

PK/1A/11.00

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

.. .. .

MR. CHAIRMAN: Question 221 .. (Interruptions)..

SHRI SITARAM YECHURY: Sir, may I be permitted ..(Interruptions)..

SHRI D. RAJA: Sir ..Interruptions)..

MR. CHAIRMAN: Could you please take it up at 12 o'clock? ..(Interruptions)..

Please take it up at 12 o'clock. ..(Interruptions)..

What do you wish to say Mr. Yechury? ..(Interruptions)..Nobody can hear you.

..(Interruptions0..

SHRI SITARAM YECHURY: Please give me half a minute, Sir. Sir, lakhs of people have collected in the Capital today to protest against the price rise of all essential commodities. We have given a Notice for suspension of Question Hour to raise that. But if the Chairman allows us to raise it at 12 o'clock, then we are prepared to accept that. Will you permit us, Sir?

MR. CHAIRMAN: Okay, we will allow you at 12 o'clock.

SHRI SITARAM YECHURY: Thank you, Sir.

SHRI MANOHAR JOSHI: Sir, we may also be allowed to raise the issue of farmers who are committing suicides in Vidharbha region.

MR. CHAIRMAN: Agreed, Joshiji. Now, Question No. 221.

















## Question No. 221

**SHRI RAVI SHANKAR PRASAD:** Sir, at the very outset, as a Member of this House, I need your kind protection. This is a question of great importance and I do not see the hon. Cabinet Minister present again, Sir. Why I am asking this question is because my particular question relates to the new fertilizer policy. There is a Press report saying that Mr. Alagiri is opposed to this fertiliser policy. It was published in 'Tribune' and I have got a copy of it. The point I am trying to make is what is the policy of the Government? Is the Minister agreeable with that? Having said that, today, the people of the country are reeling under price rise. I see from this answer that a very literary-based name, that is, Nutrient Based Subsidy Policy is supposed to be introduced from 1<sup>st</sup> of April, 2010. The hon. Minister of State, at times, I pity you that you have to always represent your Cabinet Minister. But having said that, my first question is that if the farmers are already reeling because of price rise, and if the new policy is going to come from 1<sup>st</sup> April, 2010, why did you raise the price of urea by Rs.10/- w.e.f. February itself when urea comprises 55 per cent of the fertilizer required by the farmers, creating further havoc for the farmers?

**SHRI SRIKANT JENA:** Sir, the hon. Member is very keen to know about why the Government has increased the urea price by 10 per cent from 1<sup>st</sup> of April. As you know, Sir, the MRP is fixed; it has not been changed so far as urea is concerned. The urea consumption is almost 55 per cent of the total consumption of the fertilizer in the country. As you know, for the last eight years, not a single pie has been increased so far as urea is concerned. When my good friend, Shri Ravi Shankar Prasad, was the Minister in the NDA Government, they increased the price twice during their regime by 20 per cent though the international price then was \$ 110. Today, the international price has increased three-fold. Therefore, this was needed. For every bag, there will be an increase of Rs.24/- only so that farmers are not affected. Therefore, it has been kept in the MRP. The MRP is fixed. From 1<sup>st</sup> of April, the total increase in the price of

Q. NO. 221 (CONTD.)

urea will be hardly Rs.24/-. This has been done to ensure proper utilisation of urea because excess usage of urea is also creating problem so far as production is concerned.

**SHRI RAVI SHANKAR PRASAD:** The hon. Minister of State, Shri Srikant Jenna, you will very, definitely, recall that I was the Minister in Mr. Vajpayee Government, but the prices were stable for six years. Farmers were happy. It was not as spiralling prices as it is going today. Having said that, Sir, the second question is that the reply to parts (c) and (d) of the question indicate that you are not sure as to what shall be the subsidy component of this Nutrient-Based Fertiliser Policy.

(Contd. By 1B/PB)

PB/1b/11.05

**SHRI RAVI SHANKAR PRASAD (CONTD.):** We hear there is a big subsidy burden. But you are not sure about it. There is a very elaborate literature in the accompanying reply which is difficult to understand. But the sum and substance is, if I quote you, 'the exact quantity of subsidy requirement till the end of the year is not known.' Therefore, you don't know as to whether the new policy would lead to reduction of the subsidy burden.

In this view of the matter, my question is, why are you not thinking of shifting the subsidy directly to the farmers, instead of middlemen appropriating it, misappropriating it and manipulating it? Why are you not bringing the interests of the farmers in the forefront so that subsidy directly goes to them and they are benefited? ...(Interruptions)...

**SHRI SRIKANT JENA:** Sir, at this moment, it is not predictable what exactly will be the subsidy burden on the Government because in the beginning of the year, you cannot presume the exact quantity of fertilizer that will be required over the year. Therefore, at the end of the year, we will be in a position to know what

Q. NO. 221 (CONTD.)

exactly will be the subsidy burden on the Government. But keeping that in view, the one thing that I can say is that the Government is well aware of the situation; because all that depends on the factors like what is the usage and, also, at the same time, what is the international price. Accordingly, in the new policy which is being implemented from the 1<sup>st</sup> of April, the exact subsidy part, the fixed subsidy on nutrient, will be fixed. It is because, Sir, as you know, in our agriculture, every year the agricultural productivity is going down. If I quote a picture, Sir, the productivity has gone down to 1.7 per cent, whereas, in 60s, it was 17.83 per cent. For increasing the productivity, every year we are using more fertilizers, but, at the same, the productivity is going down. Therefore, unless there is a proper utilization of fertilizers and different components, nutrients, are added to the fertilizer, the productivity will not go up. As per the ICAR recommendation we are exactly following that, i.e., we are doing proper utilization of fertilizers; and then only the productivity will go up. Once the international price is known, very soon, the Government is going to fix the exact subsidy, that means, what will be the subsidy component on the decontrolled fertilizer. ...(Interruptions)...

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

**SHRI RAVI SHANKAR PRASAD:** Sir, he has not replied the question. Give me protection. ...(Interruptions)...

**MR. CHAIRMAN:** You have asked your two supplementaries. ...(Interruptions)...

**SHRI RAVI SHANKAR PRASAD:** Why are you not giving it to the farmers directly? ...(Interruptions)... I asked that question.

**MR. CHAIRMAN:** Please, please. ...(Interruptions)... Please. ...(Interruptions)...

**SHRI RAVI SHANKAR PRASAD:** Sir, he hasn't replied. ...(Interruptions)... I asked for subsidy being given directly to the farmers. ...(Interruptions)...

**SHRI SRIKANT JENA:** Sir, if you ask, everybody in this House will certainly say that the subsidy can be handed over straight to the farmers. But it is not so

Q. NO. 221 (CONTD.)

easy a situation; you need to identify a farmer, how much he is cultivating, etc. It is a huge affair which is practically not possible at this moment.

**PROF. M.S. SWAMINATHAN:** Sir, I think the basic principle underlying this 'Nutrient-based Subsidy Policy' is to promote balanced fertilization by farmers and I think it is a very welcome step. But I would like to know from the hon. Minister that if farmers have to benefit from the new policy, each one must have a 'soil health card.' The farmer must have a soil health card, giving information on the macro and macro-nutrient status of the soil. Is the hon. Minister proposing to combine the nutrient-based subsidy with the empowerment of farmers on their own soil health with reference to the nutrient-status?

**SHRI SRIKANT JENA:** Exactly, Sir. The whole intention of the Government is to see that the farmers at the end must know his soil health condition and accordingly the Ministry of Agriculture and our Ministry both are interacting. Every farmer must know his soil health condition and the deficiency in the soil itself. This nutrient-based subsidy will be a great help to the farmers to know what exactly is the component, what exact component is required for 'N', what exact component required for 'P' and 'K'. All these things can be known, and, accordingly, the farmer will use those sorts of fertilizers in the field and the yield will be more.

I will fully accept your suggestion and we will try our best. We will suggest to the Ministry of Agriculture how best they can help in this matter.

(Contd. By 1c/SKC)

GS-SKC/1C/11.10

**श्री सत्यव्रत चतुर्वेदी :** सभापति महोदय, नई नीति के तहत आप फर्टिलाइजर के लिए जो नीति बना रहे हैं, इससे संतुलित उपयोग फर्टिलाइजर का हो सके और उत्पादकता बढ़ सके, इस दृष्टि से आपकी इस नीति का हम स्वागत करते हैं और यह एक अच्छी नीति है। सर, मैं यहां पर एक प्रश्न माननीय मंत्री जी से पूछना चाहता हूं। क्या माननीय मंत्री जी को इस बात की जानकारी है कि देश के विभिन्न हिस्सों में, अलग-अलग क्षेत्रों में, जो

**Q. NO. 221 (CONTD.)**

मिट्टी के अंदर न्यूट्रिएंट्स की कमी है, वह भी एक समान नहीं है। अलग-अलग क्षेत्रों में न्यूट्रिएंट्स की आवश्यकता भी अलग-अलग है। ऐसा देखते हुए, फर्टिलाइजर का संतुलित उपयोग हो, इस बात को सुनिश्चित करने के लिए एक विचार यह आया था कि विभिन्न क्षेत्रों के किसानों के लिए वहां की आवश्यकता के अनुसार क्षेत्र स्पेसिफिक फर्टिलाइजर बनाने का काम किया जाए जिसमें उस क्षेत्र के लिए जितने न्यूट्रिएंट्स की जरूरत हो, उतने न्यूट्रिएंट्स उस में मौजूद हों। मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूँ कि क्या इस दिशा में सरकार ने कोई निर्णय किया है और अगर कोई निर्णय लिया है, तो इस दिशा में आपने अभी तक क्या प्रगति की है जिससे क्षेत्र विशेष के उपयोग के लिए उपयुक्त खाद, क्षेत्रीय खाद तैयार हो सके, उस सम्बन्ध में कृपया जानकारी दें?

**श्री श्रीकांत जेना :** सर, इसमें दो चीजें हैं। One is, agro-climatic conditions of our country and the second is, the soil health in different parts of the country. The State Governments and the Departments of Agriculture are suggesting to the Ministry of Agriculture and, simultaneously, also to our Ministry about the requirement of different kinds of fertilizers in different parts of the country. So far as the deficiency of micro nutrients is concerned, according to the ICAER, in 1950 the soil was deficient in Nitrogen. Today, we find that 45.4 per cent of Indian soils are deficient in...(Interruptions)...

**श्री सत्यव्रत चतुर्वेदी :** मंत्री जी हम केवल इतना चाह रहे हैं कि जो क्षेत्र स्पेसिफिक खाद बनाने का प्रस्ताव था, उस पर क्या प्रगति हुई, उसकी हमें जानकारी चाहिए।

**SHRI SRIKANT JENA:** Sir, the small industry is in mixture units; complex fertilizers can also be done in different parts of the country. We encourage people because the subsidy basket has been enlarged and, therefore, now it would benefit farmers. Also, farmers would get the benefit if small entrepreneurs come up and set up mixture units on a small scale and also get subsidy and in the process, they can also apply the conditions that are available, say, within 50 or 100 kilometres radius and accordingly they can prepare and sell the fertilizers.

**श्री सत्यव्रत चतुर्वेदी:** आप मुझे इसकी बाद में जानकारी दे दीजिएगा। ..(व्यवधान)..

Q. NO. 221 (CONTD.)

**MR. CHAIRMAN:** Shri R.C. Singh. ...(व्यवधान).. और भी सवाल आ रहे हैं आप बैठ जाइए।.. (व्यवधान)..

**श्री पुरुषोत्तम खोडाभाई रूपाला :** सर, मुझे भी किसानों के बारे में सवाल करना है।..(व्यवधान)..

**श्री सभापति:** अभी और भी सवाल आ रहे हैं। आप बैठ जाइए।

**श्री आर०सी० सिंह :** सर, मंत्री महोदय ने स्वीकार किया है कि रासायनिक खाद के प्रयोग से 1.7 परसेंट प्रोडेक्टिविटी डाउन हो गई है, कम हो गई है और जमीन बंजर होती जा रही है। क्या जैविक खाद बनाने के लिए सरकार की तरफ से कोई प्रोत्साहन की व्यवस्था है, जो जैविक खाद बना सकें और जो हमारी प्रोडेक्टिविटी है, उसको बरकरार रखा जा सके ?

**SHRI SRIKANT JENA:** Sir, we are encouraging biofertilizers as also localized fertilizers that the farmers have been traditionally using. At the same time, we are also encouraging customized fertilizers so that this aspect could be taken care of at the end point.

(Ends)

**श्री आर०सी० सिंह :** सर, कोई प्रोत्साहन देने के बारे में..(व्यवधान)..

**श्री सभापति :** अब एक सवाल के बाद दूसरा सवाल नहीं। ..(व्यवधान)..

**श्री आर०सी० सिंह :** सर, मंत्री जी ने जवाब नहीं दिया। ..(व्यवधान)..

**MR. CHAIRMAN:** Question No. 222.

**SHRI SITARAM YECHURY:** Sir, may I suggest that Question No. 227 may also be taken up along with Question No. 222? They are both on the same subject.

**MR. CHAIRMAN:** That is a complex exercise. No.

(Followed at1d/hk)

















HK/1d/11.15

**Q.No.222**

**SHRI B.K. HARIPRASAD:** Mr. Chairman, Sir, I appreciate the answers given by the hon. Minister for both the questions asked by Shri Ravi Shankar Prasad. Sir, every Government increases the subsidy for fertilizers every year to help the farmers and to increase the agricultural productivity. In this Budget, the amount of subsidy is about Rs.1,16,000 crore. It is a huge subsidy being given on fertilizers but there has been no corresponding increase in the crop yields. I would like to know from the hon. Minister whether the Government intends to make any serious studies as to why this is happening and despite the huge availability of fertilizers there is no increase in terms of yields.

**SHRI SRIKANT JENA:** Sir, I said in the first question itself that the excess usage of fertilizer and not using the fertilizer as per the requirement of the soil condition really neither help the farmers nor do the productivity. Therefore, the Government's new policy is aiming that the application of fertilizer should be proper so that the fertility and the productivity get momentum. Therefore, this new policy will help the availability of customized fertilizer at the farm-gate so that the farmers get benefited and the productivity will be more.

**SHRI B.K. HARIPRASAD:** Sir, every year we hear from Gujarat, Kashmir and Karnataka about shortage of fertilizers. In Karnataka, there was a police firing and almost four to five farmers were killed when they went on demanding fertilizers. In Jammu & Kashmir also, there is a shortage of fertilizers. ...(Interruptions)... Sir, we have seen the reports that fertilizers are being smuggled out of this country to Nepal, Bangladesh and other countries. I would like to know from the hon. Minister the real fact. In Karnataka, Jammu & Kashmir and Gujarat, the Opposition and the ruling party people say that the Centre is not supplying adequate fertilizers and that is the reason for the shortage. I would like to know from the hon. Minister the specific reasons for

Q.NO. 222 (CONTD.)

the shortage of fertilizers in Karnataka where because of this farmers have been killed.

**SHRI SRIKANT JENA:** Sir, so far as the availability of fertilizers in Karnataka is concerned, there is absolutely no shortage of fertilizers. It is true for other States also. I have the figures. Let me say about Karnataka. In 2008-09, the requirement of urea was 12.86 lakh metric tones and the availability was 12.32 lakh metric tones. In 2009-10, the requirement of urea was 13.08 lakh metric tones, the availability was 12.84 lakh metric tones but the sale was 12.67 lakh metric tones. The sale was less as compared to the availability in Karnataka. The situation was the same in case of DAP. The DAP's requirement was 7.32 lakh metric tones, the availability was 7.49 lakh metric tones and the sale was 7.42 lakh metric tones. In 2009-10, the availability of MOP was 6.6 lakh metric tones and the sale was 5.56 lakh metric tones. In 2008-09, the requirement was 4.25 lakh metric tones, the availability was 4.92 lakh metric tonnes and the sale was 4.68 lakh metric tones. In case of NPK complex fertilizers, the requirement was 10.65 lakh metric tones, the availability was 9.69 lakh metric tones. However, the production of complex fertilizers in the country was a little less but, in totality, the availability of fertilizers was adequate as per the requirement of the State Governments.

(Contd. By 1e/KSK)

KSK/LP/11.20/1E

**SHRI SRIKANT JENA (CONTD):** Then, comes the distribution and also the part of smuggling. I have said in this House earlier also that smuggling is taking place and the smuggling takes place in different parts. Therefore, we have written to the Chief Ministers of different States that they must take stringent action against the dealers, and those who are involved in this game. I have written to many Chief Ministers, particularly the Chief Minister of Uttar Pradesh, and the response is yet to come. But, smuggling is taking place. I have nothing to hide.

Q.NO. 222 (CONTD.)

Therefore, this year, we are trying our best and we are also alerting the State Governments and their agencies because implementation part is the responsibility of the State Governments. State Governments have to proactively look into this because a huge subsidy is being taken away to neighbouring countries.

**SHRI B.K. HARIPRASAD:** Sir, he has not given figures about shortage in Gujarat.

**MR. CHAIRMAN:** Now, it is over. Now, Shri Rupala.

**श्री पुरुषोत्तम खोडाभाई रूपाला :** सभापति महोदय, धन्यवाद, मैं आपका आभारी हूँ। माननीय मंत्री महोदय बता रहे थे कि सब्सिडी की वजह से न्यूट्रिफ़ंट बेस्ड सब्सिडी बनाने से किसानों को बहुत फायदा होगा, मगर यह तो एग्रीकल्चर डिपार्टमेंट का सब्जेक्ट है। हिदुस्तान में अभी जो किसानों की स्थिति है - मेरे पहले, जो साथी यहां से बोल रहे थे, वे बता रहे थे कि गुजरात, कर्नाटक और हिमाचल प्रदेश में खाद की बहुत शॉर्टेज रहती है। जब फसल बोने का सीजन होता है और दूसरा और तीसरा पानी पिलाने के वक्त, जब यूरिया की आवश्यकता पड़ती है, उसी वक्त फार्मर को यूरिया नहीं मिलता है। डिस्ट्रिब्यूशन सिस्टम को स्ट्रेन्डन करने के लिए आप क्या कर रहे हैं? सोइल टेस्टिंग का, सोइल हेल्थ कार्ड बनाने की जो बात डा. स्वामीनाथन जी ने बताई है, जो हमारी राज्य सरकार ने गुजरात में इसका एक प्रोजेक्ट लिया है और किसानों की अवेयरनेस के लिए इसका कार्यक्रम भी बना रहे हैं, क्या इसमें केंद्र सरकार कोई सहायता देना चाहेगी, क्या इसका ऐसा कोई मॉडल बनाएगी, यह मैं आपके माध्यम से जानना चाहता हूँ?

**श्री श्रीकांत जेना :** जहां तक गुजरात और अवेलेबिलिटी ऑफ फर्टिलाइजर का सवाल है, मैं आपको इसकी एक फिगर दे दूँ कि 2008-09 में जो यूरिया की जो रिक्वायरमेंट थी, वह 17.85 लाख टन की थी और हमने 17.79 लाख टन दिया है। D.P.A., M.O.P. और N.P.K. की जो रिक्वायरमेंट थी, उससे ज्यादा दिया गया है, सेल की फिगर भी मैं आपको दे दूंगा। आपने बताया कि जिस टाइम पर आपको चाहिए, उस टाइम पर नहीं मिल रहा है, आपके स्टेट का एग्रीकल्चर डिपार्टमेंट और उनका जो कोप मार्केटिंग फेडरेशन है, अगर यह इसके टाइमिंग को सही ढंग से इस्तेमाल करे और बफर स्टॉक रखे, जिसके बारे में हम बार-बार लिख रहे हैं कि आप रखिए। पंजाब में ऐसी असुविधा नहीं हो रही है, क्योंकि पंजाब का मार्केटिंग फेडरेशन पहले से ही रख लेता है, उसके बाद जब रिक्वायरमेंट आती है, तो वे रिक्वायरमेंट के तहत देते हैं। मैं अनुरोध करूंगा कि गुजरात



Q.NO. 222 (CONTD.)

गवर्नमेंट या कोई भी स्टेट गवर्नमेंट अगर इसको ढंग से करे तो हम अवेलेबिलिटी पहुंचा देंगे, लेकिन आप उसको टाइम पर इस्तेमाल करें।

**श्री पुरुषोत्तम खोडाभाई रूपाला** : सभापति जी..(व्यवधान)..

**श्री सभापति** : श्री एम.वी.मैसूरा रेड्डी। रूपाला जी, आपका सवाल खत्म हो गया है..(व्यवधान)..

**श्री पुरुषोत्तम खोडाभाई रूपाला** : सभापति जी, मेरे दूसरे सवाल का जवाब नहीं आया ..(व्यवधान)..सोइल हेल्थ कार्ड बनाने की जो बात है..(व्यवधान)..उसमें योगदान करने की बात है..(व्यवधान)..क्या वे करना चाहेंगे?..(व्यवधान)..यह कितना जरूरी है..(व्यवधान)..

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

**श्री पुरुषोत्तम खोडाभाई रूपाला** : मंत्री जी ने कहा कि गुजरात सरकार समय पर ..(व्यवधान).. नहीं रही है..(व्यवधान)..मैं आपके माध्यम से उनके ध्यान में लाना चाहता हूं ..(व्यवधान)..हम जो भी डिमांड करते हैं..(व्यवधान)..उसका जवाब यहां से नहीं मिलता है..(व्यवधान)..दूसरे सवाल का जवाब नहीं दिया है..(व्यवधान)..

**श्री सभापति** : रूपाला जी, बैठ जाइए। अगर जवाब नहीं दिया है या गलत जवाब दिया है, तो आप उसको उठाइए। आप बैठ जाइए। श्री एम.वी.मैसूरा रेड्डी।

**SHRI M.V. MYSURA REDDY:** As per the Minister's statement, the market price of subsidized decontrolled fertilizers will be determined on the basis of demand-supply process. Instead of leaving the farmers to this demand-supply process, is there any proposal before the Government for estimating the price of fertilizers taking into account the input and outpost cost? Is there any proposal before the Government to have a regulatory mechanism for estimating the cost of fertilizers?

**SHRI SRIKANT JENA:** So far as urea is concerned, we are producing about 90 per cent of our requirement indigenously and importing about 10-15 per cent. But, in case of phosphatic fertilizer, we are importing nearly 90 per cent of our requirement. And, the whole problem is that there is a cartelisation at the international market.

(continued by 1f - gsp)

Q.NO. 222 (CONTD.)

GSP-AKG-11.25-1F

**SHRI SRIKANT JENA (CONTD.):** India is almost depending on the import of DAP, and, therefore, there is a cartelization. This NBS scheme itself is intending to destroy the cartelization of the international market so that the companies will be free to go for long-term contract, and, at the end point, the farmers are benefited in this competition.

**SHRI TAPAN KUMAR SEN:** I could not follow it. The hon. Minister has told that the agricultural productivity has gone down mainly because of the usage of imbalanced fertilizers. How this reply is relevant, particularly, when during the last three consecutive Budgets, the allocation to agriculture is declining as a percentage of GDP, and, also as a proportion of total expenditure.

**MR. CHAIRMAN:** What is the question?

**SHRI TAPAN KUMAR SEN:** Sir, we are in a situation where you have decided only the name of your fertilizer policy, 'Nutrient-Based-Subsidy Scheme', you have not decided the detail.

**MR. CHAIRMAN:** What is the question?

**SHRI TAPAN KUMAR SEN:** I am coming to the question.

**MR. CHAIRMAN:** Please come to the question.

**SHRI TAPAN KUMAR SEN:** You have just talked about cartelization in the international market, and, you are linking the fertilizer price to the international market in order to attract the investor, and, subjecting fertilizer to the extreme worst kind of international speculation. Normally, fertilizer is...

**MR. CHAIRMAN:** Please put your supplementary question.

**SHRI TAPAN KUMAR SEN:** That is my question.

**MR. CHAIRMAN:** We are not getting your question.

**SHRI TAPAN KUMAR SEN:** Sir, as far as the indigenous capacity is concerned, whatever you have built since Independence, you have closed down. You have

Q.NO. 222 (CONTD.)

closed down seven fertilizer plants. This Government, in its earlier term, decided by way of in-principle approval...

**MR. CHAIRMAN:** Mr. Sen, you are making a statement. You are not putting your question.

**SHRI TAPAN KUMAR SEN:** \*

**MR. CHAIRMAN:** Please don't make a statement. What you are saying is not going on record.

**SHRI TAPAN KUMAR SEN:** Why are you not reviving the indigenous fertilizer plants, which are in position?

**MR. CHAIRMAN:** That is the question. Is it? Fine. Thank you. Only this will go on record. (Interruptions)

**SHRI SRIKANT JENA:** Sir, we are not linking our fertilizer availability to the international cartel. Rather, we have expanded the...(Interruptions)...

**MR. CHAIRMAN:** Please.

**SHRI SRIKANT JENA:** For many years, we have been importing fertilizers. So, naturally, it depends upon the international price. What I said is that there is an international cartel, and, we are strategizing how to break this cartel by supplementing and placing other complex fertilizers. Therefore, we have enlarged the basket of the fertilizers to different categories; complex fertilizers and other fertilizers will be available, and, in the process, the dependence will be less.

At the same time, during 2008, the new investment policy of the Government has encouraged the internal production also. By 2011, we expect 10-lakh tonnes of urea production capacity. So far as reviving the old units and the sick units, which are closed down, are concerned, the Cabinet has taken a view, and, very soon, on this matter, the Cabinet is also going to take a final decision. Thank you. (Ends)

---

\* Not recorded.









## Q. NO. 223

**MR. CHAIRMAN:** Q. No. 223. (Interruptions). No, no. Please. Q. No. 223. The hon. Member is not present, so, we will take up the supplementary questions. Hon. Minister, you can answer it, and, then, the Members can put supplementary questions.

**SHRI MANOHAR JOSHI:** Mr. Chairman, Sir, I would like to know from the hon. Minister as to what are the terms of reference of this Indian Education Service. Sir, I would also like to know the points on which there was no consensus between the State Governments and the Central Government.

**SHRI KAPIL SIBAL:** Sir, I have already indicated in my answer that there is no decision of the Government on setting up an Indian Education Service. We are at the stage of figuring out whether it is advisable and desirable to set up an Indian Education Service, and, that is the answer to the question.

(Contd. by YSR-1G)

-GSP/YSR-SCH/11.30/1G

**SHRI KAPIL SIBAL (CONTD.):** On your issue as to which States, in the past, did not agree, well, Sir, it has a long history. And the history is that way back in 1961, the then Cabinet proposed that we should have an Indian Education Service. In fact, between 1886 and 1924, there was an Indian Education Service till education became a transferred subject. And when it became a transferred subject, then, of course, it was disbanded. But it was revived in 1961. In fact, in November 1965, there was a Cabinet decision and a Bill was introduced. But it lapsed. And then, of course, came the Sarkaria Commission and it was revived again. The Sarkaria Commission also recommended it. Then came the 1986 Education Policy. There is a special paragraph which says that we should have an Indian Education Service. Then the Ramamurthy Committee was set up which said, "yes, we should have it." Then Janardhana Reddy was in the Sub-Committee of C.A.B.E. and he said that we should not have it. Then came the 1992 Revised Education Policy. Thereafter, there were consultations with the



Q.NO. 223 (CONTD.)

States. Sixteen States said 'yes'; other States said 'no.' Now you see with the 73<sup>rd</sup> and the 74<sup>th</sup> Constitution Amendments with Panchayati Raj taking over education, the whole issue has to be looked at in an entirely different light. I don't know whether it is feasible or desirable, but we are looking into it.

**DR. (SHRIMATI) KAPILA VATSYAYAN:** Thank you, Mr. Chairman, Sir. And thank you for the reply, Mr. Minister. Perhaps he is aware that there was a Central Educational Advisory Service; and that service was a central service. But it drew upon specialists from different fields. If the consensus is not achieved after the 1986 Policy, is it not a fact that the Government has denied itself the opportunity to have a structured instrument for advising the Government as also administering education?

**SHRI KAPIL SIBAL:** Well, the issue as to whether we should revive the Central Advisory Service is another aspect altogether. Since we have formed a sub-Group, which is going to look at the entire issue, as and when the sub-Group gives us its recommendations in this regard, we will certainly look into it and see what can be done. But I personally believe -- and the Government has not taken a decision -- that with the amendment in the Constitution and with education being now handled by the Panchayati Raj institutions, it is more important for civil society at the ground level, the family structures, the NGOs, and the parents of the children to get involved in education if education is to move forward. But, certainly, in advisory capacity, we can have lots of people on board and think about it.

**SHRI P. RAJEEVE:** Sir, I would like to know whether the Government has any plan to shortlist the names of persons, who are eligible for the higher posts of universities, such as Vice-Chancellor, and to make it mandatory. And, if so, whether it curtails the autonomy of the university.

**SHRI KAPIL SIBAL:** Sir, I am afraid it has nothing to do with the question.

**MR. CHAIRMAN:** That is not the question at the moment.

Q.NO. 223 (CONTD.)

**SHRI P. RAJEEVE:** Sir, it relates to part (a) of the question which says 'whether it is a fact that Indian Education Service is being introduced for better management of schools and higher educational institutions.' University is part of higher educational institutions.

**MR. CHAIRMAN:** Would you like to clarify it?

**SHRI KAPIL SIBAL:** Mr. Chairman, Sir, the Indian Education Service is not in the context of higher education. Now, in the higher education sector, say 90 per cent of all engineering colleges are private, and almost 50 per cent of all the medical colleges are private. So, to set up an Education Service to monitor private institutions, I don't think is a concept which was conceived in 1961 when the education sector had not expanded in the fashion that it has done today.

(Ends)

(Followed by VKK/1H)





























































-SCH/PSV-VKK/1h/11.35

(Q. No.224 -- Hon. Member absent.)

**MR. CHAIRMAN:** Is there any supplementary?

**श्री श्रीगोपाल व्यास:** धन्यवाद, मंत्री महोदय। आपने काफी विस्तार से इस प्रश्न का उत्तर दिया है और कंपनियों के नाम भी दिए हैं, पर मैं हिसाब लगा रहा था कि जो amount आपने recover किया है, वह अभी-भी courts में है और उसके अलावा 48 करोड़ रुपये का हिसाब भी नहीं मिल रहा है। क्या आप कृपया बताएंगे कि यह recovery कितने दिनों में हो जाएगी?

**श्री श्रीकांत जेना:** सर, 48 करोड़ रुपए का जो हिसाब आपको नहीं मिल रहा है, वह अभी process में है। We cannot just recover that amount unless this process is over.

**DR. K. MALAISAMY:** Sir, it is seen from the reply that the Act has been in existence from 1995 and overcharging by companies has been going on for years and years. The very same company has been overcharging every year. The companies in question are not one out of hundred, but, hundreds of manufacturing companies are overcharging every year. Sir, now, I come to the question. Your system which has been in existence for many years has been inadequate and ineffective. That is the reason why overcharging has been continuously going on. According to me, overcharging has not come down at all. What is going to be the effective and adequate measure to deal with the problem?

**SHRI SRIKANT JENA:** Sir, as you know, the NPPA is monitoring overcharging by companies and they have also created a division to oversee all over the country whether the companies are overcharging on medicines at the retail points. On the basis of that, the NPPA is also taking up cases. They are also collecting information about overcharging. The whole problem is that when these companies, which are overcharging, are supposed to pay, they go to court of law. Sir, the litigation goes on lingering for years together. So, they take up the plea of litigation. I fully agree with the view that they are selling at higher prices. But, Sir, some companies are reducing after NPPA's intervention. So far as

Q.NO. 224 (CONTD.)

adequacy of the law is concerned, I don't think that there is any inadequacy. The whole thing is that since the matter is under litigation, they take it up as a plea and overcharge. Sir, the fact that these companies are overcharging is already in the public domain. Sir, MRP is also in the public domain. We are trying to publicise it so that the consumer can know what exactly is the price. Therefore, we and the NPPA are taking steps in the direction of making it public. More publicity will be given so far as MRP of different drugs is concerned.

**श्री रवि शंकर प्रसाद:** माननीय मंत्री जी, जब मैं आपके उत्तर की सूची देख रहा था तो मुझे बड़ी हैरानी हुई कि उसमें बहुत बड़ी संख्या में विदेशी कम्पनियाँ भी हैं। यह आपने भी देखा होगा। आप जरा कृपा करके यह बताने का कष्ट करेंगे कि यह जो सी के ऊपर की इतनी लम्बी सूची है, इसमें भारतीय कम्पनियाँ कितनी हैं और विदेशी कम्पनियाँ कितनी हैं? जहाँ तक कानून की मुझे समझ है जब विदेशी कम्पनियों को भारत में व्यापार करने की अनुमति दी जाती है तब कुछ शर्तों के साथ दी जाती है कि वे कानून का पालन करेंगे। मैं आपसे जानना चाहूँगा कि इस दिशा में इतनी बड़ी संख्या में से आप विदेशी कम्पनियों की संख्या बताएँ, उन पर क्या विशेष कार्रवाई की गई है, क्योंकि वे हर साल अधिक overcharge कर रही हैं और healthcare affect हो रहा है?

**SHRI SRIKANT JENA:** Sir, the total demand raised is Rs.2,147.01 crore. The total amount recovered is Rs.191.40 crore.

**श्री रवि शंकर प्रसाद:** सवाल यह है कि विदेशी कम्पनियाँ कितनी हैं?

**श्री श्रीकांत जेना:** मैं उस पर अभी आ रहा हूँ। यह इतनी लम्बी लिस्ट है, लेकिन जो defaulters हैं, उनमें से 2-3 कम्पनियों के नाम मैं आपको बता देता हूँ। Sir, Rs.1800 crore out of Rs.2100 crore are under litigation.

**श्री रवि शंकर प्रसाद:** विदेशी कम्पनियाँ कितनी हैं?

**श्री श्रीकांत जेना:** यह इतनी बड़ी लिस्ट है। इस लिस्ट में विदेशी कम्पनी कौन है? किसी कम्पनी का नाम विदेशी लगता है, लेकिन वह इंडियन कम्पनी भी हो सकती है। अगर आप उसको segregate करने के लिए कहेंगे तो I can get it segregated.

(Followed by MKS/1J)

MKS-DS/11.40/1J

Q.NO. 224 (CONTD.)

**SHRI VIKRAM VERMA:** Sir, he should collect the information. ...(Interruptions)...

**SHRI SRIKANT JENA:** I can segregate it, but the point is, on the whole, one or two companies are the major defaulters, and they are litigating. They are Indian companies. If you want to know their names, I can reveal them also.

**MR. CHAIRMAN:** Thank you. ...(Interruptions)... बैठ जाइए प्लीज़।  
...(व्यवधान)...Thank you. Thank you. ...(Interruptions)... Q.245. ...(Interruptions)...

**श्री रवि शंकर प्रसाद:** मंत्री जी, अगर जवाब अभी उपलब्ध नहीं है तो कृपा करके आप उसे बाद में हमें भिजवा दें।

**MR. CHAIRMAN:** The hon. Minister has stated that he will make the information available.

**श्री श्रीकांत जेना:** जैसा मैंने बता दिया है कि जो defaulting companies हैं, उन सब के नाम मैं आपको दे दूँगा, उनमें विदेशी कम्पनी कौन है और देशी कम्पनी कौन है, ...(व्यवधान).. उनकी लिस्ट में दे दूँगा।

**MR. CHAIRMAN:** Fine.

(Ends)











## Q.No.225

**SHRI K.E. ISMAIL:** Sir, my first question is this. In the reply, it is stated: "An Expert Group will examine the issue." Sir, will the Minister give instructions to stay the recovery proceedings till a decision is taken on the recommendations of Expert Group?

**श्री दिन्शा जे. पटेल:** सर, यह 1956 से चल रहा है, जब के.वी.आई.सी. का गठन किया गया था। 1956 से 1994 तक पैटर्न स्कीम के आधार पर खादी के साथ जुड़ी हुई और ग्रामोद्योग के साथ जुड़ी हुई छोटी इकाइयों को यह राहत दी जाती थी। यह सहायता खादी के साथ जुड़ी इकाइयों को जीरो परसेंट इंटररेस्ट पर और ग्रामोद्योग के साथ जुड़ी इकाइयों को 4 परसेंट इंटररेस्ट पर दी जाती थी। यह 50 साल पुरानी समस्या है। 1994 में जब आज के प्रधान मंत्री उस समय खजाना मंत्री थे, उस समय उन्होंने अभ्यास के बाद यह जाहिर किया तब उनको सी.बी.सी. स्कीम में कन्वर्ट किया गया। सी.बी.सी. स्कीम में कन्वर्ट करने के बाद उन खादी इकाइयों को 4 परसेंट पर सहायता दी जाती थी और ग्रामोद्योग के साथ जुड़ी हुई इकाइयों को बैंक के नियमों के मुताबिक मदद दी जाती थी।

माननीय सदस्य ने केरल के विषय में प्रश्न पूछा है। केरल में जो इकाइयाँ हैं, उनको आज तक करीब 74 करोड़ रुपया लेना बाकी है। इसके लिए 10 दिसम्बर 2009 को केरल की सरकार ने केन्द्र सरकार को खत लिखा है और उसके ऊपर सरकार विचार कर रही है। यह अकेले केरल की समस्या नहीं है बल्कि यह सारे देश की इकाइयों की समस्या है, इसलिए इसमें थोड़ा ज्यादा समय लगेगा। इसमें एक बात यह भी हुई है कि आंध्र प्रदेश में जो तीन संस्थाएँ हैं, वे कोर्ट में गयी हैं और तमिलनाडु की एक संस्था भी कोर्ट में गयी है, इसकी वजह से भी यह समस्या पैदा हुई है। इस बारे में यह सोचते हुए कि उन्हें कैसे सहायता दी जा सकती है, वे सारी reports आने के बाद ही मैं कुछ बता सकता हूँ।

**MR. CHAIRMAN:** Second supplementary.

**SHRI K.E. ISMAIL:** Sir, what are the steps that the Government is taking to revive the defunct small and medium units?

**श्री दिन्शा जे. पटेल:** सर, यह लघु उद्योग से संबंधित प्रश्न नहीं है बल्कि यह एक अलग प्रश्न है, इसके लिए आप अलग से नोटिस दीजिए। मैं यह मानता हूँ कि लघु उद्योग और

Q.NO. 225 (CONTD.)

के.वी.आई.सी. को आगे बढ़ाने के लिए भी इस नये बजट में बहुत से provisions किए गये हैं और खादी को बढ़ावा मिले, इसके लिए भी provisions किये गये हैं। 'प्रधान मंत्री रोजगार सृजन योजना' की भी बात की गयी है, उसके लिए भी अलग से फंड अलॉट किया गया है। के.वी.आई.सी. को बढ़ावा मिले, इसके लिए भी अलग से फंड अलॉट किया गया है। इसके लिए एशियन डेवलपमेंट बैंक के साथ करीब 150 मिलियन डॉलर का agreement भी हो गया है और के.वी.आई.सी. के विकास के लिए तीन साल में वहाँ से 150 मिलियन डॉलर मिलेंगे। उसका जो पहला installment 20 मिलियन डॉलर का है, वह पहुँच गया है और जो दूसरा installment है, वह आठ महीने के बाद 40 मिलियन डॉलर का मिलेगा, फिर 13 महीने के बाद 40 मिलियन डॉलर का एक installment और मिलेगा।

('1K/NB' पर क्रमशः)

NB/TMV/1K/11.45

**श्री दिग्गज जे. पटेल (क्रमागत) :** इसकी आखिरी installment, 3 साल खत्म होने के बाद 50 मिलियन डॉलर की मिलेगी। जहां तक प्राइम मिनिस्टर स्वरोजगार योजना का सवाल है, इस योजना में छोटी इंडस्ट्रीज़ वालों के लिए शहरों में काम करने के लिए और गांवों में काम करने के लिए अलग-अलग प्रावधान किया गया है और इसके लिए बैंकों के द्वारा भी अलग-अलग प्रावधान किया गया है, ताकि उनको भी सहायता दी जाए। जो ladies category है, OBC है, BC है, उसके लिए भी अलग प्रावधान किया है, क्योंकि जनरल कैटेगरी में 10 परसेंट investment करने की बात है और जो स्पेशल कैटेगरी है, उसमें 5 परसेंट सहायता मिलेगी।

**श्री वी. हनुमंत राव :** मैं माननीय मंत्री जी से निवेदन करना चाहता हूँ कि खादी और विलेज इंडस्ट्री में हमको polyster khadi नहीं मिल रही है। For polyster khadi, there is a lot of demand. There is no encouragement for Khadi and Village Industries. Many people are asking for polyster khadi. We are not getting it. I would like to know whether he is giving any opportunity to the Khadi and Village Industries to promote khadi. .... (interruptions)

**श्री दिग्गज जे. पटेल :** सभापति जी, मैं तो सभी माननीय सदस्यों से अपील करता हूँ कि खादी की बिक्री को हमें बढ़ावा देना होगा। इसलिए मैं सभी माननीय सदस्यों से प्रार्थना

Q.NO. 225 (CONTD.)

करता हूँ कि वे खादी की एक-एक dress बनाएं। अगर वे खादी की एक dress न भी बनाएं, तो मैं उनसे प्रार्थना करता हूँ कि वे कम से कम हाथ का एक रुमाल तो रखें, नहीं तो एक तौलिया अवश्य रखें। घर में जो चादर इस्तेमाल होती है, कम से कम वह चादर तो खादी की रखें। यदि ऐसा होगा, तो मैं समझता हूँ कि खादी को बढ़ावा मिलेगा। जहां तक polyster khadi का सवाल है, मैं इसके बारे में पता लगाऊंगा और जो कुछ हो सकता है, वह करूंगा।

**श्री अनिल माधव दवे** : Polyster khadi क्या होती है, या तो खादी होती है या खादी नहीं होती .... (व्यवधान)

**MR. CHAIRMAN**: Shri Matilal Sarkar. (Interruptions)...

**SHRI MATILAL SARKAR**: Thank you, Sir. My supplementary is that the hon. Minister is aware that now a new scheme, PMEGP, is taken up for village industries under the Khadi and Village Industries set-up. But the thing is that the Khadi Board in different States is processing the cases for loans. But the banks are not lending credit according to the recommendations of the Khadi Board. I would like to know whether the Minister will take up the matter with the Finance Ministry and give strict guidelines to the banks and other financial institutions so that suitable loans are given to local artisans who are applying for loans through the PMEGP route.

**श्री दिग्शा जे. पटेल** : सभापति जी, माननीय सदस्य जो बात कर रहे हैं, उसके बारे में हमारी प्राइम मिनिस्टर के साथ भी बात हुई और इसके लिए प्राइम मिनिस्टर ने एक Special Task Force यानी एक High Powered Committee का गठन किया और गठन के बाद उस कमेटी ने अपनी सारी रिपोर्ट प्राइम मिनिस्टर को दे दी है। उस रिपोर्ट में दूसरे डिपार्टमेंट भी शामिल हैं, फाइनेंस भी शामिल है, लेबर भी शामिल है, कई दूसरे डिपार्टमेंट्स भी जुड़े हुए हैं और उनको यह रिपोर्ट भेज दी गई है। माननीय सदस्य ने जो बात कही है कि ऋण देने में बैंक देरी करते हैं, तो वह देरी कैसे कम हो सके और जल्दी से जल्दी उनको लोन कैसे मिल सके, यह बात भी इसमें बताई गई है। इस बारे में फाइनेंस डिपार्टमेंट के साथ भी हमारा डिस्कशन हुआ है। जब इस रिपोर्ट पर अमल होगा, तो अमल के लिए भी एक time bound programme बना दिया गया है, किसी डिपार्टमेंट

Q.NO. 225 (CONTD.)

को 2 महीने, किसी डिपार्टमेंट को 3 महीने, किसी डिपार्टमेंट को 6 महीने का समय दिया जा सकता है और ज्यादा से ज्यादा 6 महीने में वह काम होना चाहिए। जहां तक इसकी मॉनीटरिंग का सवाल है, प्राइम मिनिस्टर ने खुद अपनी अध्यक्षता में मॉनीटरिंग करने का फैसला किया है, जिससे यह दिक्कत कम हो जाएगी।

**श्री श्रीगोपाल व्यास :** सभापति जी, मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूँ कि केरल में जो ऋण माफी के लिए कहा गया है, क्या आपको मालूम है कि उनकी संख्या क्या है और कितने लोगों की ऋण माफी के लिए कहा गया है?

**श्री दिन्शा जे. पटेल :** सभापति जी, मैंने यही बताया है कि केरल के लिए करीब 72 करोड़ रुपए की ऋण माफी की बात है, लेकिन यह अकेले केरल का सवाल नहीं है .... (व्यवधान) वही मैं बता रहा हूँ कि यह सारे देश की इकाइयों की प्रॉब्लम है। इसीलिए सारे देश का जो आंकड़ा है, वह प्राप्त करके, उसमें क्या हो सकता है, इसकी जानकारी के लिए एक उच्च अधिकारियों की एक समिति गठित की गई है।

(1L/VNK पर क्रमशः)

-NB/VNK-VK/1L/11:50

**श्री दिन्शा जे. पटेल (क्रमागत) :** उसकी रिपोर्ट आने के बाद उसमें क्या हेल्प हो सकती है, क्योंकि मैंने पहले कहा है कि यह *sub judice* हो गया है, आन्ध्र और तमिलनाडु में केस कोर्ट में भी गया है, इसलिए मैं बता रहा हूँ कि सारा गठित करके, सारा विचार करके इसके बारे में सोचेंगे।

(समाप्त)





















## प्रश्न संख्या : 226

**श्री नन्द कुमार साय:** माननीय सभापति महोदय, मैं आपके माध्यम से मंत्री जी से जानना चाहता हूँ कि सरकार सामान्यतः गेहूँ खरीदने के बाद उसे उन मिलों को बेचती है, जो आटा बना करके उपभोक्ताओं को बेचते हैं। मैं यह जानना चाहता हूँ कि आप गेहूँ किस दर पर आटा बनाने वाले उन एजेंसियों/मिलों को बेचते हैं और वे आटा बनाकर उपभोक्ताओं को किस दर पर बेचते हैं?

**PROF. K.V. THOMAS:** Sir, there are two OMS, that is, Open Market Sales. In the OMS, we decide higher price for bulk consumers, which is more than the MSP, and on that price they have to bid. Every year, depending on the availability, we decide and declare OMS price for the bulk consumers. In the case of States, we give wheat at the OMS price to the States. The State Governments can make use of that wheat and supply either through the TPDS or the Civil Supplies Corporation.

**श्री सभापति :** आप दूसरा प्रश्न पूछिए।

**श्री नन्द कुमार साय:** माननीय सभापति महोदय, मेरे प्रश्न का तो उत्तर ही नहीं आया। मैं माननीय मंत्री श्री शरद पवार जी ...(व्यवधान)...

**श्री सभापति:** सवाल पूछने दीजिए...(व्यवधान)...

**श्री कलराज मिश्र :** सभापति महोदय, जो प्रश्न पूछा जाए ..(व्यवधान).. गलत या सही, उसका जवाब तो आना चाहिए ..(व्यवधान).. जवाब उसके संबंध में आना चाहिए ..(व्यवधान)..

**श्री सभापति:** ठीक है। Let us hear the question. (Interruptions).

**श्री नन्द कुमार साय:** सभापति महोदय, मैंने साफ-साफ पूछा था कि ...(व्यवधान).. महोदय, इसको पहला ही सवाल माना जाए ...(व्यवधान).. आप उन्हें किस दर पर देते हैं और वे आटा बनाकर उपभोक्ताओं को किस दर पर बेचते हैं।...(व्यवधान)..

**श्री सभापति:** ठीक है, ठीक है।

**श्री शरद पवार:** यह जो फ्लोर मिल्स के बारे में जो गेहूँ की बिक्री हम लोग करते हैं, इसमें किसी फ्लोर मिल को subsidised rate पर allotment नहीं किया जाता है। जब ओपन मार्केट में हम माल इन लोगों के लिए बेचते हैं, तब हम इनकी तरफ से ओपन टेण्डर मंगाते हैं और टेण्डर्स में जो बिडर्स highest price वाला होता है, उसी को माल दिया

Q.NO. 226 (CONTD.)

जाता है। बाद में वह प्रोसेस करके इसका रवा, आटा ओपन मार्केट में बेचता है। इसके ऊपर सरकार का कंट्रोल नहीं है।

**श्री पुरुषोत्तम खोडाभाई रूपाला:** सर..(व्यवधान)..

**श्री सभापति:** आप बीच में दखल मत दीजिए, रूपाला जी, कृपया आप बैठ जाइए ..(व्यवधान).. यह आपका सवाल नहीं है..(व्यवधान)..

**श्री पुरुषोत्तम खोडाभाई रूपाला:** सर, सरकार किसानों से गेहूँ खरीदती है ..(व्यवधान)..वह किस दर में बेचती है, यह जानना का हक नहीं है? ..(व्यवधान)..

**श्री सभापति:** यह आपका सवाल नहीं है ..(व्यवधान)..

**श्री पुरुषोत्तम खोडाभाई रूपाला:** सर, इसमें मुझे आपकी सुरक्षा चाहिए ..(व्यवधान)..

**श्री सभापति:** गलत काम में आपको कोई सुरक्षा नहीं दे सकता है ..(व्यवधान).. आपके साथी सवाल पूछ रहे हैं, उनको पूछने दीजिए..(व्यवधान)..

**श्री पुरुषोत्तम खोडाभाई रूपाला:** सर, किसान मारा जाएगा ..(व्यवधान)..

**श्री सभापति:** कृपया आप लोग बैठ जाइए। आप दूसरा सवाल पूछिए।

**श्री नन्द कुमार साय:** माननीय सभापति महोदय, मेरा दूसरा प्रश्न यह है कि देश की आबादी बढ़ रही है और उसके हिसाब से आपको अपना बफर स्टॉक भी बढ़ाना पड़ता है। मैं माननीय मंत्री जी से जानना चाहता हूँ कि क्या आपने इस समय आबादी के हिसाब से अपना स्टॉक बढ़ाया है? अगर बढ़ाया है, तो कितना बढ़ाया है और उसके रखरखाव के लिए क्या प्रबंधन है, क्योंकि बहुत जगह गेहूँ सड़ जाता है, वह बाहर पड़ा रहता है, उसके रखरखाव के लिए आपने क्या व्यवस्था की है?

(1m/MP पर आगे)

MP-RG/1M/11.55

**श्री शरद पवार :** हर महीने में बफर स्टॉक के कुछ norms होते हैं और इन norms के मुताबिक हम बफर स्टॉक रखते हैं, मगर देश की आबादी देखने के बाद बफर स्टॉक के साथ-साथ हमने एक नया सिस्टम इंट्रोड्यूस किया है और इसके मुताबिक हम "Strategic Reserve" के नाम से अलग तरह का गेहूँ रखते हैं। जहां तक आज देश की स्थिति है, देश में बफर स्टॉक के जो norms हैं, उसके आसपास स्टॉक आज देश में रखा हुआ है।

Q.NO. 226 (CONTD.)

**DR. JANARDHAN WAGHMARE:** Sir, I would like to know the States from where they get maximum procurement of wheat and rice, and what the position of procurement this year would be.

**SHRI SHARAD PAWAR:** Punjab is a State from where we have maximum procurement. Practically, we have reached more than 100 lakh tonnes. For this year, we, recently, called a meeting of all the Secretaries of the Agriculture Department and the Food Department of various States. And, from the information which we have got from them, our expectation is that we will be able to procure 260 lakh tonnes as against the last year's procurement of 253 lakh tonnes. So, this year, the position is better than the last year.

**डा. राम प्रकाश :** सर, मैं आपके माध्यम से मंत्री महोदय से निवेदन करना चाहता हूँ कि अगर मिलों को टेंडर के हिसाब से, जिसका सबसे ज्यादा महंगा होगा, अगर उस हिसाब से अनाज बेचा जाएगा, तो महंगाई बढ़ेगी। सरकार को, गेहूँ का जो maximum या minimum price है, उसके हिसाब से भाव तय करना चाहिए और फिर आगे बेचना चाहिए, मिलों को देना चाहिए। अगर वे highest tender के हिसाब से देंगे, तो आटा और ज्यादा महंगा बिकेगा, इसलिए महंगाई पर कंट्रोल करने के लिए हमें उसका एक fixed rate रखना चाहिए। जिस भाव गेहूँ खरीदा गया है और जिस भाव मिल को देना है, दोनों में कोई निश्चित अंतर होना चाहिए।

**श्री शरद पवार :** जहां तक ये flour mills हैं, वे मार्केट से गेहूँ खरीदने के बाद fixed rate में आटा, रवा बेचेंगे, इस पर कोई नियंत्रण नहीं है, इसलिए उनको सस्ता या subsidized देने से यह विश्वास नहीं होता कि यह आम जनता को भी subsidized मिलेगा ...(व्यवधान)...

**डा. राम प्रकाश :** मैंने subsidized के लिए कहा ही नहीं है।

**श्री शरद पवार :** इसमें दूसरा एक रास्ता है कि जो स्टेट गवर्नमेंट्स Public Distribution System से रवा आटा का distribution करने के लिए तैयार हैं, उनके लिए अलग तरह का allotment देकर कीमत पर रोक लगाने की कोशिश होगी, तो इसमें भारत सरकार सहयोग देगी।

Q.NO. 226 (CONTD.)

**SHRI MOINUL HASSAN:** Sir, in Annexure II of the reply, the Agency-wise procurement of wheat of the previous Rabi season, namely, 2009-10, has been shown. So far as the Food Corporation of India is concerned, the procurement of FCI, as compared to Co-operatives, has been quite less. Actually, the FCI is not procuring wheat from the ultimate sellers at the right time. This puts the sellers in trouble and they end up going in for distress sale. I would like to know from the hon. Minister whether he would direct the FCI to go to the *mandi* at the right time, for the purchase of wheat or any other crop from the ultimate seller, that is, the farmers of the country.

**SHRI SHARAD PAWAR:** Generally, in the market, the arrival of wheat is somewhat in the first week of March, and we, immediately, start the procurement. But it is, practically, difficult for FCI to set up Purchase Centres in each and every *mandi* of the wheat producing States. That is why this responsibility has been given to States. The State Government is procuring it; the State corporations are procuring it. That State Governments are using their cooperative institutions which are also appointed as agents and they are procuring it. So, there are a number of organizations which are coming forward on behalf of the State Governments; they procure it; they handle it with the FCI.

(Ends)

**MR. CHAIRMAN:** Thank you. Question Hour is over.

1n/12.00/ks-sc

**MR. CHAIRMAN:** Papers to be laid on the Table. Shri Virbhadra Singh.

**SHRI SITARAM YECHURY:** Sir, I

**MR. CHAIRMAN:** Just a minute. Let us finish, first, the laying of Papers on the Table. We are coming to it.

**SHRI SITARAM YECHURY:** Sir, you saved the Minister. I asked you to club the Questions and you saved him!

**(MR. DEPUTY CHAIRMAN IN THE CHAIR)**

**MR. DEPUTY CHAIRMAN:** Shri Virbhadra Singh.

**PAPERS LAID ON THE TABLE**

**SHRI VIRBHADRA SINGH:** Sir, I lay on the Table, a copy each (in English and Hindi) of the Outcome Budget for the year 2010-11 in respect of the Ministry of Steel.

**SHRI KAPIL SIBAL:** Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers:

- (i) Outcome Budget for the year 2010-11 in respect of the Department of Higher Education in the Ministry of Human Resource Development; and
- (ii) Outcome Budget for the year 2010-11 in respect of the Department of School Education and Literacy in the Ministry of Human Resource Development.

**SHRI SRIKANT JENA:** Sir, I lay on the Table:

I. A copy (in English and Hindi) of the Ministry of Chemicals and Fertilizers (Department of Pharmaceuticals) Notification No. S.O. 3238 (E), dated the 16<sup>th</sup> December, 2009, regarding supplies of Urea to be made by domestic manufactures of Urea to States and Union Territories during Rabi season 2009-10, under sub-section (6) of Section 3 of the Essential

**Commodities Act, 1955.**

II. A copy each (in English and Hindi) of the following papers:₹

- (i) Outcome Budget for the year 2010-11 in respect of the Department of Fertilizers in the Ministry of Chemicals and Fertilizers;
- (ii) Outcome Budget for the year 2010-11 in respect of the Department of Chemicals & Petrochemicals in the Ministry of Chemicals and Fertilizers; and
- (iii) Outcome Budget for the year 2010-11 in respect of the Department of Pharmaceuticals in the Ministry of Chemicals and Fertilizers.

SHRI E. AHAMMED: Sir, I lay on the Table, under sub-section (3) of Section 30 of the Railway Claims Tribunal Act, 1987, a copy (in English and Hindi) of the Ministry of Railways Notification No. G.S.R. 96 (E), dated the 22<sup>nd</sup> February, 2010, publishing the Railway Claims Tribunal (Procedure) Amendment Rules, 2010.

SHRIMATI D. PURANDESWARI: Sir, I lay on the Table:

I.(1) A copy each (in English and Hindi) of the following papers, under sub-section (3) of Section 27 of the Jamia Millia Islamia Act, 1988:

- (a) Annual Report of the Jamia Millia Islamia (JMI), New Delhi, for the year 2008-09.
- (b) Review by Government on the working of the above University.

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

II.(1) A copy each (in English and Hindi) of the following papers under sub-section (4) of Section 30 of the Babasaheb Bhimrao Ambedkar University Act, 1994:

- (a) Twelfth Annual Report of the Babasaheb Bhimrao Ambedkar University, Lucknow, for the year 2008-09.
- (b) Review by Government on the working of the above University.
- (c) Annual Accounts of the Babasaheb Bhimrao Ambedkar University, Lucknow, for the year 2007-08, and the Audit Report thereon.

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

III. A copy each (in English and Hindi) of the following papers, under sub-section (3) of Section 32 of the Nagaland University Act, 1989:

- (a) Fourteenth Annual Report of the Nagaland University, Kohima, for the year 2008-09.
- (b) Review by Government on the working of the above University.

IV.(1) A copy (in English and Hindi) of the following papers, under sub-section (3) of the Section 29 and sub-section (4) of Section 30 of the Pondicherry University Act, 1985:

- (a) Twenty-third Annual Report of the Pondicherry University, Puducherry, for the year 2008-09.
- (b) Annual Accounts of the Pondicherry University, Puducherry, for the year 2008-09 and the Audit Report thereon.
- (c) Review by Government on the working of the above University.

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

V.(1) A copy each (in English and Hindi) of the following papers, under sub-section (4) of Section 35 of the Visva Bharati Act, 1984:

- (a) Annual Report of the Visva-Bharati, Santiniketan, for the year 2008-09.
- (b) Review by Government on the working of the above University.

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

VI.(1) A copy each (in English and Hindi) of the following papers, under sub-section (3) of Section 28 of the North Eastern Hill University Act, 1973:

- (a) **Thirty-fifth Annual Report of the North Eastern Hill University, Shillong, for the year 2008-09,.**
- (b) **Review by Government on the working of the above University.**

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

VII.(1) A copy each (in English and Hindi) of the following papers, under sub-section (3) of the Section 34 of the Aligarh Muslim University Act, 1981:

**(a) Annual Report of the Aligarh Muslim University, Aligarh, for the year 2008-09.**

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

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

VIII. A copy each (in English and Hindi) of the following papers:

**(i)(a)** Annual Accounts of the Assam University, Silchar, for the year 2008-09, and the Audit Report thereon, under sub-section (4) of Section 31 of the Assam University Act, 1989.

**(b)** Statement giving reasons for the delay in laying the papers mentioned at (i) (a) above.

**(ii)(a)** Annual Accounts of the Banaras Hindu University, Varanasi, for the year 2008-09 and the Audit Report thereon, under Section 13 of the Banaras Hindu University Act, 1915.

**(b)** Statement giving reasons for the delay in laying the papers mentioned at (ii) (a) above.

**(iii)(a)** Annual Accounts of the Mizoram University, Aizawl, for the year 2008-09 and the Audit Report thereon, under Section 31 of the Mizoram University Act, 2000.

**(b)** Statement giving reasons for the delay in laying the papers mentioned at (iii) (a) above.

**(iv)(a)** Annual Report and Accounts of the Board of Practical Training (BOPT), Eastern Region, Kolkata, for the year 2008-09, together with the Auditor's Report on the Accounts.

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

**(v)(a)** Annual Report and Accounts of the Board of Apprenticeship Training (BOAT), Western Region, 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 Board.

**(vi)(a)** Annual Report and Accounts of the Board of Apprenticeship



Training (BOAT), Southern Region, Chennai, for the year 2008-09, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Board.
- (vii)(a) Annual Report of the Kendriya Vidyalaya Sangathan, New Delhi, for the year 2008-09.
  - (b) **Annual Accounts of the Kendriya Vidyalaya Sangathan, New Delhi, for the year 2008-09, together with the Auditor's Report thereon.**
  - (c) **Review by Government on the working of the above Sangathan.**
  - (d) **Statement giving reasons for the delay in laying the papers mentioned at (vii) (a) and (b) above.**
- (viii)(a) Annual Report of the National Institute of Open Schooling (NIOS), New Delhi, for the year 2008-09.
  - (b) **Annual Accounts of the National Institute of Open Schooling (NIOS), New Delhi, for the year 2008-09, and the Audit Report thereon.**
  - (c) Review by Government on the working of the above Institute.
  - (d) Statement giving reasons for the delay in laying the papers mentioned at (viii) (a) and (b) above.
- (ix)(a) Annual Report and Accounts of the National University of Educational Planning and Administration (NUEPA), New Delhi, for the year 2008-09, together with the Auditor's Report on the Accounts.
  - (b) Review by Government on the working of the above University.
  - (c) Statement giving reasons for the delay in laying the papers mentioned at (ix) (a) above.
- (x)(a) Forty-ninth Annual Report and Accounts of the National Institute of Technology, Durgapur, for the year 2008-09.
  - (b) **Forty-ninth Annual Accounts of the National Institute of Technology, Durgapur, for the year 2008-09 and the Audit Report thereon.**
  - (c) Review by Government on the working of the above Institute.
  - (d) Statement giving reasons for the delay in laying the papers mentioned at (x) (a) and (b) above.

- (xi)(a) Annual Report and Accounts of the National Institute of Technology (formerly Regional Engineering College), Warangal, for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.**
- (c) Statement giving reasons for the delay in laying the papers mentioned at (xi) (a) above.
- (xii)(a) Annual Report and Accounts of the National Institute of Technology, Tiruchirappalli (Tamil Nadu), for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.**
- (c) Statement giving reasons for the delay in laying the papers mentioned at (xii) (a) above.
- (xiii)(a) Annual Report and Accounts of the Visvesvaraya National Institute of Technology, Nagpur, for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.**
- (c) Statement giving reasons for the delay in laying the papers mentioned at (xiii) (a) above.
- (xiv)(a) Annual Report and Accounts of the Sarva Shiksha Abhiyan, Pondicherry, for the year 2007-08, together with the Auditor's Report on the Accounts.
- (b) Statement by Government accepting the above Report.**
- (c) **Statement giving reasons for the delay in laying the papers mentioned at (xiv) (a) above.**
- (xv)(a) Annual Report and Accounts of the Rajasthan Council of Elementary Education, Jaipur, for the year 2007-08, together with the Auditor's Report on the Accounts.
- (b) Statement by Government accepting the above Reports.**
- (c) Statement giving reasons for the delay in laying the papers mentioned at (xv) (a) above.
- (xvi)(a) Annual Report and Accounts of the Orissa Primary Education Programme Authority (OPEPA), Bhubaneswar, for the year

2007-08, together with the Auditor's Report on the Accounts.

**(b) Statement by Government accepting the above Report.**

**(c) Statement giving reasons for the delay in laying the papers mentioned at (xvi) (a) above.**

**(xvii)(a) Annual Report and Accounts of the Paschim Banga Sarva Shiksha Mission (PBSSM), Kolkata, for the year 2008-09, together with the Auditor's Report on the Accounts.**

**(b) Statement by Government accepting the above Report.**

**(c) Statement giving reasons for the delay in laying the papers mentioned at (xvii) (a) above.**

**(xviii) Statement giving reasons for not laying the Annual Report and Accounts of the Auroville Foundation, Auroville, for the year 2008-09, within the stipulated period.**

SHRIMATI PANABAKA LAKSHMI: Sir, I lay on the Table, a copy each (in English and Hindi) of the Outcome Budget for the year 2010-11 in respect of the Ministry of Textiles.

PROF. K.V. THOMAS: Sir, I lay on the Table

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs), under Section 39 of the Bureau of Indian Standards Act, 1986:-

(1) G.S.R. 938 (E), dated the 31<sup>st</sup> December, 2009, publishing the Bureau of Indian Standards (Amendment) Rules, 2009.

(2) G.S.R. 66 (E), dated the 9<sup>th</sup> February, 2010, publishing the Bureau of Indian Standards (Certification) Amendment Regulations, 2010.

II. A copy each (in English and Hindi) of the following Notifications of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution), under sub-section (6) of Section 3 of the Essential Commodities Act, 1955:

(1) G.S.R. 25 (E), dated the 11<sup>th</sup> January, 2010, imposing stockholding and turnover limits on dealers of sugar and khandsari.

(2) G.S.R. 60 (E), dated the 5<sup>th</sup> February, 2010, amending

Notification No. G.S.R. 597 (E), dated the 22<sup>nd</sup> August, 2009, to substitute certain entries in the original Notification.

**III. A copy each (in English and Hindi) of the following papers, under Section 23 of the Bureau of Indian Standards Act, 1986:**

- (a) Annual Report and Accounts of the Bureau of Indian Standards, New Delhi, for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Bureau.

**IV.(1) A copy each (in English and Hindi) of the following papers, under sub-section (4) of Section 62 of the Indian Veterinary Council Act, 1984:**

- (a) Annual Report and Accounts of the Veterinary Council of India, New Delhi, for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Council.

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

V. A copy each (in English and Hindi) of the following papers:

- (i)(a) Annual Report and Accounts of the Small Farmers Agri-Business Consortium (SFAC), New Delhi, for the years 1993-98, together with the Auditor's Report on the Accounts.
- (b) Annual Report and Accounts of the Small Farmers Agri-Business Consortium (SFAC), New Delhi, for the year 1998-99, together with the Auditor's Report on the Accounts.
- (c) Annual Report and Accounts of the Small Farmers Agri-Business Consortium (SFAC), New Delhi, for the year 1999-2000, together with the Auditor's Report on the Accounts.
- (d) Annual Report and Accounts of the Small Farmers Agri-Business Consortium (SFAC), New Delhi, for the year 2000-01, together with the Auditor's Report on the Accounts.
- (e) Annual Report and Accounts of the Small Farmers Agri-Business Consortium (SFAC), New Delhi, for the year 2001-02, together with the Auditor's Report on the Accounts.
- (f) Annual Report and Accounts of the Small Farmers Agri-Business Consortium (SFAC), New Delhi, for the year 2002-03,

together with the Auditor's Report on the Accounts.

- (g) **Review by Government on the working of the above Consortium during the years 1993-98, 1998-99, 1999-2000, 2000-01, 2001-02 and 2002-03.**
  - (h) **Statements giving reasons for delay in laying the papers mentioned at (a) to (g) above.**
- (ii)(a) Annual Report of the Coastal Aquaculture Authority, Chennai, for the year 2008-09.
- (b) Statement by Government accepting the above Report.
- (iii) **Outcome Budget for the year 2010-11 in respect of the Department of Agriculture and Cooperation in the Ministry of Agriculture.**

SHRI S.S. PALANIMANICKAM: Sir, I lay on the Table, under Section 159 of the Customs Act, 1962, a copy (in English and Hindi) of the Ministry of Finance (Department of Revenue) Notification No. 33/2010-Customs, dated the 12th March, 2010 seeking to fully exempt the following items from basic Customs duty, along with an Explanatory Memorandum thereto:-

- (a) Skimmed Milk Powder, up to an aggregate of thirty thousand metric tonnes of total imports of such goods in a financial year; and
- (b) White Butter, Butter Oil and Anhydrous Milk Fat up to an aggregate of fifteen thousand metric tonnes of total imports of such goods in a financial year.

(Ends)

#### REPORTS OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE ON FINANCE

SHRI MOINUL HASSAN (WEST BENGAL): Sir, I lay on the Table, a copy each (in English and Hindi) of the following Reports of the Department-related Parliamentary Standing Committee on Finance (2009-10):

- (i) **Seventh Report on the Life Insurance Corporation (Amendment) Bill, 2009;**
- (ii) **Eighth Report on the Indian Trusts (Amendment) Bill, 2009; and**

*(iii) Ninth Report on Action Taken by the Government on the recommendations contained in Seventy-eighth Report (Fourteenth Lok Sabha) on Flow of Credit to Agriculture Sector.*

(Ends)

#### REPORT OF THE COMMITTEE ON PUBLIC UNDERTAKINGS

SHRI BHARATKUMAR RAUT (MAHARASHTRA): Sir, I lay on the Table, a copy (in English and Hindi) of the Fourth Report (Fifteenth Lok Sabha) of the Committee on Public Undertakings (2009-10) on National Aviation Company of India Limited-Merged Entity of Erstwhile Air India and Indian Airlines.

(Ends)

#### ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT AND OTHER BUSINESS

MR. DEPUTY CHAIRMAN: I have to inform Members that the Business Advisory Committee in its meeting held on the 11<sup>th</sup> March, 2010, has allotted time for Government Legislative Business as follows:-

<u>BUSINESS</u>	<u>TIME ALLOTTED</u>
1. Consideration and passing of the following Bills, after they are passed by Lok Sabha:-	
(a) The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010 -- <i>to replace an Ordinance.</i>	Three Hours
(b) The National Green Tribunal Bill, 2009	Four Hours
2. Consideration and passing of the Mines and Minerals (Development	Four Hours

and Regulation) Amendment Bill, 2008.

### 3. Consideration and passing of the Trade

Marks (Amendment) Bill, 2009, as passed Two Hours  
by Lok Sabha.

(Ends)

MR. DEPUTY CHAIRMAN: The next is Motion for Election to the  
Committee on the Welfare of...

SHRI SITARAM YECHURY: Sir, let us raise this issue. After that, we can  
take it up.

MR. DEPUTY CHAIRMAN: This will be over. Let us have the motion first.

SHRI SITARAM YECHURY: Sir, lakhs of people are waiting outside,  
seriously.

MR. DEPUTY CHAIRMAN: Let us have the motion. It will not take a  
minute.

SHRI SITARAM YECHURY: Sir, people are waiting there. You have a  
huge list here after this item.

MR. DEPUTY CHAIRMAN: Only three. You please take your seat.

(Interruptions) No, no. Zero Hour, technically, starts after that.

(Interruptions)

AN HON. MEMBER: There is no Zero Hour.

SHRI SITARAM YECHURY: I agree. (Interruptions)

MR. DEPUTY CHAIRMAN: I have your names. (Interruptions) Mr. Yechury, I have your names. Please.

SHRI KUMAR DEEPAK DAS: Sir, I have given a Zero Hour notice.

श्री उपसभापति : आप बैठिए। प्लीज़, आप बाद में बोलिए। Shri Prithviraj Chavan to move the motion now.

(Followed by 10/tdb)

TDB-MCM/10/12.05

MOTION FOR ELECTION TO  
COMMITTEE ON WELFARE OF SCHEDULED CASTES AND  
SCHEDULED TRIBES

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN): Sir, I beg to move the following Motion:

That this House resolves that the Rajya Sabha do join the Committee of both the Houses on the Welfare of Scheduled Castes and Scheduled Tribes for the term beginning on the 1<sup>st</sup> May, 2010 and ending on the 30<sup>th</sup> April, 2011, and do proceed to elect, in accordance with the system of proportional representation by means of single transferable vote, ten Members from among the Members of the House to serve on the said Committee.

*The question was put and the motion was adopted.*

(Ends)

MOTION FOR ELECTION TO  
COMMITTEE ON PUBLIC ACCOUNTS



THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN): Sir, I beg to move the following Motion:

That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate seven Members from Rajya Sabha to associate with the Committee on Public Accounts of the Lok Sabha for the term beginning on the 1<sup>st</sup> May, 2010 and ending on the 30<sup>th</sup> April, 2011, and do proceed to elect, in such manner as the Chairman may direct, seven Members from among the Members of the House to serve on the said Committee.

*The question was put and the motion was adopted.*

(Ends)

MOTION FOR ELECTION TO  
COMMITTEE ON PUBLIC UNDERTAKINGS

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN): Sir, I beg to move the following Motion:

That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate seven Members from Rajya Sabha to associate with the Committee on Public Undertakings of the Lok Sabha for the term beginning on the 1<sup>st</sup> May, 2010 and ending on the 30<sup>th</sup> April, 2011, and do proceed to elect, in such manner as the Chairman may direct, seven Members from among the Members of the House to serve on the said Committee.

*The question was put and the motion was adopted.*

(Ends)

MR. DEPUTY CHAIRMAN: Now, we take up the Zero Hour Mentions. Shri Sitaram Yechury. ...(Interruptions)...

श्री सीताराम येचुरी : उपसभापति महोदय,.....(व्यवधान)

SHRI KUMAR DEEPAK DAS: Sir, I have given a Zero Hour notice.

MR. DEPUTY CHAIRMAN: Please, sit down. ...(Interruptions)...बैठिए न, मैं बुला रहा हूँ।.....(व्यवधान) No, no; your notice has not been taken...(Interruptions)...

SHRI KUMAR DEEPAK DAS: Sir, I have given the notice.

MR. DEPUTY CHAIRMAN: You might have given the notice; but let it be admitted. ...(Interruptions)... Please, understand the rule. You give the notice separately. ...(Interruptions)... I have called Mr. Yechury. You please sit down. ...(Interruptions)... When a notice is given, you should come and discuss it. You have given your notice, but it has not been admitted. ...(Interruptions)... Please sit down. ...(Interruptions)... Yes, Mr. Yechury.

#### MATTERS RAISED WITH PERMISSION OF THE CHAIR

##### PROTESTS REGARDING INCREASE IN PRICES

श्री सीताराम येचुरी (पश्चिमी बंगाल) : उपसभापति महोदय, आज मैं यहां पर खड़ा हुआ हूँ इस बात को उठाने के लिए कि लाखों की तादाद में लोग आज संसद पर आपकी कमरतोड़ महंगाई के खिलाफ प्रोटेस्ट करने पहुंचे हैं। जिस तरीके से यह महंगाई बढ़ रही है और खास तौर से एसेंशियल कर्मांडिटीज के अंदर, यह आम आदमी की हालत और बदतर बनाती जा रही है और ऐसे मौके पर हम स्पष्ट रूप से चाहते हैं कि यह सरकार हमारी पांच मांग माने, ताकि आम आदमी को राहत मिल सके। जिस तरीके से आज दो भारतों का निर्माण हो रहा है -एक चमकता भारत, जहां पर आज की खबरों के अनुसार दुनिया के अंदर चौथा सबसे

बड़ा जिसके हाथ में साधन हैं, वह हमारे देश का है, अच्छी बात है। दूसरी तरफ, हमारे देश के अंदर तकरीबन 80 प्रतिशत जनता है जिसके पास बीस रुपए भी नहीं होता दिन में जिन्दा रहने के लिए। ऐसी परिस्थिति में आज जिस तरीके से महंगाई से चलते हुए लोगों के ऊपर दमन हो रहा है, हम पांच मांग इस सरकार से पूछ रहे हैं। सबसे पहली बात, अभी यहां पर कृषि मंत्री जी थे जो अब नहीं हैं। मंत्री जी कहते हैं कि आज गोदामों में 475 लाख टन अनाज पड़ा हुआ है, जबकि हमारा बफर स्टॉक 200 लाख टन है। बाकी जो अनाज आपके गोदामों में पड़ा हुआ है उसको फौरन रिलीज करिए, पब्लिक डिस्ट्रिब्यूशन सिस्टम को यूनिवर्सलाइज करिए और दामों पर अंकुश लगाने की कोशिश करिए। दूसरा, आप फ्यूचर ट्रेडिंग या वायदा कारोबार के ऊपर पूरा अंकुश लगाइए। तीसरा,.....(व्यवधान)

डा० (श्रीमती) नजमा ए० हेपतुल्ला : आपके कृषि मंत्री जी तो नहीं हैं यहां।

श्री उपसभापति : आए हैं, अब प्रो० के०वी० थॉमस हैं.....(व्यवधान)

डा० (श्रीमती) नजमा ए० हेपतुल्ला : वे नहीं सुन रहे हैं और न लिख ही रहे हैं।.....(व्यवधान)

SHRI SITARAM YECHURY: I am only asking Mr. Thomas to please note it down. ...(Interruptions)...

श्री उपसभापति : वे सुन रहे हैं, लिख रहे हैं, सब कर रहे हैं। यह तो प्रोसीजर है।

SHRI SITARAM YECHURY: First of all, you have an excess of 275 lakh tonnes of food grains in your godowns today, which is excess from the buffer norms. ...(Interruptions)... बीच में इंटरप्शन हो गया था।

श्री उपसभापति : वह तो रोक दिया था।

श्री सीताराम येचुरी : 275 लाख टन जो अधिक है, उसको रिलीज करिए, पब्लिक डिस्ट्रिब्यूशन सिस्टम को यूनिवर्सलाइज करिए और महंगाई पर अंकुश लगाने की कोशिश करिए। दूसरा, वायदा कारोबार के ऊपर आप तुरन्त अंकुश लगाइए।

Ban futures and forward trading in all agricultural commodities and

essential commodities. तीसरा, इस बजट के अंदर कस्टम और एक्साइज ड्यूटी जो आपने तेल के पदार्थों पर बढ़ाया है, उसको वापिस लीजिए। That is roll back the hike in the prices of petroleum products announced in the Budget.

(1P/GS पर क्रमशः)

Kgg-gs/1p/12.10

श्री सीताराम येचुरी (क्रमागत) : चौथा, आप ब्लैक मार्केटिंग और होर्डिंग के खिलाफ जो भी सम्भव हो सके कदम उठाइए। ..(समय की घंटी)..

श्री सभापति : आप जल्दी कीजिए।

श्री सीताराम येचुरी : पांचवां, बड़ी-बड़ी विदेशी कम्पनियों के हाथ में बहुत फूड स्टॉक था, आज उसकी जमाखोरी हो रही है, उसके ऊपर कार्यवाही की जाए। ये पांच डिमांड हमारी हैं। हम चाहते हैं कि इन पांचों डिमांड्स को आप फौरन लागू करिए।

(समाप्त)

SHRI D. RAJA (TAMIL NADU): Sir, a huge rally is going on in Parliament street. This rally has been called by four Left Parties in the country and this rally is being held against the price rise, for food security, for universalisation of public distribution system, for jobs, for land and for democratic rights. The UPA-II Government claims it is serving the interests of the *aam aadmi*, but in reality, the UPA-II Government is cutting down the food subsidy, the fertilizer subsidy. It is reported that the Government is increasing the issue price of food grains supplied for APL category. In these circumstances, we demand that the Government should roll back the fuel prices, the Government should not cut down the subsidy on food grains and fertilizers. The Government should really take steps to universalize the public distribution system. If the Government does not act,

if Government thinks that it can be complacent because of some decline in the prices of some commodities, it is only seasonal. I want the Government to address the root cause of the price rise. The Government should act to control the price rise. Otherwise, the Left Parties will have to intensify the movement and we are going to intensify the movement in the coming days.

(Ends)

श्री अवनि राय (पश्चिमी बंगाल) : थैंक्यु सर। जैसे कि सुना है पांच मांगें हम ने रखी हैं। पूरे देशभर से कई लाख लोग आज संसद पर पहुंचे हैं। यह बात जाहिर हो चुकी है कि सरकार अभी तक सभी को खाद्यान्न देने में मजबूत नहीं है। इसीलिए कहा जाता है कि जो पीडीएस सिस्टम है, उस पीडीएस सिस्टम को एपीए में लाकर उसको यूनिवर्सल कीजिए। जो तेल के दाम हैं, उनको कम कीजिए, जो जमाखोरी है, इसको बंद कीजिए और रिटेल सैक्टर के ऊपर आप अंकुश लगाइए। इन मांगों को रखते हुए, हमने और भी मांग जोड़ी हैं कि सबको शिक्षा मिले, काम भी सब को मिले। अगर यह सरकार इतना काम करने के लिए तैयार नहीं है, अगर सरकार सब को खाद्यान्न देने के लिए तैयार नहीं है, देश में भुखमरी रहेगी और जो आम जनता है, जो आम आदमी है, उनको अनाज नहीं मिलेगा, तो देश में हा-हाकार मच जाएगा। ऐसी अवस्था में अगर सरकार सब को खाना नहीं दे पाएगी, अनाज नहीं पहुंचा पाएगी, तो मेरे ख्याल में इस सरकार को चलाने में ये लोग बिल्कुल सक्षम नहीं है और यह सरकार बिल्कुल निकम्मी है। फिर इस सरकार को बदलने की हमारी हमेशा कोशिश रहेगी। ... (व्यवधान)..

SHRI SITARAM YECHURY: Sir, we are going to join the demonstration.

(Interruptions)

MR. DEPUTY CHAIRMAN: It is not a walkout. (Interruptions)

(Ends)

FARMERS' SUICIDE IN VIDARBHA REGION

श्री मनोहर जोशी (महाराष्ट्र) : सर, महाराष्ट्र में फिर एक बार किसानों की आत्महत्या शुरू हो रही है। यह बहुत गंभीर घटना है। हमने बार-बार इस विषय को इस सदन में उठाया है। प्राइम मिनिस्टर द्वारा अपना पैकेज देने के बावजूद भी और महाराष्ट्र गवर्नमेंट द्वारा पैसे देने के बाद भी महाराष्ट्र के किसानों की आत्महत्या रुक नहीं रही है।

सर, मैं नहीं जानता हूँ कि आत्महत्याएं रोकने के लिए सरकार क्या करना चाहती है ? दुर्भाग्य की बात है कि पिछले चार दिनों में महाराष्ट्र में 10 या 12 किसानों ने उसी क्षेत्र विदर्भ में आत्महत्या की है। मैं सरकार से जानना चाहता हूँ कि सरकार इस पर क्या करना चाहती है ? इन लोगों को अभी तक मदद नहीं पहुंची है, तो इनको केन्द्र सरकार और महाराष्ट्र सरकार क्या मदद देना चाहेगी ? हमारी मांग है कि इस महत्वपूर्ण विषय पर केन्द्र सरकार की तरफ से निवेदन आना चाहिए, विदर्भ में किसान आत्महत्या कर रहे हैं और केन्द्र की सरकार इस विषय में कुछ नहीं कर सकी है, इसके लिए हमें बहुत खेद है। हम सरकार से चाहेंगे कि वह इस विषय को लाइट में न लेकर गम्भीरता से इस विषय पर अपना निवेदन करे।

(समाप्त)

(1क्यु/एससी पर आगे)

KLS-ASC/12.15/1Q

SHRI BHARATKUMAR RAUT: Sir, I have given my Zero Hour Notice on the same issue. ...(Interruptions)..

श्री उपसभापति : आप एक ही पार्टी से हैं। आप एक ही पार्टी से हैं। And it was decided that ...(Interruptions).. I have called Mr. Javadekar. ...(Interruptions).. I will examine whether you have given your Notice or not. ...(Interruptions).. This is too much.

SHRI BHARATKUMAR RAUT: Sir, my point is different. ...(Interruptions).. नोटिस देखिए। ...(Interruptions).. I have to speak. ...(Interruptions).. I must speak. ...(Interruptions)..

MR. DEPUTY CHAIRMAN: This is too much. ...(Interruptions).. Notice is given, notice is accepted or not accepted. ...(Interruptions).. If you say, "I must speak", then I am helpless. ...(Interruptions)..

SHRI BHARATKUMAR RAUT: Sir, you have allowed this subject and I have also given notice. Therefore, I think I have a right to speak. ...(Interruptions)..

MR. DEPUTY CHAIRMAN: If you have give notice I will examine it later on. ...(Interruptions).. Now I have called Shri Javadekar. ...(Interruptions)..

श्री प्रकाश जावडेकर (महाराष्ट्र) : सभापति महोदय, पिछले 72 घंटों में विदर्भ के 6 जिलों में 12 किसानों ने आत्महत्या की है। 1 जनवरी से अब तक 70 दिनों में 128 किसानों ने आत्महत्या की है। सन् 2009 में 1080 किसानों ने आत्महत्या की है। जिन 6 जिलों में, जहां पर कपास की मुख्य फसल पैदा होती है, उसको अब लोग सुसाइड बैल्ट कहने लगे हैं। ..(व्यवधान).. महोदय, प्रधान मंत्री जी के पैकेज के बावजूद यह बदस्तूर जारी है, बावजूद नेताओं के कलावती के घर जाने के और कर्जमुक्ति का ढिंढोरा पीटने के बावजूद भी, ये हत्याएं उस इलाके में जारी हैं। वास्तविक स्थिति यह है कि प्रधान मंत्री जी का पैकेज भ्रष्टाचार के कारण फेल हुआ

है तथा जो मूल काम करना था, वह नहीं करने के कारण, वह पैकेज कारगर साबित नहीं हुआ। जो कर्जमुक्ति का ढिंढोरा पीटा गया, जिस इलाके के कारण देशभर के किसानों को कर्जमुक्ति का पैकेज दिया, यहां दस फीसदी किसानों को भी उसका फायदा नहीं हुआ है। यहां के 80 फीसदी से ज्यादा किसान प्राइवेट साहूकारों से कर्जा लेते हैं और उनको कोई राहत नहीं मिली है। जिन थोड़े से किसानों को बैंको द्वारा राहत मिली है उनको तथा जिनका कर्जा माफ हुआ है, उनको नया कर्जा नहीं मिल रहा है। इसलिए वे भी प्राइवेट साहूकारों की शरण में हैं। इसका जो मूल काम था, वह कारगर साबित नहीं हुआ।

सर, इसके तीन कारण हैं- 1. फसल अपर्याप्त हो रही है, क्योंकि वहां किसानों के पास सिंचाई की पूरी सुविधा नहीं है। ... (व्यवधान)..

MR. DEPUTY CHAIRMAN: There is some mistake in the display board.

...(Interruptions).. Your time is over. ... (Interruptions)..

SHRI PRAKASH JAVADEKAR: Some wrong name was given.

...(Interruptions).. I know one minute is left because I am counting.

...(Interruptions)..

MR. DEPUTY CHAIRMAN: Please conclude.

श्री प्रकाश जावडेकर : सर, इसके तीन मुख्य कारण हैं। गुजरात में जहां माइक्रो इरिगेशन की फैसिलिटी है, वहां किसान फल-फूल रहे हैं, लेकिन यहां विदर्भ में एश्योर्ड वाटर सप्लाई नहीं है और वह अपर्याप्त तथा कीमती है। स्वामीनाथन कमीशन ने कहा कि यह एग्रिकल्चर कॉलेप्स का उदाहरण है, यह एग्रिकल्चर कॉलेप्स का ट्रेलर है। आज विदर्भ में कपास के लिए हो रहा है, बाकी किसान की फसलें भी ऐसे ही संकट में आएगी। अगर स्वामीनाथन कमीशन की सिफारिश, जो लाभकारी मूल्य 50 फीसदी लागत मूल्य पर अधिक देना चाहिए, जो यह कहा है, जब तक वह स्वीकार नहीं होता, तब तक ऐसा ही होगा। इसलिए मेरी मांग है कि स्वामीनाथन कमीशन की रिपोर्ट स्वीकार करो। .... (समय की घंटी).. उत्पादकता के



लिए सिंचाई का सही कार्यक्रम हाथ में लो। जो 6 जिले हैं, उनके लिए राहत का एक पैकेज और लाओ, यह विशेष मांग मैं कर रहा हूँ।

(Ends)

(Followed by 1R/SSS)

SSS/12.20/1R

SHRI BHARATKUMAR RAUT (MAHARASHTRA): When this House was discussing the historic Women's Reservation Bill, on that day Shrimati Vimal Abhiman Kowe in Yuvatmal district hanged herself. What a pity! Here we are talking about the empowerment of women and there one farmer woman had to commit suicide because of the apathy of the Government. Ten farmers committed suicide in 48 hours. Is it not a matter of shame? From June 2005, Sir, 7860 farmers have committed suicide and this number is growing. Sir, I am bringing your attention to another issue. Sir, this year in Vidharbha itself, 15460 villages have been affected by drought. That is the figure of the Government. On the one hand there is shortage of water, there is shortage of crop and on the other hand, Government is increasing the prices of fertilizers. I am afraid that this year the suicide rate will be much higher and many more farmers will commit suicide because of Government's inaction, corruption and apathy towards farmers. Sir, my request to you, through the House, is that if the Government is failing to do it, why not all the MPs from both the Houses come up, stand together and form a Parliamentary Committee to see what the problem is, where is the shoe pinching. Why are all these fertilizers not reaching the farmers? I think, we should have a Joint Parliamentary Committee to probe into the issues of farmers' plight and that will only bring some respite, some relief to the affected farmers. Thank you.

(Ends)

## THE BUDGET (GENERAL) 2010-11

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Sir, I am extremely grateful to you for your indulgence to permit me to initiate the discussion on the General Budget. Sir, the Finance Minister had a challenging task this year because he had to present the Budget in the backdrop of certain peculiar global events which have taken place. In the last one and a half to two years, the world saw an economic slow down and the world was slowly emerging out of the slowdown and therefore, he had an onerous responsibility also of introducing some big ideas into this Budget, that he could actually kick start the process of an accelerated growth as far as India was concerned. Sir, we are immediately facing an agricultural crisis where our population continues to increase, our production really have not increased, our agricultural acreage is shrinking and our productivity also is not every effective. The significant improvements in our productivity don't appear to be there and the most serious issue -- even though we survive the worst of the global slow down -- was that during the slow down period where prices globally come down, India saw a rare inflation, particularly of food price inflation. And now that we were emerging out after what was promising to be a 7.2 per cent growth last year, there was a national expectation that the Budget will really lay down a policy direction in which we have a road map ready to address each one of these issues which were the challenges before the country, which I am sure the Finance Minister with his experience was very well familiar with. Sir, when I analyse the Budget on each of these goals and these road maps that he had to put it on, I must say that I am not

enthused by this Budget. That initiative, that imagination which should have come into it really seems to be missing and a great fear and danger that I have is one of the greatest disappointments in this Budget and that it is unquestionably going to accelerate the inflation which is already there.

(Contd. By NBR/1S)

-SSS/NBR-AKG/1S/12.25.

SHRI ARUN JAITLEY (CONTD.): It has been said about Budgets that they also involve a rare packaging exercise. In that packaging exercise, the experience has been that on the day the Budget is presented, it is the 3 or 4 big ideas which really get discussed. But the devil in a Budget is always in its details. And, therefore, some of those details are very cleverly concealed. As days pass by and we start studying each one of them, we then seriously analyse as to what really the Budget's real direction and purport is going to be.

We had, on 25<sup>th</sup> February, a discussion on the price rise where all sections of this House expressed concern that our Wholesale Price Index in the month of February was 8.56 per cent. All the reasonable economists' opinion was that it is moving towards a double digit. Our Consumer Price Index in various categories oscillates between 14 per cent and 17 per cent. The Food Inflation is around 19 per cent. How do we really test the Budget in view of this situation? I was going through the Economic Survey. And, since the Economic Survey is more economist document than a politician's document, at times, you get far greater facts as far as the Survey is concerned. I read out from page 65 of the Economic Survey. While referring to last year, which is still about to conclude, it says, 'During this year, High inflation was reported in the case

of onions, and potatoes among vegetables, pulses, rice and wheat.' So, almost every item of consumption, as far as an average Indian is concerned, the Economic Survey says, 'we have gone through a high inflation as far as these areas are concerned.' Now, there are items which are sufficiently available in the market. A crackdown on hoarder is what is, obviously, suggested. Whether a satisfactory crackdown has taken place is an issue. But, then, items which are of insufficiently available in the domestic market, if there are stocks available with the Government, the Government's intervention by releasing those stocks is required. And, if there is a shortage in the market, you have to get them from wherever in the world they are available. Sir, if this was the shortage which was leading to price rise, a fact that has been mentioned before Mr. Yechury left for his rally is taken note of at page 201 of the Economic Survey. It says, 'The stock position of foodgrains as on January, 2010, is 47.4 million tones comprising of 24.3 million tones of rice and 23.1 million tones of wheat against the buffer norms of 11.8 million tones and 8.2 million tones respectively.' So, when you have 47.4 million tones of buffer stock available as of January itself, then, this kind of inflation, as far as food prices are concerned, of these essential foodgrain items is a point which Government has to answer.

Sir, we have seen droughts earlier. I had mentioned, during the course of the debate on the price rise, that when we saw a drought in 2002, we had a record release of foodgrains into the market by the Government and the inflation was kept at the figure of 3.4 per cent. But, today, even when the buffer stocks, which are twice the norms prescribed, are available in the godowns of the Government, you find price rise of all

these essential commodities and they continue to rise. How does the Budget seriously address this issue? Sir, the important test on which this Budget going to be tested is: Is this Budget going to add to this inflation or does it take away this inflation?

(CONTD. BY USY "1T")

-NBR-USY/1t/12.30

SHRI ARUN JAITLEY (CONTD): Let us have a look at the Budget Speech of the Finance Minister. Since he had a larger problem of fiscal deficit also, the *ad valorem* duties are, now, increased from 8 per cent to 10 per cent. So, across the board, to address the problem of fiscal deficit, he had fewer options, and one of the options, which was even being discussed before the Budget came, was 30 per cent increase, as far as excise duties are concerned. Then, there is an adjustment, as far as cement is concerned, the auto sector, the real estate, and the automobile sectors are concerned. These are important sectors, as far as the Indian economy is concerned. You had an increase that affects these sectors. Then comes an important increase, that is, increase in petroleum prices. Now, you have basic duties of customs, 5 per cent on crude petroleum, 7.5 per cent on diesel, 10 per cent on other refined products, 1 per cent on the central excise. So, the affect is on all agricultural products, on all food products, on real estate, on autos, on all consumer items. Across the board, the Budget adds to the inflation of each one of them. He does not end with that. Normally, a Finance Minister, as I said, would outline the various sections where service sector is extended each year. There is a plausible argument that the service sector, now, comprises of 60 per cent of India's economy, and there are custom duties and excise duties on the

manufacturing or the items to be brought into the country are there, the service sector cannot be exempted. Therefore, you have the service tax as a rationale for the service sector. But, this year's Budget very cleverly mentions that as far as the service tax is concerned, the areas which will, now, be brought under the service tax are going to be separately notified. So, on day one, there was no excessive hue and cry as far as the service tax was concerned. In fact, I watched the people, like, Rahul Bajaj, who had the maximum TRP on that day. They were not eloquent on the service tax at all.

Sir, I started analysing the service tax notification. While even choosing the sector, as far as service tax is concerned, there has to be some concern too for the vulnerable sections of the society. The first sector, which was never a high tax area, is the health care. We have a public health care system in India, which is still inadequate. The footfalls in all the Government dispensaries and hospitals are so high that despite all our efforts and the resources we can't cater to it, neither the Central Government nor the State Governments. We, now, have private health care. And, world over, whether it is Europe or it is the United States of America, you are told that the health care costs are going up. At least, in those countries, they have an insurance to back these up. In India, the health insurance sector also is not expanded substantially, which was started just a few years ago. Which are the sectors that we bring under the Service Tax? These include the health check up undertaken by the hospitals and medical establishments for employees and business establishments. The employees are normally middle-class people. So, you impose service tax on their health care. The next is, the health

services provided under the health insurance schemes, offered by the insurance companies. Kindly understand the import of this. One of the objects, in the health care, has been to step up the health insurances so that more and more people can spend on health care, which is costly, by having insurance to back it up. When an insurance company charges premium, I pay service tax on that premium. Now, the effect of this is going to be that if I am a wealthy person and I just sign a cheque to pay my hospital bills, there is no service tax.

(Contd. by 1U -- PK)

-USY/PK/1U/12.35

SHRI ARUN JAITLEY (CONTD.): But if I am vulnerable and I depend on health insurance, service tax will be paid by me. So, my bill will be 10 per cent higher. So, the person depending on health insurance first pays it on the policy and then, pays it on his bills. During elections in the United States, etc. this always becomes one of the most important issues. As our Economy is growing, health care cost is going to become an important issue. So, our first two entries are, we increase the health-care cost.

Next is, the rich live in larger houses. It is only the middle-class, the lower middle class or the people from the rural areas who are migrating to cities who now buy from these developers smaller apartments. So, if they choose that, their local Housing Boards and development authorities will charge internal development charges and also external development charges. So, you make middle-class housing costlier. If you choose a preferential location, or you have an internal or external development charge, you have to pay 10 per cent more.

Now, Sir, having just witnessed how airlines in India in the last two years have transformed, luxury flying in domestic sector has become a losing proposition. So, all airlines which have luxury quality in them are losing money. The low-cost airlines have become a substitute for rail travel. Their tariffs are not very high. And, the low-cost airlines are all going to close 31<sup>st</sup> March with a substantial profit. So, the economy of the airlines will be written the other way round. No frills airlines, cheap airlines, low-cost airlines are profitable; luxury airlines are a losing proposition. Therefore, to increase tourism in India, to enable more and more middle class, even lower middle class to fly once in a year, low-cost airlines globally have now become the rule. So, on all air passenger traffic, you make it 10 per cent costlier.

It was said of India in IT revolution that we succeeded in IT for two reasons. One, we never had a law to regulate IT; so, the private sector did it on its own. The second was we had a very reasonable level as far as taxation was concerned. Now, this year, we expanded the scope to various kinds of IT software services. So, even downloading some information upon payment is now service taxable.

Coming to education, the Government talks of right to education. Right to Education will also now mean the entitlement to grow in terms of your educational aptitude. So, you have a large number of coaching centres and commercial training centres. In fact, school children are in the race to get 88 or 90 per cent. Besides, schooling goes in these centres in order to upgrade their skills and aptitudes. These have become supplements to quality education so that people can score higher. Everything has been brought under tax so that education becomes costlier.



So, travelling has become costlier, housing has become costlier, health care has become costlier and education has become costlier.

Now, look at the next entry. I think I would urge, seriously, the Finance Minister to reconsider this. If I want to buy an apartment in a commercial or a residential complex, if I am a wealthy man and I pay the whole amount by one cheque and get the Sale Deed, there is no service tax. But if I am vulnerable and I have to beg, borrow and pay my instalments, I have to pay service tax on instalments. So, please read this. "So, fully built-up apartments, after completion certificate, there is no services tax; for instalments, there is service tax." So, the more vulnerable you are, the more the Budget will hit you.

Now, look at the next entry. You encourage people to build or buy more space, commercial or residential, so that they can rent out. That becomes a source of income. You made it applicable to service tax. Courts in this country rule that well, commercial space is service taxable, residential space is not service taxable. A retired man will let out one floor of his house. He does not have to pay service tax. He pays income tax, he pays property tax, but he is exempted from service tax. There is no service tax. Now what you have done is that entire renting in 2010 becomes service tax leviable but w.e.f. 1<sup>st</sup> June 2007.

(Contd. By 1W/PB)

PB/1W/12.40

SHRI ARUN JAITLEY (CONTD.): So, for the last three years, you make the whole thing service tax leviable. Therefore, anyone of you who have or a middle class person who has some rental income, now has to pay retrospective taxation w.e.f. 1<sup>st</sup> of June, 2007. I will seriously urge the

Finance Minister to consider this as this is not necessarily hitting at the rich man's pocket, but there will again be a large number of moderate sections of the society which are going to be seriously affected.

Sir, the next area, with these exemptions, is inclusion of transport of goods by rail; and transport of goods by rail means the 'freight.' Now, there is 10 per cent service tax on that. I have seen the exemption notification also. Some foodgrains, etc., are exempted; and the non-exempted freight -- I was trying to make a back-of-the-envelope calculation -- is close to Rs. 60,000 crores. This entire non-exempted freight, which is in the rate of Rs. 58,000-Rs.60,000 crores, has been brought within the ambit of service tax, 10 per cent tax, and now we are told that the total collection of service tax will only be Rs. 3000 crores.

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Just one second. The Railways have calculated that it will be only Rs. 800 crores.

SHRI RAJIV PRATAP RUDY: But what he has said is something different.

SHRI PRANAB MUKHERJEE: If you include the exemption -- and that is why I have taken Rs. 3000 crores -- the Railways' will be only Rs. 800 crores. ...(Interruptions)...

SHRI RAJIV PRATAP RUDY: Sir, he has said, Rs. 60,000 crores freight is in the non-exempted category.

SHRI ARUN JAITLEY: Pranabda, as far as exemption notification is concerned, I have gone into this at some length. Maybe, you may have to reconsider or I have not understood it correctly. Foodgrains, flour, pulses, fruits, vegetables, sugarcane, edible oil, etc, are exempted. Foodgrain items are exempted. That is why I said so. Now, these are exempted and

after the exemption of these, the Government took a view. You presented the Budget on the 26<sup>th</sup> and when you presented the Budget on the 26<sup>th</sup>, the Government took a view on the 26<sup>th</sup> itself. Your Joint Secretary, Revenue wrote to the entire Departments and said, 'on the rest, there is an abatement of 70 per cent of the gross value of the freight charged.' So, 70 per cent is exempted; 30 per cent will be taxable. That is how this figure can come up. It may not be Rs. 800 crores; if this is followed, it should be a little more; it should be about Rs. 1500 crores or so. I then checked up the Notification because this letter is not law; I checked the notification. I will give you a copy of that; or, there may be some other notification of which I am not informed. The notification which you issued on 27<sup>th</sup> February, Notification No. 9 of 2010, says, 'what is brought in, is transport of goods by rail.' There is a separate exemption notification of those items, but the abatement of 70 per cent curiously is not mentioned. Unless it is mentioned in some other notification, I will stand corrected on that count. So, I would urge you to kindly check on this whether the necessary notification of this abatement of 70 per cent has been brought out. I will send you a copy of this notification so that you can cross verify this that necessary notifications have been issued because these notifications are law. Now, this is the net effect of inflation. The rail freight, the education, the real estate will all go up. Now, when apartment cost goes up because of instalments, the cost of neighbouring apartments, which has been paid in full, will also go up. So, education, real estate, health, manufacturing, central excise, petroleum, agriculture will all go up. Yes; look at the big picture; the small notifications and entries apart. If each one of them goes up -- and this 8.56 Wholesale Price Index, which is always unrealistic price

index, is likely to touch 10 and your CPI is likely to cross 17 -- even without this Budget, what does this Budget kickstart?

(Contd. by 1x/SKC)

1x/12.45/skc

SHRI ARUN JAITLEY (CONTD.): What does this add to the entire inflationary process? How do you reverse this entire inflationary process in the months to come? And if this were not to happen, then, I am afraid, the net effect of all this is going to add at every stage to inflation. So far, we have had the Finance Minister's installment as far as the oil price hike is concerned; Mr. Murli Deora's installment is yet to come, which is to compensate the oil companies. And once that gets added, then the net addition and aggregate of this is going to be that we are going to sink with this inflation, which will have also have an effect on various other aspects as far as the economy is concerned.

Talking of food crisis or the agrarian crisis, how does the Budget address this? I remember, when I had an opportunity to be in Government, we were very enthusiastic; I used to find earlier Mr. Kamal Nath making similar statements that we want to become net exporters of food. We used to challenge the subsidies of the subsidizing nations. We wanted a level-playing field. At that stage, sometime in the earlier part of this decade, the Food and Agricultural Organization had indicated that by 2010, India may be a net food importing country. Now, by 2026, we anticipate stabilization of our population. That is the original governmental thinking. This 2026 target may now be breached and go to 2040 if our population continues to increase. That is a national problem; it is not a personal or a governmental problem of the Finance Minister. Our acreage of agriculture is shrinking.

Our productivity is not particularly increasing. And then, the impact of global inflation on us being imported into India will also increase. What is the effect of all this going to be? Sir, we must come out with some serious thinking on this and take some bold initiatives. I heard Mr. Rama Jois the other day make a speech while speaking on price rise, and one of the points that really touched me was one that he put in a very simple way -- how are we going to save our agricultural land? When more people have to live, we need more houses, we need more industries. Industry for growth is indispensable. For infrastructure roads are indispensable. Do we really think in terms of abandoning this concept of luxury houses, luxury resorts, farmhouses, private villas and big houses? Do we adopt an urban residential policy of increased FAR moving upwards rather than sideways and thus, save the agricultural acreage as far as this country is concerned? Now, in a Budget which is a policy statement where we are faced with a national problem, not really the Government's or Finance Minister's problem, you expect some policy directions to come. Unless we take some big ideas in a bold picture like this, I do not think we are going to seriously address some of these issues.

Now, the Economic Survey shows us the alarming position. On page 68-69, it talks of shortage of sugar and the fact that we have to import it. Pulses, conventionally, have been short, though we have a Government programme to increase the acreage of pulses. It talks about rice production in 2008-09 and that the lower production of 12.93 millions may be for the reason of the current phase of inflation. It speaks of the shortage of wheat and vegetables. About milk it says, apparently, there is no shortage, but

there is still inflation. Now, in each of these areas we are confronted with this problem. At page 207 it makes a very interesting study of the situation. I may be just permitted to read one or two paragraphs to bring to the attention of this House, "Although the yield per hectare of food grains has shown some improvement in the recent years, it is not significant enough to cater to the needs of the rising population..."

(Contd. at 1y/hk)

HK/1y/12.50

SHRI ARUN JAITLEY (CONTD.): "...Since farm productivity is not showing desirable growth there is an urgent need to focus on research as well as better agricultural practices to ensure that productivity levels are increased in the shortest time possible. Special attention may be required for States with relatively low productivity. Production and productivity in pulses and oilseeds are of growing concern. A sizeable proportion of these items is met through imports." Then it says, "Consistent decline in the share of private-sector investment in agriculture is a matter of concern. This trend needs to be reversed through creation of a favourable policy environment and availability of credit at reasonable rates on time for the private sector to invest in agriculture." So, how do we address this? Therefore, you need a big policy initiative. You need to save your acreage, you need to increase productivity and you need private-sector investment. You have tinkered with some duty structure as far as equipment are concerned for this. There is a reference. But I am afraid that the reference is more in the nature of a lip-sympathy. There will be a second green revolution in the seven eastern States and Rs.400 crore will bring that green revolution. There are 60,000 villages which will be the pulses and oilseeds villages and Rs.300 crore will bring that. There will be soil health, water conservation and preservation of bio-diversity and Rs.200 crore will bring that. So, our resources, as this is a limitation in an economic situation of this kind, are not adequate really to deal with this and, therefore, if the resources are grossly disproportionately less how do we bring this green revolution, how do we increase the acreage and how do we improve upon this? There are persons I can see but wiser than me on this subject, and I

am sure in the course of the debate they will reflect on this and would be able to guide us.

Sir, what has been said of sugar is that besides it being cyclical in nature the production fell and, therefore, the prices have soared this year. The other day, the Prime Minister was replying to the Motion of Thanks on the President's Address. After he gave his reply I was personally surprised if these are the figures why have we been making all this noise. The Prime Minister said, "In November 2009, India exported sugar worth Rs.7.94 crore whereas it imported sugar worth Rs.611.40 crore. In December, export of sugar was worth Rs.12.34 crore whereas import was worth of Rs.216.90 crore. We are meeting the shortage; we are bringing much more and very marginal, nominal sugar has been exported out of the country." Sir, I tried to check up the figure and I would like the hon. Finance Minister to tell this in the course of his reply. From October 2009 till 10<sup>th</sup> March, 2010, admittedly we have imported more and because global prices were much higher we imported inflation with sugar prices. We also exported sugar. Statistics, when conveniently given for a month or two months and not for a larger picture, can be deceptive. In these five months and ten days, our export has been 5,80,498 tonnes. If this figure is correct, it is a reasonable large quantity. Do we allow export of a large quantity of this kind? What are the actual figures for a reasonable period, during the shortage period as far as exports are concerned? Sir, the Finance Minister had to address his main challenge besides inflation and food crisis, which was the fiscal deficit. On the fiscal deficit the Finance Minister understandably last year didn't pay much attention because that was a year when he needed to generate economic activities so the



governmental spending had to be much larger. The Finance Minister has said that the fiscal deficit this year is going to be 6.7 per cent, next year I bring it down to 5.5 per cent and the medium-term roadmap would become 4.8 per cent and then 4.1 per cent.

(Contd. By 1z/KSK)

KSK/12.55/1Z

SHRI ARUN JAITLEY (CONTD): These are the three years' roadmaps that he has indicated. Sir, this fiscal deficit is based on certain presumptions. I hope you achieve 5.5 and I hope you go even below that figure. But, the presumptions, on which it is based, are very risky presumptions. Your first presumption is that the disinvestment receipts will be to the extent of about Rs.40,000 crores in the coming year. This appears a little risky because the present Government's approach on disinvestment has been somewhat different and your approach on disinvestment is, "We go in for a maximum 10 per cent dilution of public sector." And, when you go in for a 10 per cent dilution of public sector, the public sector remains the same - the same Joint Secretaries control its policies; the same Government-appointed Directors and CEOs run it; there is no change in management; the kind of limitations which are there in its functioning with CVC, CAG, CBI; absence of keeping a vigil on them; absence of an initiative which are there in the private sector. So, when you offload only 10 per cent into the market, the shares are never attractive, and, therefore, your experience of the early 90s, when the present Prime Minister was the Finance Minister, has been that whenever you offloaded the PSU shares into the market without any change of management, the only buyers, that you really got, were not the genuine

investors in the market. You asked institutions whom you could nudge to start picking up your brochures. And, it is only those institutional investors who picked up your shares. They are also safe players. That is what the UNIT-64 value collapsing was after the stock exchange scam. When the value of shares collapsed, the value of UNIT-64 collapsed because in the 90s, we had changed the character from a debt-based fund to an equity-based fund. Therefore, when you are going to nudge only institutional investors, with very few private investors picking it up, your attraction in the market for this disinvestment is not going to be any significant. I hope you raise Rs.40,000 crores or more. But, this is a roadblock, or, at least, a difficulty that the Government is going to encounter.

Your second difficulty is going to be the projected Rs.35,000 crores from the 3-G spectrum sale. I think, in the words of Mr. Shashi Tharoor, on the spectrum allocation, the Government needs an interlocutor amongst the UPA allies, and the Finance Minister also happens to be the interlocutor as the Chairman of the GoM which is dealing with that issue. Now, what is our track record, as far as spectrum is concerned? What did we do on 2-G, and what is the effect that it is going to have on 3-G? On 2-G spectrum, in 2007-08, you allocated spectrum at 2001 rates. The telecom market in India and its profitability between 2001 and 2007 had skyrocketed. So, people paid Rs.1651 crores for an all-India payment, as far as 2-G spectrum was concerned. Within days and weeks, they found collaborators using your 74 per cent FDI policy, offloaded 60 per cent, 74 per cent, and this Rs.1651 crores became two billion dollars, that is, approximately Rs.9500 crores. If you see the difference in prices, on each of those all-India licences -- I am not going region-wise; I am going to the

all-India, big picture, and there were nine of them -- the price differential was about Rs.7,000 crores less than the market price. And, in Rs.7,000 crores less, on 2-G spectrum, we have already lost on 9 big licences, the State, regional, added up to an all-India, more than Rs.60,000 crores. That would have been money available with you if you had auctioned it in the open market. And, your fiscal deficit would have been, at least, one per cent less, if not more. Now, you are going around the 3-G spectrum.

(continued by 2a - gsp)

GSP-SC/1.00/2A

SHRI ARUN JAITLEY (CONTD.): Now, the 2-G spectrum never went to big telecom players at the international level. The manner in which you allotted it was -- you went to the corridor and lobby and distributed letters, followed first-come-first-serve basis, and, the cut-off date of 1<sup>st</sup> October was pre-dated to 25<sup>th</sup> September. It is mostly the small operators and real estate players, and, not the large global telecom companies, who have got the 2-G spectrum. They, then, inducted some of them as joint-venture partners. Now, for the 3-G spectrum, your range of aspirants is going to be inadequate. Those who don't have the 2-G spectrum are not going to come out and say, 'I will operate the 3-G service in India'. It is obvious that those who have the 2-G spectrum will be the ones to take the 3-G spectrum. So, the number of people who will bid for it is going to be less. There will be less interest of any international big player. There is a larger question of how many players, and, when it is a larger question of how many players, there is an issue amongst some of your own colleagues. And, here, interlocution is not required between allies in the UPA, it is also required amongst your own colleagues because there is a difference

amongst them as to who favors how many number of players. So, under this, we take Rs. 35,000 crore as money which we are getting from the 3-G spectrum. (Time-bell) (Ends)

MR. DEPUTY CHAIRMAN: *Jaitleyji*, you can continue your speech on Monday. The House is adjourned to meet at 2.30 p.m.

-----

The House then adjourned for lunch at one minute past one of the clock.

**-GSP/YSR-MCM/2.30/2B**

The House re-assembled after lunch at thirty-four minutes past two of the clock,

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.

-----

THE VICE-CHAIRMAN: Hon. Members, on 11<sup>th</sup> December Dr.

Natchiappan did not conclude his speech while participating in the Resolution. Dr. E.M. Sudarsana Natchiappan.

RESOLUTION RE: NEED TO ENHANCE THE ROLE OF PARLIAMENTARY SOVEREIGNTY IN THE SPHERE OF INTERNATIONAL TREATIES ENTERED INTO BY THE GOVERNMENT OF INDIA (CONTD.)

DR. E.M. SUDARSANA NATCHIAPPAN (TAMIL NADU): Thank you, Sir.

I am very happy that I am continuing this debate which is on a very important issue. It was brought by the hon. Member, Shrimati Brinda Karat. (Contd. By VKK/2C)

**-YSR/VKK2c.2.35**

DR. E.M. SUDARSANA NATCHIAPPAN (CONTD.): Sir, I was submitting that nowadays there are many international conventions and agreements and after the formulation of the World Trade Organisation, every country is coming forward to sacrifice its own sovereign rights in different ways. When

we had initiated the institution of the World Trade Organisation, our Supreme Court had sovereign power to give final verdict on any issue. But, that power is also taken away. In the matter of anti-dumping laws, the World Trade Organisation's Dispute Resolution Body is the supreme authority. Similarly, the United Nations Security Council and other international bodies, then and there, interfere with each and every issue of a particular country. In certain ways, it is a way of living in a globalised society where sovereignty is divided among the nations and the sovereignty is now gradually going upward to create an international government. We see that the Constitution of India already has created three-level governance. At every level, whatever the Government says, whatever the formulation or policy is made by the Government, it has to be discussed with the people and their participation is very much needed. The transparency is the very talk of the present-day administration. That is why, we have included it in the Right to Information Act. I am quoting Section 4(1)(vii) which says, "The particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof." So, Sir, the expectation is that whatever policy or programme is formulated by the Government, it should have the involvement of the people for whom it is made. Therefore, when the international commitments are there, we should have the dynamism to put forward our thoughts at the international forum. But, when we go through various proceedings of the international forum, Sir, we find that the Government of India, whoever may be the Government at that time, the bureaucrats who are representing the Government of India are showing a lukewarm attitude in the international forums. They are not ready to commit

themselves. We have so much of humanitarian laws. Human rights are very much protected in India. Sir, when you compare with other countries, I can say that they are even more in India than the USA. We have so much liberty for Press and individuals. But, we are not bold enough to say in the economic forums that our country has so much liberty for the people. We have to bind themselves by way of putting forward our ideas which were created by Mahatma Gandhi, freedom fighters and leaders like Pandit Jawahar Lal Nehru, Indira Gandhi, Rajiv Gandhi and Sonia Gandhi. Everybody has given lot of ideas which have international acceptance. But, our presentation at the international level is lagging behind. We are not having that boldness to say that these things have to be the order of the day at the international level. Similarly, in many cases, we are participating but we are not abiding by their resolutions. In certain cases, we are sitting as observers and coming back. In certain cases, we are boycotting the convention itself and going back. These are all things which tell upon a nation which is to be accepted as a super power to take up a role at the international level. For taking up a role at the international level, we have to create acceptance of each and every policy at the grassroot level. Sir, when we had the Panchayat system at the national level in Vedic days, all the villages used to assemble at one place.

(Contd. By RSS/2d)

#### RSS/2d/2.40

DR. E.M. NATCHIAPPAN (CONTD.): And that will decide it, and that decision is binding on the entire society. A similar system was given by Rajiv Gandhiji when he was dreaming how the panchayati raj institution has to come. We have made the law, we have amended the Constitution providing that each and every voter is having the right to decide the policy where they are living as a gram sabha. They have to decide what policy

they want, they have to decide how to implement it, who the participants are, how to regulate it, what are the punishments if there is any violation of it. Are we doing it throughout India? If we are doing it, then even for a climate change, we will consult the gram sabha. I know the hon. Minister, Shri Jairam Ramesh, is the hero at the international level in climate change. He is having a capacity to speak with the ordinary people through the media. Such a communication is needed now. Therefore, when you are going for FTA with the neighbouring countries or any other country having any trade agreement, you have to consult the stakeholders. There should be a meeting of the stakeholders who are the agriculturists, who are the industrialists, who are the small-scale industrialists. We have to consult them, we have to allow them to speak about it, and then only we can come to the conclusion. When our officials are going for international conferences or conventions or any other consultations, they should be equipped with this information that we had the consultation at every level, from the gram sabha to the State Assembly at the State level and then at the national level, parliamentary debate in the Parliament, and then the Cabinet, and then we have come with all the particulars. If such is the way of presentation of our people at the international conference, we will be bold enough to say that we are the leaders in the international body. Sir, I am sorry to say that even now, more or less, our policies are controlled by more than 5340 Indian Administrative Service people. We are happy to find that we are having an excellent Indian Administrative Service. They even chair the public sector undertakings and all economic policies are formulated by them. But at the same time, we are no more administering anything. We are managing the situation. Therefore, Indian Administrative

Service or Indian Forest Service or other Services should have the feeling that they are getting the strength from the people and they are serving the people. Therefore, our policy and the implementation of that policy should be with that view. Therefore, we have to equip ourselves with the knowledge from the ordinary people and we should not shut the doors for the ordinary people to say that I am a specialist, therefore, I need not have any other consultation. That is the attitude nowadays which is coming up that I will decide some policy and I will impose the same on you. That is why agitations are taking place. People are having unrest. If we start from the bottom to the top, then the pyramid will be a proper one. When we are doing it in a topsy turvy manner, there is a gap between governance and the people.

Sir, this Resolution is telling about how the USA and other countries are giving powers to bring the international conventions being ratified by the concerned Parliaments. But the Founding Fathers of our Constitution have already told that the Government is having the wisdom through the people, and therefore, to whatever they agree, that will be binding upon the Government of India. But they felt that the freedom and the Republic of India will give ears to the ordinary people's ideas. Therefore, we have to hear the people before taking any decision. If we do that, the Constitution mandate need not be amended. There is no need for a new interpretation. The present interpretation is sufficient that the Central Government and the Executive can represent our position at the international conventions and they can give back the information to the Parliament, and in turn, we have to give it back to the State Legislatures, and I can say, even at the gram sabha level, we have to go for that. When we are binding ourselves on any



issue, whether it is climate change or whether it is policy of trade or whether it is policy of freedom, everything is binding on the citizens on the basis of the discussions which are made at the international level.

(contd. by 2e)

MKS-LP/2.45/2E

DR. E.M. SUDARSANA NATCHIAPPAN (CONTD.): Therefore, Sir, I feel that this Resolution is very important and the Government will take a full acceptance of all these issues. I see that a specific focus is placed on telling us-- I am just quoting it, Sir, from the Resolution -- "the legal validity and binding nature of international treaties in most cases goes beyond the tenure of the Government which signs such a treaty, and given the possibility in the parliamentary democratic framework of change of Governments and ruling political parties of combinations, the requirement of parliamentary ratification before such a treaty is finalized becomes self-evident." Here, I would like to stress, Sir, that we are having a Coalition Government and the power of governance in India is, more or less, with the pilot and co-pilot, but, the Leader of the Opposition is also having the equal right like the Leader of the House. We are following a very excellent system from 1963 onwards, wherein we are having the Standing Committees. The Demands for Grants of the Ministry of Finance and everything else is shared with the Opposition Party; even the foreign policy also. The Department-related Parliamentary Committees on Foreign Affairs, Finance, Home Affairs and all other important portfolios are chaired by the Opposition Parties. Therefore, they cannot criticise the Government policies by blaming the Government and say that the Government has committed this error. Accountability on the part of the Opposition is equally

there. Therefore, when they are performing as Chairmen, when they are discussing and deliberating as part of the Committee, they have got every right to call for any remark from the Government, but once the Government takes a decision on any matter, there should not be any withdrawal from that. We should have a consensus as the hon. Member, Shrimati Brinda Karat, said while speaking on her Resolution:

"(i) Despite political differences, a broad consensus across party lines in the area of foreign policy, particularly in the sphere of international agreements, is in the national interest."

On this particular thing, all the parties should come forward and accept the decision of the Government, which it takes on any matter, as it is. Sir, when the American President takes a decision on some matter, all the parties accept that; they do not differ from that. They would not challenge his decision. But before that, they will have a threadbare discussion at every forum. Once a decision is taken, all the parties should not feel that we are having our own biased view, therefore, I am saying all that on this particular foreign policy or I am not in agreement with this particular convention or a decision or an international agreement. Therefore, I feel, Sir, it is high time when all political parties should have the liberty to express their ideas, but, at the same time, when the Government takes any decision, that has to be accepted by everybody. That is to be accepted as the decision taken by the people of India. If that view is taken, I feel, we are having a very good governance. We feel pride in saying that we are the only country in the world, which is having the biggest democracy, a real democracy, where an 18-year old could decide who should be a Member of Parliament, who should be a Member of the State Legislature or who

should be a Panchayat President. This right is not given to any person in any part of the world except in India. Therefore, we feel pride in saying that when we take a decision, when our Government takes a decision, all parties should bind by that. But before that, we have to hear the other side and, then, come to the conclusion.

With these words, Sir, I feel that this Resolution is very useful at this juncture in formulating further policies on these issues. Thank you, Sir.

(Ends)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you, Dr. Natchiappan. Now, Dr. Gyan Prakash Pilania.

DR. GYAN PRAKASH PILANIA (RAJASTHAN): Thanks, Your Honour. Sir, Dr. Natchiappan has very beautifully put his legal viewpoint regarding this Resolution.

(Contd. by TMV/3F)

-MKS-TMV-AKG/2F/2.50

DR. GYAN PRAKASH PILANIA (CONTD.): He has very rightly said, Sir, "Hear the people". My plea is that, at least, hear the Parliament. It is for hearing the people that the Panchayati Raj has been inaugurated, initiated and nurtured. The hon. Panchayati Raj Minister is sitting here. That is our good luck. That is grass-root democracy. If consultation arises from Panchayati Raj for treaty negotiations, it will be a heavenly world for India. That time still has not come. The Panchayati Raj is still struggling with initial teething troubles and slowly and steadily it is coming up in its own glory.

This Resolution mainly concerns, Sir, with one point. How to enhance the role of parliamentary sovereignty in the sphere of international

treaties, both multilateral and bilateral? Primarily, it is the sovereignty of the Parliament which should be supreme and this Resolution is concerned with that. How can we do it? It is above party politics. Any party here or in the Lok Sabha will be interested in ensuring the supremacy and sovereignty of the Parliament in all vital affairs pertaining to the State, pertaining to the nation. As far as the nation is concerned, you know better than me. The people of India are sovereign in this country and they are the fountainhead of power, and that is why the Constitution was framed by them and it was the beauty of the Constitution that in the Preamble it was mentioned, "We, the people of India, do hereby adopt, enact and give to ourselves". This is not given by anyone else. It is a voluntary declaration of intentions, purposes and dreams, voluntary declaration of Fundamental Rights and Directive Principles, and that is why it is one of the best constitutions in the world. So, sovereignty resides in people, sovereignty resides in the Constitution and thus representative of the people is Parliament. We have a unitary federation. We have separation of powers also. The Montesquieu's formula has got its own significance. There are three branches of administration, the Legislature, the Executive and the Judiciary. The Legislature legislates; the Executive executes; and the Judiciary adjudicates. They don't interfere in each other's affairs. But the main thing is how to ensure accountability of the Executive to the people. That is the Parliament. It is a matter of quintessential of democracy. Democracy means, according to the Greek word, *demos + kratia*, power of the people. How to ensure the power of the people?

Treaties can be of many kinds. They can be political; they can be trade treaties; they can be economic treaties; they can be cultural treaties;

they can be scientific treaties; they can be military treaties; they can be international treaties. The Nuclear Treaty, the WTO, the FTA, etc., are all forms of treaties. There are many forms of treaties. But there is a golden thread running through them binding them together and that golden thread should be the consensus of the whole nation. The broad view of the whole nation must be represented. Treaties bind scores of generations; treaties not only bind the Governments but also bind the future of the nation. In treaties there can be three things. One of the things is prior consultation with the political parties. It will be helpful always if prior consultation with the political parties is held. It will be a wider base of agreement for commitments by the Government at treaty level.

(Contd. By 2G/VK)

VK/2G/2.55

DR. GYAN PRAKASH PILANIA (CONTD): Evolve general consensus of the people. That is where the Panchayati Raj grass-root administration comes in. Take Parliament into confidence. This is the third way out. Fourth, ratification before or after treaties are signed. In many countries, it is being done. As good democracy as ours, in the United States, as you very well know, Sir, a treaty must be ratified by the Senate to be effective. They do not feel shame about it that someone, on behalf of the Executive, has committed a treaty, but the ultimate power resides with the Union of States, the Senate, the House of Elders there because States are represented. They are the ways of ensuring that treaty gets its sanctity, treaty gets its power. The Union List has got Entry No. 14, which relates to treaty making power. Exclusive treaty making power of the Union Government is in the Union List. Article 235 of the Constitution mentions

legislation for giving effect to international agreements and treaties, which is operative throughout the country, in all States. Those provisions have very specifically been put in there. But here the point is very different. Absolute power cannot be given to the Executive. That is the point in issue because power corrupts and absolute power corrupts absolutely. There must be a curb. That is the only presentation; otherwise, there is no intention to put strings on the discretion of the Executive. Let the Executive deliberate, let the Executive consult, let the Executive hear people, let the Executive hear Parliament, political parties and after that go in for treaty and after treaty also there must be ratification, if it is of international and national importance. If it is just a cultural kind of treaty or some kind of treaty in which educationists or scientists are exchanged from one country to the other, that is different. We can form out a format that these kinds of treaties are of essential nature. The Governments may change, but nation always remains. You may come and you may go, but the nation remains forever. Hence treaties become binding. That is, I think, Shrimati Brinda's special emphasis that such kind of treaties must have stamp of approval by Parliament. It can be deliberated in detail across party lines. Virtually, at present, I am not representing a party, but I am representing a notion of sovereignty of Parliament. I think the hon. Minister of External Affairs -- I call her Minister because she is such a laudable lady -- must have taken down the points. Two days back, we had passed the Bill giving 33 per cent representation to women and we bathe ourselves in glory. Brindaji represents that; Preneet Kaur represents that. I think, today, it is very rightly put up that that glory must always remain with Parliament which gave 33 per cent representation to women. I think,

Sir, I have taken enough of time and by your kind indulgence you have not interrupted me. Thank you.

(Ends)

THE VICE-CHAIRMAN (PROF. P.J.KURIEN): You think that I am interrupter!

DR. GYAN PRAKASH PILANIA: Sir, you are not interrupter, you are controller.

(Followed by 2H)

RG/3.00/2H

THE VICE-CHAIRMAN: Now, Mr. Matilal Sarkar. Mr. Sarkar, according to the list shown here, your party has no time left. Therefore, take a few minutes only.

SHRI MATILAL SARKAR (TRIPURA): I will try to be brief, but I cannot restrain myself. I do have something to say on this.

Sir, at the outset, I would like to say that I am in full support of the Resolution moved by the hon. Member, Shrimati Brinda Karat. She has been very careful while bringing the Resolution saying that those matters which are of executive nature, that is, administrative nature, should not be included in the purview of the Resolution. But there are occasions, there are cases, when the people of the whole country are involved. We are pursuing a policy of Non-aligned Movement; we do not claim to take the side of the big Forces. We are getting into a new role so far as the Foreign Policy is concerned. But we have seen how the Forces, which are powerful in the international arena, are trying to influence us, and there have been occasions when the Government could not follow or maintain its perspective. I am giving reference to the issues of liberalization, GATT proposal, nuclear deal, or, for that matter, the ASEAN Treaty, which has, very recently, been signed in Thailand. There have been many, many such occasions in the past. What have we seen? These are the



occasions, these are the Agreements, through which the Forces, which are trying to raid countries all over the world, are trying to keep India under some sort of pressure. Now Parliament, which is the supreme body of our country, has to safeguard the sovereignty of the country and protect the sovereign rights of the people of the country. The NAM is not the policy of the Government. It is the policy of the whole country, of the people of the whole country. That is why before signing any Treaty, be it bilateral or multilateral, which concerns the interests of the nation and the sovereignty of the nation, this will have to be ratified by Parliament.

Sir, I represent the State of Tripura. Jairam Rameshji knows very well; my State produces rubber, pine apple and oranges. Now, with the signing of the ASEAN Treaty, all the cash crops will come into our country from the South-East Asian countries. If all these products start coming from other countries, then, the market for our products will get limited. That is the natural trend. Now, Kerala produces rubber; we also produce rubber; and, Assam produces tea. By signing the Treaty with the ASEAN countries, what has happened? We have limited our market facilities, and our producers will be in trouble. All these products will come from our neighbouring countries. Now, did I get an opportunity to say anything on this Treaty? Before signing it, had it been brought before the Rajya Sabha, before Parliament, I could have shared my views.

(Continued by 2J)

2j/3.05/ks

SHRI MATILAL SARKAR (Contd.): I could have offered the views, not mine, but of the State that I represent. So, it is pertinent that she has merely identified the issues, other than those of executive, administrative and technical nature. In those cases, it is essential that this should be brought before the Parliament for ratification.

Sir, we have enacted many laudable laws in this House during my span of only eight years, such as, the RTI Act, NREGA, the Forest Conservation Act, to name a few. The Panchayati Raj law was enacted before I came into this House. Then, we passed the Women's Reservation Bill, though it is now hanging fire in the other House. (Interruptions)

Sir, if we see the perspective of this... (time-bell) Sir, I would take two minutes more. Sir, if we see all these laws in perspective, it brings into light people's opinion in Parliament and, through these laws, we have given more and more power to the people. The Parliament is here but I think that the Government do have the liberty to work normally. There is no problem with that. I mean, normal cases are not within the purview of the Parliament. But here, those cases have to be redefined where, as an hon. Member pointed out earlier, the sovereignty of the country is concerned. Government would be doing something and Parliament would not know! Sir, Government is accountable to Parliament. Government is accountable to the Parliament only. Otherwise, they would be free to bypass the non-alignment policy...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Sarkar, please conclude. Your Party has no time left.

SHRI MATILAL SARKAR: All right, Sir. Sir, the question is: how far is the Government at liberty to function? The answer is: so far as it does not cross the limit of accountability, because the Government is accountable to Parliament. That is why, I fully agree and I fully endorse the views of Shrimati Brinda Karat who has brought forward this Resolution. I fully support her. I heard Dr. Natchiappan speaking about lofty ideals of the country. We do not disagree. Our country is great. But the role of Parliament does not have to be minimized. That is what you should learn. Thank you, Sir.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Shrimati Jaya Bachchan; not there. Shri Brij Bhushan Tiwari; not there. Now, Shri N. K. Singh.

SHRI TIRUCHI SIVA: Sir, I have to take my flight.

THE VICE-CHAIRMAN: Yes, yes. He has to go to the airport. So, I will call you after he has spoken, if you agree.

SHRI N. K. SINGH: All right.

(Followed by 2k/tdb)

TDB/2K/3.10

SHRI TIRUCHI SIVA (TAMIL NADU): Sir, I would like to put forth some of my views within the short time which has been allotted to me on the Resolution moved by Shrimati Brinda Karat. It is a very important Resolution. The intention of which and the views on which our Members have expressed here is very essential to be taken note of by the Government. Sir, the draft of the Resolution has been very meticulously drawn. The Resolution says, "All bilateral and multilateral international treaties and agreements, which are not of a technical, administrative or executive nature, underline these words, be ratified by the Parliament after

being negotiated by the Government of India before they are signed. So, it has some classifications.

Sir, the basic intention of this Resolution is to enhance the role of the Parliamentary sovereignty in the sphere of international treaties. Sir, the Parliament has to be taken into confidence. Sir, this Resolution is being discussed at a point of time when our hon. Prime Minister, Dr. Manmohan Singh is honoured with the title of 'World Statesman' by the U.S. He is going to be honoured. That news came to me today only. I just came to know about it.

Sir, India is a largest democracy, and the reason for that is, the way we discuss, debate, arrive at a consensus and then execute whatever we discuss here. In this scenario, Sir, international treaties when they are not ratified by the Parliament means the views of the people are not taken into consideration. Whether it is a Parliament or a Legislature, it is not represented by individuals. Say, for example, a Member in the Lok Sabha is not a Member, but he is the representative of twelve lakh voters, approximately 20 lakh people in his constituency. And, some people who say about the Members in the Rajya Sabha that you are not the people who are elected directly by the people, I always say to them, "See, for example, me, elected from Tamil Nadu, has been elected by 34 MLAs, and one MLA is elected by voters of two lakhs. So, if at all I have been elected by 34 MLAs, I am the representative of 68 lakh people. So, either me or any other Member here or a Lok Sabha Member, our views are not our individual views. We speak on behalf of our party, but we represent the people. So, when it is an international treaty, it is a multilateral or bilateral treaty, it has to be ratified by the Parliament. It is to be taken note of, Sir. It

is inevitable. The U.S.A. which has been regarded as another democracy in the world, it has a method of following or being ratifying its treaties in the Senate. And so also, in the Resolution itself, it has been said that Argentina and Mexico are following the same footsteps.

Sir, I don't want to cite many examples here. When the Government of India entered into the WTO Agreement, when it signed it without getting a ratification of the Parliament, Sir, the consequences can be recollected. All over the nation, there were wide protests from many parties. The consequences may be, the outcome may be acceptable or not, but at that time, I think, every one of us could recollect what was the reaction of the people and the political parties. The views of the political parties were not to be reflected or to be implemented in the treaties. So, many other treaties followed the same suit, Sir. So, it is a high point of time that when we are becoming leaders among the world countries, in all areas, especially in democracy and in Parliamentary functioning, how we debate here, how we discuss here, this is one of the proudest things. See, for example, the discussions that went on in our Constituent Assembly, when we had drafted our Constitution, even a single word, just a word, has changed the entire thing. The word, that has been deleted or added in that, has given a different meaning and that has given it very much importance. Sir, it has helped many a people. So also, while entering into a bilateral treaty, the views of the Parliament when taken into consideration...

(Contd. by 2l-kgg)

Kgg/2l/3.15

SHRI TIRUCHI SIVA: (contd.): ...which consists of representatives of the people and political parties, if their views could be included in that, the

multi-lateral agreements will be wholly acceptable; otherwise, it would be a draft of the bureaucrats with the guidance of the Executive in a country where the Parliamentary democracy is supreme, as the Resolution is saying, any bilateral or multi-lateral agreement has to be ratified by Parliament and if need be, if a Constitutional amendment is necessary, that should also be considered by the Government. This is only in the interest of the nation and the people. Whoever may be in the Government or whichever party may rule the country, whoever it may be, they should depend on the Parliament. The Parliament's views must be taken into consideration and that will help us in entering into bilateral or multi-lateral treaties, to help the people at large in the best interest. Thank you.

(Ends)

SHRI N.K. SINGH (BIHAR): Sir, on behalf of the Janata Dal (United), I rise to fully support and endorse the content and the spirit of this very comprehensive Resolution of Smt. Brinda Karat. I do so for four considerations.

The first and foremost is the consideration that this Resolution seeks to restore the weakening of Parliamentary oversight. The systemic process by which Parliament has it, and Parliament's authority has been increasingly eroded in important ambits of Governance is sought to be at least partially restored by an obligation being cast on the Executive that for purposes of important international treaty and agreement, Parliament's ratification is necessary. So, my first consideration is the restoration of what the Constitution in its spirit, may not have been in letter, sought to assign to Parliament an important role on the oversight of the functioning of the Executive.

Sir, my second consideration arises from the fact that when the Constitution was being drafted, the world was a somewhat fragmented world. If one reads the writings of that time, in fact, it is quite interesting. Last night I was trying to refresh my understanding since Keynesian economics now seems to be somewhat fashionable. I was trying to read his general treatise, once again, on what he was teaching. Just before the inter-war period, he was speaking of a fragmented world which was broken up on account of various factors. He said, just before that really had happened, before the world have become so fragment, prior to that time, the extent of flow of trade, goods and services was far more open. But, the period of the war saw the world become increasingly more and more autocratic.

Unfortunately, when our Constitution was being framed, it was being framed in the background of India seeking to strive for self-sufficiency in foodgrains, India seeking to be able to achieve an ability to service its debt. In such a background, quite clearly, international treaty and international obligations did not have such an important role to play at a time when the world matrix had changed. Why has the world matrix changed? It has changed not because Thomas Friedman describes this to be a flat world, but the reality is that the transfer of goods, services, intellectual ideas and finance is now taking place in a seamless way. This, if it proceeds, would equally apply to movement of natural persons because the logic of demography will also break the barriers to providing much greater flexibility in the movement of natural persons. So, in such an integrated world, when the actions of one begin to dramatically affect the actions of the other, and a world where the hiatus between what is domestic and what is foreign is

broken down by the logic of the way in which technology and economics has really changed the shape...

(Contd. By kls/2m)

KLS/MP/2M-3.20

SHRI N.K. SINGH (CONTD): ...in which decisions of one country dramatically affect the decisions of the other. In such a world, Sir, I think, that leaving latitude to the Executive undertaking international obligations, which have a far-reaching impact on the life of the people, which are really, maybe, in the rural areas of India, is something on which this Parliament needs to give a second view. Sir, I think, to give you a couple of examples, I am sure that the House has reposed great confidence in the ability of Mr. Jairam Ramesh to craft an agreement on environment that is the subject which is coming up in the next Resolution, notwithstanding a great faith in his ability to negotiate what is best for us, the fact remains that whatever is negotiated will have an impact on the life of the ordinary average people in India. It affects the way they live, it affects the manner of agricultural practices, it will affect the movement of the people, and it will affect the lives of ordinary Indians in a very, very dramatic way. His other colleague, Mr. Anand Sharma, is not here but we are quite aware that whatever he negotiates as part of an agreement on the WTO is going to dramatically affect in the next stage, the manner in which the economic activity in this country is undertaken, the manner in which agricultural practices, what will be the consequences for our farmers, what will be the consequences for the manufacturing sector, what will be the consequences for the service sector, all that is going to dramatically alter. I have given you only two examples. But as we go on there are negotiations and there



are treaties in the offing which is going to affect our life in a very conceivable way. My point really is that since the life of an ordinary person is dramatically affected, I think, that it is only natural that the Executive should itself find it responsible and find itself necessary that they must have the mandate and the authority of Parliament to be able to enter into wide-ranging international agreements. This business of entering into an agreement and Parliament, therefore, being informed by a statement of the Minister and the Prime Minister is a practice and device which has lost its relevance in the kind of a world which has altered. I think, they require a basic rethink on the whole approach towards international agreements and treaties. This is not to circumscribe the Executive, this is not to suggest, for instance, to the Minister that in the next Air Treaty Agreement you have with Mauritius, should require our ratification, but certainly it is time to wake up that the next time you give a commitment in Copenhagen on environment, in Mexico on WTO, on labour, on very important aspects of our life, please take Parliament ratification to do so. Thank you, Sir.

(Ends)

DR. (SHRIMATI) NAJMA A HEPTULLA (RAJASTHAN): Thank you very much, Sir. Sir, I am very happy that Shrimati Brinda Karat brought this important Resolution and the Resolution is under discussion. I have a similar legislation, a Private Member's Bill, which has been pending since 2005 on the International Treaties And Agreement Compulsory Approval by the Parliament Bill, 2005 which says that all the treaties, bilateral, multilateral..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Luck did not favour you.

DR. (SHRIMATI) NAJMA A HEPTULLA: I want that if the Government agrees today to accept this Resolution, perhaps, I will not have a chance to move this Bill and I will withdraw it. But the question is what the view of the Government is which we have to hear from when the hon. Minister speaks. सर, मैं इस House में बहुत कुछ देख चुकी हूँ। Sir, my commitment is because of the experience which I have noticed in this House many times, more often due to the changing situations to which Mr. N.K. Singh made a mention. The WTO, the Intellectual Property Right, the Patent laws, etc. they were all brought to the House.

(Contd by 2N/SSS)

SSS/2N/3.25

DR. (SHRIMATI) NAJMA A. HEPTULLA (CONTD.): There were a lot of discussions on it. And I remember when Mr. Pranab Mukherjee came as a Commerce Minister, there was a lot of discussion on the Marrakesh Agreement, whether that statement which he brought to the House be discussed under Short Duration Discussion or should be discussed under the Motion. There was an argument for more than an hour on both the sides and I remember only one person, who is now a Minister, Mr. Jaipal Reddy who was sitting over here -- that was my chair and that was his seat -- was very vociferous in saying that the Government should discuss this matter under a Motion. The House should have the right to reject or to approve. I remember Mr. Pranab Mukherjee was sitting over there and I went through the Constitution and I went through all the clauses and then, when the House asked for my ruling, I said at that point of time -- and even today I say -- the Constitution does not provide for the Parliament to ratify any agreement or treaty and hence, if the Constitution does not require

that, and then, if I cannot hire, I can fire. If I cannot approve it through a ratification of the Parliament, then, the Parliament has no right also to reject any treaty and that was the end of it. But, at that point of time, Sir, I realized how important it is because when the Patents Law came, I remember it was the Minister from your State, the former Chief Minister of Kerala -- he is not a Member of the House, so I am not taking his name -- brought the Patents Law and the Intellectual Property Right Law and there was a lot of discussion. I had a lot of meetings in my chamber about it and we sent it to the Committee of the Rajya Sabha to discuss how it should be accepted. Sir, I have been involved internationally with these issues. As a President of the Inter-Parliamentary Union, we had problems internationally. If you remember, Sir, when this WTO Agreement was signed, a discussion was going on. Consultations were going on. It was the western countries, Members of Parliament from UK and Europe who objected to it in Europe and in Vancouver -- if I remember correctly -- their Members of Parliament had objected to it. I was quite surprised and I was amazed how Members of Parliament from developing countries like India and other developing countries were not participating or objecting to their involvement in the negotiations when we were having the Uruguay Round of discussions and they did not discuss it prior to going and signing a treaty, which Mr. Siva very rightly said that, "we are the representatives of the people". While speaking, keeping all these views when the United Nations was celebrating the Millennium Conference I suggested in the IPU to have a Summit Meeting of the head of the Parliamentarians also so that any Treaty, any Agreement at the United Nations or bilaterally or internationally with any other country which the Government does, it is

becoming binding on us to approve it or make supporting legislations to implement those requirements. After seeing what happened to WTO in my House and what I saw in other parts of the country where the Members of Parliament were making an objection about it, I thought it is very necessary that with the Millennium Conference of the United Nations there should be a Conference of the Head of the Parliament to discuss these issues where the Members of Parliament should be involved. And I remember while addressing that summit meeting 150 Presidents and the presiding officers of the Parliament of the world were participating. When the United Nations Preamble said, "We, the People", I said, "I want to object to it". They should say, "We, the Governments." And only the Parliamentary Union, which is the representative body of the Parliament and the people, represent both the majority and the minority of the country.

(Contd. By NBR/20)

-SSS/NBR-MCM/20/3.30.

DR. (SHRIMATI) NAJMA A. HEPTULLA (CONTD.): Here, I don't use the word 'minority' as a community. But, majority is in Government (51 per cent) and minority (49 per cent) is in Opposition and both are represented in Parliament. Their views should be taken very seriously. They should be involved in it, because one party may be in power today and it may become the opposition later. When one party in power enters into a treaty and the treaty is opposed by the other party which is in Opposition, but it become obligatory on the part of that political party in opposition when it sit on the other side to accept it...(Interruptions)...Sir, don't worry. There is a problem. A lot of problems have to be solved behind the scene. The problem is, there is another Resolution on Environment about which the Environment Minister is bothered. And, after that, there is one more Resolution which Mr. Rudy will move and he wants that Resolution to be brought.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): But, we are discussing the present Resolution.

DR. (SHRIMATI) NAJMA A. HEPTULLA: So, I want to bring to their notice that let us concentrate on the subject which is before the House now. I assure you Mr. Rudy and the hon. Minister of Environment and Forests that we are not going to take too much time. But, as I said, it is a very serious matter.

SHRIMATI BRINDA KARAT: Sir, he should be more serious, because he is entering into agreements without Parliament's approval.

DR. (SHRIMATI) NAJMA A. HEPTULLA: Exactly. He should listen to it.

SHRI JAIRAM RAMESH: Sir, I am listening to it very seriously.

DR. (SHRIMATI) NAJMA A. HEPTULLA: Okay. It is good. You should not be disturbed by others.

The main thing is, Parliament represent the will of the people. Sir, in democracy, 49:51 means the will of the people. It does not mean that somebody is sitting with 51 per cent votes in the Government have a right to do something without taking the opinion of the Opposition which has got 49 per cent votes. Sir, it is because, in a democracy a time will come when the 49 per cent may become 51 per cent. And, it will be obligatory on their part to follow the treaties and agreements which they opposed when they were in the Opposition. I wish to share a point here. When Mr. Jaipal Reddy was in the Opposition, he might have a different opinion. Today, he is sitting in the Treasury Benches. He would be feeling, if he still feels that way. When I was sitting in the Chair, I could hear both the arguments. That is the reason why I feel that the Parliament should have the supremacy to accept or reject a treaty. Or, if the Government wants to avoid such disagreement after signing a treaty, it should come to Parliament before signing any agreement which is going to have its ramification on the entire country, like the Patent Law, IP Rights, somebody patenting Haldi or Tulsi. There is a lot of germ plasm in our country. When these kinds of matters come, it affects the nation. It may not affect you, me or the middle; it affects the people of the country. We are the representatives of the people and we should be taken into consideration. That is the reason why we have international conferences. As the head of the Parliaments, the UN was to focus on the world. The opinion of the people of the world is important, not of the Government. Mr. N.K. Singh said very rightly. The time has changed a lot since the UN came into

being and since we got Independence. A lot of countries have come out and became democratic. So, the views of those small new democracies have to be taken into consideration. Unfortunately, the UN is still dominated by a few superpowers and it is not in their interest to neglect these small countries. The reflection and will of those small countries, the newly liberated countries, can only be seen when we go to the General Assembly. We don't see them in the main core body of the UN which controls the movement of all over. I remember, Sir, when I was the President of the Inter-Parliamentary Union, what we did was, I spoke to Mr. Mike Moore, who was the Secretary-General of the WTO in Geneva.

(CONTD. BY USY "2P")

-NBR-USY/2P/3.35

DR. (SHRIMATI) NAJMA A. HEPTULLA (CONTD.): I had a meeting with him. I said, "If you want to have passage of your legislation in the International Parliament, you must involve the Members of Parliament." And, he organized a conference of the Members of Parliament, the Governments and the WTO. It was a tripartite conference in Geneva. Some very important Members of Parliament participated in it. I remember, Mr. Sharad Pawar, who is the Minister of Agriculture, who knows about those issues, spoke very well. He talked about the indigenous knowledge that the people have. That is how we came to a conclusion, in that conference also, that we should have involvement of the peoples' representative, the Members of Parliament. If the Government does not want to bring in this law, it should, at least, come over here today and say that before signing any treaty, either it is a treaty through the WTO, or, it is a Civil Nuclear Agreement with the United States, which is going to have

wide ramifications on the country, it would discuss it here in Parliament before signing it. For example, nobody applied mind regarding the disposal of the nuclear wastes. I believe there is a Bill that the Government is going to introduce in the Lok Sabha. It is about the liability of the people, if there is any problem or any mishap. So, these are very, very important issues. It does not matter whether the BJP says this or the Communists say this. It is we, the representatives of the people of the country, who are saying that the Government should come over here and make a commitment that it will bring all the treaties before the Parliament for ratification. As Shri N.K. Singh said, and I also say that all of us are responsible people; nobody is going to object to any agreement that is in the interest of the people and in the interest of the country just for the sake of opposing it. As you saw the other day in the case of the Women's Bill. You did not have the majority, but the Left and the BJP supported the Congress because we thought that it was a good Bill; it would protect the rights of women; it would provide them what the women have been asking for many, many years, which we could not give to them. We don't need any constitutional amendment for it because there is no constitutional bar on it. It is only in the Fifth Schedule. Of course, my learned colleague is going to speak on the legal aspect of it. And, I heard today the Minister of State for External Affairs. I know the word 'international' is there. But it is more 'legal' than 'international'. The Law Minister should have been here to explain why the Government is going to agree to it, if the Government is not going to agree to it. And, I am still not convinced that the Government is not going to agree to it. So, the main point is either the Government should agree that they are going to give this right to Parliament to ratify the



international treaties and international agreements; or, it should bring forward a legislation, if you do not want to accept a Private Members' Legislation or Resolution. We will be happy if you bring forward a legislation because this lacuna has been there in our law, which I have seen with my own eyes, the problem of the Members of Parliament that I had seen when I used to preside over the House. So, either you do that or the Government should come before the House and commit that before signing any treaty, which is going to have wide ramifications on the country, and for which you would need supportive laws, it would discuss it with the Parliament before signing the treaty, and not afterwards because it is like putting the cart before the Horse. With these words, I support the hon. Member Brinda Karat in her effort, and I also support my own legislation, which, may come up for discussion on 18<sup>th</sup>.

(Ends)

(Followed by 2q -- PK)

-USY/PK/2Q/3.40

SHRI P. KANNAN (PUDUCHEERY): Mr. Vice-Chairman, Sir, I rise here to say a few words on the Resolution moved by Shrimati Brinda Karat. I do not have much difference of opinion with Madam Karat. I am new to this House but I am little aware of what is going on throughout the world. I would like to make some points for consideration. I fully agree that for any matter which is going to affect the people of this country, as was rightly mentioned by Madam Brinda Karat whether it is international treaty, multilateral or bilateral, entered into by the Government of India which have major implications for the people of the country, --there are a lot of treaties and agreements like WTO, FTA Indo-US civilian nuclear agreement , etc. -- Parliament has to be taken into confidence. This is my point number one.

My point number two is that we should not come to know after Press getting the whole information about it or giving information about something. But I am very happy that media is doing its job very well. As an individual, I am nothing, but as a representative of the people, I am something. So, it is the right perspective to take the Members of the House into confidence. But, at the same time, I would like to say and I am very confident and I am very proud that we have got a Government -- I hope and wish Madam Brinda Karat would agree with me -- the UPA Government and our leader Ms. Soniaji and our learned Prime Minister Dr. Manmohan Singhji have done a lot of reforms. A lot of innovative and other unimaginable reforms have been made by them in the history of this country or in the history of Parliamentary democracy. One is, as mentioned by Dr.Najma Heptulla, the Women's Reservation Bill, which ensures 1/3<sup>rd</sup> representation to Parliament and State Assemblies. It has been done by

the UPA Government. I think, if I am correct, it was not demanded by anyone in the past. It was the dream of Rajivji to give more empowerment to women, by bringing them into the national area and by involving them in the nation building.

Then, the UPA Government, Dr. Manmohan Singhji, Ms. Soniaji, have passed the Right to Information Act. It was not there before this Government, before this Prime Minister and before our Leader, Ms. Soniaji. It was not even thought of before. So, I do not think that our Government would stand in the way. Having done so much, I must say our Prime Minister, Dr. Manmohan Singh and our Leader, Shrimati Soniaji are courageous enough. Of course, I must thank the Opposition, honestly, I thank the Opposition which supported the Women's Reservation Bill.

(Contd. By 2R/PB)

PB/2r/3.35

SHRI P. KANNAN (CONTD.): It is not only because of us though it has been initiated by the UPA. We have preferred to risk anything as Madam Soniaji in a Press Meet, in one of the exclusive Press Meets of the electronic media, said, 'Yes, we will talk to them; we know something may happen; we are prepared for that.' So she worked with a great a spirit for the empowerment of woman, for the right of the women. Somebody said, 'Why are they bringing it at this time before passing the Budget? What is the urgency? What is the strategy? What is the ideology behind it? Is there any idea behind it? They are bringing it hastily?' So, all kinds of things were said but we knew all these things pretty well and we were prepared to take the challenge. We faced the challenge. So, we will do what we have to do for the welfare of the people of the country.

Sir, I have only one thing to say. As I said, I agree that Parliament has to be taken into confidence before the ratification of any international treaty. But I do not know whether it is practically possible. It is my apprehension. I am not at all an expert in all these subjects. My only fear is, as Brinda Karatji said, all bilateral and multilateral international treaties and agreements which are not of a technical, administrative or executive nature, be ratified by the Parliament. There I have got my own apprehension. I do not know whether it is practically possible or not. This is my apprehension. I am not opposing or I am not arguing with you on that point. I support this Resolution. It has to be considered. But the point is, whether it is possible for a Government to get the ratification of Parliament before signing an Agreement. My apprehension is, whether it is practically possible for any Government. Our country is not lagging behind in any such thing. Ours is the largest democracy. The core of democracy is only in this country and no other country in the world has such a big democracy. ...(Time-bell)... As one hon. Member rightly said, we are now living in a fragmented world today. We have got the United Nations; but what is the role of the United Nations Organisation, I don't understand because the world is fragmented, disintegrated in various ways. So, I would like to request the Mover of this Resolution that after Government takes a decision -- it may be any Government; now the UPA is governing the country-- we must be united, we must abide by that and we must speak in one voice despite having political differences; we should not dissent afterwards. Before that, we can talk, we can put forward our thoughts or opinions, supporting or opposing a particular thing. We have to talk. But after that, for the sake of the prestige of the country, we must

stand united. That is my submission. As far as this Resolution is concerned, I cannot say much because I am not well versed in this subject and I am also not an expert in this. So, I do not know whether it is practically possible or not and whether it could be done or not.

Sir, in a parliamentary democracy, unfortunately, the difficulty is, we have difference of opinion not only on political issues but even on social issues also. I appreciate those Opposition Parties which have supported the Women's Reservation Bill.

(Contd. By 2s/SKC)

2s/3.50/skc

SHRI P. KANNAN (Contd.): But some Parties say that the credit goes to the Congress Party, to the UPA, to Shrimati Sonia Gandhi, to Dr. Manmohan Singh and so, they do not want it. They have this on their minds. The reasoning and arguments put forth may be different. Some of them are very \*. It should not be so. I appreciate the Opposition, the BJP, the Left Parties and other Parties who have supported this legislation. Madam Sonia Gandhi has also conveyed her thanks to them. So, Madam...(Interruptions)

-----

----

\* Expunged as ordered by the Chair

MR. DEPUTY CHAIRMAN: Now, you are addressing Shrimati Brinda Karat and not the Chair.

SHRI P. KANNAN: Sir, we are good friends and so I made it sound like we were having a talk on personal terms!

Sir, after all, we are talking in the interests of the nation; we do not have any personal interest here. I would like to be above politics on various matters and, if possible, on all matters. I am for that. You may kindly consider this and see whether it is practically possible. If it is not practically possible, we shall discuss it and work out modalities.

(Ends)

SHRI SHARAD ANANTRAO JOSHI (MAHARASHTRA): Mr. Deputy Chairman Sir, I asked to be allowed to speak on this subject because it is rarely that I get an opportunity to endorse the spirit of the ideas of hon. Brinda Karatji and her Party and I thought I should not miss this opportunity.

This is a great idea and I am endorsing it in spite of the fact that on each of the agreements that are mentioned in *alinea* (ii), I had a position which was opposed to the position taken by her and her Party. That includes the World trade Organization, that includes the FTA and that also includes the Indo-US Civilian Nuclear Treaty.

Sir, I think the idea is that there should be some kind of a restraint on the powers of the Government and the powers of the Executive about finalizing international agreements. And I am quite sure that the proposal of the Resolution really meant to have a full, popular endorsement and not merely of the Parliament. In that sense, I would submit for her consideration some suggestions for which I am not moving any formal

amendment, because I don't think that is done in the case of a Private Member's resolution. But I would be grateful if you do consider the possibility of broad-basing...(Interruption)

MR. DEPUTY CHAIRMAN: Mr. Kannan, '\*' is an unparliamentary term. I shall remove it. (Interruptions) It is over. I need not have told you but it is just for information. (Interruptions) You may use it in a different context, but when you are saying a \* Party or a \*, it is not allowed.

SHRI SHARAD ANANTRAO JOSHI: It is allowed to be \*, but it is not allowed to say '\*!

Madam, I would make some minor suggestions in the beginning. The multi-party consensus in India is not limited only to the international affairs. So far, we have had a multi-party consensus on a number of other matters including the international trade which is not specifically mentioned here.

(Contd. at 2t/hk)

HK/2t/3.55

SHRI SHARAD ANANTRAO JOSHI (CONTD.): But I would like it to be mentioned not only in the area of foreign policy but also in international trade. Further in alinea (ii) while I do not propose any changes on the enumeration of WTO Agreements and FTA Agreements, etc., I would suggest that it should be made very clear that we are talking of the international conventions as also agreements, conventions are the category

-----

----

\* Expunged as ordered by the Chair

apart in the international field. For example, there are a number of conventions of the United Nations on the human rights, etc., etc., and that also should be brought within the ambit of this particular resolution. So, it should really apply to international conventions as also inter-governmental treaties. This addition is required because there are certain international United Nations Conventions and their provisions ought to be screened carefully by the people and by the Parliament in this country. Going beyond that and coming to the operative part of this resolution, I have two suggestions to make which she may kindly take into consideration. First, if what we want is the real people's mandate and people are the fountainhead of final sovereign power in this country, it is not enough that just the Parliament says 'okay'. There is a possibility for the Government to obtain popular mandate in other ways also, and I would suggest that she should make some kind of a proviso for cases where the Government have obtained popular mandate for a particular agreement and for a particular treaty in a popular general election. For example, I was clearly thinking of the WTO in this respect. If the party obtains the consent of the people, at large, in a popular mandate, then, of course, you will have to limit the powers of the Parliament to over-write that popular demand. I would also say that in such a case of importance, since this involves almost a constitutional amendment, the Party should be precluded from issuing any whips when the matter is before the Parliament for consideration. Sir, recently we saw an important constitutional amendment Bill put through, at least, in one House because of the whips issued by the two parties and it has come openly in the papers that the vast majority of Members of both the parties, both the ruling and the opposition parties, in the heart of their



hearts, in their conscience opposed the Bill even though they voted for it. This kind of a thing will do in a domestic matter, but when it comes to international sovereignty we have to be more careful. In these matters of deciding what is in the national interest, the parties should not be allowed to issue whip unless, of course, as I said, they have obtained a mandate for that in a popular election. Then, Sir, I would like to suggest that such ratification should be obtained not only from the Parliament but such ratification should be obtained as if it was an amendment to the Constitution. It means they have to obtain not only the consent of both the Houses of Parliament and the President but also have the necessary ratification from the minimum number of States that is required. Since the proposal is having a popular ratification of the agreement, she should not stop only with the Parliament, but she should also say that such ratification should be obtained from various States. Sir, for example, in the case of WTO, having been the Chairman of the Task Force on Agriculture on the subject of WTO, I know that when we visited different States the consensus opinion of the WTO was quite different often from the positions taken by different States taking into account their State interest in respect of agriculture. For example, Kerala always had a separate position because of the predominance of the plantation economy there. Karnataka had also a similar position in respect of the intellectual property rights. Sir, if the ratification has to be a popular ratification, I would submit to her that she makes a slight modification in the spirit of the resolution in which it has been moved that it should be ratified by the same procedure by which a constitutional amendment is got approved, that includes the ratification by

both the Houses of the Parliament, the President and the required number of States.

(Followed by 2u/KSK)

KSK/4.00/2U

SHRI M. RAMA JOIS (KARNATAKA): Mr. Deputy Chairman, Sir, at the outset, I thank you for giving me the opportunity to speak on this all important issue. Shrimati Brinda Karat has raised a very seminal point regarding the interpretation of the Constitution. The question is whether the decision taken by the Executive in entering into international agreements is final, or, whether it requires the approval of the Parliament, or, ratification. My answer to this is -- I will first give answer and then clarify -- that there are two types of approvals necessary. One is prior approval, and the other is subsequent approval, that is, ratification. My submission is that as far as matters affecting our sovereignty or constitutional provisions are concerned, they require prior approval and the Executive cannot sign the agreement and create a *fait accompli*. In respect of ordinary routine matters, they can enter into an agreement and then just place it. Just as rules are framed and laid for 30 days before the Parliament for approval, it can be done. Therefore, this raises a very important Constitutional question. Under our scheme of the Constitution, as laid down by the largest Bench in the Keshavanand Bharati case, we have accepted supremacy of the Constitution. Sometimes, there is a talk whether Executive is Supreme, or Legislature is Supreme. But, the question is, the real thing is that we have supremacy of the Constitution. Therefore, the question is: what does the Constitution say? In our Constitution, we have got three doctrines of separation of powers. Dr.

Ambedkar, the architect of the Constitution, has clearly said, "It is a limited Government." The powers of the Executive are limited. The powers of the Legislature are limited. And, the powers of the Judiciary are limited. Under the doctrine of separation of powers, what power is given to the Executive, what power is given to the Legislature and what is the power of the Judiciary? They are all traceable from the Constitutional provisions itself. Secondly, ours is a federal state. We have got so many States and also the Union. Therefore, the other arrangement is legislative power. Union legislative power is in List No.1. State legislative power is in List No.2; and then there is the Concurrent List, on which both, the Parliament and the State Legislature, can make laws. Now, as far as the international agreement is concerned, you see, Entry 13,14,15,16 - participation in international conferences, associations and other bodies and implementing of decisions made thereat; entering into -- this is most important -- treaties and agreements with foreign countries and implementing of treaties, agreements and conventions with foreign countries; war and peace; and, foreign jurisdiction. All these four items are placed within the Union List and then this has to be read with article 253 of the Constitution. Article 253 of the Constitution reads, "Notwithstanding anything in the foregoing provisions of this Chapter, Parliament has power to make any law for the whole or any part of the territory of India for implementing any treaty, agreement or convention with any other country or countries or any decision made at any international conference, association or other body." Therefore, even though certain subjects may fall in the State List or Concurrent List, as far as international treaty is concerned, it completely falls within the Union List. The phrase 'notwithstanding anything contained'

means that notwithstanding any item contained in the State List or Concurrent List, the Parliament alone has got power to make a law. In that law, they can specify these are the types of agreements for which prior approval is necessary, these are the agreements which require ratification. But, unfortunately, though sixty years have elapsed, the Parliament has not made a law in exercise of its power under article 253, and that is why, this problem has arisen.

(continued by 2w - gsp)

GSP-DS/2W/4.05

SHRI M. RAMA JOIS (CONTD.): Otherwise, the Executive power is always subject to the Legislature, and, as I said, the four Entries in the Union List are all legislative powers. Only under article 273 of the Constitution, the Executive can exercise same powers in the absence of law. Now, because the Parliament has not made a law, the Executive is claiming that they have got the power but that is not the intention of the Constitution. The Executive power is to be exercised only until a law is made. You cannot have it for an indefinite period without making the law, and, allow the Executive to function as it is. Therefore, the most important point is: can the Executive in exercise of its executive power enter into a contract and create problems for the nation. This aspect has already arisen. I will read from the Report of Justice Venkatachaliah Commission. In that Report, it is recorded, "The Agreements signed on Intellectual Property Rights, trade, agriculture and services are so far-reaching that there is a body of opinion, which honestly thinks that some of the provisions of these Agreements are adverse to our national interest - so much so that the Human Development Report, 1999 published by the

U.N.D.P. has called for a review, a roll back of the Agreement on Trade-related Intellectual Property Rights (TRIPs) to protect the health of the people and economies of the developing countries. At page 10, the Report says "Intellectual property rights under TRIPs Agreement need comprehensive review to redress their perverse effects undermining food security, indigenous knowledge, bio-safety and access to health care."

Further it says, "Many other agreements containing clauses having deleterious effects upon our economy have also been signed during the Uruguay Round of Trade Negotiations". Therefore, the question arises whether the Executive can enter into an agreement, and, make it a *fate accompli*. My answer is, no; the matter has to go before the legislature, and, as I said, even there, there must be a classification between the agreements in respect of which prior approval is required, and, agreements which require ratification. As I said, under article 253, the law is to be made by the Legislature circumscribing the power of the Executive in entering into such agreements. When any agreement has got far-reaching effects on our economy or the Fundamental Rights of our citizens or the integrity of the nation, then, such a matter requires same type of approval as is required for a Constitutional amendment. In fact, during the regime of the UPA-I Government, at the time of Indo-US agreement, the question was made to whether the then Prime Minister had the majority or not in the Parliament, and, even one vote was sufficient for proving the majority. I was not a Member of Parliament at that time, and, I wrote that an agreement like Indo-US Nuclear Agreement, which has got far-reaching consequences, and, on which there is a serious difference of opinion, requires substantial majority for approval; and, only one vote was required

for the survival of the Government. Unfortunately, that was the position. That is why, the Left Parties withdrew support to the Government, but, ultimately, the Government, however, survived by a narrow majority. That is a separate issue. The survival of the Government itself was considered as an approval of the Agreement. That should not be the position. An agreement of this type, which has far-reaching consequences, must get substantial approval, which means, same number of votes which are required for a Constitutional amendment, should be there. That has to be prescribed by law made under article 253 of the Constitution.

That is why, the National Commission to Review the Working of the Constitution specifically recommended that the Parliament should make a law under article 253 of the Constitution. Unfortunately, it has not yet been done so far, and, that is why, it is the recommendation. The recommendation is, "The first thing that should be done by Parliament is to make a law on the subject of 'entering into treaties and agreements with foreign countries and implementing of treaties, agreements and conventions with foreign countries' as contemplated by Entry 14 of List 1 of the Seventh Schedule to the constitution."

(Contd. by YSR-2x)

-GSP/YSR-NB/4.10/2X

SHRI M. RAMA JOIS (CONTD.): "The law should regulate the treaty-making power (which expression shall, for the purpose of this discussion, include the power to enter into agreements and implement treaties, agreements and conventions). There is an urgent and real need to democratise the process of treaty-making. Under our constitutional system, it is not the prerogative of the Executive. It is a matter within the competence of Parliament."

It has been laid down very clearly here. Therefore, I congratulate Brindaji for bringing such an important resolution for the consideration of the House.

As far as important agreements with other countries are concerned, I would like to quote *Rajdharm* of our ancient times. Just see what they have said. "Acquisition of friends is superior to the acquisition of gold or land. Therefore, the state (king) should endeavour to enter into compact (with friendly countries)."

"हिरण्यभूमिलाभेभ्यो मित्रलब्धिर्वरा यतः ।

अतो यतेत तत्प्राप्त्यै रक्षेत्सत्यं समाहितः ॥"

This is from the foreign policy chapter of my book. Entering into agreement with other countries is absolutely necessary, because they say friends are more important than gold. But, at the same time, on entering into agreement, we should keep it in mind that it should not have deleterious effect on our sovereignty or even territorial integrity.

There is a case where there is an agreement between Pakistan and India for referring certain border disputes to the arbitration. The question was: what is border line; and which portion belongs to India; and which

portion belong to Pakistan? That was decided by the arbitration. The question arose whether that agreement was valid or not. Then the Supreme Court said that in a case of ceding a portion of our territory, conceding that some portion of our land belongs to others, Parliament has no power at all. And it may require a constitutional amendment. But that was not a case of ceding territory. It was a case where a disputed question was decided and both the parties agreed to that. And, therefore, they said that the award given by the tribunal was valid.

Ultimately, my submission is that the resolution, which has been brought by Brindaji, is perfectly all right. Maybe some change in wording is necessary. But as I said, as far as an agreement is concerned, it should be the duty of the legislature to classify what are the agreements for which a prior approval is necessary and which are the agreements which can be ratified subsequently. Thank you. (Ends)

SHRIMATI PRENEET KAUR (MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS): Sir, the system of parliamentary Government in India combines the Executive and the Legislature unlike in the USA where the legislature is separated from the Executive. The Members of the Cabinet who are at the head of the Executive are also Members of Parliament and as some hon. Members have said that they represent the people it is absolutely correct these Members of Cabinet who are the heads of the Executive are also accountable to Parliament.

Under the Constitution of India, the Government is empowered to sign and ratify international treaties and Parliament enacts legislation, wherever required, to implement a treaty or an agreement.



Under the Constitution of India, the Executive power of the Union extends to all matters in respect of which Parliament has power to make laws. This Executive power of the Union includes the power to enter into treaties and agreement with other countries.

The intention is not to say that Parliament should be kept in the dark or that the authority of Parliament in this behalf should be denied. In fact, certain agreements cannot be ratified without amending domestic legislation or enacting new legislation. In such cases, implementation of an agreement/treaty depends upon Parliament enacting legislation as provided in the Constitution in accordance with Article 253.

(Contd. By VKK/2Y)

-YSR/VKK/2y/4.15

SHRIMATI PRENEET KAUR (CONTD.): Sir, after studying the working of the practice of other countries, the Constituent Assembly decided that Parliament should have unfettered power to make any law for any State or part thereof for implementing any treaty, agreement or convention with any foreign country or countries. Sir, this was the broad consensus of the Constituent Assembly. It said that it was the Executive which has the competence to negotiate and sign the treaties with foreign countries. Sir, this has been a time tested practice and it has stood the test of time.

Sir, India has been following the practice under which all treaties, agreements, etc. with foreign countries are concluded by the Union Government with the approval of the Cabinet. These are brought into force under authority of the President of India by obtaining, wherever necessary, full powers for signature of the agreements and instruments of ratification for bringing them into force. As a matter of fact, the views of all the

concerned Ministries are taken into consideration and different interests are identified and reconciled before the Cabinet is requested to approve a treaty before signing or ratifying the same. Sir, these Ministries consult their stakeholders. For example, the Commerce Ministry has interaction with their concerned stakeholders such as the CII, FICCI or whatever it is. In respect of some treaties, Parliament has passed resolutions approving such treaties. The Tashkent Declaration of 1966, Treaty of Peace, Friendship and Cooperation between India and USSR of 1971 and the Shimla Agreement of 1972 are some examples. Statements on behalf of the Government of India including statements by the Prime Minister have been made on important treaties and agreements concluded by India with foreign countries. For example, *suo motu* statement on February 27, 2006 by Prime Minister, Dr. Manmohan Singh, in Parliament on the Civil Nuclear Energy Cooperation with the United States. The Parliament had also discussed and debated this agreement pursuant to the statement by the Prime Minister on 17<sup>th</sup> August 2006 in Parliament, in this very august House, the Rajya Sabha. The hon. Prime Minister on 13.8.2007 made a statement in the Lok Sabha on Civil Nuclear Energy Cooperation with the United States. There was a discussion and debate on this in both the Houses. The Minister for External Affairs on 20.10.2008 made a *suo motu* statement on India's Civil Nuclear Energy Initiative in Parliament and referred to Agreements for Cooperation in Civil Nuclear Energy signed with France and the United States and also referred to the proposed agreement with the Russian Federation, which has since then been signed. The Minister for External Affairs provided answers to several questions in both

Houses of Parliament on various aspects of the Indo-US Agreement on Civil Nuclear Cooperation.

It is, therefore, submitted that both Houses of Parliament have necessary oversight over the treaty-making power of the Union Government, through its power to discuss, to question and through its legislative powers.

Accordingly, the Government considers that the present Resolution for Parliamentary approval of all treaties before their signing and ratification is not required. However, the views expressed by all the hon. Members have been duly noted and will be taken into consideration. So, I would request the hon. Member to withdraw the Resolution. Thank you.

(Ends)

SHRIMATI BRINDA KARAT (WEST BENGAL): Sir, I thank the hon. Minister for her detailed reply and I would like to express my gratitude to all the Members who have participated in the debate. Sir, what has emerged through this debate is a consensus that even though the present practice has been on since India became independent and since the first Parliament was constituted, times have changed.

(Contd. By RSS/2z)

RSS/2Z/4.20

SHRIMATI BRINDA KARAT (CONTD.): Times have changed, and the Members across political lines expressed the opinion that the Government really should consider this practice and take Parliament into consideration. Sir, there are just three or four important points made by the hon. Members which I would like to respond to. The first is, the question was raised, "Is this practical at all?" I would just like to remind the Members who were present in the House that when I introduced my Resolution, I had stated that in the course of the last 50 years, there are huge number of agreements all over the world, something like 50,000 or 60,000 agreements which have been reached. Now, certainly, it can be nobody's case that all these agreements, whether at the international level or those in which India is involved, have to come to Parliament for ratification, and that is why, in my Resolution, I have been very, very specific and the specificity of the Resolution is precisely this that when such agreements or international treaties impinge directly on two aspects of our public life, firstly, it impacts on the people and their livelihood, and secondly, it impacts by encroaching on the rights of the State Governments and the spheres of the State Governments jurisdiction given to them by the Constitution of India in the State List which has been referred to by the hon. Member, Justice Jois, and therefore, it is on this issue that it is certainly practical. The Committee which the hon. Member has referred to, has made practical suggestions. There was another Committee which was formed by certain experts and intellectuals on this issue in which they suggested that the Government could form a Committee across parties which has to decide which are the agreements which are coming up and which need ratification

by Parliament. So, it is certainly not my case, and I am sure, it is not the case of the other Members of Parliament that every single agreement or treaty has to be brought to Parliament. Therefore, it is specific, because, we cannot in the given world situation, in the changed world situation, where all these treaties which impinge on the lives of the people, how can it be that according to our laws, the Parliament is the supreme, and where international treaties which may have even larger impact on the people of India, there, the Parliament has no say? So, this dichotomy in the present set up certainly has to be addressed by the Government of India, and therefore, I would once again appeal to the Government, through this Resolution, to rethink this point.

Then the other point that I would like to make is that, after all, who are the stakeholders? The hon. Minister while referring to the agreements signed by the Commerce Ministry, has referred to the CII and the FICCI, as being the stakeholders in treaties which are signed by the Ministry of Commerce. That is precisely my point. Are they the real stakeholders who you have to consult? What about the fishermen association, fisherwomen association who are going to be affected, perhaps, even more than FICCI because they will be impacted in a negative way? What about the plantation workers who have been referred to by some hon. Members? Therefore, precisely because the stakeholders in India may have diverse interests, after all, we are talking about a differentiated impact of a treaty on different sections of Indian people. Certainly, the poor will be impacted in a particular way who may not like the treaty. The rich may be impacted in a particular way and get certain benefits from the treaty, and therefore, may like the treaty. And therefore, precisely because the definition of

stakeholder is so wide with diverse interest, it is absolutely essential for the Government to refer back to Parliament because in that context, the words of my hon. Member who has said, 'the supremacy of Parliament, the sovereignty of Parliament,' is what I wanted to stress in this Resolution precisely because the stakeholders are the people of India, not this or that lobby or important group.

The third point I would like to make in this and that is when we look at the other aspect of international treaties in the global context and we look at the way the countries are jostling with each other, making temporary alliances for this or that particular interest...

(contd. by

3a)

MKS-SC/4.25/3A

SHRIMATI BRINDA KARAT (CONTD.): ...which may not be there for another treaty. Therefore, the importance of 'national interest' be supreme. I am not raising, here, the question of this or that Government; not at all. My friend, Mr. Kannan, has said, "You must have faith in the UPA Government, and also the faith that the UPA Government is looking after the national interest." That is not the issue at all. Whether it is the UPA Government, whether it is the NDA Government or whether it is any other United Front Government, is not the issue. I want to stress that this Resolution is not connected or concerned with this or that Government or political party in power. That is not my concern. My point is: why does the UPA Government or the Government in power which has rejected this Resolution, through the hon. Minister, not trust the Parliament? After all, if we feel that the Government is responsible enough to look after the

national interest -- we have no doubt about that -- why can't the Government have an equal respect or an equal belief in the sagacity of Members of Parliament and their commitment to 'national interest'? Why should there be an assumption that there is always going to be a divergence of views because of narrow political interests or narrow sectarian interests? This is not going to happen. But I want to stress that the life or the tenure of the Government is limited to five years. The tenure of treaties is not. And, therefore, if you want a bipartisan support and a support across party lines, whether we are in power or not, -- a friend has talked about the prestige of the country in national interest -- it is precisely because of that a stamp of parliamentary approval is essential. And I take Mr. Sharad Joshi's point here in a right spirit because it is absolutely correct that on many issues where State Assemblies are directly concerned, undoubtedly, there must be a mechanism through which we can consult the States which are going to be directly impacted, before going through any treaty. That is a very important suggestion made by Joshiji, which, I think, the Government should also take into consideration.

Lastly, Sir, we live in a globalised world, but, of course, the interpretations of 'globalization' differ. I have stated, in my introduction for Resolution, that we are not opposed to globalization *per se*. But, certainly, it is a fact that today, the international arena is dominated by imperialist countries. Agendas are driven by those countries. In our tradition and in our practice of foreign policy, where we, no longer, have the support of a strong socialist camp which is, traditionally, being India's friend, today, the importance of our relations with the G-77, the importance of our relations

with the NAM must be paramount, and it will help us in our bargaining with the more powerful countries which, today, utilize every international forum to push their agenda as, we saw, they did in Copenhagen. And even after Copenhagen, Sir, there were attempts to force India to become a signatory to that Agreement which would have been the death knell of the Kyoto protocol. In that context, the ratification of Parliament will also strengthen the Government's hand in its bargaining with these important, strong powers. And it is with this spirit, to strengthen the Government of India of-the-day, to give the Government of-the-day that power behind it to defend the national interest, which is the prime motive, I am sure, of that Government and Parliament, together, I say that that can only be done through a change in the current practice. I have said that if a constitutional amendment is required, -- I know that there is a very strong opinion, which Justice Jois has also expressed, and which I agree with, that a law is required -- and if, through a legislation, this is to be done, I am sure that the Government can, without going in for a constitutional amendment, bring that legislation to Parliament to help us.

(Contd. by TMV/3B)

-MKS-TMV-MCM/3B/4.30

SHRIMATI BRINDA KARAT (CONTD.): After all, we talk about good international practices. We talk about good international practices. Well, this is a good international practice. There are now many countries which wish to express themselves through the approval of their respective parliaments. That is the democratic way. It is not that anybody is questioning the competence of the Executive. But look at the experience of other countries and look at our own experience. It points to only one



conclusion, please consider this Resolution. This is a Resolution which is not pointing fingers at any political party. This is a Resolution which will bind the country together behind an international treaty or an agreement which the Government may wish to sign through parliamentary approval. Therefore, while thanking, once again, the hon. Members for their participation in this debate, I would appeal to the Minister to consider the spirit because, cutting across party lines, this is the reflection of the concerns of the country today in the treaties which we are signing, which would have a much bigger democratic substance and weight if you come to the Parliament for ratification. Thank you very much, Sir.

With these words, I appeal to the Government to consider this and withdraw the Resolution.

(Ends)

MR. DEPUTY CHAIRMAN: Do you want to say something, Shrimati Preet Kaur?

SHRIMATI PRENEET KAUR: Sir, I just want to thank the hon. Member for her words and I just want to clarify one point that when I gave the example of the FICCI and the CII, it was just an example. It didn't mean that they were the only stakeholders that we take note of. I would also like to say, like Shrimati Brinda Karat, that we share the concerns of the people of India and the Government is made up of Members of Parliament, which represents the people, and is sensitive to the issues of the country. Thank you very much.

(Ends)

SHRI M. RAMA JOIS: Sir, with your permission, I want to say something. In all this there is an essential difference from our culture. We

say there is one world family. Now, the West is also saying that the world is one family. The difference is is this. Our view is that the world is *Vasudaiva Kutumbakam*, whereas their view is that the world is one market.

MR. DEPUTY CHAIRMAN: Has she the leave of the House to withdraw the Resolution?

SOME HON. MEMBERS: Yes.

*The Resolution was, by leave, withdrawn.*

(Ends)

RESEOLUTION RE: CONSTITUTION OF AN ENVIRONMENT  
ADAPTATION AND MITIGATION FUND

SHRI N. K. SINGH (BIHAR): Sir, I am privileged to move this Resolution that seeks the consent of this august House for constituting an Environment Adaptation and Mitigation Fund and I move:

That this House resolves to constitute an Environment Adaptation and

Mitigation Fund by innovative fiscal policies to finance the cost of technology, promote research and development of renewable energy and lower the burden to meet the inevitable costs of adaptation arising from Global Warming and Climate Change.

Sir, in submitting this Resolution for the consideration of this House, I have been primarily prompted by several considerations. The most dominant being that there is an inadequacy of understanding of what mitigation and adaptation, in terms of the burden that they cast on our society, is going to really entail, and the existing physical mechanism which we have is clearly grossly inadequate to meet this huge burden.

VK/3C/4.35

SHRI N.K. SINGH (CONTD): Therefore, I think, it is the need for innovative and innovative approach which is based on the benchmarking with best international practice and India must brace itself to deal with these debilitating consequences of global warming and climate change.

Climate change, as we know, currently poses the most significant challenge afflicting millions around the world. Combating climate change demands that we place ecological imperatives at the heart of our economic strategy. In this context, financing of mitigation and adaptation is vital to address this challenge. It becomes even more in a country like India where millions of people are still living in dire poverty. And as the current paradigm of economic growth goes, usually high rates of economic development also consume large quantum of energy. Therefore, the quest of our development strategy to seek a low carbon emission trajectory of growth is a challenge which remains grossly under addressed. This is the challenge on which there is a gross inadequacy of understanding. The international opinion would like us to believe that there is a trajectory of growth which can combine high rates of sustained economic development with low carbon emission. We do not know whether such a trajectory exists and yet, there is a growing opinion which would persuade us to delude ourselves into believing that we must compromise the carbon emission and, therefore, begin to, in some way, effect rates of growth to make a deeper dent on poverty which is necessary given our developmental compulsions. The Minister of Environment, who was just here, has already informed us, has informed the other House that India

has just few days ago consented to be listed in the Chapeau of the Copenhagen Accord. That Copenhagen Accord has, unfortunately, not yet been even fully debated and its implications for us to be listed in that Chapeau are not fully understood. He has also conveyed on 30<sup>th</sup> January, quite recently, that we will endeavour to reduce the emission intensity of GDP from 20 to 25 per cent by 2020 in relation to 2005. Therefore, Sir, seeking the creation of a non-lapsable corpus to create an environment mitigation and adaptation fund because conventional means of financing are inadequate and will remain inadequate. In coming to this conclusion, I have been prompted by six overarching Chapeau considerations. First, why and what kind of burden does mitigation and adaptation entail? Second, what does this adaptation imply in terms of changing life quality and attitude to work and development of economics in the conventional paradigm way? What does all this imply? Third, the need for innovative means of financing to grapple with this challenge. Fourth, best global practices for adaptation financing. Fifth, creating innovative mechanisms for outlays from the corpus of these funds and sixth, the nature of governance structure which is needed to deal with these complex set of issues.

But, first, the complex issue and the context in which the burden of mitigation and adaptation has been cast on us. We are already committed, as I said, to the fact that we need to moderate the extent to which global environment warming is taking place. The observed global warming of 1.2C is just half of the 2.4C committed warming, confidence interval 1.4-4.3C, that we are likely to see given the levels of green house gases.

RG/4.40/3D

SHRI N.K. SINGH (contd.): 0.6 per cent is a delayed response due to thermal inertia; 0.6 per cent is delayed due to masking by sulfate aerosols, or air pollution. As China and India move forward on reducing air pollution, in the name of public health and quality of life, we can expect to see more of such pent-up warming. Europe is already seeing this after successful air pollution reduction. Suddenly, Europe has seen a spurt in global warming. The science also suggests a long lag in the effects of these overall rise in general temperature on things that we care for, like, local temperature variability, rainfall and seasons.

Climate change, Sir, in fact, can be much worse than conventional expectations. Most of the uncertainty about the impact of greenhouse gases on climate change is due to uncertainty about the climate sensitivity parameter, or, the effects of a doubling of atmospheric concentrations of greenhouse gases on the mean temperature. Much work on this parameter suggests that climate sensitivity could be greater than even the IPCC's estimate of 3C increase for a doubling of CO<sub>2</sub>.

The distribution of this uncertainty about climate sensitivity includes, what scientists call "a fat tail". A 'fat tail' means that there is a significant possibility of the outcomes to be far worse than expected. This is due to a number of feedback loops that could be triggered and accelerate global warming. The IPCC estimate of 3 degrees centigrade includes only "fast feedback" processes, including changes in water vapor and so on. But the climate sensitivity is likely to be much higher, possibly double, if the impact of longer-term changes such as melting of ice sheets, decline of forest

cover, release of other Green House Gases due to ocean warming, melting of permafrost, etc. are taken into account. Some well-known scientists even argue that CO<sub>2</sub> would, actually, need to be reduced from current 385 ppm to 350 ppm to maintain current environmental conditions.

The current controversy over the IPCC's Report about the Himalayan glaciers -- we have gone through all those controversies -- and the emails from the cache in the United Kingdom, that was hacked, do not change the basic preponderant fact that the vast majority of scientists agree that we are changing the environment significantly and irrevocably with our current emissions.

Climate change, therefore, for certain, happens; it happens faster, and we believe, could happen irrevocably because there are a number of 'tipping points' or points at which small underlying changes in drivers could lead to a rapid acceleration of the environmental change. Given the potentially long lags between emissions and impact and the long lifetime of CO<sub>2</sub> in the atmosphere (centuries to millennia), it is not clear that we can at all step back from these tipping points when they become apparent. Mistakes cannot be corrected; changes linked to peak CO<sub>2</sub> concentrations are irreversible. The tipping point, which trigger a reverse shift, is likely to be harder than triggering a rapid shift between states. Science linking emissions to temperature changes and temperature changes to environmental changes is generally more difficult to reverse and could be much worse than expected. The impact on India is, therefore, very serious and very debilitating. What are these impacts? Without going into details, I would like to broadly concentrate on four kinds of impact as far as India is concerned. Each of them, has embedded in them, deeper impacts.

3e/4.45/ks

SHRI N.K. SINGH (Contd.): The first and foremost is the impact on water supply, on reduction of water supply, on the massive reallocation due to changes in monsoon patterns. Changing monsoon patterns, you know, will affect in a dramatic way, Sir, the location or habitat, our entire civilization pattern with which our entire ethos have grown. The famous civilization health which has been based entirely on predictability of rainfall and the predictability in which the cycle of rainfall comes, Sir, could be the fundamental question. The first and the most important thing which I mentioned, Sir, was water and the volatility in monsoon patterns.

Sir, connected with this is the shifting pattern of agriculture. In global warming, as Prof. Swaminathan, an eminent colleague of ours in this House, has pointed out in a very recent paper, even a small incremental change of 0.4 per cent has led to a 30 per cent decline in productivity of seeds which are dependent on certain kinds of patterns in the change of the temperature conditions. So, the weather and seasonality effects are deeply affecting agriculture and, therefore, not only food security but the way in which we have organized our lives and conducted human activity in this sub-continent from time which has been going back into recent memory.

Third, Sir, the rising sea levels which affect coastal areas and even newly built infrastructure, are as well becoming drivers of refugees in India. This House would recall, Sir, a rather animated debate only three days ago on some questionable figures that were given about internal migration. Those questionable figures were just putting the internal migration to be in

the region of about 18 to 20 million but think, Sir, of the migration that would take place when, due to the inevitable factors, people will have to look for places where they can pursue life pattern and gainful economic activity, driven by circumstances on which they have little or no control.

Sir, as my colleague, Shrimati Brinda Karat, knows as she is quite familiar with many of things since this Resolution was discussed much earlier, the United Nations Organization of human refugees and displaced persons' settlement has understood only one kind of human refugees, only one kind of displaced persons and, that is, those that have been driven by failure of governance or driven by contrasts in levels of economic growth. But think of a new category of international refugees, a category driven by the factors of global warming and climate change. The ethos of most international agreements and arrangements, contractual and otherwise, is based on this fact that people will move in search of better governance and better livelihood. But this is a new class of migration which will affect us in India, a country of over 1.1 billion people, dramatically. At the moment, these people are being driven only by quest for employment and better life but people would be driven by quest to seek survival from the onslaught of these factors with effects we are still unable to fully fathom. Fourth, we have not fully factored the increased severity of storms and the consequential changes as a result of that.

This, Sir, brings me to the second over-arching issue. That second issue is, what does mitigation entail and similarly, what does adaptation imply? First, mitigation is often positioned as a burden. But it is an opportunity in more ways than one. India has to pioneer a new form of growth, as I mentioned earlier, a low-Carbon-growth. It is probably the only



country in the world, with a population of this size, which has such an enormous opportunity, growing very fast and yet, with relatively low Carbon intensity. The world says our Carbon intensity is only in the region of 1.4 tonnes per capita, one of the lowest in the world and yet, we are growing, fortunately, at about eight to nine per cent and hope to grow at double digits, if the Prime Minister's wish is to be fully carried out in terms of our growth matrix.

(Contd. at 3f/tdb)

TDB/3F/4.50

SHRI N.K. SINGH (CONTD.): We have so far made limited investment in infrastructure that locks in high-emission habits. So, therefore, India's much criticized infrastructure gaps and its slow pace of development may actually be an advantage. It is an advantage because it has not yet invested in energy or transport infrastructure that predominantly rests on fossil fuels or encourages sprawl. China is way ahead of us. We salute China for the huge development it has taken. But, China has locked in its model of growth. That model of growth is a classical replication of the growth paradigm, which you have all known, namely, very high energy intensive and high fossil growth. And, this may be, therefore, beginning to put policy prescriptions on them, which we can hope to avoid. So, this is one great opportunity we have. So, India can do this at home, namely, sustain high rate of economic growth in low carbon trajectory, have an option in exercising growth choices while it begins to still make its major investments in infrastructure, and yet do it with low emission control when it can seize a vast and growing global market for technology, for infrastructure, for institutions and for practices for a more sustainable growth. If the science is

correct, and it looks like it is, the world is going to go in two ways. One, business as usual and a crash, and this will inevitably affect India's prospects. Or the other, a mad scramble to a new energy economy, in which the technology leaders will be well-positioned to profit in the way that the Middle East has in the fossil fuel economy. China has clearly bet on this opportunity with its technology and development programmes. So, mitigation, Sir, from our point of view, also looks to be a smart development bet. A smart card on development which embraces this concept of mitigation in choosing our own unique path before we lock in the huge investments which are needed to upgrade our life quality and certainly upgrade our infrastructure.

Adaptation, Sir, is really a more extreme version of dealing with weather risk and its consequences, which is a long-standing development challenge. So, this fund is in the family of an innovative policy response. I repeat, Sir, what I have suggested, as a fund, is an innovative policy response that we are seeking across the board.

The third issue, Sir, is the need for innovative means of financing to handle this challenge. Unfortunately, Sir, the current dialogue on the reform of the international financial architecture has done less than justice to India. We have suggested an innovative international fund. That is a miniscule. Our discussions in G-20, our deliberations in the G-8 and our deliberations in the international fora have not addressed head on the need to reform international financial architecture to look to a means of innovative financing which can help us address this big challenge of mitigation financing, and this big challenge of adaptation financing.

Sir, estimates have varied on how much would be needed to deal with this. I don't wish to go into that in great detail. I am carrying one set of estimates, Sir, done by Nicholas Stern in a book titled 'A Blueprint for a Safer Planet'. This is the famous 'Stern' person who is quite keen to chart out his own statistics. I was last night going through, in preparation for this privilege of being able to speak here today, with Jeffrey Sachs' estimates on the Economics for the Commonwealth, and I was going through the other two big reports. One big report is by a group of Harvard Economists. Estimates, Sir, have varied.

(Contd. by 3g-kgg)

Kgg/3g/4.55

SHRI N.K. SINGH (contd.): If you want to pretend that the problem is a miniscule one, then you will come across very absurd sums of money like 10 billion dollars a year, 20 billion dollars a year, chicken feed in terms of a development aid, cost in the way a great burden on you, but looking into accepted forms and accepted paradigms of financing, we do not address some of the central issues.

Therefore, Sir, the third issue is the need for innovative means of financing to head on deal with this challenge. We need this because we need an institutional approach for a new economy. This is not going to happen by itself. We need to face this challenge on several ways. The first is multi-sectoral. As I mentioned, it is not one particular sector, it is not merely agriculture, it is not merely infrastructure, it is not merely some of the other kinds of power activities, it is multi-sectoral, cutting-across sectors. The second point is, let us not delude ourselves that private action, in private sector will be in a position to be able to take on a substantial part of this responsibility. Let us not delude ourselves saying that without the State being the major actor---this misconception and excessive exaggeration---the Public-Private-Partnership would be adequate to address these big challenges. If we do delude ourselves, we result in dangerous externalities which do not exist.

My first point was on multi-sectoral; the second was that the private sector was inadequate; the third is that it is invisible until it is too late. That is what it is all about given the fact that climate change operates with a lack. The fourth is, evolving or at least our knowledge of the exact challenge and appropriate responses of evolving as a country and the

world in general. This, therefore, must include the following components. The first, Sir, is on the revenue side. On the revenue side should be the mechanisms to nudge people away from fossil fuel, especially more highly polluting fossil fuels. Second is on the expenditure side and investment side; a combination of monetary fiscal and other policy action to evolve mechanisms to promote innovations to attract them into more sustainable ways of economic activity. The third is the innovative governance, the innovative governance which supports decentralized innovation, not trying to recreate the modes of economic growth which we have known. That is an efficient way to harness the best and the brightest and the ideas which are specific to ground realities without realizing on fixed paradigms. This includes, of course, monitoring systems to direct attention to outcomes not just processes. This avoids getting stuck in a situation which rewards ineffective methods. Financial restructuring leverages streams of revenues that can initiate early action. Therefore, there is need for financial restructuring to accelerate availability of funds. This proposal divides the challenge into policy problems that we have seen before and for which, therefore, we have little experience. The three key policy problems are financial structuring to accelerate availability of funds at minimal borrowing costs. The second is, altering habits and incentives of many contributors to a common problem in a free market democratic economy. The third is, accelerating innovations. The funds, also, Sir, so generated, need to be ring-fenced for enabling borrowing against these revenue streams.

(Contd. By kls/3h)

KLS/3H-5.00

SHRI N.K. SINGH (CONTD): One example, which has been quite successful for India has been the Central Road Fund as a successful institutional innovation to leverage money because what you are investing

..

MR. DEPUTY CHAIRMAN: Mr. N.K. Singh, time is already 5 o' clock. You can continue next time.

SHRI RAJIV PARATAP RUDY: Sir, I have just to make a small submission. What do you mean by the 'sense of the House'? I have a Resolution on Telangana and Gorkhaland and if there is a general sense of the House as far as Telangana is concerned, then we must get an opportunity because we go into the whole process. I will make a plea here because there are many important issues and many of colleagues are wanting to...(Interruptions)..

MR. DEPUTY CHAIRMAN: The rules are very clear.

SHRI RAJIV PRATAP RUDY: There is something called the 'sense of the House' ...(Interruptions).. When the sense of the House is taken for postponing one motion for the next day, why can't this same rule apply to me? We have made all efforts to draft that Resolution and came up to here. ...(Interruptions).. Sir, there are many Members, what is the sense of the House? ...(Interruptions).. Sir, the sense of the House must be taken. ...(Interruptions)..

MR. DEPUTY CHAIRMAN: There is no practice of taking the sense of the House. Now, Special Mentions. ...(Interruptions)..

SHRI RAJIV PRATAP RUDY: Where is the quorum for taking up this issue? ...(Interruptions)..

MR. DEPUTY CHAIRMAN: I think it is better you write to the Chairman.

...(Interruptions)..

SHRI RAJIV PRATAP RUDY: Sir, if I write to the Chairman, you will get it considered. ..

MR. DEPUTY CHAIRMAN: It is for the Chairman to consider. You give that letter first. ...(Interruptions).. Special Mentions.

SPECIAL MENTIONS \*\*

NB/9A

DEMAND TO TAKE STEPS FOR REMOVING CORRUPTION AND  
IRREGULARITIES IN THE WESTERN COAL FIELDS LTD. OF THE  
COAL INDIA

सुश्री अनुसुइया उइके (मध्य प्रदेश) : उपसभापति जी, मैं इस विशेष उल्लेख के माध्यम से केन्द्र सरकार का ध्यान कोल इंडिया की कंपनी वेस्टर्न कोल फील्ड्स लिमिटेड में हो रही अनियमितताओं की ओर आकर्षित करना चाहती हूँ। इस सार्वजनिक क्षेत्र की कोयला कंपनी के प्रबंधन की मनमानी से श्रमिकों में रोष है, क्योंकि उनके अधिकारों का हनन किया जा रहा है।

कंपनी के प्रबंधन की गैर जिम्मेदारीपूर्ण कार्यवाही तथा मिलीभगत से पेंच, कन्हान तथा पाथरखेड़ा क्षेत्र में करोड़ों रुपए के कोयले को गलत तरीके से भंडारण करने की वजह से उसमें आग लगी व जला बताया जा रहा है। इसका अनुमान इसी बात से लगाया जा सकता है कि बरसात के मौसम में जुलाई, 2009

-----

--

\*\* Laid on the Table of the House

में भंडारण किए गए कोयले में आग लगने से 25 से 30 हजार टन कोयला जल चुका है, ऐसा बताया जा रहा है, जब कि पत्थर, मिट्टी आदि का ढेर लगाकर उस पर 800 टन कोयला डालकर जला दिया गया तथा लगभग 25 से 30 हजार टन कोयला जला दिया गया है। इस प्रकरण की जांच की जाए तथा दोषी अधिकारियों को दंडित किया जाए।

इसी प्रकार से इस कंपनी में हजारों कर्मचारियों के विभिन्न प्रकार के प्रकरण, जिसमें सेवा निवृत्ति उपरांत स्वत्वों का भुगतान, मृत हुए कर्मचारियों को सेवा में लेने के प्रकरण, लंबे समय से लंबित हैं। कन्हान एरिया में पदस्थ एक स्वर्गीय कर्मचारी, जो कि आदिवासी वर्ग से है, उसके आश्रित दामाद को सभी औपचारिकताएं पूर्ण करने तथा पात्रता होने के उपरांत भी 10 वर्ष से सेवा में नहीं लिया गया है, जिसकी वजह से उसके परिवार के समक्ष भूखों मरने की नौबत आ गई है।

अतएव मैं केन्द्र सरकार का ध्यान इस ओर दिलाकर अनुरोध करना चाहती हूं कि इस ओर ध्यान देकर समय पूर्व उचित कार्यवाही करने का कष्ट करें।

(समाप्त)

KLS/9B

NEED FOR ERADICATION OF MALNUTRITION IN  
TRIBAL AREAS IN ORISSA

MS. SUSHILA TIRIYA (ORISSA): Sir, according to the National Food Security Act, every citizen will have right to have food for his livelihood. In spite of a lot of schemes launched in rural areas, like NREGA under Bharat Nirman Yojana, modernization of irrigation process, agricultural equipments, water conservation scheme, agricultural production is declining in rural areas. The National Family Health Survey says that malnutrition in rural area, within BPL and middleclass farmers, causes severe loss in productivity in agricultural fields. According to the survey 43 per cent of



the children are underweight, 15 per cent are too thin for their height, and 38 per cent are short. Infant mortality is also more than 40 per cent. The lack of local employment leads to widespread migration, which again return next year with ailing women and children cycled of malnutrition.

In tribal areas, the percentage of malnutrition of the mother is higher than the other areas. Malnutrition also leads to premature births. According to 2008 - Global Hunger Index, India ranks 66<sup>th</sup> below Bangladesh, in terms of child mortality and child underweight.

In general, the percentage of mortality in both males and females is increasing day by day. The census says population of the tribal areas is also reducing. It is because of poverty and non access to health facilities.

If in this way malnutrition and death ratio increases, it will definitely affect the agriculture, simultaneously price rise also. The Government should launch special programmes to eradicate malnutrition to check mortality rate in tribal areas in Orissa.

Thank you.

(Ends)

(Followed by SSS)

SSS/9C

DEMAND TO TAKE EFFECTIVE MEASURES FOR CONSERVING  
GROUND WATER RESOURCES IN THE COUNTRY

SHRI M. RAMA JOIS (KARNATAKA): Sir, the World Bank in its latest Report has stated that about 60 per cent of aquifer in India will be in a critical condition in another 15 years unless the excessive use of ground water is not reduced.

According to the Report, 29 per cent of the ground water blocks in the country are semi-critical or over exploited and situation is deteriorating rapidly. It is estimated that by 2025, 60 per cent of ground water blocks will be in a critical condition and that climate change is likely to have further adverse effect on ground water resources.

The Report also points out that India is the largest user of ground water and it was estimated that India is using 230 cubic K.M. of ground water every year.

The Report warns that immediate remedial measures to conserve the ground water should be undertaken by the Government.

I am bringing this import issue to the notice of Water Resources Department of the Government through this Special Mention so that immediate remedial steps are taken to avert the calamity.

(Ends)

NBR/9D

WAGE REVISION IN PSU BANKS AND INSURANCE SECTOR

SHRI PRAKASH JAVADEKAR (MAHARASHTRA): Sir, I rise to raise the grievances of one million plus employees working in financial sectors like PSU banks, LIC and other public sector insurance companies. This sector has a five-year wage revision schedule. The last wage agreement got exhausted in August/November, 2007. But, Sir, the wage agreement for 2007-2012 has not been concluded even though half of the period is over. This is not done. This is not the way to deal with the employees.

The wage revision must happen immediately after the completion of earlier wage revision period. This can be done if Government cares for its employees. Why cannot we start negotiations well before the expiry of

wage revision timeline? My first demand is that the Government must ensure conclusion of present wage negotiations before 31<sup>st</sup> March, 2010, to the satisfaction of the employees. I also demand that next wage negotiations should start in March, 2012, so that the next wage revision will happen in time.

Sir, financial sector is doing yeoman service for the country. I demand that this sector should also get Navaratna status, so as to make it more autonomous, efficient and professional.

The wealth of this sector is neither buildings and furniture nor advertisement and schemes, but its talented and dedicated employees. World recognizes the importance of human assets and adopts better and better HR practices. Sir, as you are aware talented people in PSU sector are lured by private sector with more attractive packages. But, majority of talented people have reminded with PSUs because of their commitment, loyalty and dedication and that is the reason why this lot needs justice with timely wage revision. Delayed wage revision is denying justice.

(Ends)

(FOLLOWED BY USY 9E")

USY/9E

DEMAND FOR CREATING A SEPARATE ARMY REGIMENT TO RESOLVE THE PROBLEM OF INVOLVEMENT OF TRIBAL YOUTH IN VIOLENT MAOISTS ACTIVITIES IN THE COUNTRY

SHRI MANGALA KISAN (ORISSA): Sir, a lot of tribal youths are rejected in recruitment examinations for Indian Army, police forces, and other such types of recruitments for petty physical reasons, such, as height. These innocent tribal youths are often trapped by Maoists and forced to indulge in violence, which is posing great difficulties to the concerned States. So, I would like to request that a separate Tribal Army Regiment should be formed, with its headquarters either at Sambalpur or Rourkela or Ranchi or Raipur. This would not only help in eradicating the problem of growing number of youths being involved in violent activities, but would also solve the problem of unemployment in tribal youths, to a greater extent. Further, it will also help to fill up the long-standing backlog vacancies in the Army, police and paramilitary forces.

(Ends)

PK/9F

DEMAND TO GIVE APPROVAL TO THE PROPOSALS SENT BY ANDHRA PRADESH UNDER CENTRAL ROAD FUND SCHEME

DR. T. SUBBARAMI REDDY (ANDHRA PRADESH): Regarding sanction of works under Central Road Fund, Inter-state connectivity scheme and economic importance, following proposals were forwarded to the Government of India by the Government of Andhra Pradesh:-

1. Thirty-five proposals costing Rs.632.60 crores were submitted to the Ministry of Road Transport and Highways under Inter-State connectivity for according approval vide Government TR & B Ir 6700/RII(2)/09-1 dated 23.7.2009.
2. 128 proposals costing Rs.1124.41 crores were submitted to the Ministry of Road Transport and Highways under Economic Importance for according approval vide Govt. T,R & B, Ir8320/RII(2)/09-1 dated 23.9.09.
3. 370 proposals costing Rs.951.00 crores were submitted to the Ministry of Road Transport and Highways under Central Road Fund scheme for according approval vide Govt. TR&B, Ir10850/RII(2)/09-1 dated 20.10.2009.

The State Government has been urging the Union Government to accord administrative approvals for the above works at an early date.

I, therefore, urge upon the Government to take urgent measures in this regard.

(Ends)

MR. DEPUTY CHAIRMAN: The House stands adjourned till 11.00 a.m. on Monday, the 15<sup>th</sup> March, 2010.

-----

The House then adjourned at four minutes past five of the clock till eleven of the clock on Monday, the 15<sup>th</sup> March, 2010.

