, we had received intelligence reports about the plans of the ULFA to engineer bomb blasts in Nalbari and Guwahati districts. These reports were promptly shared with the Government of Assam and the State Police. The State Government had also issued alerts. The State Government had also put out a lookout notice for 9 ULFA militants who were suspected to have infiltrated into the State. While strict vigilance was maintained in the two districts and elsewhere, unfortunately, the incident in Nalbari could not be averted. Search operations are continuing in Nalbari and the neighbouring districts. The operational Group of Unified Headquarters met on November 23, 2009 and has taken stock of the situation.

The State Government has informed us that one person, suspected to be involved in the bomb blasts, has been apprehended.

The State Police and the security forces have maintained intense pressure on the ULFA and the National Democratic Front of Bodoland (NDFB) (anti-talks faction) since January 2009. In the current year up to 15 November, 2009, as a result of counter insurgency operations, a total number of 1196 insurgents have been neutralised by way of arrests/surrender or being killed in action. Besides, 282 kgs of explosives and 630 weapons had been seized from insurgents till 22 November, 2009. The State Government and security forces have been taking all possible steps to contain the insurgency and, it will be apparent from the facts, stated above, that they have met with a considerable degree of success.

Owing to the counter insurgency operations, the ULFA has come under tremendous pressure. Its leadership is in disarray. Key ULFA leaders are in prison. Recently, 2 ULFA leaders surrendered to the Indian security forces. Three ULFA leaders are believed to be abroad and there are reports of serious differences among them. In this background, it is our assessment that the recent incidents manifest the desperation of the banned organisation ULFA. The State Government and the security forces are determined to intensify the counter insurgency operations against the ULFA and the NDFB (anti-talks faction).

The Government of India strongly condemns the acts of violence of November 22, 2009, even while it regrets that it was not possible for the security forces, despite their best efforts, to pre-empt and prevent the incident. On behalf of the Government of India, I offer my sincere condolences to the families of the deceased and to the injured.

PK/3C/5.30

SHRI BIRENDRA PRASAD BAISHYA (ASSAM): Sir, the situation of Assam is very, very critical. Killings are taking place daily in Assam, Sir. I am very happy that after the incident in Bombay, due to the measures taken by the Government of India, there has not been a single incident in Bombay. I really congratulate the Government for this thing. After destruction of the World Trade Centre in the USA, not a single incident has occurred in the USA. But, Sir, in Assam, it is a continuous process. Day by day, the law and order situation is deteriorating. Frankly speaking, Sir, from October till today, in Assam, more than 30 persons have been killed and more than 100 people seriously injured. Sir, on 4th October, in Himanjali, a Biswanath Chariali sub-division in the Sonitpur district, 13 people were killed and more than 42 people injured. On 16th November, railway communication between the Upper Assam and the rest of India was totally disrupted for 12 hours. There was a stoppage of the running of Rajdhani Express. Again, day-before-yesterday, eight persons were killed in Assam. Sir, day by day, the situation is getting worsened. Three Cabinet Ministers of the Government of Assam publicly staged a *dharna* asking the Government to provide security to the people. This is the situation, Sir. The Cabinet Minister himself staged a *dharna* seeking security of the people.

Secondly, Sir, the Chief of the Bodoland Autonomous Council also staged a *dharna* demanding security for the people. Sir, I am very sorry to say that in the Bodoland area, on an average, daily two to five people are being killed. Sir, this is the situation in Assam.

MR. DEPUTY CHAIRMAN: Please seek your clarification.

SHRI BIRENDRA PRASAD BAISHYA: Please try to understand the situation, Sir. Enough is enough. Always, our people are killed. They are killed by extremists, they are killed by the military. Always, our people are killed. We should identify what the basic reason behind this is. It is high time for the Government of India to identify the basic reason. We want a permanent solution, Sir. We do not want a temporary solution. We want a permanent solution for the insurgency problem in Assam. Sir, the hon. Home Minister is sitting here. The hon. Minister in his statement said that ULFA is in disarray. ULFA is now in a weak position. Sir our suggestion is this. We appeal to the ULFA, we appeal to the Government of India to immediately start a political dialogue. Without a political dialogue, the insurgency problem cannot be solved. We request the hon. Minister, Sir, that a political dialogue with ULFA, NDFB and other extremist organisations should be started immediately in order to save Assam. This is the agony of the people of Assam. Assam is burning, Sir. It is the duty of the Government of India to save life and property of the innocent people of Assam. I seek this clarification, Sir. I need support from the entire House. A political dialogue with ULFA, NDFB and other militant organisations should start immediately. So, we want a permanent solution of the insurgency problem in Assam. Sir, I thank you for having allowed me to speak.

(Ends)

(Followed by 3D/PB)

SHRI S.S. AHLUWALIA (JHARKHAND): Hon. Deputy Chairman, Sir, the Prime Minister comes from that State, Assam. He represents that State in the Rajya Sabha and he is the Leader of the House also. It has a special status; and that is the reason why when the UPA was formed, one Peace Committee Group, PCG, was formed under the chairmanship of Indira Goswami along with about 10-12 members to negotiate with ULFA, and the National Security Adviser was regularly talking to them through this Group. What is the status of that PCG? I want to know whether we have come to a conclusion on that issue or not.

Then, I have seen that you have deputed one Interlocutor, Mr. P.C. Haldar, the former Director of IB, to discuss with NDFB. Now, I want to know whether they have started talks with the NDFB or not.

Then, Sir, the third thing is, in Bodo area -- this Nalbari is also in that area -- we have found that there is lot of infiltration of Bangaldeshi migrants, illegal migrants, and that is the reason, we have seen, this year, they hoisted a Pakistani Flag in a ground of Darang district and there was a lot of problem on this. There was a wild riot started and the houses of a lot of tribal people were burnt by these illegal migrants(Interruptions)...

SHRI BHUBANESWAR KALITA: The issue of hoisting of Pakistani Flag has been resolved. That issue has been clarified because it was the Eid day after Republic Day. So, that Flag was Eid Flag... ..(Interruptions)...

SHRI S.S. AHLUWALIA: No; Sir.(Interruptions)...

SHRI BIRENDRA PARASD BAISHYA: No; Sir. It was a Pakistani Flag.
...(Interruptions)...

श्री प्रकाश जावडेकर : सर, यह टी.वी. चैनल्स पर भी दिखाया गया है ..(व्यवधान)..

MR. DEPUTY CHAIRMAN: He wanted to clarify. That is all. Please sit down. Yes, Mr. Ahluwalia. ...(Interruptions)..

SHRI BHUBANESWAR KALITA: That is an allegation. It has been resolved.
...(Interruptions)...

SHRI S.S. AHLUWALIA: Sir, there was a Peace Committee between the illegal migrants and the rest of the tribal people. Just to pacify them, they made a Peace Committee and that was resolved. But it is a fact that a Pakistani Flag was hoisted there and after the Pakistani Flag, there were widespread riots between the illegal migrants and the tribal population of that area. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Please sit down. Please sit down. Mr. Baishya, please sit down. ...(Interruptions)...

SHRI BIRENDRA PRASAD BAISHYA: It is the Mohanpur village of Udalguri district. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Mr. Baishya, you had your chance. Please sit down.

SHRI S.S. AHLUWALIA: Sir, then the other political parties including the Congress, BJP, AGP and others joined hands together. They went in a big rally to the same village and hoisted the National Flag. In this way, it was resolved. It is not that the Pakistani Flag was not hoisted. My point is, ULFA is there. The ULFA leaders are taking shelter either in Bhutan or in

Bangladesh. Now, these illegal migrants are coming from Bangladesh and encroaching the land, even the river bed; and they have spread on the entire river bed. They are cultivating there; they are living there. There is nobody to check them and they have become the legal migrants of that area. ... (Interruptions)...

SHRI S.S. AHLUWALIA: One minute; I am not asking you.

SHRI BHUBANESWAR KALITA: It is an imagination. ... (Interruptions)...

SHRI S.S. AHLUWALIA: I am not talking about imaginary things. I know the facts. I have spent my childhood (Interruptions)...

MR. DEPUTY CHAIRMAN: Mr. Ahluwalia, this is not a debate. Please seek only clarifications.

SHRI S.S. AHLUWALIA: My point is, you are appointing an Interlocutor, Mr. P.C. Haldar, to deal with NDFB and here it says, 'anti-talks faction'. Now, when the ceasefire was declared and there was agreement with NDFB, there was only one faction which was in favour of peace talks and in ULFA also there was only one faction. Under the chairmanship of Indira Goswami, there was a PCG constituted and that PCG was directly talking to the National Security Adviser.

(Contd. By 3e/SKC)

SKC-MP/3E/5.40

SHRI S.S. AHLUWALIA (Contd.): What is the status of these two committees and what is the status of the illegal migrants in these areas? What is their role in the anti-national and anti-social activities that are taking place and ultimately costing the poor tribal people of Nalbari their lives?

श्री बिश्वजीत दैमारी (असम) : सर, असम के बम ब्लास्ट्स के बारे में हमारे मिनिस्टर साहब ने यहां जो स्टेटमेंट दिया है, उस पर मैं कुछ क्लैरिफिकेशन्स चाहूंगा क्योंकि Nalbari मेरा इलाका है, मैं उसी जगह से आता हूँ और Nalbari ही आधा बोडोलैंड में गया है, जिसको Baksa डिस्ट्रिक्ट के नाम से जाना जाता है। अभी वैश्य जी ने भी कहा कि असम की हालत बहुत खराब हो गई है, specially बोडोलैंड एरिया में। वहां आम आदमी के लिए सिक्योरिटी की बहुत प्रॉब्लम हो गई है। असम सरकार की जो पुलिस है, उसकी बहुत शॉर्टेज है। मेरा Baksa डिस्ट्रिक्ट है और सारे extremists वहां पर हैं - ULFA भी है, NDFB है। वह डिस्ट्रिक्ट भूटान के साथ लगा हुआ है, उस डिस्ट्रिक्ट में जो पुलिस प्रशासन है, वहां लोगों की सिक्योरिटी के लिए सिर्फ 12 ए.के. 47 राइफल्स हैं। पुलिस हमें arms दे नहीं सकती है, थाने में कोई vehicle नहीं है, magistrates के पास भी कोई vehicle नहीं है। SDPO के पास खुद का भी vehicle नहीं है, जो DSP होता है, उनके पास भी vehicle नहीं है - ऐसी हालत है ! वहां की जो आर्मी है, शायद इलैक्शन में वे कुछ withdraw करके ले आए, तो वहां कोई सिक्योरिटी नहीं है। हर दिन आदमी मर रहा है। इसके लिए जिन तीन मिनिस्टर्स ने वहां धरना दिया, यह सही है कि वे मेरी पार्टी बी.पी.एफ. से ही हैं। वहां alliance की सरकार है, यहां यू.पी.ए. है, लेकिन मेरा संबंध एन.डी.ए. के साथ हो गया, पता नहीं... मैं भी यू.पी.ए. का ही हूँ। तो वहां हालत ऐसी हो गई है कि सिक्योरिटी के लिए हमें सड़क पर आना पड़ रहा है। हम लोग जब घर जाते हैं तो कभी घर में शांति से बैठ नहीं सकते, सो नहीं सकते। अगर हम लोग भूटान जाएं तो वहां अच्छी तरह सो सकेंगे, बैठ सकेंगे, इसलिए कहीं ऐसी हालत न हो जाए कि हम लोगों को भूटान जाकर शैल्टर लेना पड़े, चीन जाकर शैल्टर लेना पड़े ! वहां लॉ एंड ऑर्डर नाम की कोई चीज़ नहीं है। NDFB ने जो यहां anti-faction दिखाया है, ऐसा कोई anti-faction हमने नहीं देखा। जो NDFB के लोग एक-साथ सीज़फायर के designated camp से निकलते हैं, वही लोग कुछ extortion करने और किसी को गोली मारने के बाद जब पकड़े जाते हैं, तब उसको anti-faction बताया जाता है, लेकिन एक दिन पहले ये लोग एक-साथ घूमते हैं और एक-साथ extortion करते हैं। हमारे असम में हालत ज्यादा खराब हो गई और सारे extremist groups को होम मिनिस्ट्री की तरफ से सीज़फायर कर दिया गया और इसके बाद extremists के वहां की पुलिस और वहां के आर्मी ऑफिसर्स के साथ अच्छे रिलेशन्स बन गए हैं। अब हालत यह

हो गई कि extremists के बारे में अगर कोई कंप्लेंट करेगा, तो वे उलटे on behalf of extremists यह क्लैरिफिकेशन दे देते हैं कि वे लोग ऐसे नहीं हैं, वे लोग ऐसा नहीं करते हैं। तो इस प्रकार वहां उलटा हो गया है। इसलिए मैं कहना चाहूंगा कि वहां की सिक्योरिटी के लिए कुछ व्यवस्था करें और खुद के लिए भी मैं एम.पी. होने के नाते होम मिनिस्टर साहब से अनुरोध करूंगा कि वहां मुझे थोड़ी सिक्योरिटी की समस्या हो गई है। स्टेट गवर्नमेंट मुझे सिक्योरिटी दे नहीं सकती है। कम से कम अगर स्टेट गवर्नमेंट की ओर से न हो तो सेंट्रल गवर्नमेंट की ओर से हमारे घर की सिक्योरिटी का कोई इंतज़ाम होना चाहिए। वहां ऐसी हालत है कि जब आप देखेंगे, तब पता चलेगा। अगर आज दिल्ली में extremists होते, सीज़फायर होता, अगर पार्लियामेंट के सामने आर्म्स लेकर कोई घूमता, तो आप कैसा फील करते? ऐसा हम हर दिन वहां फील करते हैं। वहां हर दिन extremists openly markets में घूमते रहते हैं, कहीं भी जाओ, वहीं घूमते दिखाई देते हैं। ... (व्यवधान)....

SHRI S.S. AHLUWALIA: Sir, this is a very serious matter. A sitting Member of the Rajya Sabha from Assam is saying that he is not feeling secure in the State and the State Government is not providing him security. We all appeal, on his behalf, to the Home Minister that the Home Ministry must provide him security so that he can live there safely.

श्री विश्वजीत दैमारी : थैंक यू सर, अगर ऐसा होगा तो बहुत अच्छा होगा। तो इस तरह की हालत है, आप थोड़ा महसूस कीजिए कि हर दिन extremists खुले आर्म्स लेकर सीज़फायर के नाम पर घूमते रहेंगे, तो रोज़ ऐसा कैसे चल सकता है? अगर आपने डायलॉग किया है तो अच्छी बात है, जल्दी डायलॉग करके, जल्दी बात करके उनकी समस्या का समाधान करना चाहिए, नहीं तो उनको किसी भी तरह से कंट्रोल करने की कोशिश की जानी चाहिए, धन्यवाद।

(समाप्त)

(3F/SC पर आगे)

HK-SCH/3f/5.45

श्री प्रकाश जावडेकर (महाराष्ट्र) : महोदय, मंत्री महोदय ने जो स्थिति बतायी है, उसके संबंध में मेरा एक ही प्वाइंटेड क्वेश्चन है कि पिछले पांच साल में असम की insurgency के बारे में

सिक्वोरिटी एजेंसीज़ ने जो विभिन्न रिपोर्ट्स गृह मंत्रालय को दी हैं, उन रिपोर्ट्स में पॉलिटिकल लीडर्स का tacit support to insurgents and some of them holding Government offices, उनका सपोर्ट extremists को है। उसके बारे में जो सिक्वोरिटी एजेंसीज़ की रिपोर्ट आयी है, उसको बाहर भी पब्लिसिटी मिली है - उनको भी मालूम है क्योंकि रिपोर्ट उनके पास है। मैं जानना चाहता हूँ कि उसके बारे में सरकार क्या करने जा रही है?

(समाप्त)

SHRI MATILAL SARKAR (TRIPURA): Sir, first of all, I strongly condemn the brutal killings in Nalbari district of Assam on behalf of my Party CPI(M), and I urge upon the Government to render all sorts of help that is possible to that area and to those who are injured. Nearly during the same period, two or three days earlier, in our State also there was brutal killings. In some border area Kanchanpur, Reang people were brutally killed by NLFT. I also condemn that killing also. I think the hon. Home Minister will take note of these incidents in Parasurampara, Kanchanpur sub-division in Tripura. Sir, I have seen in the Statement that the State Government had also put out a look-out notice for nine ULFA militants who were suspected to have infiltrated into the State. Which is the State from where they have infiltrated? How long will that continue? We have seen that our State is surrounded by Bangladesh. Though the present Bangladesh Government is taking some steps to oust militants, even then my question is: What steps are the Government of India taking to see that these militants cannot infiltrate into the Indian territory -- maybe Assam, maybe Tripura, maybe Manipur and maybe other States? They are taking shelter in other countries -- maybe Bangladesh, maybe Pakistan, maybe Burma and other countries. They are taking shelter in other countries and entering into the Indian territory. How can this be curbed? What are the steps the Government are taking? What

kind of relations the Government is maintaining with other countries? Sir, the militants shift their place from one State to another. When there is any operation in Tripura, they hide in Mizoram; when there is any operation in Mizoram, they shift to Nagaland. So, they go on shifting from one State to another. I think, there should be coordination among the States. There should be an inter-State cooperation among the North-Eastern States so that they can move jointly against these militant activities and curb them. If all the States come together and sit together and see which are the places they are hiding, then they can be rooted out.

(Contd. by 3g/KSK)

KSK/5.50/3G

SHRI MATILAL SARKAR (CONTD): All the State Governments should move together in co-operation with each other. This is my third point.

My fourth point is that we must have some political will against the militants. In our State, this NLFT group has killed our 1700 Party activists, including leaders, including Ministers, including ex-MLAs, etc. They have laid down their lives in the hands of the militants, that is, NLFT and some other groups. These are banned organisations. Due to their attacks, our people have lost their lives; they could not survive. Sir, our Party has been made the target. For the last 22-25 years, we have fought these militants of NLFT. Now, we have brought the State into a very peaceful situation. I think, the hon. Home Minister would appreciate the fact that we have brought peace at the cost of blood. The groups like NLFT are underground groups. Then, there are over-ground groups like INPT, and it is getting support from the Opposition parties in the State.

MR. DEPUTY CHAIRMAN: This is not a debate. Please, seek the clarification.

SHRI MATILAL SARKAR: I am seeking clarification, Sir. If militants do not get any political support from whatever quarter, they cannot do these operations freely. So, directly or indirectly, they are getting political support. I would not go into the details as to from which party and in which State they are getting this support. You can easily understand from the atmosphere. In our State, we have the experience that this NLFT group is getting political support.

MR. DEPUTY CHAIRMAN: This is not about Tripura. He will not be able to...(Interruptions).

SHRI MATILAL SARKAR: I appreciate the steps being taken by the State Government. The steps being taken by the Government should be fully supported by the Centre and the Centre should extend all sorts of co-operation to the State Governments. Sir, I have seen that if there is some disorder in Assam, we also feel the loss of defence because...

MR. DEPUTY CHAIRMAN: Mr. Sarkar, this is only for clarifications on the statement. You are making it a debate.

SHRI MATILAL SARKAR: My earnest request to the Central Government is to take serious note of the incidents, and come to the rescue of the State Governments to strengthen democratic forces there irrespective of the party.

(Ends)

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): This incident is unfortunate. But, I do not agree with the assessment that the situation in Assam is deteriorating. On the contrary, several groups have

been contained and they have been brought to the negotiating table. The most recent one is the DHD-J, after Jewel Gorlosa was arrested and another leader was neutralised in an encounter. Today, we have moved forward where we can appoint an interlocutor to hold talks with these groups. We have NDFB (pro-talk faction). We have the DHD-J, both groups, and we have some other small groups such as the UPDS which have come forward to hold talks.

(continued by 3h - gsp)

GSP-GS-3H-5.55

SHRI P. CHIDAMBARAM (CONTD.): We have made it clear that the talks can be within the framework of the Indian Constitution, and, they cannot put forward any demand for sovereignty. I think, the talks will go forward. So, there has been a distinct improvement in the political situation in Assam.

As far as violence is concerned, the two major organizations, which are responsible for the violence, are ULFA and the NDFB (anti-talks faction). As far as ULFA is concerned, the Government of India has, from time to time, held talks with ULFA. We know that talks were held in 1992. ULFA backed out and nothing came out of it. In 2005-06, the People's Consultative Group was set up. Three rounds of talks were held. The Government agreed to favourably consider the request of ULFA for release of five ULFA detainees provided ULFA made a formal approach for holding direct talks, nominated a delegation for these talks, indicated a time-frame and abjured violence. The People's Consultative Group representative continued to help. The Government declared a unilateral suspension of operation from 13th of August, 2006 to 20th of September, 2009. However, ULFA did not respond, and, instead, used this period to raise new cadres, to acquire new weapons and to indulge in violence and extortions. So, those talks also did not lead us anywhere.

As you know, some companies of ULFA have now split. The A and C companies of ULFA have declared a unilateral ceasefire. The A and C companies have submitted a charter of demands to the State Government, and, we are working with the State Government to see whether the A and C companies can be brought to the table for talks.

Frankly, in my assessment of the situation, talks with ULFA are leading nowhere and the reason is obvious. The reason is that Paresh Baruah, Arvind Rajkhowa and Raju Baruah are outside India. There are serious differences among them. We hope that those differences multiply and we hope that some of them will see reason. Recently, two senior ULFA leaders surrendered to our forces, and, that has completely demoralized the ULFA leadership.

Our position regarding militant groups in the North East is very simple and straight forward -- give up violence, give up arms, give up any claim for sovereignty, we are willing to hold talks. I do not think that the ULFA leadership today is in a position to accept these conditions; this is what we gather through intelligence reports about Paresh Baruah's speeches, statements and movements. But I am confident that with the recent surrender of the two ULFA leaders and the growing differences among the remaining three or four leaders of ULFA, it is only a matter of time that there will be further dissensions and ULFA will be weakened, and, eventually, they will see reason and come to talks. But, in the meanwhile --both the State Government and Central Government are clear -- that we will continue to maintain intense pressure on ULFA. ULFA is a very violent organisation. For example, day before yesterday's incident has been denied by ULFA, but the footprint of ULFA is seen in the way the bicycle bomb was carried out.

As far as NDFB is concerned, that is also split now -- there is an anti-talks faction and there is a pro-talks faction -- after Ranjan Daimary is expelled, and, Dhiren Bodo was elected as the leader. We are engaging the NDFB and we are willing to hold talks with them.

(Contd. by sk-3j)

SK/3J/6.00

SHRI P. CHIDAMBARAM (CONTINUED): We are willing to hold talks with it. If the other faction also wants to hold talks, we are willing to hold talks with that. That again is a chequered history. A Suspension of Operations Agreement started on 1st of June 2005 and was extended from time to time. It will now expire in December 2009. They have submitted a Charter of Demands. We will look into that. If they give up violence, give up arms, give up the claim for sovereignty, we are willing to talk to them. In fact, an interlocutor has been appointed. But in the meanwhile, we will not commit the mistake that during the interregnum we will not maintain pressure on them. That is a mistake. Once talks begin, we can think of suspending operations. But until then, subject to an SoO which they observe, we will continue to maintain intense pressure on these forces so that they do not recruit new cadres, they do not indulge in extortion, do not indulge in violence.

Sir, many of these leaders take shelter in Bangladesh. But, I must say after Sheikh Hasina's Government has taken over, we have received splendid cooperation from the Government of Bangladesh. Sheikh Hasina is visiting us next month. I am sure the cooperation between our two countries will be further strengthened especially in matters relating to militants who take shelter in Bangladesh and commit atrocities in India.

Sir, I have regretted this incident. For every one incident that has occurred in Assam in the last 11 months, please remember there are dozens of incidents which Assam Police has prevented. In fact, Assam Police has done an exemplary job in the last year. It is because of the intense pressure maintained by the Assam Police and the security forces that we have been

able to force splits in the organisation, and one faction of each organisation is coming for talks. I think, they have done a remarkable job as far as NDFB is concerned, as far as the DHTJ is concerned. Much remains to be done. We offer talks on the conditions that I have maintained. We are willing to engage in a political dialogue. But, in the meanwhile, security forces will continue to maintain intense pressure on any militant group which indulges in violence or extortion.

Sir, while I regret this incident, the operational command has taken stock of the situation. I am confident that they will continue to improve the law and order situation. Hopefully, some day peace will return to Assam and everybody can feel secure and at peace in Assam.

(Ends)

MR. DEPUTY CHAIRMAN: The House is adjourned to meet tomorrow at 11.00 a.m.

**The House then adjourned at three minutes past
six of the clock till eleven of the clock on
Wednesday, the 25th November 2009.**