

Uncorrected/ Not for Publication-19.08.2010PB-MCM/1a/11.00**The House met at eleven of the clock,****MR. CHAIRMAN in the Chair.**

MR. CHAIRMAN: Question No. 361. ...(Interruptions)...**श्री रामविलास पासवान :** सर, सी0बी0आई0 का जो उनको क्लीन चिट आया है.....(व्यवधान)**SHRI SITARAM YECHURY:** Sir, with your permission, I want to raise the issue of conduct of(Interruptions)...**MR. CHAIRMAN:** This is after the Question Hour. ...(Interruptions)... All these issues could be taken up, not in the Question Hour. ...(Interruptions)...**श्री एस0एस0 अहलुवालिया :** सर, सदन में हमारा नोटिस है कि सी0बी0आई0 की फंक्शनिंग पर चर्चा हो। आप चर्चा कबूल करिए, हम चर्चा के लिए तैयार हैं।.....(व्यवधान)**MR. CHAIRMAN:** This is the Question Hour. ...(Interruptions)... The normal Zero Hour procedures will(Interruptions)...**श्री रामविलास पासवान :** हमने इसमें नियम-267 के तहत दिया है.....(व्यवधान)**श्री सभापति :** देखिए, क्वेश्चन ऑवर में यह डिस्कस नहीं होगा।**SHRI SITARAM YECHURY:** Sir, the hon. Prime Minister is here. How can he have in his Cabinet a Minister who is supporting the Maoists? ...(Interruptions)... He should answer it. How is it possible? ...(Interruptions)...**MR. CHAIRMAN:** Please, not now. ...(Interruptions)... Look, these are matters to be raised after the Question Hour. ...(Interruptions)... राजनीति जी, आप बैठ जाइए।

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श्री रामविलास पासवान : सर, यह तो.....(व्यवधान) हमने नियम -267 के तहत नोटिस दिया है.....(व्यवधान)

श्री सभापति : देखिए, आप बैठ जाइए, अभी क्वेश्चन ऑवर चलने दीजिए।..... (व्यवधान)

Question No. 361. The hon. Member is absent. Any supplementaries on this?

Yes, Mr. Raashid Alvi.

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श्री राशिद अल्वी : सर, सरकार ने जो जवाब दिया है और उसमें वर्ल्ड बैंक की जो पॉवर्टी लाइन है, according to the poverty line of the World Bank, it is 1.25 dollars per day, which comes to near about Rs. 60 per day. उसके मुताबिक बिलो पावर्टी लाइन लोगों की तादाद 41.6 परसेंट है। जो प्लानिंग कमीशन की पॉवर्टी लाइन है वह 356.30 मंथली है which comes to near about Rs. 12 per day. वर्ल्ड बैंक 60 रुपए कह रहा है, हम 12 रुपए कह रहे हैं, उनके मुताबिक 41 परसेंट बिलो पावर्टी लाइन है, हमारे मुताबिक 37.2 परसेंट बिलो पावर्टी लाइन है। What is the truth?

श्री सभापति : आपका सवाल क्या है?

श्री राशिद अल्वी : सर, मेरा क्वेश्चन यह है कि सरकार क्या मानती है कि कितने लोग बिलो पावर्टी लाइन हैं?

SHRI V. NARAYANASAMY: Hon. Chairman, Sir, for having some official estimation of the number of people living below the poverty line, first of all, a Task Force was constituted by the Planning Commission, and, thereafter, an Expert Group is looking into it. The first committee that went into this issue was the Lakdawala Committee.

The hon. Member raised the issue of the estimates made by the World Bank. Sir, the World Bank estimate is made on the basis of the income criteria. But as far as our country is concerned, we have been following the consumption-expenditure method. The consumption-expenditure method is based on the method of calorie-intake of the rural population and also the urban population. As per the estimates, the calorie intake of rural population is 2400 calories and in case of urban population, it is 2100 calories. Sir, initially, when the Lakdawala

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Committee gave its findings on the basis of the estimates that have been made on poverty, in the urban areas, it was 25.7 per cent and in the rural areas, it was 28.3 per cent. However, the hon. Member has mentioned that in the rural areas, it is 356.30, and, urban areas it is 538.60. Sir, there was a lot of dispute on that. When this estimation of 25.7 per cent people living below the poverty line was made, there was a lot of dispute on that. Therefore, the Planning Commission appointed the Tendulkar Committee. The Tendulkar Committee went into it and also the method adopted by the Lakdawala Committee was little modified.

(Contd. by 1b/SKC)

1b/11.05/skc-gs

SHRI V. NARAYANASAMY (contd.): The criteria for consumption in urban areas has been applied to rural areas as well and, therefore, there has been a little escalation. In the rural population it has gone up to 41.8 per cent while in the urban population it is 25.7 per cent. The total expenditure on per capita consumption in rural areas is Rs.446.68 and in urban areas it is Rs.578.80. The Planning Commission, in its mid-term appraisal, has accepted the proposal of the Tendulkar Committee and, the matter stands as it is. Several committees have been constituted, such as the Arjunsen Gupta Committee, the Saxena Committee, and others; there are the World Bank estimates and UNDP reports too. As for our official estimates, we go by the consumption expenditure method. It is very accurate. Not only is it accurate, it also projects exactly the standard of living of the people.

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श्री अविनाश राय खन्ना : सर, हर राज्य का अपना लिविंग स्टैंडर्ड है, हर राज्य अपने जीअग्रेफिकली हिसाब से गरीब-अमीर है। मैं माननीय मंत्री जी से जानना चाहता हूँ कि क्या सरकार ऐसा कोई कानून बना सकती है कि हर राज्य का जो बीपीएल स्टैंडर्ड है, उस हिसाब से उसको फैसिलिटी दी जाए ? कहीं कम मिल रही है, कहीं ज्यादा मिल रही है। पंजाब में ऐसे कई गांव हैं जहां पर एक भी आदमी बीपीएल के पैरामीटर में नहीं आता है, लेकिन वह इतना गरीब है कि उसके पास खाने को रोटी भी नहीं है। क्या राज्य सरकारों को इन्वाल्व करके ऐसी कोई योजना सरकार बना सकती है?

SHRI V. NARAYANASAMY: Sir, State-specific estimation of poverty line has been done in the urban and rural areas. I would like to submit that the estimation has been done on the basis of the 61st report of the NSSO of 2004-05. We shall have the next report of the NSSO in 2011. Currently, survey is being conducted. Therefore, it would be updated on the basis of various findings and the consumption expenditure, which has been increasing in our country.

Sir, I would like to submit that after 2004-05, when the UPA Government came to power, a lot of welfare schemes have been implemented, such as the Mahatma Gandhi National Rural Employment Guarantee Scheme, Bharat Nirman and other schemes like the Sarva Siksha Abhiyan and National Rural Health Mission, which target the rural population. The standard of living of the people has been increasing. An assessment is being made and we would know about it only in 2011.

श्री रामविलास पासवान : सर, जो अलग-अलग समितियां हैं, उन्होंने अलग-अलग रिपोर्ट दी हैं। जो बिलो पावर्टी लाइन है, उसकी व्याख्या कहीं नहीं है, उसकी डेफिनेशन कहीं नहीं है,

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यह रुपये के आधार पर, आंकड़े के आधार पर किया गया है। मेरा कहना है कि जो आमदनी का मापदंड है, वह तीसरा रहना चाहिए, यहां पर आमदनी का मापदंड सबसे पहला है। यह विदेश के लिए ठीक है, लेकिन अपने देश के लिए ठीक नहीं है। मैं सरकार से जानना चाहता हूँ कि क्या सरकार देश के देहाती इलाकों में जितने भूमिहीन हैं, लैंडलेस लेबरर्स हैं और जो शहर में रहने वाले केजुअल लेबरर्स हैं, उनको बिलो पावर्टी लाइन के अंतर्गत मानकर एक सिम्पल मापदंड तय करेगी ?

SHRI V. NARAYANASAMY: Sir, there are two kinds of surveys. One is done by the Rural development Ministry. The Rural Development Ministry goes into the question of adopting the methodology for identifying the BPL families.

SHRI RAM VILAS PASWAN: Who constitute the BPL families?

श्री वी. नारायणसामी : अभी बोल रहा हूँ।

श्री रामविलास पासवान : क्या मतलब है बीपीएल फैमिली का ?

SHRI V. NARAYANASAMY: Sir, as far as BPL families are concerned, we can only estimate the poverty line. The hon. Member has talked about landless labourers, identification of BPL families, etc. I would like to say that the estimation of BPL families is done on the basis of the Rural Development Ministry's guidelines that have been issued to various States. The Survey that was started in 2002 is still going on.

SHRI RAM VILAS PASWAN: I am asking for the definition of BPL.

SHRI V. NARAYANASAMY: Let me tell you. As far as identification of BPL families is concerned, the survey is still on. Certain cases have also been filed in the court.

(Contd. at 1c/ksk)

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SHRI V. NARAYANASAMY (CONTD): Therefore, it has not been finally decided. As far as determination of BPL is concerned, the consumption-expenditure method has been adopted. In our country, we are not adopting the income criterion, which I had made very clear.

श्री रामविलास पासवान : सर, हमारा सीधा प्रश्न है कि आप BPL फैमिलीज़ को मानेंगे या नहीं मानेंगे, इसलिए आप हां या नहीं में बोलिए?

SHRI V. NARAYANASAMY: We go by the consumption-expenditure method which has been proved to be near true and which has been targeting the people who are living below poverty line. Therefore, Sir, as the hon. Member said, identification of BPL families by the exclusion and inclusion method, which has been recommended by the Saxena Committee, is being looked into.

(Ends)

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SHRI SHANTARAM LAXMAN NAIK: Sir, let me congratulate the Government, as all the Departments of the Government of India, all the 35 States and Union Territories have put the official Gazettes on Internet. Sir, I would like to know, on which day, the Gazette of the Government of India is published, on which day it is made available to the public, and on which day, it is put on the Internet.

SHRI SACHIN PILOT: Sir, the publication of the Gazettes is under the Department of Publication which falls under the Ministry of Urban Development. But, I would like to inform the hon. Member that according to information received from the Ministry of Urban Development, on Saturday, the Gazettes are published, and on Monday, they are made available to the general public.

Sir, as for the Gazettes to be uploaded on the website, the website was started on June 6, 2008, and the Department has given a timeline of twelve months, wherein all the Gazettes will be uploaded on the Internet on the website. The Gazettes, which have been notified since 2008 till today, will be uploaded within next three months.

SHRI SHANTARAM LAXMAN NAIK: Sir, putting the Gazette on the Internet is a revolutionary step because once you put Gazette on the net, the entire notification, all the rules of the Government, all the laws of the Government are made available to the public immediately. Now, I would like to know about past Gazettes of so many years. Are they going to be put on net, or, are they going to be made available on C.D. format to the members of public?

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SHRI SACHIN PILOT: Sir, I would like to inform the hon. Member and the august House that the Government is fully committed in making sure that e-governance becomes a reality in this country. I think, while moving forward, as India becomes a knowledge-based society, it is important to have a transparent way of functioning, and uploading of the public notifications on the website is a very important step towards that. The Government of India, including the line Ministries, are working steadfastly in terms of achieving this objective, and like I mentioned earlier, within the next twelve months, all Gazettes of the Government of India will be uploaded on the websites. I would also like to inform the hon. Member that besides the uploading of the websites, the Department of Information Technology has also made some progress in ensuring that not only English is available on the net, but several Indian languages will also be able to have the domain names in regional languages which will give access to people who don't speak Hindi or English.

SHRI P. RAJEEVE: Sir, in publication of Gazette on the net, some site is not readable because they are utilising Unicode. Is the Government ready to utilise the capacity of NIC and institutions like IIT to develop a software which is applicable to all the States for implementation of e-governance programme?

SHRI SACHIN PILOT: Sir, the e-governance initiative is a combined effort of the Government of India and various State Governments. The NIC is always involved in the DoIT's functioning, especially in terms of creating and maintaining the

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websites, specially the one for '*egazette.nic.in*'. Sir, I would like to inform you that we have always tried to avoid duplicity and recreating of the effort. The DoIT gives the logistics, the information and the resources and along with the State Governments, we are doing multiple projects including the State Data Centres, the State Wide Area Network and the Common Service Centre Schemes. If you combine the allocation for all these three initiatives, the Government of India is spending close to Rs.7,000 crores in ensuring that e-governance reaches the last mile and on to all our villages.

(Ends)

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SHRI T.K. RANGARAJAN: Sir, the answer states, "(a) award of work at higher rates; (b) poor site management, compromises with delays and quality factor; and (c) poor quality assurances..." This is not only about these examined areas. In almost all the stadiums, my information is that the leakage is there; the seepage is there.

(continued by 1d - gsp)

GSP-LT-1D-11.15

SHRI T. K. RANGARAJAN (CONTD.): Sir, there is going to be rain for some more days. Hon. Prime Minister is also sitting here. Sir, it has become an international shame. The CTEO only remotely selected a few projects for examination. What is the alternative that you are going to arrange? Are you going to postpone or cancel some of the games? What is your idea in this regard?

DR. M. S. GILL: Sir, the examination by the CTEO of the CVC is a routine inspection. It goes into ongoing projects, takes samples, does other kind of technical study, and, then, carries on a process. It finds preliminary objections, and, then, goes back to that department seeking answers. Sometimes, they accept; sometimes, they go forward. In 2009, they took 129 projects for examination in 71 organizations across the Government departments. In 2010, they took 57 projects for examinations in 42 organizations. These are all sent to different organizations once they have made some kind of preliminary finding for remedial action, system improvement, identifying officials, if any vigilance cases

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are involved, etc. But these are not final reports and the work is very much going on.

Now, the hon. Member has said about monsoon. Yes, monsoon is going on, and, the way it is going on, it will continue, of course, throughout August, and, normally, it goes up to around 20th of September, and, sometimes, even stretches beyond that. From 3rd of October, we have the Games. That is all to be seen. Let me say something about the stadiums as the hon. Member has spoken about the implications on the stadiums. Sir, we have 13 major stadiums, and, out of these, nine have been taken up by the CPWD on behalf of the Sports Authority of India, and, funded by the Ministry of Sports, Government of India. These are the major stadiums, which include, the Indira Gandhi Sports Complex for Wrestling, Gymnastics, and, Velodrome; the Nehru Stadium; the great Dr. S.P. M. Swimming stadium, the Major Dhyan Chand Stadium of Hockey, all these nine are with this organization. The Ministry of Sports has got done four more; which include one from the Jamia Millia Islamia University for Rugby training along with its indoor hall also; one from the University costing about Rs. 300 crore for Rugby main competition, and, two others from the Lawn Tennis Associations. They constructed, we funded. Now, all these are ready and handed over to the Organizing Committee. Whatever the anxiety is, they have accepted, they are going to put, what they call, off sites, which, in plain language, are meant to be temporary fittings for the Games, and, which, incidentally, is costing a lot of money given by the Government, and, that is in the process. I can assure you,

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this will happen. These are ready. Mr. Fenell and others are also going to see them. And, I hope to take along the hon. Prime Minister next week.

SHRI T.K. RANGARAJAN: Sir, I am not convinced with the answer. I understand the normal procedure. The CPWD norms for construction have not been followed in these constructions. If so, this construction has to be certified by the Central Technical Examiner. Have you got certification from the Central Technical Examiner? Why are these things happening? I come to my second supplementary. Sir, 35,000 computer terminals with 3,500 servers are supposed to be installed in 23 complexes relating to the Commonwealth Games. If so, whether these servers or this set up is ready or not?

DR. M.S. GILL: Sir, to give some indication to the House, Major Dhyan Chand Stadium of the Central Public Works Department, 40 observations were raised by them, 38 have been dropped by them after satisfaction of the technical people and the CVO. In case of S.P.M. Swimming Stadium, 29 observations have been raised, and, they are in the process to satisfy them. With regard to the DDA Indoor Stadium for Badminton, Squash at Siri Fort, there also the same thing is going on.

(Contd. by TMV-1E)

AKG-TMV/1E/11.20

DR. M. S. GILL (CONTD.): The NDMC Shivaji Stadium is, unfortunately, still under construction and everybody is aware that it has got a long way to go. But it is a practising ground. In the Dhyan Chand National Stadium, we have got two

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practising turfs. So, we will be all right. That stadium may not come up. We are aware of it. It is being built by the Delhi Government. The Talkatora stadium is similarly inspected. The Jamia Millia stadium is again inspected. There are 37 observations. Sixteen of them have already been dropped and others will be done. What the hon. Member is saying ... (Interruptions)...

MR. CHAIRMAN: Please resume your places.

DR. M. S. GILL: Please have patience. I am just trying to help and explain. You may not be satisfied. The point is that this is only a stage in their examination. We have it in the CAG also. It is well known to all of us. First the teams go and make some technical observations and then they ask the Department to answer them. They accept some of the answers and in the case of some they say, "We don't agree". It goes back and forth. Then, it is put to the CVC or senior members and, finally, they have a para against the Government or the Department. Then, the Government and the Department have to come before the Parliamentary Committees or the State Assembly. This is the process. So, it is not complete. Please don't assume... (Interruptions)...

SHRI T. K. RANGARAJAN: Now, why did the Government send two Joint Secretaries? (Interruptions)...

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

SHRI SITARAM YECHURY: Sir, the question is related to non-CPWD constructions. Have they been certified? (Interruptions)... Have they been qualified? (Interruptions)... Have they followed the norms? (Interruptions)...

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MR. CHAIRMAN: Please, Mr. Yechury. (Interruptions)...

DR. M. S. GILL: Which are the norms that you are mentioning? I don't understand. (Interruptions)...

MR. CHAIRMAN: Mr. Yechury, I have not given you this slot, please. (Interruptions)...

DR. M. S. GILL: These are the non-CPWD constructions. (Interruptions)...

SHRI SITARAM YECHURY: I am talking about non-CPWD constructions, any constructions that you have given outside the CPWD. (Interruptions)...

MR. CHAIRMAN: Mr. Yechury, you can't intervene like this. Shri Ravi Shankar Prasad.

श्री रवि शंकर प्रसाद : माननीय मंत्री जी, आपके उत्तर को देखने से एक बात स्पष्ट है कि CVC ने जो 7 जगह sample किया, उसमें 3 गड़बड़ियाँ पाई गई -Higher rate पर contract दिए गए, ineligible company को contract दिए गए और quality से compromise किया गया। यह सिर्फ sample है। कितनी जगह आपके venues हैं, यह आप बताएँगे, लेकिन आप इसे CAG की रिपोर्ट की तरह brush aside नहीं कर सकते, क्योंकि कई fictitious companies को लंदन में दिया गया और आपकी public sector undertakings अपना sponsorship withdraw कर रही हैं, चाहे NTPC है या पॉवर ग्रिड कार्पोरेशन है। मेरा आपसे जानना है कि कृपा करके आप सदन को बताएँ और देश को बताएँ कि ... (व्यवधान) ...

SHRI BHUBANESWAR KALITA: You address the Chair.

SHRI RAVI SHANKAR PRASAD: I am sorry. I understand the parliamentary etiquette, please. सर, आपके माध्यम से मेरा माननीय मंत्री जी से आग्रह है कि देश को

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बताएँ कि कुल कितने venues हैं और जो गड़बड़ियाँ पाई गई हैं और जो Organizing Committee में एक-दूसरे पर तू तू में चल रही है, लोग suspend हो रहे हैं, तो 3 अक्टूबर तक सब तैयार हो जाएगा, quality से compromise नहीं होगा, इसके बारे में आप क्या कार्रवाई कर रहे हैं?

डा. एम.एस. गिल : सभापति जी, इन्होंने दो-तीन सवाल जोड़े हैं।

श्री सभापति : आप एक सवाल का जवाब दीजिए, जो basic है।

डा. एम.एस. गिल : सर, अगर आप कहेंगे, तो मैं तीनों का जवाब देने की कोशिश करता हूँ।

पहला तो उन्होंने construction के ऊपर इशारा किया है। हमने ही लिख कर दिया कि इधर-उधर नुक्स पाए गए हैं। मैं आपसे फिर अर्ज करता हूँ, अगर CVO, finally, is satisfied, तो प्रधान मंत्री कह चुके हैं, हम कह चुके हैं, मैंने बार-बार लोक सभा में कहा कि बिल्कुल पकड़ा जाएगा, कार्रवाई की जाएगी और किसी को बख्शा नहीं जाएगा।

दूसरी बात, जो उन्होंने इशारा किया कि जो लंदन में किसी और चीज़ का हुआ, वे मामले दूसरे हैं। उनका दूसरी जगह विचार होगा, दूसरे सवाल पर होगा, उनका इस सवाल से सम्बन्ध नहीं है।

डा. अखिलेश दास गुप्ता : सर, सिरी फोर्ट कॉम्प्लेक्स में इनडोर बैडमिंटन स्टेडियम के सम्बन्ध में भी CVC की technical committee ने वही कहा, "award of work at high rates and work to ineligible company". डीडीए ने वहाँ hova courts बनाए, बिना टेंडर के hova courts दिए गए, करोड़ों रुपए की purchase हुई और 6 गुना ज्यादा महँगे दाम पर खरीदे गए। Director General, Commonwealth, जो Badminton Association of India के President भी हैं, Mr. V. K. Verma, उन्होंने instruction दिया कि World Badminton Federation के पास इसकी proprietary है कि आप सिर्फ Yonex से ही खरीद सकते हैं, इसलिए tender process की आवश्यकता नहीं है, जबकि World Badminton Federation

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की जो list of tenderers है, उसमें 18 लोग ऐसे हैं, जो registered थे। इसलिए tender process किया जाना चाहिए था। WBF के द्वारा Commonwealth Games के बारे में ... (व्यवधान) ...

MR. CHAIRMAN: Please stick to the question.

डा. अखिलेश दास गुप्ता : माननीय CVC ने जब इस पर hova courts के बारे में रिपोर्ट दी है, जो specific है, जिसकी क्वालिटी भी खराब है और 6-10 गुना महँगे दाम पर खरीदे गए हैं, तो क्या खिलाड़ियों के लिए वे सुरक्षित रहेंगे? चीन में एशियन गेम्स होने जा रहे हैं, उसके अन्दर hova courts इस्तेमाल नहीं किए गए हैं और वे कोर्ट्स बैडमिंटन खिलाड़ियों के लिए उपयुक्त भी नहीं हैं। ये बिना किसी tender process के खरीदे गए। इसके ऊपर मंत्री जी क्या कार्रवाई सुनिश्चित करेंगे, जबकि Director General, जो कॉमनवेल्थ गेम्स के blue eyed हैं, वे कॉमनवेल्थ गेम्स के supreme authority हैं, जब वे ही इन सब चीजों में शामिल हैं, तो माननीय मंत्री जी इस विषय में क्या कार्रवाई करेंगे?

(1एफ/एससीएच पर आगे)

SCH/11.25/1E

डा. एम.एस. गिल: सर, ऑनरेबल मैम्बर को जो चिन्ता है, वह चिन्ता हमें भी है, कैबिनेट को भी है और प्रधान मंत्री जी को भी है। बार-बार कहा गया है कि ये जो मामले हैं, जैसे Astro Turf का मामला है, हमने हॉकी एवं दूसरे खेलों के भी कई Turfs लिए हैं, उनके बारे में हम एक-एक चीज़ अखबार में पढ़ते हैं। आगे भी जो सवाल या चीज़ें हमारे सामने आएंगी या हमें पता लगेंगी, उन्हें हम अंत तक लेकर जाएंगे।

श्री राजीव शुक्ल: सीवीसी की टेक्निकल कमेटी ने बिल्कुल साफ-साफ बताया है कि ये-ये गड़बड़ियां या अनियमितताएं पाई हैं। अब जो कन्फ्यूजन है, वह यह है कि किसी की समझ में यह नहीं आ रहा है कि असली जिम्मेदारी किस विभाग की है - अर्बन डेवलपमेंट मिनिस्ट्री की

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है, दिल्ली गवर्नमेंट की है या कॉमनवेल्थ ऑर्गनाइजिंग कमेटी की है। मैं माननीय मंत्री जी से जानना चाहता हूँ कि स्पष्ट रूप से वे यह बताएं कि आखिर इसमें जिम्मेदारी किसकी बनती है? यह किसी को मालूम नहीं है, जिसको जो दिख रहा है, वह उसी की आलोचना कर रहा है। असलियत में किस-किस की क्या-क्या जिम्मेदारियां हैं, मंत्री जी जरा यह स्पष्ट करें।

डा. एम.एस. गिल: सभापति जी, इसमें बेसिक फोकस कंस्ट्रक्शन के सवालोंने पर है। जैसा मैंने अर्ज किया है, कंस्ट्रक्शन तीन किस्म की हो रही है। हमने कुछ तो स्टेडियम बनाए हैं, मैंने 13 स्टेडियम का जिक्र किया है। सिरी फोर्ट कॉम्प्लेक्स - बैडमिंटन एंड स्क्वाॅश के लिए एवं यमुना कॉम्प्लैक्स - आर्चरी और टेबुल टेनिस के लिए, इन दोनों को डीडीए ने बनाया है। एक-आध छोटा स्टेडियम - त्यागराज स्टेडियम दिल्ली गवर्नमेंट ने बनाया है। बाकी शहर में बहुत कुछ हो रहा है, वह सब दिल्ली गवर्नमेंट के अंतर्गत आता है। जो गेम्स विलेज बनाया गया है, वह एक कंपनी के साथ डीडीए की प्राइवेट पब्लिक पार्टनरशिप के तहत बनाया गया है। इसका मैं बहुत सिम्पल जवाब देने की कोशिश करता हूँ, जिस-जिस संस्था के सीईओ तक कोई भी इंक्वायरी पहुंचेगी, उस ऑर्गनाइजेशन को उस इंक्वायरी का जवाब देना होगा। जो इंक्वायरीज स्पोर्ट्स मिनिस्ट्री से जुड़ी हुए हैं, 'साई' से जुड़ी हुई हैं अथवा सीपीडब्ल्यूडी से जुड़ी हुई हैं - उनका जवाब या तो हम देंगे या अर्बन डेवलपमेंट मिनिस्ट्री देगी या फिर दिल्ली सरकार अपनी असेम्बली में देगी।

(Ends)

श्री कप्तान सिंह सोलंकी: सभापति महोदय, मलिन बस्तियों के कारण शहरों की जो तस्वीरें बदल रही है, उसके बारे में इस प्रश्न के द्वारा चिंता व्यक्त की गई थी, लेकिन जो उत्तर आया है, उससे दो चित्र उभरते हैं।

सर्वे के अनुसार जिन शहरों और क़स्बों में मलिन बस्तियां हैं, 1981 में जहां वे 26 मिलियन थीं, 1991 में बढ़ कर 46.2 मिलियन हो गईं, यानी उनमें 20 मिलियन या 2 करोड़ की बढ़ोतरी हुई, 2001 में 61.8 मिलियन हो गईं, यानी 15 मिलियन या डेढ़ करोड़ की बढ़ोतरी हुई और अब अगर 2011 में आबादी की गणना होगी, तब यह संख्या 72 मिलियन तक हो जाएगी। लगातार यह संख्या इसी तरह बढ़ रही है। हो सकता है कि इसका जवाब हम यह दें कि आबादी बढ़ रही है, इस कारण यह संख्या भी बढ़ रही है और इसको रोकने के लिए देश में कई तरह के प्रयास चल रहे हैं ..(व्यवधान)।

श्री सभापति: आप सवाल पूछिए।

श्री कप्तान सिंह सोलंकी: जो नई सरकार बनी है, यह खुशी की बात है कि उसने 2014 तक "स्लम फ्री इंडिया", यानी मलिन इंडिया की जगह निर्भर इंडिया बनाने का प्रस्ताव किया है। लेकिन यह घोषणा हुए एक वर्ष बीत चुका है ...(व्यवधान)।

श्री सभापति: आप प्रश्न पूछिए।

श्री कप्तान सिंह सोलंकी: अभी तक सरकार ने इसके नाम पर सिर्फ दीपक पारिख की अध्यक्षता में एक विशेषज्ञ समिति गठित की है।

मैं यह जानना चाहता हूं कि 2014 तक स्लम फ्री इंडिया का जो हमने अच्छा चित्र संजोया है, एक वर्ष के कार्यकाल में सरकार ने उसके बारे में कंक्रीट रूप से क्या किया है?

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SHRI SAUGATA RAY: Sir, the hon. Member is correct that the slum population in the country has increased. The Government is very much concerned about the same. That is why, earlier, under the JNNURM, we took up the BSUP, that is, Basic Services for the Urban Poor, and the IHSDP. Under these programmes, 15 lakh houses have been constructed for the poor people. Now, the President of India and the Prime Minister have formulated the Rajiv Awas Yojana. So, it is not correct, what the hon. Member has said, that the Government has been sitting over it. Last year, we have had thorough discussions with all levels of people, including town planners, State Governments and stakeholders as to how to formulate the Rajiv Awas Yojana. Now, the Ministry has issued guidelines for a slum-free city planning. It is hoped that, soon, the plan would go to the Expenditure Finance Committee, and after it receives approval from the Cabinet, in about three months, we shall be able to announce the concrete guidelines and the concrete steps to be taken under the Rajiv Awas Yojana to make India slum-free. What the hon. Member has said about the Deepak Parekh Committee is also not correct. The Deepak Parekh Committee has submitted its Report, and the Government is deliberating on it. And, it is expected to take a call shortly.

श्री कप्तान सिंह सोलंकी: सभापति महोदय, मेरे प्रश्न का जैसा उत्तर आया, मुझे उसी तरह के उत्तर की अपेक्षा थी। दीपक पारिख समिति के नाम पर सिर्फ रिपोर्ट आयी है और हमने

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दिशानिर्देश दिये हैं, लेकिन ऐसी कोई चीज़ नहीं हुई है, जिसे उल्लेखनीय कहा जा सकता हो।

श्री सभापति: आप प्रश्न पूछिए।

श्री कप्तान सिंह सोलंकी: सर, मेरा दूसरा प्रश्न यह है कि ये दिशानिर्देश आपने किसको दिये हैं? ये दिशानिर्देश आपने राज्यों को दिये हैं। तो क्या आप राज्यों के साथ समन्वय करके यह बताएँगे कि मलिन बस्ती के हिसाब से राज्यों की श्रेणी क्या है? यानी, नम्बर 1 राज्य कौन है, नम्बर 2 राज्य कौन है और नम्बर 3 राज्य कौन है, जहाँ पर मलिन बस्तियाँ ज्यादा हैं? अगर यह रिपोर्ट आपके पास नहीं है तो आप शहरों के हिसाब से बता दीजिए और उन शहरों से मलिन बस्ती दूर करने के लिए राज्य सरकारों के साथ आप क्या कर रहे हैं, कृपया उसका ब्योरा दे दीजिए।

SHRI SAUGATA RAY: Sir, as I have already informed the hon. Member, the guidelines for a slum-free city have been issued under the Rajiv Awas Yojana. An amount of Rs.60 crores was disbursed to the States to do their planning for a slum-free city, on the basis of whole State-whole city-whole slum approach. Now, this year, the Budget amount of Rs.1,270 crores has been allotted for Rajiv Awas Yojana under this Ministry. So, as soon as the formalities are completed, which is expected within three months, the utilization of the whole money will start. And, I hope that the hon. Member will be satisfied. The only thing which I want to mention to the hon. Member is that there is no categorization of States according to slums. But there are certain cities which have more slums than others, like, Mumbai has 54 per cent slums, which is the highest in the country. Faridabad has 46 per cent slums; Aligarh has 45 per cent slums. There are more

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slums in some cities than others. Mumbai has more, while Delhi, Chennai and Bangalore have fewer slums. So, we have categorized the cities as per their slum population.

श्री ब्रजेश पाठक: सभापति महोदय, माननीय राष्ट्रपति महोदया ने संसद के संयुक्त अधिवेशन में "मलिन बस्ती मुक्त भारत" की घोषणा की थी और उसकी ताईद माननीय प्रधान मंत्री जी ने हाल ही में की है कि हम "स्लम मुक्त भारत" बनाएँगे। आपके माध्यम से माननीय मंत्री जी से मेरा सीधा सवाल यह है कि सरकार की जो कथनी है, वह यह है कि वह गरीबों को स्लम से निकाल कर सुन्दर मकान देना चाहती है, लेकिन सरकार की जो करनी है, वह मैं आपको बताना चाहता हूँ कि माननीय मंत्री जी ने अपने जवाब में स्वीकार किया है कि जो हिन्दुस्तान में शहरी गरीब लोग हैं, उनकी जनसंख्या कुल शहरी लोगों की 21.6 प्रतिशत है और उनके लिए इन्होंने 60 करोड़ रुपये जारी किये हैं। मेरा पुनः मंत्री महोदय से सवाल है कि क्या 60 करोड़ रुपये में 21.6 प्रतिशत लोगों को आप अच्छा मकान दे पाएँगे? इस बारे में आपका क्या कहना है?

(1एच/के.एस. पर आगे)

1h/11.35/nb-ks

SHRI SAUGATA RAY: I think the hon. Member has missed the import of my statement. I didn't say that Rs.60 crores have been given to make India slum-free. All I have said is that we have formulated guidelines for slum-free city planning so that, with the help of GIS and other technologies, we can have a plan for making them slum-free. As I had mentioned, in the current year's Budget, already Rs.1270 crores have been allotted to the Ministry of Housing and Poverty Alleviation for starting work on the Rajiv Awas Yojana and, as the Prime Minister

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has repeatedly said, funds would not be lacking as far as this effort to make India slum-free is concerned. But, considering the housing shortage in India, it is estimated that six lakh crores of rupees would be necessary to make India totally slum-free or to provide housing to everybody. So, you know, that is a tall order and it would take some time to achieve this purpose.

श्री ईश्वर सिंह : सभापति जी, मैं आपके माध्यम से माननीय मंत्री जी से निवेदन करना चाहता हूँ कि हमारे शहरों और कस्बों में जो बस्तियां हैं, उनमें से लगभग एक-चौथाई बस्तियां, मलिन बस्तियों के अंतर्गत आ गई हैं। देहात का आदमी विशेषकर शहरों की ओर जाता है। मैं आपके माध्यम से माननीय मंत्री जी से यह पूछना चाहता हूँ कि क्या सरकार के पास ऐसी कोई योजना विचाराधीन है जिससे देहातों और गांवों के अंदर छोटे-छोटे plots दिए जाएं, जैसे हरियाणा और पंजाब में दिए गए थे, ऐसे plots देकर उनको वहां आबाद किया जाए ताकि इस आबादी का बढ़ना कम हो?

SHRI SAUGATA RAY: Sir, may I humbly submit that urbanisation is an inexorable process. With development, in any country, there would be more and more people migrating to cities because conditions of living in cities are somewhat better than those in rural areas. Already, there is the Indira Awas Yojana of the Government of India in rural areas so that people can build their houses. As far as planning is concerned, the Centre is trying to create counter-magnet cities like, in Delhi, we have the National Capital Region Planning Board through which we are trying to develop counter-magnet cities so that all the people do not come to Delhi. But the process of migration from rural to urban areas is an economic process and, hence, cannot be stopped.

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SHRIMATI VASANTHI STANLEY: Sir, the State Government of Tamil Nadu has a plan to develop 21 lakh housing units to remove all the huts in slum areas. As of now, Rs.1800 crores have been allotted in this year, especially to construct three lakh houses to replace the huts. Considering the initiative taken by the State Government, I would like to know from the hon. Minister whether, apart from the sixty crores which have been promised by him in the answer, it will be possible for the Ministry to allot more funds to the State of Tamil Nadu?

SHRI SAUGATA RAY: Sir, I may inform, through you, the hon. Member that as far as BSUP in Mission Cities are concerned, in Tamil Nadu, there are already three Mission cities in which 51 projects of slum clearance have been approved and the total cost of these projects is Rs.2327.32 crores. The additional Central assistance is Rs.1041.80 crores. I may also mention to the hon. Member that, under the IHSDP for smaller towns, as far as Tamil Nadu is concerned, 84 projects have been approved with a total project cost of Rs.515.88 crores, of which the Central share is Rs.372.10 crores. So, the hon. Member would see for herself that the Centre has allotted considerable amount of money for the work on removal of slums in Tamil Nadu.

(Ends)

(followed by kgg on 1j)

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-NB/VNK-KGG/1j/11:40

प्रश्न संख्या: 365

MR. CHAIRMAN: Q.No. 365. (Interruptions)

(Q.No. 365 : The hon. Member absent)

MR. CHAIRMAN: Supplementaries, please. (Interruptions) Shri Patel.

श्री कांजीभाई पटेल: सर, 2005-09 के बीच ACA के तहत गुजरात के अहमदाबाद, राजकोट, सूरत और बड़ोदरा के प्रोजेक्ट्स मंजूर हुए हैं, उनकी पेमेंट की करीब-करीब 60 प्रतिशत रकम बकाया है, जब कि राज्य सरकार ने बहुत से completion certificates भी भेज दिए हैं। मैं आपके माध्यम से माननीय मंत्री जी से पूछना चाहता हूँ कि यह रकम राज्य सरकार को कब तक दी जाएगी?

SHRI SAUGATA RAY: Sir, the Member is correct in the sense that some installments of the JNNURM has been withheld. But, that is mainly because of one reform that was to have been enacted by the Government of Gujarat and it has not been enacted. This is with regard to the Rent Control Act. We have written to the Government of Gujarat and there is some confusion. They say that they had the Rent Control Act before 2001. The question has arisen, whether the Rent Control Act enacted before 2001 will be considered a reform under the JNNURM. For solving the problem, we have called a meeting at the Ministry on 3rd September; I hope, this problem of reforms in Gujarat will be sorted out.

Also, as far as the city-level reforms, ULD-level reforms, are concerned, they are also lagging in certain procedures. But, we have called a meeting on 3rd September to sort out all these issues. I am sure, that will be sorted out.

MR. CHAIRMAN: Shri Rashtrapal.

Q.No.365 (contd.)

श्री कांजीभाई पटेल: सर, योजना के ... (व्यवधान)...

श्री सभापति: नहीं, नहीं, आपका सवाल हो गया है।

SHRI PRAVEEN RASHTRAPAL: Mr. Chairman, Sir, thank you for the opportunity. This is a Gujarat-specific question. I must thank the BJP MP from Gujarat for putting this question. Through you, Sir, I also thank the Minister for giving a complete reply running into 6-7 pages. In answer (a) itself, the Government of India has given that ACA during 2005-2009 amounting to Rs.89,017.22 lakhs to the cities of Ahmedabad, Rajkot, Surat and Baroda. Complete details are given. But, my problem being from Gujarat is, Sir, that the Chief Minister of Gujarat is not appreciating the federal structure of the Government; while addressing the official function... (Interruptions) While addressing the official meeting, he is criticizing the hon. Prime Minister of the country and the Central Government that it is not giving grants or money to the State Government.

MR. CHAIRMAN: Please put the question. (Interruptions) What is the question?
(Interruptions)

श्री रुद्रनारायण पाणि: सर, यह प्रधान मंत्री जी के सामने point score करना चाहते हैं...
(व्यवधान)...

MR. CHAIRMAN: Mr. Pany, please resume your place. (Interruptions) Please put your question, Mr. Rashtrapal. पाणि जी, आप बैठ जाइए .. (व्यवधान)...

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SHRI RUDRA NARAYAN PANY: You are only going to speak before the Prime Minister. You have no point.

श्री सभापति: पाणि जी, आप बैठ जाइए ...(व्यवधान)...

SHRI PRAVEEN RASHTRAPAL: The Chief Minister has no right to criticize the Prime Minister of the country.

MR. CHAIRMAN: Please put your supplementary question.

श्री रुद्रनारायण पाणि: सर, ...(व्यवधान)...

MR. CHAIRMAN: I am afraid, this not the question. (Interruptions)

SHRI PRAVEEN RASHTRAPAL: Sir, let me complete. Not only this Ministry, all Ministries... (Interruptions)

MR. CHAIRMAN: One minute, Mr. Praveen, please listen to the Chair. (Interruptions) I am afraid, I will not allow you to proceed. (Interruptions) You are not putting the question. You know the rules about questions. You have not completed your question. You have deviated completely. (Interruptions)

SHRI PRAVEEN RASHTRAPAL: In spite of the Government of India giving grants not only to Government of Gujarat, but to all States according to the Planning Commission directives, why is the Chief Minister criticizing hon. Prime Minister publicly in an official function? That is my question. (Interruptions)

(Followed by tdb/1k)

TDB-MP/1K/11.45

Q.No.365 (contd.)

MR. CHAIRMAN: No, no; this is not related to the question. (Interruptions) This is not related to the question. (Interruptions)

SHRI SAUGATA RAY: Should I say, Sir?

MR. CHAIRMAN: Do you wish to say something on that? (Interruptions)

SHRI SAUGATA RAY: Sir, I am not expected to comment on the political ramifications of the question. (Interruptions) All I want to inform this House is that Gujarat has been given almost Rs.2,365 crores under UIG, Urban Infrastructure and Governance for 70 projects, and we have given Rs.351.95 crores under UIDSSMT, Urban Infrastructure Development Scheme for Small and Medium Towns for 52 projects. I don't know about political implications; but, otherwise, the performance of Gujarat has been good in the sense that out of the 70 projects approved in Gujarat, 26 have been completed. So, that is a good percentage of projects being completed. Out of total of 80 projects completed in the whole of the country, Gujarat has 26 projects. So, I don't think a political controversy is called for. (Interruptions)

MR. CHAIRMAN: Shri Pany, do you have a question on this? (Interruptions) No, please. You have had your turn. (Interruptions)

श्री रुद्रनारायण पाणि : सर, उड़ीसा इस देश का सबसे गरीब राज्य है और कटक उड़ीसा का एक बड़ा शहर है। मैं केवल इतना जानना चाहूंगा कि क्या कटक को Jawaharlal Nehru National Urban Renewable Mission के अंतर्गत अंतर्मुक्त किया जाएगा?

Q.No.365 (contd.)

SHRI SAUGATA RAY: Sir, I may inform the hon. Member that Cuttack is already included in it. There are five projects in Orissa, which have been approved at a total value of Rs.811.97 crores. Out of which, the additional Central assistance committed is Rs.637.12 crores. So, it is not right that the Centre is neglecting a poor State like Orissa. In fact, it has given considerable amount of money for its development.

(Ends)

MR. CHAIRMAN: Question No. 366; the hon. Member is absent. Any supplementary on this? Yes, Mr. K.N. Balagopal.

Uncorrected/ Not for Publication-19.08.2010**Q. NO. 366**

SHRI K.N. BALAGOPAL: Sir, Vimax system is connected with the 3G. Sir, the Vimax system can augment the telecommunication facilities and the E-governance initiative in India. What is the present position of licensing of Vimax facility?

SHRI SACHIN PILOT: Sir, I would like to inform the hon. Member that Vimax is a technology which is being deployed in India primarily in the rural areas. It is being the endeavour of the UPA Government to make sure that technology, and Information Technology especially, as also communication technologies do not remain limited to the city centres and large city centres. Therefore, to proliferate the use of IT and of technology, we have been using many technologies, including Broadband and Vimax to benefit the 6.5 lakh villages where a lot of our citizens reside. Sir, Vimax technology is one of the latest technologies, and it is going to be used in the rural India to deliver many services for education, for health. It is also going to be used to bring in services like mobile banking to ensure that there is a true financial inclusion taking place, and the IT Revolution and the Telecom Revolution does not remain limited just to a few urban city centres but expands to all parts of our country.

(Ends)

MR. CHAIRMAN: Now, Question No. 367, the hon. Member is absent. Any supplementary on this? Yes, Mr. R.C. Singh.

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प्रश्न संख्या 367

श्री आर.सी. सिंह : सर, प्रश्न के जवाब में मंत्री महोदय ने कहा है कि मानसून के season में अधिकांश सेवाएं कार्यरत नहीं रह पाती हैं। अगर मानसून के season में वे buoys काम नहीं कर रहे हैं, तो उनको repair करने के लिए क्या step लिया जा सकता है, जिससे सूनामी की information immediately मिल सके?

(1L/KLS-MCM पर आगे)

KLS/MCM/1L-11.50

SHRI PRITHVIRAJ CHAVAN: Sir, we have six buoys in the Bay of Bengal region between Andaman Island and coast of India, mainland India. These buoys are working round the clock. One of the buoys has not been working. Sir, we go and repair these buoys through our research vessels which go and service them, change the batteries and all that. So, these five buoys are working perfectly well. One buoy will be repaired when the sea becomes calm and our research vessel goes and repairs and also changes batteries. But I would like to assure the House that our tsunami warning system is working very efficiently. When the last earthquake happened it gave the alarm immediately and also warned the people that it was not a tsunami.

श्रीमती विप्लव ठाकुर : सर, थैंक्यू वैरी मच, मैं मंत्री जी से जानना चाहती हूँ क्योंकि हमारा सी-कोस्ट बहुत ज्यादा है, तो किस-किस सी-कोस्ट पर जैसे मुम्बई है, चेन्नई है, कोलकत्ता है और बाकी एरियाज हैं, कहां-कहां ये इंस्ट्रूमेंट लगाए हुए हैं? चूंकि इनके लगाने के बावजूद भी इंसीडेंट हो जाते हैं, तो उसको रोकने के लिए कितने घंटे पहले ये लोगों को वार्निंग देते हैं? इसके अलावा जैसे क्लाउड बस्ट आ रहे हैं, जैसे अभी लद्दाख में हुआ है, हिमाचल में

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Q.No.367 (contd.)

हुआ है। क्या इसके लिए भी वहां वार्निंग के लिए ये कोई इंस्ट्रूमेंट लगाने जा रहे हैं, यह मैं जानना चाहती हूँ?

SHRI PRITHVIRAJ CHAVAN: Sir, India is very proud of its tsunami systems. ...(Interruptions)... Sir, tsunami cannot be predicted. Only when an earthquake happens, whether that earthquake will result in tsunami, which is nothing but huge sea waves, as we witnessed some time back, it gives us an early warning because if an earthquake happens in the Indonesian region, the waves that come take few hours to reach our Indian coast. Our attempt is to determine whether earthquake will cause a tsunami or not and that is the whole tsunami warning system. The main question is about the buoys and the hon. Member has asked where they are deployed. All other countries have also buoys and we share data with them. As I said earlier, the Indian six buoys are in the Bay of Bengal between the Andaman Island and the mainland of India and they are placed approximately at a distance of about 400 kilometres. They give additional information besides the information that we get from other sources and other centres.

DR. N. JANARDHANA REDDY: Sir, tsunami and cyclone are the two natural calamities that affect the eastern part in the Bay of Bengal, and Andhra mainly, and Tamil Nadu. As far as I know, from the beginning the Government of India is going on telling that early cyclone warning system will be established in Andhra. But in these so many years nothing has happened. Tsunami is a new natural calamity. The Government of India is telling that an early warning system is going to be established. It has been established but it has not been working effectively,

Uncorrected/ Not for Publication-19.08.2010**Q.No.367 (contd.)**

as the Minister is telling. So, it is a very serious natural calamity which can affect people. So, the Government of India has to seriously think about establishing an early warning system but not in this way, but it should be a perfect thing. Otherwise, it will be limited only to a Parliament question.

SHRI PRITHVIRAJ CHAVAN: Sir, I would like to inform the House that tsunami and cyclone are two different natural calamity phenomena. We have Q. No.372 later on Cyclone Laila. I would be happy to take question on cyclone when that question is called. Otherwise, on tsunami let me assure the hon. Member that we have tsunami warning centre right in his State in Hyderabad. It is a world-class system. It is able to immediately warn people whether the earthquake, we can only start predicting after the earthquake happens, will cause tsunami or not. That system is working very well, Sir. I will answer question on cyclone when that question comes. (Ends)

(Followed by 1M)

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SSS-GS/1M/11.55

Q. NO. 368

श्री राम कृपाल यादव : सर, यह सवाल बिहार से संबंधित है।

श्री सभापति : आपकी बारी आएगी। आप ठहर जाइए।

SHRI SITARAM YECHURY: Sir, the statement given by the Minister informs us that there are roughly about 25 million households who do not have houses in the country. This, I think, is a gross underestimate, but, even going by the statement, this means about 100 million people in our country do not have a shelter. My specific question to the Government, Sir, and to the Minister particularly is: Will the Government consider allocation of housing sites to the houseless as a priority rather than giving Government lands for development of Special Economic Zones and to the corporate sector? Will this be your first priority? Will you stop giving these lands to SEZs and give it to the people without homes?

SHRI SAUGATA RAY: Sir, I think, the hon. Member is not correct in stating the housing shortage. The reply clearly states that the housing shortage in urban areas is 24.71 lakh houses and the housing shortage for rural areas is 148.33 lakh houses. He mentioned only the urban housing shortage without mentioning the rural housing shortage.

SHRI SITARAM YECHURY: My question is about urban. Will you give urban housing sites to people in the urban areas?

SHRI JAIRAM RAMESH: Maximum shortage is in Bengal.

SHRI SITARAM YECHURY: Okay, even there.

MR. CHAIRMAN: Please,... There should be no argument.

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SHRI SITARAM YECHURY: Sir, the hon. Minister is interjecting with wisecracks; so, let me also get back to the wisecracks.

MR. CHAIRMAN: No, please, we are running out of time, Yechuryji.

SHRI SITARAM YECHURY: I am talking about the urban housing sites. Will you allocate them?

SHRI SAUGATA RAY: As I said earlier, Sir, that firstly, SEZs are not built in urban areas. SEZs are mainly built in huge...

SHRI SITARAM YECHURY: Sir, this is a wrong statement.

MR. CHAIRMAN: If it is wrong statement, there are procedures for challenging it. (Interruptions) Yechuryji, you will not have a discussion here. If it is wrong please give it in writing. (Interruptions)

SHRI SAUGATA RAY: I know that even in West Bengal there are SEZs by WIPRO and Manikanchan. They are in urban areas. Mainly large tracks of land are in rural areas. But, the Government is very concerned about urban housing shortages. We have launched several programmes including affordable housing in partnership. We have launched the interest subsidy housing for urban poor and now we have launched the *Rajiv Awas Yojana*. Our intention is to give as many houses to urban poor as possible and we are concerned that urban poor get a roof under which to live.

श्री राम कृपाल यादव : सर, मूल रूप से यह प्रश्न बिहार के संदर्भ में है। इसके बारे में माननीय मंत्री जी ने जवाब दिया है। सर, यह बात सही है कि 2005 में ही तत्कालीन भारत सरकार,

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Q.No.368 (contd.)

यूपीए-वन ने यह अहसास किया कि शहरी गरीबों की संख्या बढ़ रही है, लेकिन शहर में रहने वाले गरीबों के लिए मकान की सुविधा के लिए कोई ठोस योजना नहीं है। सरकार ने यह बहुत उत्तम काम किया, पूरे देश में 65 शहरों का चयन हुआ, जिसमें पटना और बौद्ध गया शामिल है।

श्री सभापति : आप सवाल पूछिए।

श्री राम कृपाल यादव : सर, मैं सवाल पूछ रहा हूँ। सर, कंसर्न क्वेश्चन के बारे में यह बताना जरूरी था। सर, मैं पटना शहर का हूँ और 'गया' एक महत्वपूर्ण शहर है, दुनिया के लोग 'गया' जाते हैं। सर, माननीय मंत्री जी ने जवाब दिया है कि वहां पर जितने मकानों की आवश्यकता है, मैं गांव के इलाके की बात बोल रहा हूँ, पूरे देश में ग्रामीण इलाकों में 148.33 लाख मकानों की कमी थी और बिहार में यह कमी 42.10 लाख थी।

श्री सभापति : आप सवाल पूछ लीजिए।

श्री राम कृपाल यादव : सर, मैं माननीय मंत्री जी से यह जानना चाहता हूँ कि अभी तक राज्य की सरकार ने भारत सरकार से इस योजना के अंतर्गत, जिन योजनाओं का आपने वर्णन किया है - राष्ट्रीय शहरी आवास एवं पर्यावास नीति में, शहरी नेहरू मिशन योजना और राजीव गांधी योजना के तहत, कितनी डिमांड मकान बनाने के लिए की है और कितनी राशि आपने अभी तक आवंटित की है ?

SHRI SAUGATA RAY: Sir, very briefly I will say that in Bihar under basic services for urban poor (BSUP), total project cost is of Rs. 699.16 crores and 18 projects have been approved. For IHSDP, 20 projects at a total project cost of Rs. 274.94 crores have been approved. Sir, under the Indira Awas Yojana, 5,67,171 houses have been sanctioned.

MR. CHAIRMAN: Question Hour is over.

(Ends)

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-SSS/NBR-ASC/1N/12.00.

PAPERS LAID ON THE TABLE

1. **KUMARI SELJA:** Sir, I lay on the Table, a copy (in English and Hindi) of the Memorandum of Understanding between the Government of India (Ministry of Housing and Urban Poverty Alleviation) and the Hindustan Prefab Limited (HPL), for the year 2010-11.

(MR. DEPUTY CHAIRMAN IN THE CHAIR)

श्री प्रभात झा : महोदय, with your permission (Interruptions)

श्री उपसभापति : आप पेपर्स ले करने दीजिए। ... (व्यवधान)..

श्री प्रभात झा : महोदय, केन्द्र सरकार द्वारा मध्य प्रदेश के ... (व्यवधान)..

श्री उपसभापति : आप पेपर्स ले करने दीजिए। ... (व्यवधान)..

2. **SHRI PAWAN KUMAR BANSAL:** Sir, I lay on the Table, under sub- section (3) of Section 13 of the Inter-State Water Disputes Act, 1956, a copy (in English and Hindi) of the Ministry of Water Resources Notification No. S.O. 1678 (E), dated the 15th July, 2010, publishing the Inter-State Water Disputes, 1959 (Amendment) Rules, 2010.

3. **SHRI PRITHVIRAJ CHAVAN:** Sir, I lay on the Table—

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), under sub-section (2) of Section 3 of the All India Services Act, 1951:—

(1) G.S.R. 396 (E), dated the 11th May, 2010, publishing the Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulations, 2010.

(2) G.S.R. 397 (E), dated the 11th May, 2010, publishing the Indian Administrative Service (Pay) Fifth Amendment Rules, 2010.

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- (3) G.S.R. 403 (E), dated the 13th May, 2010, publishing the Indian Administrative Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 2010.
- (4) G.S.R. 404 (E), dated the 13th May, 2010, publishing the Indian Administrative Service (Pay) Sixth Amendment Rules, 2010.
- (5) G.S.R. 406 (E), dated the 14th May, 2010, publishing the Indian Forest Service (Fixation of Cadre Strength) Amendment Regulations, 2010.
- (6) G.S.R. 407 (E), dated the 14th May, 2010, publishing the Indian Forest Service (Pay) Third Amendment Rules, 2010.
- (7) G.S.R. 412 (E), dated the 17th May, 2010, publishing the Indian Administrative Service (Fixation of Cadre Strength) Sixth Amendment Regulations, 2010.
- (8) G.S.R. 413 (E), dated the, 17th May, 2010, publishing the Indian Administrative Service (Pay) Eighth Amendment Rules, 2010.
- (9) G.S.R. 431 (E), dated the 20th May, 2010, publishing the Indian Administrative Service (Fixation of Cadre Strength) Seventh Amendment Regulations, 2010.
- (10) G.S.R. 432 (E), dated the 20th May, 2010, publishing the Indian Administrative Service (Pay) Ninth Amendment Rules, 2010.
- (11) G.S.R. 433 (E), dated the, 20th May, 2010, publishing the Indian Administrative Service (Fixation of Cadre Strength) Fifth Amendment Regulations, 2010.
- (12) G.S.R. 434 (E), dated the 20th May, 2010, publishing the Indian Administrative Service (Pay) Tenth Amendment Rules, 2010.
- (13) G.S.R. 450 (E), dated the 26th May, 2010, publishing the Indian Administrative Service (Fixation of Cadre Strength) Fifth Amendment Regulations, 2010.
- (14) G.S.R. 451 (E), dated the 26th May, 2010, publishing the Indian Administrative Service (Pay) Seventh Amendment Rules, 2010.

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- (15) G.S.R. 509 (E), dated the 16th June, 2010, publishing the Indian Police Service (Fixation of Cadre Strength) Fourteenth Amendment Regulations, 2010.
- (16) G.S.R. 510 (E), dated the 16th June, 2010, publishing the Indian Police Service (Pay) Sixteenth Amendment Rules, 2010.
- (17) G.S.R. 511 (E), dated the 16th June, 2010, publishing the Indian Police Service (Fixation of Cadre Strength) Fifteenth Amendment Regulations, 2010.
- (18) G.S.R. 512 (E), dated the 16th June, 2010, publishing the Indian Police Service (Pay) Seventeenth Amendment Rules, 2010.
- (19) G.S.R. 513 (E), dated the 16th June, 2010, publishing the Indian Police Service (Fixation of Cadre Strength) Sixteenth Amendment Regulations, 2010.
- (20) G.S.R. 514 (E), dated the 16th June, 2010, publishing the Indian Police Service (Pay) Eighteenth Amendment Rules, 2010.
- (21) G.S.R. 515 (E), dated the 16th June, 2010, publishing the Indian Police Service (Fixation of Cadre Strength) Seventeenth Amendment Regulations, 2010.
- (22) G.S.R. 516 (E), dated the 16th June, 2010, publishing the Indian Police Service (Pay) Nineteenth Amendment Rules, 2010.

II. A copy each (in English and Hindi) of the following statements showing the action taken by the Government on the various Assurances, promises and undertakings given during the Session shown against each:—

- | | |
|-------------------------|-----------------------------------------|
| 1. Statement No. XXIX | Hundred and Sixty-ninth Session, 1993 |
| 2. Statement No. XXXVII | Hundred and Eighty-fourth Session, 1998 |
| 3. Statement No. XXXV | Hundred and Eighty-sixth Session, 1999 |
| 4. Statement No. XXXIII | Hundred and Ninety-first Session, 2000 |
| 5. Statement No. XXVIII | Hundred and Ninety-sixth Session, 2002 |
| 6. Statement No. XXV | Hundred and Ninety-eighth Session, 2000 |
| 7. Statement No. XVII | Two hundredth Session, 2003 |
| 8. Statement No. XX | Two hundred-third Session, 2004 |

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| 9. Statement No. XXI | Two hundred-fourth Session, 2005 |
| 10. Statement No. XVIII | Two hundred-fifth Session, 2005 |
| 11. Statement No. XVII | Two hundred-sixth Session, 2005 |
| 12. Statement No. XVII | Two hundred-seventh Session, 2006 |
| 13. Statement No. XII | Two hundred-eighth Session, 2006 |
| 14. Statement No. XIII | Two hundred-ninth Session, 2006 |
| 15. Statement No. XII | Two hundred-tenth Session, 2007 |
| 16. Statement No. XII | Two hundred-eleventh Session, 2007 |
| 17. Statement No. X | Two hundred-twelfth Session, 2007 |
| 18. Statement No. IX | Two hundred-thirteenth Session, 2008 |
| 19. Statement No. VI | Two hundred-fourteenth Session, 2008 |
| 20. Statement No. V | Two hundred-fifteenth Session, 2009 |
| 21. Statement No. IV | Two hundred- seventeenth Session,
2009 |
| 22. Statement No. III | Two hundred-eighteenth Session, 2009 |
| 23. Statement No. II | Two hundred-nineteenth Session, 2010 |

श्री प्रभात झा : महोदय, ...(व्यवधान)...

श्री उपसभापति : आपका कोई नोटिस नहीं आया है ।...(व्यवधान).. यह ठीक नहीं है।
..(व्यवधान).. आप नोटिस दिए बिना, ऐसा कैसे कर सकते हैं? ..(व्यवधान)..

4. **SHRIMATI PRENEET KAUR:** Sir, I lay on the Table, under sub-section (3) of Section 8 of the Diplomatic and Consular Officers (Oath and Fees) Act, 1948, a copy (in English and Hindi) of the Ministry of External Affairs Notification No. G.S.R. 398 (E), dated the 12th May, 2010, publishing the Diplomatic and Consular Officers (Fees) Amendment Rules, 2010.

5. **SHRI GURUDAS KAMAT:** Sir, I lay on the Table—

I. A copy (in English and Hindi) of the Ministry of Communications and Information Technology (Department of Posts) Notification No. G.S.R. 282 (E), dated the 24th April, 2009, publishing the Indian Post Office (Second Amendment) Rules, 2009, under sub-section (4) of Section 74 of the Indian Post Office Act, 1898, along with delay statement.

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II. A copy (in English and Hindi) of the Ministry of Communications and Information Technology (Department of Posts) Notification No. G.S.R. 517 (E), dated the 17th June, 2010, publishing Corrigendum to the Notification No. G.S.R. 282 (E), dated the 24th April, 2009.

6. **SHRI PAWAN KUMAR BANSAL:** Sir, on behalf of Shri D. Napoleon, I lay on the Table, a copy (in English and Hindi) of the Memorandum of Understanding between the Government of India (Ministry of Social Justice and Empowerment) and the National Backward Classes Finance and Development Corporation (NBCFDC), for the year 2010-11.

श्री प्रभात झा : महोदय, आप हमारी बात नहीं सुन रहे हैं।...(व्यवधान)...साढ़े 6 करोड़ लोगों की आवाज नहीं सुन रहे हैं। ...(व्यवधान)..

श्री उपसभापति : आपने कोई नोटिस नहीं दिया है। ...(व्यवधान)...

श्री प्रभात झा : महोदय, आप साढ़े छः करोड़ लोगों की आवाज नहीं सुन रहे हैं, तो हम लोग सदन से बाहर जाते हैं।

(At this stage, some hon. Members left the Chamber)

(Ends)

**REPORT OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING
COMMITTEE ON DEFENCE**

SHRI MUKUT MITHI (ARUNACHAL PRADESH): Sir, I lay on the Table, a copy (in English and Hindi) of the Eighth Report of the Department-related Parliamentary Standing Committee on Defence (2009-10) on 'Construction of Roads in the Border Areas of the Country'.

(Ends)

Uncorrected/ Not for Publication-19.08.2010**REPORTS OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING
COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT**

SHRI PRAVEEN RASHTRAPAL (GUJARAT): 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 Social Justice and Empowerment (2009-10):—

- (i) Seventh Report on Action taken by the Government on the observations/recommendations contained in the Third Report of the Committee on ‘Demands for Grants (2009-10)’ of the Ministry of Minority Affairs;
- (ii) Eighth Report on Action taken by the Government on the observations/recommendations contained in the Second Report of the Committee on ‘Demands for Grants (2009-10)’ of the Ministry of Tribal Affairs; and
- (iii) Ninth Report on Action taken by the Government on the observations/recommendations contained in the First Report of the Committee on ‘Demands for Grants (2009-10)’ of the Ministry of Social Justice and Empowerment.

(Ends)

**STATEMENT RE: STATUS OF IMPLEMENTATION OF FIRST REPORT OF
DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON
WATER RESOURCES**

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI PAWAN KUMAR BANSAL): Sir, I make a statement regarding status of implementation of recommendations contained in the First Report of the Department-related Parliamentary Standing Committee on Water Resources.

(Ends)

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STATEMENT RE: STATUS OF IMPLEMENTATION OF TWO HUNDRED AND EIGHTH REPORT OF DEPARTMENT-RELATED PARLIAMENARY STANDING COMMITTEE ON SCIENCE AND TECHNOLOGY, ENVIRONMENT AND FORESTS ON DEMANDS FOR GRANTS (2009-10) OF THE DEPARTMENT OF SCIENTIFIC AND INDUSTRIAL RESEARCH

THE MINISTER STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF SCIENCE AND TECHNOLOGY (SHRI PRITHVIRAJ CHAVAN): Sir, I make a statement regarding status of implementation of recommendations contained in the Two Hundred and Eighth Report of the Department-related Parliamentary Standing Committee on Science and Technology, Environment and Forests on Demands for Grants (2010-11) of the Department of Scientific and Industrial Research. (Ends)

STATEMENT RE: STATUS OF IMPLEMENTATION OF ONE HUNDRED AND TWENTIETH REPORT OF DEPARTMENT-RELATED PARLIAMENARY STANDING COMMITTEE ON TRANSPORT, TOURISM AND CULTURE ON DEMANDS FOR GRANTS (2007-08) OF THE MINISTRY OF CULTURE

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENARY AFFAIRS (SHRI V. NARAYANASAMY): Sir, I make a statement regarding status of implementation of recommendations/observations contained in the One Hundred and Twentieth Report of the Department-related Parliamentary Standing Committee on Transport, Tourism and Culture on Demands for Grants (2007-08) of the Ministry of Culture. (Ends)

STATEMENT RE: STATUS OF IMPLEMENTATION OF EIGHTH REPORT OF DEPARTMENT-RELATED PARLIAMENARY STANDING COMMITTEE ON INFORMATION TECHNOLOGY ON DEMANDS FOR GRANTS (2010-11) OF THE DEPARTMENT OF TECOMMUNICATIONS MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

संचार और सूचना प्रौद्योगिकी मंत्रालय में राज्य मंत्री (श्री सचिन पायलट) : उपसभापति महोदय, मैं दूरसंचार विभाग, संचार और सूचना प्रौद्योगिकी मंत्रालय की अनुदान मांगों (2010-11) के संबंध में विभाग संबंधित सूचना प्रौद्योगिकी संबंधी संसदीय स्थायी समिति के

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आठवें प्रतिवेदन में अंतर्विष्ट सिफारिशों के कार्यान्वयन की स्थिति के संबंध में एक वक्तव्य सभा पटल पर रखता हूँ। (समाप्त)

MATTERS RAISED WITH PERMISSION OF THE CHAIR**RE: REPORTED REMARKS OF RAILWAY MINISTER ON MAOIST ACTIVITIES AND LALGARH INCIDENT**

SHRI SITARAM YECHURY (WEST BENGAL): Sir, I am a little disappointed that the hon. Prime Minister has just walked out of the House. Sir, through you, I would have made the request that he should stay back in the House and listen to this three minutes of my submission, because he, actually, belongs to this House. The reason why I am saying this is, the hon. Prime Minister is on record, at least on three occasions, to say that the gravest danger to India's internal security is Maoist violence. We would like to know from the hon. Prime Minister, very pointedly, how can a Member of the Union Cabinet, holding the rank of a Cabinet Minister, openly collaborating with the Maoists and protecting and patronizing them, also going to the media and saying that what has been said about a Maoist leader who was killed in an encounter, as saying, was an open murder according to media reports and the next day continues to justify this by saying that she stands by what she had said.

(CONTD. BY USY "10")

-NBR-USY/LT/10/12.05

SHRI SITARAM YECHURY (CONTD.): Can you have a situation in the Government that you have one Union Cabinet Minister saying that...(Interruptions)

MR. DEPUTY CHAIRMAN: It has been permitted by the Chairman. (Interruptions) It has been permitted by the Chairman. (Interruptions)

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SHRI SITARAM YECHURY: When the Chairman has permitted, who are they to interrupt? (Interruptions) Who are they? (Interruptions) This is an issue of serious concern. (Interruptions)

MR. DEPUTY CHAIRMAN: All of you sit down please. (Interruptions) Yechuryji, the Chairman has permitted you. So, you please speak. (Interruptions) आप बैठिए प्लीज..(व्यवधान)... I have allowed Mr. Yechury. आप बैठिए प्लीज..(व्यवधान)..

SHRIMATI BRINDA KARAT: Sir, protect the Member. (Interruptions) They are Ministers, but not Members of this House. (Interruptions) They do not belong to this House. (Interruptions)

श्री मुख्तार अब्बास नकवी : सर, ये डिस्टर्बेन्स कर रहे हैं..(व्यवधान)..सदन से बाहर भेजिए..(व्यवधान)..

MR. DEPUTY CHAIRMAN: It has been permitted by the Chairman. (Interruptions) Please listen to me. (Interruptions) The Zero Hour notice has been admitted by the Chairman, you cannot disrupt like this. (Interruptions) You are all member of the Council of Ministers. (Interruptions) Please adhere to the rules. (Interruptions) Please adhere to the rules. (Interruptions)

SHRI S.S. AHLUWALIA: Sir, he is a Member of the other House. (Interruptions) How can he be allowed to interrupt? (Interruptions)

MR. DEPUTY CHAIRMAN: Please adhere to the rules. (Interruptions) The hon. Chairman has admitted this notice for the Zero Hour; and, I have to permit him to speak. (Interruptions)

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SHRIMATI BRINDA KARAT: Sir, please ask him to sit down. (Interruptions)

Sir, ask him to go to his own House. (Interruptions)

SHRI SITARAM YECHURY: Sir, can a Member of other House disrupt this House? (Interruptions)

MR. DEPUTY CHAIRMAN: No; no, you please sit down. (Interruptions) I am again requesting you to... (Interruptions) You are members of the Council of Ministers. You should help the Chairman in conducting the business of the House. (Interruptions) When the Chairman has admitted it for Zero Hour you cannot interfere. (Interruptions) He has not yet started. (Interruptions) This subject has been discussed. (Interruptions)

श्री मुख्तार अब्बास नकवी : सर, ये क्यों बोल रहे हैं..(व्यवधान)..

SHRI S.S. AHLUWALIA: What is this, Sir? (Interruptions) A Member of the other House is interrupting this House. (Interruptions)

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

SHRI MUKUL ROY: But, Sir, I am a Member of this House. (Interruptions)

MR. DEPUTY CHAIRMAN: You are a Member of this House, but you are a Minister also. Please sit down. (Interruptions) Please sit down. (Interruptions) This Zero Hour Notice has been permitted by the Chair. (Interruptions)

SHRI SITARAM YECHURY: Sir, the point I am raising is, I think, a point of very important Constitutional proprietary. The Leader of the House says that Maoism is the gravest threat to the internal security of the country. Can you have, in the

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collective decision making process of the Union Cabinet, a Cabinet Minister who is openly patronizing and defending the Maoists? (Interruptions)

MR. DEPUTY CHAIRMAN: Mr. Yechury, you please go ahead. (Interruptions)
You please go ahead. (Interruptions)

SHRI S.S. AHLUWALIA: How are you allowing them to disrupt, Sir?
(Interruptions)

MR. DEPUTY CHAIRMAN: Are you replying on behalf of the Government?
(Interruptions)

SHRI SITARAM YECHURY: I am, therefore, saying that... (Interruptions) Here is an authentic report that I am submitting. (Interruptions) Sir, on this issue, I am giving you an authenticated report. (Interruptions) I authenticate this report. (Interruptions) I am saying that she has justified what she has said about the killing of a Maoist leader in an encounter. She has said that it was an open murder. (Interruptions) She has defied the Government agencies, and has openly said that the Government has indulged in a murder. (Interruptions) And, she very proudly says that she associates herself with that. (Interruptions) This is an absolute negation of authority, bestowed upon her as a Cabinet Minister. (Interruptions)

SHRI S.S. AHLUWALIA: Sir, I am on a point of order. (Interruptions)

(Contd. by 1p -- PB)

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-USY/PK/1P/12.10

SHRI S.S. AHLUWALIA: Sir, can a Minister who is a Member of the other House intervene and interfere in the affairs of Rajya Sabha? ..(Interruptions).. Give a ruling, Sir. ..(Interruptions).. This is a matter of Rajya Sabha. ..(Interruptions)..

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI MUKUL ROY): I also have a ..(Interruptions)..

SHRI SITARAM YECHURY: Sir, I also have a point of order. The Members of the Union Council of Ministers can take part in the proceedings of the House but the Members of the Union Cabinet who are not Members of this House cannot disrupt the Zero Hour proceedings in this House. ..(Interruptions)..

SHRI S.S. AHLUWALIA: How can he do this, Sir? ..(Interruptions).. Give a ruling, Sir. ..(Interruptions)..

MR. DEPUTY CHAIRMAN: Please, please. ..(Interruptions).. You have asked my ruling...(Interruptions).. Please, please.

SHRI MUKUL ROY: Sir, I am a Member of this House. ..(Interruptions)..

MR. DEPUTY CHAIRMAN:__Please sit down. Mr. Mukul Roy, please sit down. ..(Interruptions).. Mr. Yechury, please sit down. ..(Interruptions)..

SHRI MUKUL ROY: Sir, first I am a Member of this House, then, I am a Minister. ..(Interruptions)..

MR. DEPUTY CHAIRMAN:_ Please sit down. ..(Interruptions)..See, Zero Hour is admitted by the Chairman after considering the admissibility. The Chairman has admitted a Zero Hour Notice and in that Members who have given the notice alone can speak. There should be no interruptions or interference because three

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minutes are given to the Members and no Member — it is not only in this case, but even otherwise -- can disturb the hon. Members who have given a notice. Once the Chairman has gone through the process of admissibility, then, disturbance, particularly, by a Council of Minister, I feel, is not a good practice. It is not a good practice. It is not a good practice. ..(Interruptions). Please sit down. ..(Interruptions)..

SHRI MUKUL ROY: He should not mislead, taking advantage of the permission. ..(Interruptions)..

MR. DEPUTY CHAIRMAN: Please sit down. You may have your...(Interruptions).. There are other ways. ..(Interruptions).. I have given the ruling Mr. Mukul Roy that no Member can disturb once the Chair has gone through the process of admissibility.

SHRI SITARAM YECHURY: Can I continue, Sir?

MR. DEPUTY CHAIRMAN: Yes.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE

(SHRI DINESH TRIVEDI): His three minutes are over, Sir.

MR. DEPUTY CHAIRMAN: No, no.

SHRI SITARAM YECHURY: My three minutes begin now.

MR. DEPUTY CHAIRMAN: Please sit down, Mr. Mukul Roy. You are in the Council of Ministers. Please respect the ruling.

SHRI SITARAM YECHURY: Sir, the point that I am raising is, I consider, a matter of grave Constitutional propriety. You have a collective decision making process in the Union Cabinet and the Cabinet is a collective body. A collective body is headed by the Prime Minister of India and that Prime Minister is on record in both the Houses of Parliament and outside that, "Maoists violence constitutes the gravest threat to India's internal security." .. (Interruptions).. This is, Sir, the

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Statement of the hon. Prime Minister. I would like to know, Sir, : Does the Constitution and the Constitutional scheme of things permit a Member of the Union Cabinet holding the rank of a Cabinet Minister, under oath of this very Constitution, to protect the Constitution, to protect the unity and integrity of our country openly to support the Maoists, to patronize the Maoists and, actually, permit them? ..(Interruptions).. Is it permissible in this, particular, system now? I think it is not. That is why, I wish that the Prime Minister were here. We had requested him to stay back, but he is not here. Not only I authenticate this, I am also giving it. But it is also an open justification and defence that the Minister has made of her, I repeat, Sir, "The defence of the fact that a person, a Maoist leader killed in an encounter was murdered." This is the term that she has used that he was murdered and not killed in an encounter. ..(Interruptions)..

SHRI MUKUL ROY: This is not correct, Sir. ..(Interruptions)..

SHRI SITARAM YECHURY: Let me complete. In the speeches, if the media reports are to be believed, she has said that the person who has been killed in the encounter is a *shahid*. That means, he is a martyr. A person who is involved in the violence of the Maoist variety, is a martyr! Okay, you may charge me by saying that I am talking about my Party-- 255 cadre of my Party have been killed by them. They all are *shahid*...(Interruptions).. They are all *shahid*...(Interruptions)..

MR. DEPUTY CHAIRMAN: That is not the issue.

(Followed by 1Q/PB)

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SHRI SITARAM YECHURY: Okay; Sir. That is not the issue. ...*(Interruptions)*... But the point, Sir, is that when that issue was raised here by the hon. Leader of the Opposition, we have heard in the media that a Motion of Privilege has been moved against him. *(Time-bell)* We would like to know what is the position on that. We want to know whether a Motion of Privilege has been moved against the Leader of the Opposition on this issue. ...*(Interruptions)*...
(Ends)

MR. DEPUTY CHAIRMAN: That has nothing to do with this. ...*(Interruptions)*... That has nothing to do with this. ...*(Interruptions)*...

SHRI SITARAM YECHURY: We would like your opinion. That's all. ...*(Interruptions)*... We only like to know what happened. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is over. Shri Ravi Shankar Prasad to associate. ...*(Interruptions)*... Yes, Mr. Prithvirajji, do you want to say something on this? ...*(Interruptions)*... Mr. Ravi Shankar Prasad is also on the same subject. ...*(Interruptions)*... Please, please. Wait. Okay. Yes, Mr. Prithviraj Chavan.

THE MINSITER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI PRITHVIRAJ CHAVAN): Sir, when this issue was raised first by the hon. Leader of the Opposition, I stood up and said that we will find out from the hon. Minister when we had a chance to personally talk about it and come back to the House because, these are all media reports and my friends tell me that nothing of this sort happened. ...*(Interruptions)*... Nothing of this sort happened. So, are

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we going to depend on media reports? ...(Interruptions)... So, let us, Sir, find out what happened. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No; no; please. ...(Interruptions)... When a responsible Minister is saying that it is only media report, I think, you should believe it.

SHRI SITARAM YECHURY: Sir, the manner in which the Minister has replied, I am satisfied that he is also not convinced. ...(Interruptions)... He is also not convinced about his reply. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No; it is not open for discussion. ...(Interruptions)... It is not open for discussion. ...(Interruptions)... Mr. Ravi Shankar Prasad, please confine to these points only.

SHRI RAVI SHANKAR PRASAD (BIHAR): Sir, I associate myself with the points made, and I also want to inform the House that yesterday I saw myself on television the hon. Minister stating publicly that 'as my party Chief, I have got the right to make that statement which I have made and which I will continue to justify.' ...(Interruptions)... That is a serious breach of collective responsibility. ...(Interruptions)... Mr. Chavan, I have seen this with my own eyes.

But, Sir, there is one thing which is very important. ...(Interruptions)... Kindly appreciate. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Please, please.

SHRI RAVI SHANKAR PRASAD: The Leader of the Opposition is a very distinguished constitutional expert. He raises it and if a threat of privilege is being

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given, then that is a patent violation of Article 105 of the Constitution.

...(Interruption)...

MR. DEPUTY CHAIRMAN: See, there is no valid privilege notice.

...(Interruptions)... There is no valid privilege notice. ...(Interruptions)...

SHRI RAVI SHANKAR PRASAD: Sir, there should be no intimidation. Kindly allow

me, Sir. ...(Interruptions)... and, therefore, if privilege is involved ...

...(Interruptions)...

MR. DEPUTY CHAIRMAN: We have not taken cognizance of the privilege notice.

...(Interruptions)... There is no valid privilege notice. ...(Interruptions)... There

is no valid privilege notice before the Chair. ...(Interruptions)... That is over. Yes,

next, Mr. Ashwani Kumar.

RE: CHINA'S MILITARY BUILD-UP AGAINST THE COUNTRY

SHRI ASHWANI KUMAR (PUNJAB): Sir, I am grateful to you for permitting me to

raise an issue of great national importance which concerns our national security.

Sir, we are informed on the authority of the Pentagon Report that China is

undertaking a massive military build up on the Indian border. It has deployed

CSS-5 missiles which has 2700 kilometre range on our borders.

Given the context of the past record of certain unacceptable moves by

China, including its untenable claims in Arunachal Pradesh, including its strategic

engagement with Pakistan, including its ambivalence on India's position in the

Security Council, Sir, this is a matter that requires consideration of this country,

that requires the consideration of the National Security Agencies of this country.

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Sir, I need to tell this House that we have 1:5 parity against us in our Defence preparedness. Sir, the Budget in 2009 of China on its military spent was 150 billion dollars as against 32.7 billion dollars of India. Sir, it has 6660 tanks as against India's 5000. It has 8 nuclear submarines as against 1 of India. It is, therefore, high time that a rising India stop being apologetic for the need to increase its Defence expenditure.

(Contd. by 1r/SK)

1r/12.20/skc-ds

SHRI ASHWANI KUMAR (contd.): Sir, we know that in relations between nations, strategic national interest can only be secured through the demonstration of strategic power. India's strategic power is very, very low compared to China.

Sir, I know that we have to pursue a harmonious relationship with China. It is our largest trading partner. We have to build good relationship with China, but that does not mean that we remain oblivious of the urgency to ratchet up our defence preparedness. I think, it is high time the Ministry of External Affairs, the national security apparatus and the Defence Ministry came together to give to India what India requires -- a comprehensive plan to meet any situation arising out of a possible expansionist posture in the future on the part of any of our neighbours.

Sir, it is critically important that we revisit our defence preparedness and our defence strategy, so that a rising India is seen to be an India capable of securing its interests in all circumstances. This is my respectful submission.

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SHRI M. RAMA JOIS (KARNATAKA): Sir, I associate myself with what the hon. Member has said.

श्री नंद कुमार साय (छत्तीसगढ़): महोदय, मैं इस विषय से स्वयं को सम्बद्ध करता हूँ।

श्री रुद्रनारायण पाणि (उड़ीसा): महोदय, मैं इस विषय से स्वयं को सम्बद्ध करता हूँ।

श्री रवि शंकर प्रसाद (बिहार): महोदय, मैं इस विषय से स्वयं को सम्बद्ध करता हूँ।

(Ends)

"PAID NEWS" AND ISSUE REGARDING PRESS COUNCIL

SHRIMATI BRINDA KARAT (WEST BENGAL): Sir, while the media are making excellent use of the Right to Information Act to expose wrong-doings, it is shocking to learn that the Press Council of India is suppressing vital information on the "paid news" scandal. It may be recalled that the Press Council had set up a two-member sub-committee to look into details of the scandal. The sub-committee has produced a 72 page report. Instead of making the report public, the effort is to remove the names of those named. (Interruptions) Those big media houses which are guilty of paid-news now want a cover-up. We know about cash-for-votes and cash-for-questions; now, we have cash-for-news, and the media itself wants to remain silent on it. It would be tragic if a watchdog... (Interruptions) सर, बादल भी मेरा साथ दे रहे हैं। ...(व्यवधान)

श्री उपसभापति: वे भी रो रहे हैं।

श्रीमती वृंदा कारत: सर, वे हमारे साथ हैं। ..(व्यवधान)..वे भी मेरे साथ गरज रहे हैं।

श्री एस.एस. अहलुवालिया: वे भी गरज-गरज कर बोल रहे हैं। ..(व्यवधान)

श्रीमती वृंदा कारत: सर, इन बादलों की आवाज आप मेरे टाइम में से काट लीजिएगा। ..(व्यवधान)

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श्री रवि शंकर प्रसाद: ये बादल भी चाहते हैं कि मीडिया फ्री रहे। ..(व्यवधान)

श्री उपसभापति: प्लीज़, आप बैठिए। ..(व्यवधान)

SHRIMATI BRINDA KARAT: Sir, it would be tragic if a watchdog is reduced to being a lapdog of big corporate houses. The mandate of the Press Council is to assure a free Press and to enhance the standards of reporting. The Chairman himself is on record; he is the person who ordered the setting up of the committee. But, look at the power of the media, Sir, that today that report is not only being diluted, it is not even there on the website of the Council.

Sir, this Council has been set up by an Act of Parliament. It is essential for the Government to intervene on this because this report makes three important points; one, it talks about how news space has been sold and names those guilty; two, it talks about so-called private treaties between the media house and a corporate -- a three-year treaty in which space is given in exchange for company shares, and this is also a violation of the SEBI guidelines; the third important point is about working journalists. Even senior journalists today are on contract. And this is playing a very important role in curbing the independence of fine journalists.

These are the issues raised. I hope, the Minister for Information and Broadcasting will intervene to see that this valuable report is made public. The Press Council is accountable; Parliament cannot remain silent when such an important institution of democracy, the Press, a free Press, is being suborned by corporate interests.

Sir, I hope the House will take note of it and the Government will take appropriate action.

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MR. DEPUTY CHAIRMAN: The entire House associates itself with what the hon. Member has said.

श्री एस.एस. अहलुवालिया (झारखंड): सर, मैं इस विषय से स्वयं को सम्बद्ध करता हूँ।

श्री मुख्तार अब्बास नकवी (उत्तर प्रदेश): सर, मैं इस विषय से स्वयं को सम्बद्ध करता हूँ।

श्री रुद्रनारायण पाणि (उड़ीसा): सर, मैं इस विषय से स्वयं को सम्बद्ध करता हूँ।

श्री रवि शंकर प्रसाद (बिहार): सर, मैं इस विषय से स्वयं को सम्बद्ध करता हूँ।

श्री राम कृपाल यादव (बिहार): सर, मैं इस विषय से स्वयं को सम्बद्ध करता हूँ।

SHRI PYARIMOHAN MOHAPTRA (ORISSA): Sir, I associate myself with what the hon. Member has said.

SHRI D. RAJA (TAMIL NADU): Sir, I associate myself with what the hon. Member has said.

PROF. P.J. KURIEN (KERALA): Sir, I associate myself with what the hon. Member has said.

SHRI M.V. MYSURA REDDY (ANDHRA PRADESH): Sir, I associate myself with what the hon. Member has said.

SHRI H.K. DUA (NOMINATED): Sir, I associate myself with what the hon. Member has said.

SHRIMATI BRINDA KARAT: Sir, Shri H.K. Dua is here; let him say a few words on this.

(Followed at 1s/ksk)

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KSK/12.25/1S

SHRI S.S. AHLUWALIA (JHARKHAND): Sir, while associating myself with the matter raised by my learned friend, Shrimati Brinda Karat, I demand that the unedited report of the sub-Committee on paid channels, paid news, of the Press Council of India should be laid on the Table of the House. We want to see the unedited report.

MR. DEPUTY CHAIRMAN: Yes, as a special case. Now, Mr. H.K. Dua.

SHRI H.K. DUA (NOMINATED): Sir, it is a very important public issue. It involves the people's right to know. It also involves the freedom of the Press under article 19(a) of the Constitution. The Press Council should not be a party to not letting out the 72-page report of a committee which was appointed by the Press Council itself. There has been a pressure of the proprietors. Everybody knows about it. The report is not being released because the names of the proprietors are involved. Now, the Press Council should put it on its website, and possibly, on the floor of the House also.

SHRI M.V. MYSURA REDDY (ANDHRA PRADESH): Sir, I associate myself with the matter raised by Shrimati Brinda Karat.

(Ends)

MR. DEPUTY CHAIRMAN: Yes, the whole House is associating.

Uncorrected/ Not for Publication-19.08.2010**RE: SEVERE DROUGHT IN EASTERN INDIA, SPECIALLY WEST
BENGAL AND BIHAR**

SHRI MOINUL HASSAN (WEST BENGAL): Sir, because of deficit rainfall, the entire Eastern India is facing unprecedented drought. Today, it is raining in Delhi but not in West Bengal, Bihar, Chhattisgarh or Jharkhand. Sir, the Government of West Bengal has declared eleven districts as drought hit. Entire Bihar and entire Jharkhand have been declared as drought hit. In West Bengal, there is 30 per cent deficit rainfall. Lakhs of hectare of land is not in a position to be cultivated. Common farmers lost their jobs due to this drought. In West Bengal specially, there is a demand to increase the work of Mahatma Gandhi NREGS by manifold. But, fund constraint is there. Fund is not available. According to the Government report, the fund availability is Rs.1165 crores. Fund already spent in West Bengal is Rs.949 crores. But, it was not reflected on the website due to the time gap taken by the Department of Rural Development of the Government of India. The State Government has already got only Rs.170 crore. Sir, Rs.1400 crore is required under the head of 'Labour Estimate' to face the drought situation in West Bengal. Sir, the Chief Minister of West Bengal has already written a letter to the hon. Prime Minister and the Agriculture Minister of the Government of India. He demanded two things. The first was to send a Central Team to assess the situation in Bengal. Lakhs of people are suffering due to the drought situation. His second demand was that instructions should be issued for immediate release of balance amount of second tranche of Central share without going into the nitty-gritty of accounting procedure to save the common people and to provide jobs to

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the common people of Bengal who are facing the drought situation prevailing in Bengal and other parts of Eastern India - Jharkhand and Bihar. This is my demand, through you, Sir, to the Government of India.

(Ends)

SHRIMATI BRINDA KARAT (WEST BENGAL): Sir, I associate myself with the matter raised by Shri Moinul Hassan.

SHRI RAVI SHANKAR PRASAD (BIHAR): Sir, I associate myself with the matter raised by Shri Moinul Hassan.

SHRI PRASANTA CHATTERJEE (WEST BENGAL): Sir, I associate myself with the matter raised by Shri Moinul Hassan.

SHRI TARINI KANTA ROY (WEST BENGAL): Sir, I associate myself with the matter raised by Shri Moinul Hassan.

SHRI TAPAN KUMAR SEN (WEST BENGAL): Sir, I associate myself with the matter raised by Shri Moinul Hassan.

(Ends)

RE: SEVERE DROUGHT CONDITION IN JHARKHAND

SHRI KANWAR DEEP SINGH (JHARKHAND): Sir, this is about the State of Jharkhand. The State of Jharkhand is in the grip of severe drought affecting the livelihood of large number of tribals and farmers from all communities. Out of all

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the 23 districts in the State, all have been judged short of rainfall resulting in poor cropping, which, in turn, has created a situation of anxiety among the farmers. We all are aware that the State is under the Presidential Rule due to the political instability for the last several months. As of now, there is no popular Government. There is no voice of people in the State. The entire administrative responsibility is vested in the Central Government which is exercising its administrative action through the hon. Governor.

(continued by 1t - gsp)

GSP-VNK-1T-12.30

SHRI KANWAR DEEP SINGH (contd.): The aspirations of the farmers are not being taken care of. Now, the Parliament is the only legislative forum, where aspirations and concerns of the people of Jharkhand can be raised. I have been recently elected to Rajya Sabha, and, it is my responsibility to request immediate intervention of the Union Government to provide relief in drought-hit areas of Jharkhand. I earnestly ask the Union Government to provide a relief of Rs. 5,000 crore to the State of Jharkhand. I would also request the hon. Prime Minister to visit Jharkhand to ameliorate the sufferings of the people of Jharkhand. I also request that a high-powered committee should be constituted by the Prime Minister to make immediate visit to the affected areas of Jharkhand and supervise the drought-relief operations in the State of Jharkhand.

So far, it has been reported that the State has received much less than 50 per cent of rainfall. Sir, the situation is grave and may go out of control if the Government at the Centre fails to fulfill the aspirations of the people of the State of

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Jharkhand. The recent Naxal violence in the State may be fuelled if the farmers are not taken care of. Two crore people of the State of Jharkhand are eagerly awaiting a response of this august House and support from the Central Government in this critical hour.

Sir, I was allotted three minutes. I spoke for the first time, and, I still have 36 seconds to go. I did not waste any time. Thank you.

(Ends)

**RE: DISAPPEARANCE OF TRUCKS CARRYING EXPLOSIVES
IN MADHYA PRADESH**

SHRI M. RAMA JOIS (KARNATAKA): Mr. Deputy Chairman, Sir, through your good office, I am inviting the attention of the Ministry of Home Affairs to an explosive matter. It is reported in *The Hindustan Times* daily in its issue dated 15th August, 2010 that four of the sixty one trucks carrying 400-tonnes of explosives, which were missing in their course of journey from Rajasthan to Madhya Pradesh since four months, were found empty on Friday night in Rajgarh District of Madhya Pradesh. It is further reported that the police team seized the vehicles parked in front of a local trading company, B.M. Traders, at Pipala village of Beoara Tehsil of Rajgarh District, 150-kilometre north of Bhopal. The trucks were sent from Rajasthan Explosives and Chemicals Limited to Ganesh Magazine in Sagar between April and July. The incident itself is explosive involving questions as to whose hands it has reached, who is behind this miraculous escape of such big trucks carrying huge quantities of explosives, what is the motive, why did it take

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four months for the police to trace the trucks and seize them, and, what has happened to the huge quantity of explosives.

Sir, I appeal to the Home Ministry to realize the magnitude of the matter, find out the persons involved in it and bring them to justice. Thank you.

(Ends)

**RE: PERIL OF THE PROPOSED NAVI MUMBAI
INTERNATIONAL AIRPORT SITE**

SHRI BHARATKUMAR RAUT (MAHARASHTRA): Sir, my State of Maharashtra is finding itself in a very intriguing situation, where one Ministry of the Union Cabinet proposes something and the other Ministry disposes that. The Civil Aviation Ministry has proposed a Navi Mumbai International Airport, a very ambitious project near Mumbai, and, the Environment Ministry has raised serious objections about the very validity of the airport.

Sir, I congratulate the Environment Minister for really taking the bull by hand. Somebody has to take it up. We want development, Maharashtra needs development but not at the cost of environment hazards. You cannot destroy the environment, and, on top of it, you say that we are developing. Sir, there are three major objections, which have been raised by the Environment Minister. Firstly, hectares of land occupied by mangrove will be destroyed because of the proposed airport. Secondly, the flow of two rivers, which flow from that area, will have to be changed or altered, and, thirdly, one hill will be destroyed. Sir, the question is: if Mumbai needs another airport, should it also cause ecological imbalance. Sir, we are not against development but no development at the cost of ecology.

(Contd. by VKK-1u)

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SHRI BHARATKUMAR RAUT (CONTD.): Sir, another point is: Why everybody is insisting on this very site? Is it because some industrialists and industrialists-politicians have already purchased huge pieces of land in this area at throw-away prices from the farmers and now they are dreaming that if airport comes up there, their pieces of land will have gold or more than gold or platinum price? Sir, this airport will be directly benefiting the industry of Maharashtra and the country. When the industry and industrialists are benefited, why should poor farmers and fishermen suffer? Because of this site, there is a fear that fishermen's avocation will face trouble, fertile land will face trouble, etc. You can acquire land from poor farmers, but, will you dare to acquire land from rich industrialists? If you want to change the site, some land of big industrialists in the country will come in the picture. Does the Government have the guts to acquire land from big industrialists? That is my question. If you want to have the airport, we are not opposed. But, surely, I, and my party will oppose the airport if it comes at the cost of poor farmers and fishermen.

(Ends)

**RE: RAGGING OF COLLEGE STUDENTS BELONGING TO HIMACHAL
PRADESH IN DADRI, UTTAR PRADESH**

श्रीमती विप्लव ठाकुर (हिमाचल प्रदेश) : उपसभापति जी, मैं सदन के ध्यान में एक बहुत महत्वपूर्ण विषय लाना चाहती हूँ जिसके बारे में यहां कई बार बात हो चुकी है। महोदय, रैगिंग के बारे में यहां डिसकशन भी हुआ था, जो आज भी colleges और universities में चल रही है

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और हर साल कुछ न कुछ विद्यार्थी इसकी बलि चढ़ जाते हैं। अभी हमारे हिमाचल में अमन काचरू के केस का फैसला भी नहीं हुआ, लेकिन फिर भी ऐसी घटनाएं घट रही हैं। हाल ही में अखबारों में हिमाचल का मामला भी आया और गाज़ियाबाद का मामला भी आया कि एक स्टूडेंट को रैगिंग के कारण अपनी जान से हाथ धोना पड़ा। महोदय, कई राज्यों ने इसके लिए कानून भी बनाए हैं। मेरा सरकार से अनुरोध है कि इन कानूनों को इंप्लिमेंट करने के लिए उनमें इच्छाशक्ति होनी चाहिए, नहीं तो मैं सरकार से कहूंगी कि होम मिनिस्ट्री और Ministry of Human Resource Development ऐसे मामलों में action ले। जिस university में, जिस भी कॉलेज में यह घटना घटती है, उसके ऊपर जरूर action लिया जाना चाहिए। उसके मैनेजमेंट, उसके प्रिंसिपल या administration के खिलाफ जब तक हम action नहीं लेंगे, तब तक हमारी बात नहीं बनेगी, इसीलिए मैं इस सदन का ध्यान एक बार फिर इस ओर आकृष्ट करना चाहती हूँ, बहुत-बहुत धन्यवाद।

(समाप्त)

प्रो. अलका क्षत्रिय (गुजरात) : महोदय, मैं इस विषय के साथ स्वयं को सम्बद्ध करती हूँ।

(समाप्त)

**RE: NEED FOR ALLOCATION OF MORE FOODGRAINS
TO THE STATE OF KERALA**

SHRI K.N. BALAGOPAL (KERALA): Sir, I thank you and the hon. Chairman for allowing holiday for Onam on 23rd. Sir, this is an urgent matter related to Onam. People of Kerala are demanding more supply of rice, sugar, grains and other food materials from the Central Government. Now, we are having a big supply chain in Kerala and more than ten thousand shops are there. We are subsidising things for the people for Onam and Ramzan festivals. Sir, earlier, we used to get 1,13,000

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tonnes foodgrains, rice per month for Kerala from the Central Government. Now, it is reduced. Recently, for Onam, some increase is there. But, it is only meagre. We are requesting the Government of India to reintroduce the earlier ration of 1,13,000 tonnes, sugar and other grains. Now, everyone knows that foodgrains in the FCI godowns are eaten by rats. So, it may be given to Kerala. (Interruptions) Instead of rats, it may be given to the people of Kerala. That is what I am saying. (Interruptions) Sir, we are producing rubber, tea, spices and many other things for the entire country. We are producing only 20 per cent of foodgrains than what we need. So, we are requesting for this help from the Government of India and we are having a subsidy supply chain in Kerala. Through that, we are giving rice and other things, not only one or two items but, we are giving some 13-14 items. Kerala is giving the cheapest rice in India compared to other rice-producing States. That is through subsidy. Sir, there is a request from the State of Kerala to give 50 per cent reinvestment of the subsidy which we are giving through supply chain.

(Contd. By TMV/1w)

-VKK-TMV-MCM/1W/12.40

SHRI K. N.BALAGOPAL (CONTD.): Sir, now there is a news item that the DA of the Government employees will be increased by 10 per cent. It comes to Rs.1,000 crores. If you give 50 per cent subsidy reimbursement to the entire country, it will be less than Rs.10 crores. It is not only for Kerala but also the entire country. We are requesting that there should be 50 per cent subsidy reimbursement as part of this. This is the request of the people of Kerala. Thank you. (Ends)

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SHRI PRASANTA CHATTERJEE (WEST BENGAL): Sir, I associate myself with the Zero Hour mention made by Mr. Balagopal.

SHRI MOINUL HASSAN (WEST BENGAL): Sir, I also associate myself with the Zero Hour mention made by Mr. Balagopal.

SHRIMATI BRINDA KARAT (WEST BENGAL): Sir, I also associate myself with the Zero Hour mention made by Mr. Balagopal.

SHRI D. RAJA (TAMIL NADU): Sir, I also associate myself with the Zero Hour mention made by Mr. Balagopal.

PROF. P. J. KURIEN (KERALA): Sir, the Government should take note of it. More rice and sugar should be given to Kerala for Onam.

SHRI S. S. AHLUWALIA (JHARKHAND): Sir, I also associate myself with the Zero Hour mention made by Mr. Balagopal.

MR. DEPUTY CHAIRMAN: The entire House is associating itself with this Zero Hour mention.

RE: TAKE OVER OF MAJOR OILFIELDS BY VEDANTA-CAIRN

SHRI TAPAN KUMAR SEN (WEST BENGAL): Sir, my time is going.

MR. DEPUTY CHAIRMAN: We have a mechanism. Don't worry. We have mechanism if there is any disturbance.

SHRI TAPAN KUMAR SEN: Sir, I rise to draw the attention of the House, and also of the Government to the most disquieting development of change of hands of the control of one of the most precious natural reserves, the Mangala Oilfield in Rajasthan through the Vedanta-Cairn Energy deal.

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It is disturbing because Vedanta has been proactive in clinching the deal with Cairn Energy for taking over 51 per cent stake of Cairn India, thereby establishing its control over a number of oilfields in the country, including the crown jewel, the Mangala Oilfield, having huge reserves of precious crude oil, in which ONGC is also having 30 per cent production sharing stake. The Government and the Ministry of Petroleum, in particular, is maintaining a stoic silence resembling a patronizing indulgence in the entire deal making exercise by a contractor of dubious reputation of violating the laws of the land and facing a prevention order in the matter of bauxite mining. Equally surprising is the inaction of the ONGC, a Maharatna Company in the public sector, which is a 30 per cent stakeholder in the assets of the said oilfield. Not only that, despite being a 30 per cent stakeholder in Mangala Oilfield, the ONGC shoulders 100 per cent the royalty burden of the entire asset. It is not yet known whether the ONGC is keeping silence on its own or it is made to keep silence for the vested interests.

In the meantime, the Cairn Energy's share price is zooming high in the London market and the Vedanta's share price is also zooming high in the Indian market. I would like to know whether the stoic silence and inaction is for allowing the share prices to zoom high and serving the interest of the operators.

It is ironical that when the ONGC Videsh is running after acquiring oil assets abroad, the country's precious oil leader, in which the ONGC is 30 per cent partner, which has to be given first preference in the case of disinvestment, is being ignored. The Government is maintaining absolute silence and inaction.

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I demand that in the national interest, the Government of India must immediately intervene and not allow the take over of the control of Mangala Oilfield in Rajasthan by a scrap-dealer-turned-contractor of dubious reputation with no exposure and experience in oil exploration. The Government must intervene to see that the ONGC, with a comfortable reserves and surplus fund and very high credibility, takes over the Mangala Oilfield in Rajasthan, and for that matter, Cairn India's majority stake in the best interest of the country's energy security and in the overall interest of the national economy.

I demand that the Government should immediately act upon it instead of sitting idle allowing the share prices of Vedanta and Cairn Energy to rise high in London. The Government must react. Thank you.

(Ends)

SHRI R. C. SINGH (WEST BENGAL): I associate myself with the Zero Hour mention made by Shri Tapan Kumar Sen.

SHRI PRASANTA CHATTERJEE (WEST BENGAL): Sir, I also associate myself with the Zero Hour mention made by Shri Tapan Kumar Sen.

MR. DEPUTY CHAIRMAN: The entire House is associating itself with this Zero Hour mention.

श्री राम कृपाल यादव : सर, हम लोगों ने भी नोटिस दिया था।.....(व्यवधान)

श्री उपसभापति : आप बैठिए न,(व्यवधान)

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RE: DECISION TO HAVE A COMMON ENTRANCE
EXAMINATION FOR MEDICAL COLLEGES

SHRI PAUL MANOJ PANDIAN (TAMIL NADU): Sir, I am raising an important issue which has affected the students aspiring for medical studies in Tamil Nadu. It has also affected the entire country. The policy of the Government that the MBBS aspirants will henceforth have to clear a common entrance test for admission to medical colleges across the country has affected the students who are aspiring for admission to medical colleges, both for under-graduate and post-graduate courses. The Union Government has approved a proposal and a notification is likely to be issue shortly. There is also a proposal to conduct a common entrance test for post-graduate course also.

(Contd. by 1X/VK)

VK/1X/12.45

SHRI PAUL MANOJ PANDIAN (CONTD): The decision of the Government mooting common entrance test for both Government and private medical colleges will amount to interference with the rights of the State Governments. I wish to state that there is an encroachment on the powers of the States in this case. I also wish to state that this move is an infringement on the power of the State Government.

The leader of our Party, Dr. J. Jayalalithaji, who is the guardian of social justice, had introduced a historic social welfare legislation providing 69 per cent reservation for the students of the backward communities, most backward communities and the Adi Dravidar community. The reservation is continuing in the State of Tamil Nadu by virtue of

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the Supreme Court judgement passed very recently. In these circumstances, the decision of the Government, if accepted, will adversely affect the future of the students aspiring for both Government and private medical colleges. The decision to introduce a common entrance test for all medical courses, which was conveyed to the Supreme Court of India, will have an adverse impact on the future of the students aspiring for medical studies.

The common entrance test will hinder the prospects of the rural students of Tamil Nadu who will not be able to compete in the CET owing to their handicap with respect to the language in which they will have to write the examination. They will, at no point of time, be permitted to write the examination in the regional language Tamil.

This decision of the Union Government has sent shock waves across the students of Tamil Nadu, causing anxiety among poor rural and backward class students because at present there is no CET for professional courses in Tamil Nadu. The entrance test was abolished in Tamil Nadu as it facilitated only city students to undergo training for the test. The training fee for such tests conducted by private training institutes was exorbitant. The rural students were put to more pressure immediately after writing their higher secondary examinations. At present, admission to professional courses in Tamil Nadu is conducted based on the performance in the Higher Secondary Board Examinations.

In these circumstances, as the proposal to introduce common entrance test for medical studies will adversely affect the future of the students of Tamil Nadu and interfere with the policy of reservation, we strongly oppose the proposal of the Government. Thank you.

(Ends)

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SHRI TIRUCHI SIVA (TAMIL NADU): Mr. Deputy Chairman, Sir, the Chairman of the Board of Governors of the Medical Council has said that the MBBS aspirants have to clear a common entrance test for admission to medical colleges across the country from the next academic year 2011-12. At present there are 17 entrance tests for admission to medical colleges, which are conducted by the Central Board of Secondary Education, the State Governments and even some private colleges. But as far as Tamil Nadu is concerned, we can take the proud privilege of having done away with entrance test which was in vogue for quite a long time, since the experience had revealed the fact that the rural community people were not getting access to the medical colleges in professional courses. Now the system which we are having is that as per the marks secured by students in the higher secondary examinations, they are admitted to professional courses in medical and engineering colleges. The situation prevailing now warrants no such move by the Government. The Chairman of the Board has said this and since the Health Ministry has also given its consent, we strongly, on behalf of the DMK Party, oppose this move for it usurps the power of the State Government. At a point of time when the voice of the State Government is rising high on the demand for State autonomy and review of the Constitution on the basis of the same, this is an attempt to encroach into the powers of the State Government. I urge the Government to reconsider this move and maintain status quo. Thank you.

(Ends)

Uncorrected/ Not for Publication-19.08.2010**RE: REPORTED U.S. PRESSURE ON QUESTION OF LIABILITY OF DOW
CHEMICALS IN BHOPAL GAS TRAGEDY**

SHRI D. RAJA (TAMIL NADU): Sir, I am raising a very serious issue of national public importance. It is an issue of the sovereignty of the nation; it is an issue of how the US is trying to arm-twist India on many issues, including the Dow Chemicals issue. Sir, this has been raised by our own media. It has been telecasted by the Times Now Channel. It is has been reported by very reputed newspapers like The Hindu. I quote: "A recent exchange of e-mails between the Deputy Chairman, Planning Commission, Shri Montek Singh Ahluwalia, and the US Deputy National Security Advisor, Michael Forman, accessed by the Times Now, would suggest that the United States is trying to pressurize India to take back its demand for Rs. 1500 crores in compensation from Dow Chemicals in the Bhopal gas tragedy case."

(Contd. By 1Y)

RG/ASC/12.50/1Y

SHRI D. RAJA (contd.): Sir, we had the Short Duration Discussion on Bhopal Gas Tragedy. At that time, the Home Minister gave an assurance that there was no pressure from outside in any respect. But it is now clear that the U.S. is trying to influence the decision-making process of our country, especially, as far as liability in respect of Bhopal Gas Tragedy victims is concerned. And, it is a very serious matter. The Government of India should take it up very seriously. The Government should come forward forthrightly denying such reports. It should not succumb to the pressure put by the U.S. Administration. Sir, it is not only a

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question of liability in respect of the victims, but it is also linked with the borrowings of India from the World Bank. It is a serious matter. The U.S. Government is trying to put pressure on India on every policy matter. This kind of interference in our sovereign affairs, internal affairs, cannot be allowed. This matter should be seriously looked into by the Government. I am urging upon all the political parties, irrespective of our differences on many issues, to come together and resist this...

MR. DEPUTY CHAIRMAN: You just associate yourself with it.

SHRI D. RAJA: That is why I am raising it. The Government should not succumb to the pressure. If the BJP and the Congress (I) can come together on the Nuclear Liability Bill, this is a far more serious issue on which I would appeal to the BJP, the Congress (I) and all parties to come together. How can the U.S. pressurize our Government? It is for the Government of the day to come clean on this, and it should come out forthrightly and say, "We will not succumb to any pressure of the U.S."

MR. DEPUTY CHAIRMAN: That is all...(Interruptions) You all can associate yourselves...(Interruptions)

SHRI RAVI SHANKAR PRASAD: Sir,...

MR. DEPUTY CHAIRMAN: You only associate yourself. You have already raised a matter today...(Interruptions)

SHRI RAVI SHANKAR PRASAD: I may be given two minutes...

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श्री उपसभापति : आप एसोसिएट कीजिए। ... (व्यवधान).. अहलुवालिया जी, वृंदा कारत जी भी एसोसिएट करना चाहती हैं, वे भी बोलना चाहती हैं।... (व्यवधान).. यह कैसे होगा? ... (व्यवधान)..

SHRI RAVI SHANKAR PRASAD: The Times Now has reported about an e-mail from U.S. Deputy National Security Advisor... (Interruptions) He is reported to have told the Deputy Chairman of the Planning Commission, " I am not familiar with all the details but I think we want to avoid developments which put chilling effect on our investment relationship " ... (Interruptions)

MR. DEPUTY CHAIRMAN: Okay, Shri Ravi Shankar Prasad... (Interruptions)

SHRI RAVI SHANKAR PRASAD: The Government of India should explain... (Interruptions) It is a matter of sovereignty of India. This kind of interference... (Interruptions)

श्री उपसभापति : यह क्या हो रहा है? ... (व्यवधान).. Nothing will go on record... (Interruptions)

SHRIMATI BRINDA KARAT: Sir,...

MR. DEPUTY CHAIRMAN: You only associate yourself.

SHRIMATI BRINDA KARAT: It is a serious issue... (Interruptions) Let me make my point, Sir. The Deputy Chairman of the Planning Commission has defended it. He has said that this is a normal thing. We raise issues, and then raise issues... (Interruptions)

MR. DEPUTY CHAIRMAN: That is over. Now, Shri Balavant alias Bal Apte.

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RE: NON-FUNCTIONING OF MTNL TELEPHONES IN MPs FLATS

श्री बलवंत उर्फ बाल आपटे (महाराष्ट्र) : सर, महानगर टेलीफोन निगम लिमिटेड, MTNL के हजारों टेलीफोन्स आज बंद हैं। मुख्यतः जहां सांसदों के निवास हैं, जैसे MS फ्लैट्स, BKS मार्ग, नार्थ एवेन्यू, साउथ एवेन्यू है, वहां के फोन्स बंद हैं। ये फोन्स संसद सत्र के दरमियान बंद हैं।

(क्रमशः 1Z/LP पर)

LP-KS/12.55/1Z

श्री बलवंत उर्फ बाल आपटे (क्रमागत) : ब्रॉड बैंड सेवा भी उसी प्रकार से बंद हो रही है। यह बताया जा रहा है कि जब तक कॉमनवेल्थ गेम्स पूरे नहीं होते हैं, तब तक केबल फॉल्ट ठीक नहीं होगा, यानी हजारों टेलीफोन्स लगातार बंद रखे जाएंगे। संसद का सत्र चालू है, सांसद यहां हैं और उन्हें टेलीफोन की बहुत आवश्यकता रहती है। जैसाकि मैंने ब्रॉड बैंड के बारे में कहा है, वह कोलेप्स हो गया है। कभी-कभी ऐसा लगता है कि यह जो मंत्रालय है, यह घोटालों का मंत्रालय है, क्या इसमें भी कुछ घोटाला है? क्योंकि लैंड लाइन्स बंद हैं, मोबाइल्स चल रहे हैं, उनमें भी जो समस्याएं हैं, वे अलग हैं, उस पर मोबाइल्स में समस्या रहते हुए भी, मोबाइल्स चलते रहना, लैंड लाइन बंद करना, क्या यह किसी के लिए हो रहा है? किसकी लैंड लाइन डेवलप करने के लिए एक सुविधा दी जा रही है? सर, यह विषय ऐसा है, जिस पर सोचकर इस हाउस में नोटिस लेना चाहिए, आपको स्वयं नोटिस लेना चाहिए कि यदि यहां पर संसद का सत्र चलते हुए संसद सदस्यों के टेलीफोन लगातार बंद रहेंगे..(व्यवधान).. तो किसी को तो इसको देखना चाहिए..(व्यवधान).. मंत्री जी तो नहीं देखेंगे, क्योंकि उनका काम नहीं है, उनका काम कुछ और करना है।

(समाप्त)

MR. DEPUTY CHAIRMAN: Telephone is very important. The Government should take note of this and ask BSNL and MTNL to set it right.

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श्री एस.एस. अहलुवालिया : इंटरनेट काम नहीं कर रहा है, हमारे ब्रॉड बैंड को कोलैप्स किया हुआ है। ..(व्यवधान)..

श्री उपसभापति : ठीक है। श्री आर.सी.सिंह।

**RE: DEATH OF 20 SCHOOL CHILDREN
DUE TO LAND-SLIDES IN UTTARAKHAND**

श्री आर.सी.सिंह (पश्चिमी बंगाल) : उपसभापति जी, 17 तारीख की रात में एक बड़ी दुखद घटना घटी है। इस बरसात के चलते उत्तराखंड के बागेश्वर डिस्ट्रिक्ट में सुमगढ़ गांव में लैंड स्लाइडिंग होने से बीस बच्चे, जिनकी उम्र दस साल से कम थी, दबकर मर गए हैं और दस से ज्यादा बच्चे घायल हुए हैं। ऐसे समय में कोई डिजास्टर मैनेजमेंट नहीं था और सरकार या व्यवस्था की तरफ से कोई रिलीफ भी नहीं पहुंच सका था। बहाना यह था कि उनका ब्रिज टूट गया है। इसका मतलब यह था कि लूज डेब्रिज पड़ी हुई थी। इसकी पहले व्यवस्था करनी चाहिए थी, लेकिन नहीं की गई, जिसके चलते सरस्वती शिशु मंदिर की बिल्डिंग धंस गई, गिर गई और उसमें बीस बच्चे मर गए। मैं सरकार का ध्यान आकर्षित करता हूं कि वहां पर एक मजबूत स्कूल बिल्डिंग खड़ी की जाए। इसमें जो मरे हैं, उनके परिवार को कम से कम पांच-पांच लाख रुपए की धनराशि दी जाए, जो बच्चे इंजर्ड हुए हैं, उनकी दवा की पूरी व्यवस्था की जाए और उनकी संवेदना में हम सहभागी बनते हैं। धन्यवाद।

(समाप्त)

श्री कलराज मिश्र (उत्तर प्रदेश) : उपसभापति जी, मैं स्वयं को इससे संबद्ध करता हूं।

श्री एस.एस.अहलुवालिया (झारखंड) : उपसभापति जी, मैं स्वयं को इससे संबद्ध करता हूं।

SHRI SITARAM YECHURY (WEST BENGAL): Sir, I also associate myself with what the hon. Member has mentioned.

SOME HON. MEMBERS: Sir, we also associate ourselves... (Interruptions)

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MR. DEPUTY CHAIRMAN: All right. The entire House associates itself with what the hon. Member has said.

श्री रुद्रनारायण पाणि (उड़ीसा) उपसभापति जी, मैं स्वयं को इससे संबद्ध करता हूँ।

(समाप्त)

**RE: FEE CHARGED FROM SC/ST STUDENTS
BY MEDICAL AND ENGINEERING COLLEGES**

श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश) : उपसभापति जी, धन्यवाद। सर, मेरा एक बहुत ही महत्वपूर्ण मुद्दा है। अनुसूचित जाति और अनुसूचित जनजाति के बच्चे, वे स्टूडेंट्स, जिनका मेडिकल और इंजीनियरिंग कॉलेजस में एडमिशन हुआ है, उनसे जो फीस चार्ज की जा रही है, मैं उस संबंध में एक बात आपके माध्यम से हाउस में लाना चाहता हूँ। हमसे पंजाब में, चंडीगढ़ यूनिवर्सिटी के स्टूडेंट्स मिले हैं, पंजाब के कई अन्य जिलों से भी मिले हैं, हरियाणा में यह समस्या है तथा कुछ और स्टेट्स की भी यह समस्या हमारे संज्ञान में आई है कि जो इकॉनॉमिकली वीकर सेक्शन के स्टूडेंट्स हैं, जिनकी फीस स्कॉलरशिप के माध्यम से दी जाती है, उन स्टूडेंट्स को सेंट्रल गवर्नमेंट की यूनिवर्सिटीज, स्टेट गवर्नमेंट की यूनिवर्सिटीज, प्राइवेट कॉलेजस मजबूर कर रहे हैं कि वे पहले अपनी फीस जमा करवाएं, उसके बाद ही वे एडमिशन ले पाएंगे।

(AKG/2A पर क्रमागत)

AKG-KGG/2A/1.00

श्री अवतार सिंह करीमपुरी (क्रमागत) : कुछ जगहों पर हमने अपने नुमाइंदे भेज कर भी admission करवाए हैं। लेकिन हर बच्चा, हर स्टूडेंट हम तक approach करे, फिर हम वहाँ जाएँ या हमारे नुमाइंदे जाएँ, तब उसका admission ensure हो, यह सम्भव नहीं है। इसलिए हम आपके माध्यम से केन्द्र सरकार से यह request करना चाहते हैं कि अनुसूचित जाति और अनुसूचित जनजाति के बच्चों के future को ध्यान में रख कर, उनकी education को ध्यान में

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रखते हुए सरकार इसमें दखल दे और यह ensure किया जाए कि scholarship का पैसा admission शुरू होने से पहले ही यूनिवर्सिटी को चला जाना चाहिए, ताकि बच्चों के भविष्य के साथ कोई खिलवाड़ न हो। इसके अलावा अब जो admission continue चल रहा है, उसमें सरकार दखल दे और कॉलेज, यूनिवर्सिटी और स्टेट गवर्नमेंट को पत्र लिखा जाए, ताकि admission में जो बाधा हो रही है, उसको दूर किया जा सके। इसके साथ-ही-साथ हम केन्द्र सरकार से यह कहना चाहते हैं कि इसको ignore न किया जाए। जैसे एमपीज़ के टेलीफोन को गम्भीरता से लेते हुए चेयर ने सरकार से कहा है कि इसका नोट लिया जाए, मैं समझता हूँ कि एससी/एसटी के स्टूडेंट्स के education की समस्या को ध्यान में रखते हुए चेयर सरकार को यह suggest करे कि इसका नोट लिया जाए और immediately इसमें दखल दिया जाए।

(समाप्त)

TRAIN SERVICE ON GOA-MUMBAI KONKAN RAILWAY ROUTE

SHRI SHANTARAM LAXMAN NAIK (GOA): Sir, train services on Goa-Mumbai were disrupted on Wednesday following landslide near Ratnagiri, Maharashtra. Last week, they remained disrupted for 12 days, that is, from 23rd July to 4th August. Trains were halted on both sides of Ratnagiri, about 150 kms. from Goa. The landslide occurred in the early hours of Wednesday around 3 a.m. It took 8 hours for tracks to be cleared. But, due to overflowing of water on the tracks, the danger still persists. The Konkan route stretches from Mumbai to Thiruvananthapuram and connects the States on the country's western coast line. Konkan Railway route is the only railway route which remains closed for days together on account of landslides. Even in case of a worst railway accident, tracks are cleared within hours. It is learnt that the Konkan Railway has spent Rs. 100 crores for taking preventive measures but with

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no effective results. A special type of grass seeds were planted but it is learnt that the grass did not grow due to faulty planning. In an era of high technology, and when Konkan Railway is known for doing research having developed instruments for automatic halting of trains in case of obstacles on tracks, it is strange that no effective remedy has been invented to prevent landslides till date. Although laying of another track involves huge budget, the Railway Ministry and the Konkan Railway Corporation can at least start undertaking a survey for laying of a second track. At present, considering the coming Ganesh festival in the beginning of September, Konkan Railway should be directed to take further immediate steps in this regard.

The Central Government also should provide for some special funds to Konkan Railway to prevent landslides by using modern technology, and, if necessary, by engaging experts from other countries.

SHRI VIJAY JAWAHARLAL DARDA (MAHARASHTRA): Sir, I associate myself with the subject. (Ends)

BILL INTRODUCED**THE ANTI-HIJACKING (AMENDMENT) BILL, 2010**

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF CIVIL AVIATION [SHRI PRAFUL PATEL]: Sir, I move for leave to introduce a Bill further to amend the Anti-Hijacking Act, 1982.

The question was put and the motion was adopted.

SHRI PRAFUL PATEL: Sir, I introduce the Bill.

(Ends)

(2बी/एससीएच पर आगे)

Uncorrected/ Not for Publication-19.08.2010TDB-SCH/2B/1.05**श्री उपसभापति:** रामविलास जी, आपका क्या मैटर है?**श्री रामविलास पासवान:** सर, ऑलरेडी हमने नोटिस दिया है ...(व्यवधान)**SHRI S.S. AHLUWALIA:** What is this, Sir? (Interruptions)**श्री उपसभापति:** देखिए, सस्पेंशन है ...(व्यवधान)**श्री रामविलास पासवान:** सर, गोधरा कांड के बाद ...(व्यवधान) सर, यदि इस तरह होगा तो यह हाउस नहीं चलेगा। यह हाउस इनकी प्रॉपर्टी नहीं है ...(व्यवधान)**SHRI S.S. AHLUWALIA:** How can he raise it now? (Interruptions)**श्री रामविलास पासवान:** ***श्री उपसभापति:** सस्पेंशन है ...(व्यवधान) रामविलास जी, सब्जेक्ट क्या है? ...(व्यवधान) सब्जेक्ट क्या है? ...(व्यवधान) Nothing will go on record. (Interruptions) Nothing will go on record. (Interruptions) Nothing will go on record. यह क्या हो रहा है? वे कुछ कहना चाहते हैं ...(व्यवधान) क्या आप जरा सुनेंगे ...(व्यवधान) The House is adjourned to meet at 2.00 p.m.

The House then adjourned at six minutes past one of the clock.KLS-DS/2C/2.00**The House re-assembled at two minutes past two of the clock,****The VICE-CHAIRMAN (Prof. P.J. KURIEN) in the Chair.**

THE VICE-CHAIRMAN: Now we shall take up Foreign Contribution (Regulation) Bill, 2006. Shri Mullappally Ramachandran. ...(Interruptions)..

*** Not recorded.**

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श्री रामविलास पासवान: उपसभाध्यक्ष जी, ...(व्यवधान)..

श्री राजनीति प्रसाद: सर, हमारी बात सुनी जाए ..(व्यवधान)..

श्री राम कृपाल यादव: सर, ...(व्यवधान)..

SHRI RAM VILAS PASWAN: Sir, I have a point of order. ...(Interruptions)..

श्री रुद्रनारायण पाणि: सर, कोई प्वायंट ऑफ आर्डर नहीं है। ..(व्यवधान)..

THE VICE-CHAIRMAN (Prof. P.J. KURIEN: What is the rule under which you are raising it? ...(Interruptions)..

श्री रामविलास पासवान: रूल 267 ...(व्यवधान)..

उपसभाध्यक्ष: उसमें क्या है?

श्री रामविलास पासवान: रूल 267 में यह है ...(व्यवधान).. क्वेश्चन आवर में हमने दिया था कि..(व्यवधान)..

THE VICE-CHAIRMAN: Nothing. ...(Interruptions).. You are not permitted. ...(Interruptions).. You are not permitted.

श्री रामविलास पासवान: *

THE VICE-CHAIRMAN: No, Zero Hour. ...(Interruptions).. It is over now. ...(Interruptions).. It will not go on record. ...(Interruptions).. Today's Zero Hour is over. ...(Interruptions).. It will not go on record. ...(Interruptions).. I have already called Mr. Mullapally. ...(Interruptions).. I have called the Minister. ...(Interruptions)... Please go back to your seats. ...(Interruptions).. Go back to your seats. ...(Interruptions).. Nothing will go on record. ...(Interruptions).. Zero Hour is over. ...(Interruptions).. You can give a new notice to the Chairman tomorrow.

*Not recorded.

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...(Interruptions).. I cannot allow. आप अपनी सीट पर जाइए ...(व्यवधान).. You cannot speak from here. ...(Interruptions).. It is not going on record. ...(Interruptions)...

श्री एस.एस. अहलुवालिया: *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Ahluwalia, it is not going on record. ...(Interruptions).. Why do you worry? ...(Interruptions)... आप जाइए...(व्यवधान).. This is not the way. ...(Interruptions)... No, please. ...(Interruptions).. आप जाइए...(व्यवधान).. आप अपनी सीट पर जाइए...(व्यवधान)..

(2डी/एनबी पर क्रमशः)

SSS,NBR,USY,PK/2D-2G/2.05-2.20

उपसभाध्यक्ष (क्रमागत): आप अपनी जगह पर जाइए ... (व्यवधान) यह रिकॉर्ड पर नहीं जा रहा है (व्यवधान)

श्री रामविलास पासवान : *

श्री राम कृपाल यादव : *

THE VICE-CHAIRMAN: Nothing is going on record. Why do you speak? (Interruptions) पासवान जी, आप अपनी जगह पर जाइए ... (व्यवधान) Zero Hour is over. I cannot allow you today. (Interruptions) I have to go by rules. (Interruptions) I do not want to violate rules. (Interruptions) No, go to your seat. (Interruptions)

श्री रुद्रनारायण पाणि : *

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THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, Mr. Mullappally Ramachandran. (Interruptions) No, no, sit down. I cannot do anything. If they disobey me I cannot do anything. You proceed. (Interruptions) This is indiscipline.

SHRI S. S. AHLUWALIA: *

उपसभाध्यक्ष : अहलुवालिया जी, आप बैठिए ... (व्यवधान)

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): I do not know what they are raising. But, it refers to some newspaper report that there was a deal and one person....(Interruptions)...

उपसभाध्यक्ष : प्लीज़, सुनिए ... (व्यवधान) पासवान जी (व्यवधान)

THE VICE-CHAIRMAN: Mr. Ahluwalia, why do you react on this? It is not on record. (Interruptions) Mr. Chidambaram,...(Interruptions) It is not on record, so, you please do not react. Why do you react? (Interruptions) My advice is, you can meet the Chairman tomorrow. I am not able to allow you because this is not Zero Hour. You should understand my difficulty. (Interruptions)

SHRI RUDRA NARAYAN PANY: *

THE VICE-CHAIRMAN: The point is, I have not allowed it to go on record. So, there is nothing on record. That is why I told the Home Minister. You understand me. Nothing is going on record. I advice you... (Interruptions)... Ram Vilas Paswanji...(Interruptions)

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श्री एस.एस. अहलुवालिया : *

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): You please sit down. Please take your seat. Paswanji,...(Interruptions)... The House is adjourned for ten minutes.

The House then adjourned at nine minutes past two of the clock.

(Followed by PB/2H)

PB-VK/2h-2o/2.25-255

The House reassembled at twenty-nine minutes past two of the clock,
THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.

THE VICE-CHAIRMAN: The House is adjourned up to 3.00 p.m.

The House then adjourned at twenty-nine minutes past two of the clock.

VNK-RG/3.00/2P

The House re-assembled at three of the clock,
THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.

THE VICE-CHAIRMAN: Now, we will take up...(Interruptions)

श्री रामविलास पासवान: उपसभाध्यक्ष जी, मैंने सीबीआई के संबंध में नोटिस दिया था ... (व्यवधान)...

SHRI S.S. AHLUWALIA: Sir, right on the first day, I gave a notice for a discussion

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on the functioning of the CBI. I think the BAC has taken cognizance of it, and they have listed it for discussion. But no time has been designated to it. My request is that the Government should designate a date for the discussion on the functioning of the CBI, how the CBI is being misused in each and every corner of the country...(Interruptions)

श्री रामविलास पासवान: सीबीआई ने मुख्य मंत्री का नाम हटा दिया है। ... (व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Why do you want to open the issue again?(Interruptions) You have said it. Please take your seat. I would like to say something...(Interruptions) Please take your seat. As has been raised by Shri Ahluwalia, the Deputy Leader of the Opposition, and the hon. Member, Shri Paswan, there is already a request for a discussion on the functioning of the CBI. As Mr. Ahluwalia had raised it in the very beginning itself, this matter will be taken up in the BAC meeting today, and a proper decision will be taken. So, that should resolve the matter now...(Interruptions)

श्री रामविलास पासवान: सर, मेरा कहना यह है कि होम मिनिस्टर साहब यहां बैठे हुए हैं ..(व्यवधान)... सीबीआई के बारे में आया है कि सीबीआई ने नरेन्द्र मोदी को क्लीन चीट दिया है ..(व्यवधान)...

THE VICE-CHAIRMAN: Please sit down...(Interruptions)

श्री रामविलास पासवान: सर, क्या अहलुवालिया जी ने नरेन्द्र मोदी के खिलाफ में दिया है? ... (व्यवधान)...

उपसभाध्यक्ष: नहीं, नहीं, अहलुवालिया जी ने और आपने सीबीआई के functioning पर discuss करने से संबंधित नोटिस को accept करने का request किया है। ... (व्यवधान)...

The BAC will take it up...(Interruptions)

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श्री रामविलास पासवान: सर, ...(व्यवधान)...

श्री राजनीति प्रसाद: सर, ...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी. जे. कुरियन): हो गया, आप बैठिए ...(व्यवधान)... सीबीआई के functioning में सब कुछ आएगा ...(व्यवधान)...

श्री राम कृपाल यादव: सर, ...(व्यवधान)...

श्री रामविलास पासवान: सर, ...(व्यवधान)...

उपसभाध्यक्ष: सीबीआई के functioning में सब कुछ आएगा ...(व्यवधान)... आप लोग बैठिए ...(व्यवधान)... Now, we will take up the Foreign Contribution (Regulation) Bill, 2006.

(MR. DEPUTY CHAIRMAN in the Chair)

THE FOREIGN CONTRIBUTION (REGULATION) BILL, 2006

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): Sir, on behalf of my senior colleague, Shri P. Chidambaram, I beg to move:

"That the Bill to consolidate the law to regulate the acceptance and utilisation of foreign contribution or foreign hospitality by certain individuals or associations or companies and to prohibit acceptance and utilisation of foreign contribution or foreign hospitality for any activities detrimental to the national interest and for matters connected therewith or incidental thereto, be taken into consideration."

Sir, the present Bill is introduced in the context of increased security concerns and resultant imperatives. The objective is to provide a framework for more effective and transparent regulation of foreign contribution for prevention of activities detrimental to national interest. The views and suggestions of the Ministry of External Affairs, Ministry of Corporate Affairs, Department of Industrial

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Policy and Promotion in the Ministry of Commerce and Industry and of related agencies have been taken into consideration.

The Bill, along with the Amendments that have been proposed, debars persons, who have been prosecuted or convicted for indulging in activities aimed at religious conversion through inducement of force, from receiving foreign contribution. The Bill also debars persons who have been prosecuted or convicted for creating communal tension or disharmony in any part of the country. The Bill seeks to impose a ceiling on the percentage of foreign contribution that can be spent for administrative purposes. The Bill seeks to prohibit use of foreign contribution for speculative business. It prohibits associations or companies engaged in production of broadcast of audio-visual news or current affairs programmes from receiving foreign contributions. It provides for weeding out and cancellation of registration of Associations that have remained dormant. The provisions of this legislation will facilitate genuine organisations working in various sectors for charitable purposes. The Bill provides greater accountability, with specific time limits for disposal of cases at different stages. It facilitates Indian nationals receiving foreign remittances from their relatives living abroad.

I request that the Bill be considered and passed.

(Ends)

The question was proposed.

(Followed by 2Q)

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2q/3.05/ks-mp

SHRI M. RAMA JOIS (KARNATAKA): Sir, this Bill of 2006 is coming to us after four years. The objective of this Bill is to replace the earlier enactment, that is, the Foreign Contribution (Regulation) Act, 1976. It is coming after 35 long years. Anyhow, it is never too late to amend a law. Therefore, even though it is late by more than 35 years, it is good that an important Bill has been brought forward for consideration in the House. The reasons have been given in the Statement of Objects and Reasons. I quote, "Significant developments have taken place since 1984 such as change in internal security scenario, an increased influence of voluntary organisations, spread of use of communication and information technology, quantum jump in the amount of foreign contribution being received, and large scale growth in the number of registered organisations. This has necessitated large scale changes in the existing Act. Therefore, it has been thought appropriate to replace the present Act by a new legislation to regulate the acceptance, utilisation and accounting of foreign contribution and acceptance of foreign hospitality by a person or an association".

By and large, I am in agreement with it and I support the provisions of the Bill. But there are certain aspects to which I would invite the attention of the House.

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Firstly, the Act is mainly concerned with putting regulatory measures in respect of activities of an association. Under the Constitution, in article 19(1)(c), it is a fundamental right to form an association. At the same time, as per Clause (4) of article 19, no right under the Constitution, however fundamental, is hundred per cent; it has to be regulated in the interest of general public. As far as Clause 4 is concerned, the State is empowered to impose restrictions in the interest of the sovereignty and integrity of India or public order or morality. These are the four grounds on the basis of which restrictions can be imposed. It is in exercise of the enabling power of Clause (4) of article 19 that this Bill has been prepared and brought before the House.

Before that, I would like to say that associations have got a great play in the activities of a nation, particularly in our nation because since times immemorial, the associations have been recognised. The inspiration for forming associations is to render public service or help to the general public. As early as in Mahabharata, five thousand years ago, four pious obligations were prescribed to be discharged by every individual.

ऋणैः चतुर्भिः संयुक्ता जायन्ते मानवा भुवि

पितृदेवर्षि मनुजैः एयं तेभ्यश्च धर्मतः॥

Of the four pious obligations, one was towards God, the second towards parents, the third one towards the teacher and the fourth one towards fellow human beings. So, every individual has got certain duties towards all of them because without the help of other fellow human beings, we can't live happily at all. For

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everything, for food, for medicines, for any other requirement, we have to depend upon other fellow human beings.

(contd. by 2r/kgg)

Kgg-mcm/2r/3.10

SHRI M. RAMA JOIS (contd.): Therefore, it is called the *manushya rina*, the highest obligation towards human beings. That is why, Swami Vivekananda said, *jana seva* is *Janardana Seva*. Therefore, so many organisations have come into existence. Earlier too they were there; now also they are there. Most of the organizations have come with some ideal for rendering service to humanity whether in the field of education or health or poverty alleviation or for giving scholarships, for hostel facilities to students, so on and so forth. There are a number of organizations. Nowadays, for every activity associations have been formed. There is a famous saying, संघे शक्ति कलयुगे।

Earlier, one individual could do miracles; but, now, without an organizational support, nobody can achieve anything.

Recently, we had an experience in the Standing Committee with regard to the Copyright Act. So many associations had come and made their presentations. But for their representations, it could not have been possible even for the Standing Committee to take the correct decisions. So many organizations have been formed.

In this regard, I may quote the status of an association. Unfortunately, during the British regime, only the Roman law was the subject. But, whether we had any jurisprudence at all or whether we had any legal system was not known to

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any of the students. Myself did not know. I think, hon. Home Minister also might have studied only the Roman law because it was only in 1966; it must be to the credit of the Bar Council of India; they asked to replace the Roman law and to make it Indian, legal and Constitutional. Thereafter, the Indian legal and constitutional law has been made a compulsory subject in all the law colleges in India.

I was fortunate enough in getting the advice of Shri E.S. Venkataramanaiah, who later became the Chief Justice of India; he was the principal of a private law college. He asked me to join as a part-time Professor of that college and teach law. He then assigned me the subject of Indian legal and constitutional law. I asked where was the Indian legal and constitutional law. There was nothing then as far as jurisprudence is concerned. He was a great scholar. He said, 'The oldest and the best jurisprudence is our Indian legal and constitutional jurisprudence.' He gave a lot of material and asked me to write on that. But for his directions I would not have done that. In 1970 I started to write on it and completed it in 1982. I have written a book titled Legal and Constitutional History of India which is now the text book for the law degree for the whole country prescribed by the Bar Council of India. Why I am referring to it is only for the position of association, to say on what has been assigned in our legal and constitutional history. It was considered as a check over the activities of the state. Though king was an absolute ruler, he was directed to take advice from the associations. Here is a provision:

समूहकार्य आयातान्कृतकार्यान् विसर्जयेत् ।

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स दानमानसत्कारैः पूजयित्वा महीपतिः ॥

The meaning is, the king should first attend to the business of the members of association in connection with the objectives of the association and thereafter before allowing them to disperse he should honour; nowadays, people come with presents to the Ministers; it was not like that. The king should express humility and honour the association representatives besides expression of humility.

Similarly, in view of the fact that a large number of associations have come up, there are a number of inscriptions--association of merchants, association of barbers, association of goldsmiths, every trade in those days had an association. Then, the most important thing is to know whether these associations' activities were free without the control of the state. Even that aspect has been laid down in the Raja Dharma. Raja Dharma is the word, the constitution of the ancient India. Dharma is the code of conduct for all human beings. But Raja Dharma is specific code of conduct for the rulers. There is an entire chapter in the book I have written.

दोषवत्करणं यत्स्यादनाम्नायप्रकल्पितम् ।

प्रवृत्तमपितद्राजा श्रेयस्कामो निवर्तयेत् ॥

The king shall prevent the associations from undertaking acts which are injurious to the interests of the state.

(Contd. By tdb/2s)

TDB/2S/3.15

SHRI M. RAMA JOIS (CONTD.): Long back, centuries before, the restriction to be imposed on the activities of the associations was laid down. “He shall also prevent

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them from wearing arms unlawfully.” Under article 19 also it is said that we have the right to get together without arms. “He shall also take appropriate action against associations indulging in the criminal acts opposed to the diktats of morality”. Therefore, it is the duty of the State not only to respect the rights of individuals, including their associations, but he has the duty and the right to prevent them from acting illegally. So, this Foreign Contribution (Regulation) Bill, 2006 is really intended to control the activities of the associations. It is a matter of public knowledge, you can take notice of it, that there are so many organizations which are not only satisfied with the money which they get in our own country, but they are also going in for foreign contribution. How does that foreign contribution come? Why does that foreign contribution come? What is the amount of help which they get, and how are they using it? All these things are of utmost importance. Therefore, as I said in the beginning itself, I support the provisions of the Bill, but there are certain aspects which I would like to bring to the notice of this House. I consider that it is not in the interest of the public or goes a little more than what is necessary. For example, I will show the provisions of the Bill regarding the definition. Association is defined as, “Association” means an association of individuals, whether incorporated or not, having an office in India and includes a society, whether registered under the Societies Registration Act, 1860, or not, and any other organization, by whatever name called.” We know there is the Societies Registration Act, 1860, which is a Central enactment. Similarly, every State has got Societies Registration Act. There are Cooperative Societies Acts; there are Companies Acts; there are Trust Acts. So, the

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association may be a foreign, depending upon the choice of the individual. There can be a cooperative society or a society registered under the Societies Registration Act or a trust or whatever it is. But, all these associations, even unregistered associations come under the purview of this Bill. That is the wide definition that has been given.

Sir, now I come to Clause 2(n), which is a very important definition of political party. I am saying this because collection of foreign money by political parties is sought to be prohibited under this Bill. "Political party means – (i) an association or body of individual citizens of India-(A) to be registered with the Election Commission of India as a political party under section 29A of the Representation of the People Act, 1951; or (B) which has set up candidates for election to any Legislature, but is not so registered or deemed to be registered under the Election Symbols (Reservation and Allotment) Order, 1968; (ii) a political party mentioned in column 2 of Table 1 and Table 2 to the notification of the Election Commission of India No.56/J&K/02, dated the 8th August, 2002, as in force for the time being:" So, the definition of the political party is very clear, and according to it, no political party is entitled to get foreign contribution.

Now, I would invite the attention of the hon. Minister to Clause 3 of the Bill. It states, "No foreign contribution shall be accepted by any- (a) candidate for election; (b) correspondent, columnist, cartoonist, editor, owner, printer or publisher of a registered newspaper; " even media also. It further states, "(C) Judge, Government servant or employee of any corporation or any other body controlled or owned by the Government; (d) member of any Legislature; (e)

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political party or office-bearer thereof;” The next one is a very serious matter, “(f) organisation of a political nature as may be specified under sub-section (1) of section 5 by the Central Government.” What is meant by ‘political nature’? My submission to Shri Chidambaram is this. ‘Political nature’ is left to the Central Government.

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): The same provision is there in 1976...(Interruptions)...

SHRI M. RAMA JOIS: Along with this read Clause 5.

(Contd. By 2t-kls)

KLS/2T-3.20

SHRI M. RAMA JOIS (CONTD): Now, come to the 'political nature'. What is political nature - 'the Central Government may, having regard to the activities of the organization or the ideology propagated by the organisation or the programme of the organisation or the association of the organisations with the activities of any political party, by an order published in the Official Gazette, specify such organisation as an organisation of a political nature not being a political party, referred to in clause..' Now, I will give an example. What about trade unions? There are a number of trade unions which are also registered organisations and about most of trade unions we know to which political parties they are affiliated or belong to. If this sweeping power is given to the Central Government and the Central Government may say that a trade union is affiliated to a particular party, therefore, it prevents them from getting foreign contribution. Therefore, my objection is that this 'political nature' is a very dangerous, wide and very vague

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definition. The Supreme Court has held if a provision is capable of use and abuse, both, then, it is violative of article 14 of the Constitution. Right from 1958 the Supreme Court in Ramkrishan Ramnivas case has said that any provision made by the legislation cannot be such that it is both capable of use as well as abuse. This is what has happened. Therefore, an organisation of a political nature is left to the sweet will of the Central Government. It reads that before making an order under sub-section (1), the Central Government shall give the organisation in respect of whom the order is proposed to be made, a notice in writing informing it of the ground or grounds, on which it is proposed to be specified as an organisation of political nature. So, the Government can issue a notice. It can say, 'your organisation be considered, in our opinion, an organisation of political nature, therefore, we want to prohibit you from getting foreign contribution.' What do you say, Sir? Then, there is another interesting provision in Clause 5(2), which says, 'provided the Central Government may by rule specify..' etc. Sir, 5(3) says that the organisation to whom a notice has been served under sub-section (2), may, within a period of thirty from the date of the notice, make a representation to the Central Government giving reasons for not specifying such organisation as an organisation under sub-section (1). The meaning is that the Central Government will issue notice that because of this reason we declare you as of a political nature. Then they have given the representation. Then what is going to be with that representation you see, provided that the Central Government may entertain... So, the time limit is there, more time is also given. Sir, sub-clause 4 is most

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important. It says that the Central Government, may, if it considers it appropriate, forward the representation referred to in sub-section (3) to any authority to report on such representation. What is that authority? First of all, it is the decision of the Central Government to refer or not to refer. Now, even if it decides to refer the representation given by a particular party or association, then, it can refer to some authority. Which is that authority, it is not specified. Then the Central Government may, after considering the representation and the report of the authority, etc. So, the Central Government may send it to some authority and that whatever opinion is given by that authority is taken into consideration and the Central Government will take a decision. My submission is you are giving it without specifying the authority, the status of the authority to which the representation is to be given. My first objection is to power to declare an association of a political nature which itself is dangerous. It is totally going to destroy the Fundamental Rights under article 19 (1) (C) of the Constitution. Even trade union activities can be barred from getting foreign contribution by exercise of this power. As far as this authority is concerned, the authority is also extremely vague. It can be some authority of the choice of the Government. They can take the report of that authority and pass the final order. Then I come to clause 9, apart from the parties of political nature, this clause confers very, very sweeping powers. It says that the Central Government may prohibit any person or organisation, not specified in clause 3 from accepting any foreign contribution..."

(Contd by 2U/SSS)

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SHRI M. RAMA JOIS (CONTD.): “(b) require any person or class of persons, not specified in section 6, to obtain prior permission of the Central Government before accepting any foreign hospitality.

(c) require any person or class of persons not specified in section 11, to furnish, intimation within such time and in such manner as may be prescribed as to the amount of any foreign contribution received by such person as the case may be, and the source from which and the manner in which such contribution was received and the purpose for which and the manner in which such foreign contribution was utilized:

(d) without prejudice to the provisions of sub-section (1) of section 11, require any person or class of persons specified in that sub-section to obtain prior permission of the Central Government before accepting any foreign contribution;

(e) require any person or class of persons, not specified in section 6, to furnish intimation, within such time and in such manner as may be prescribed, as to the receipt of any foreign hospitality, the source from which and the manner in which such hospitality was received;

Provided that no such prohibition or requirement shall be made unless the Central Government is satisfied that the acceptance of foreign contribution by such person or class of persons, as the case may be, or the acceptance of foreign hospitality by such person, is likely to affect prejudicially”. The words found in clause 4 of article 19 have been repeated here. “(i) the sovereignty and integrity of India; or (ii) public interest; or (iii) freedom or fairness of election to

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any Legislature; or (iv) friendly relations with any foreign State; or (v) harmony between religious, racial, social, linguistic or regional groups, castes or communities”

श्री उपसभापति : आर.पी.एन.सिंह जी, हमारी लॉबीज बहुत अच्छी हैं, आप वहां जाकर डिस्कस कीजिए।

SHRI M. RAMA JOIS: But, in all that, the Central Government is at liberty to form opinion and bring any organization under any one of these grounds and prevent them from getting foreign contribution. Section 9 according to me is also conferred with sweeping powers and not defining an authority to which it should be consulted is also vague. Therefore, while I support the other provisions which is meant to regulate the foreign contribution, sometimes it is well known that it is being used for some anti-national activities and recently there were attack on churches which became an all India news and Karnataka appointed Justice Somsekhar, a retired judge of the Andhra Pradesh High Court in the Commission. He has given his Interim Report. He said massive conversions have been done by diverting vast quantity of foreign contribution for conversion. This is the Interim finding recorded by the Commission and that gave a provocation. Otherwise, you are very well aware about Karnataka. I am there for the last 60 years. In my own home town 50 per cent is Muslim population. There was never any tension, never any communal riot. In Karnataka, Christians and all others are happily living with all cooperation.

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MS. MABEL REBELLO: Churches were burnt and you are saying that Karnataka....(Interruptions)... Karnataka is one of the States where...(Interruptions)

श्री रुद्रनारायण पाणि : क्या आप अभी डिबेट को सुन रही थीं? ..(व्यवधान)..आप ओनली डिस्टर्ब कर रही थीं..(व्यवधान)..

श्री उपसभापति : आप बैठिए..(व्यवधान)..

सुश्री मैबल रिबैलो : आप बैठिए..(व्यवधान)..

श्री रुद्रनारायण पाणि : आप बैठ जाइए..(व्यवधान)..आप बैठिए..(व्यवधान)...यह इनकी कर्टसी बता रही है..(व्यवधान)..

सुश्री मैबल रिबैलो : क्या बात कर रहे हैं..(व्यवधान)..

MR. DEPUTY CHAIRMAN: Hon. Members, what is happening here? Take the permission of the Chair. If Members from this side and that side speak, then, why should the Chair be there? You should take the permission and intervene; otherwise, it becomes free for all. It is not good. Take the permission of the Chair and then intervene.

SHRI M. RAMA JOIS: Karnataka was formed in 1956 and there has never been any attack on any other person, on churches or Christians. We are all friendly. We are living like brothers. This is provocation and therefore, there was reaction and some attack took place.

(Contd. by NBR/2W)

-SSS/NBR-AKG/2W/3.30

SHRI RAMA JOIS (CONTD.): I am only giving an example. The Bill is intended even to prevent such activities. Foreign countries give us money with an idea to

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help. In fact, I had gone to England. A number of people told me that they are ready to give money for education, health, for people who are below the poverty line, etc., provided it is not misused. Therefore, I appeal to the hon. Minister to rectify the defects that I have pointed out. And, I support the rest of the provisions. Thank you.

(Ends)

SHRI SHANTARAM LAXMAN NAIK (GOA): Sir, I rise to support the Foreign Contribution (Regulation) Bill, 2006. This is a very vital legislation which has come up during this Session. I think, it should not have been taken this much of time to see the light of the day. The original Act of 1976 was amended in 1984 and now we are trying to have a totally different Act by fully replacing the existing Act with good provisions.

The objective of this Bill is well-laid down in para (1) the Statement of Objects and Reasons. It summarizes what the Government intends to do. It says, 'significant developments have taken place since 1984 such as change in internal security scenario, an increase influence of voluntary organizations, spread of use of communication and IT, quantum jump in the amount of foreign contribution being received and a large-scale growth in the number of registered organizations.' This summarizes rightly the objective of the proposed legislation.

Sir, my senior colleague, Shri Jois, had mentioned about some associations being provocative. Basically, what I remember is, there was an objection on the part of an association with regard to dress code of younger generation. That particular association wanted our young generation to use a

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particular type of dress. Virtually, the Government of Karnataka had become a 'tailor.' It wanted to tell you that we will to use only this type of dress and no other type of dress. That has also created a problem. Sir, Shri Jois has quoted a Report without quoting anything. You have just mentioned that this particular Report says conversion, etc., etc. That is not correct. Basically, these associations wanted to take upon themselves as a cultural policeman. The Government of Karnataka, unfortunately, was supporting that association.

Secondly, NGOs, today, play an important role. Therefore, NGOs could take foreign contribution and rightly so as they are entitled under our laws. They should be regulated. Now, most of the Government of India's schemes are implemented by NGOs. Without NGOs we will not be able to implement some of our schemes. Therefore, in that light, the role of NGOs is very vital. Even I have been saying that the unregistered Self-Help Groups should also be made compulsorily registered if they are to be given grants, etc.

As far as foreign contribution goes, I will only read the figures of the last three years. Sir, in 2005-06, the number of registered associations was 32,144, the number of reporting associations was 18,570 and the amount of contribution they received was Rs. 7,877.57 crores. Out of which, religious associations took Rs. 3,075.77 crores. Similarly, in 2006-07, the number of registered associations was 32,937, the number of reporting associations was 18,996 and the contribution obtained was Rs. 11,336.97 crores.

(CONTD. BY USY "2X")

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-NBR-USY/2X/3.35

SHRI SHANTARAM LAXMAN NAIK (CONTD.): Out of which, the religious institutions take a sizable amount. It is a matter of concern as to what the religious institutions do with this type of money. I am concerned more because some of these institutions spread superstitions in the society than anything else. If they do pure religious things, cultural things, there is no problem. But if you see, they spread superstitions in the society; they are against scientific temper; if anybody tries to enlighten them, they go against him. Most of the associations, or, NGOs, we can call them, are registered under the Societies Registration Act, 1860. So far as the definition of 'association', as given in this Bill, is concerned, it says, "An 'association' means an association of individuals, whether incorporated or not, having an office in India and includes society, whether registered under the Societies Registration Act, 1860, or not". Why should option be given to them in such a vital matter? When they take contribution, why don't you make an 'association' compulsorily registered under the relevant Act? I would like to urge upon you to insist that these associations are registered, not only for the purpose of foreign contribution, but these should otherwise also be registered under the Societies Registration Act, 1860. Since the Societies Registration Act, 1860 is a skeleton Act, containing hardly any provisions for controlling them and making them accountable, that Act also needs to be amended. Therefore, it is very essential that these associations are under the Societies Registration Act, 1860. Then, wherever applicable, scrutiny must be tight. There is no doubt about it. But the applications must be disposed of fast. I pleaded the case of a society, the

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Chairman of that society was Mr. Mohan Ranade. Many people may be knowing him. He was a veteran freedom fighter. He remained in Portuguese jail for many years. When he returned India, lakhs of people received him in Mumbai. He was such a great freedom fighter. I don't know his political affiliations, which could be that side also. But the application of that man's organizations kept on pending for years together. I pleaded with the concerned officials. And, ultimately, I got that registered. After the scrutiny of the case, the Ministry takes over. This is an electronic age. Any query can be sought through e-mail. If any additional document is required, it can be scanned and sent through e-mail. And, the matter can be disposed of within 15-20 days. But, for no reasons, it takes years together. I pleaded two such cases. Therefore, if there are genuine cases, there should not be any undue delay.

Then, if some illegalities and malpractices, which take place, the Unlawful Prevention Act also comes into force. I would like to say, though this subject is not directly connected, that we may have to ban many, many organizations, in course of time, either because of fund misutilization or otherwise. But, there is a provision in that Act by which a Government decision goes to a Board or a Council, whatever it is called, only after confirmation by the concerned authority. And, only then the order, passed by the Government, comes into effect. Therefore, in the present scenario, in the present situation, this provision is redundant. It is an obstacle in the way of tightening the situation.

(Contd. by 2y -- PK)

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-USY/PK/3.40/2Y

SHRI SHANTARAM LAXMAN NAIK (CONTD.): Sir, there are many institutions which are working in the guise of religious institutions. I am telling you about an on-record association. There is an association called Sanatan Sansthan in Goa which has been doing religious work for many years. *Bhajans* take place there. Nobody doubted them. Though we have seen that they are affiliated with some Party, we did not mind as long as they were doing religious activities. All of a sudden, one fine day, some members of that Association carried out a bomb blast and they were caught. Two persons died. Subsequently, others were arrested. Now, the NIA has filed a prosecution against those persons. How can you imagine that a member of a purely religious body which is preaching religion can, all of a sudden, engage in this thing? Therefore, Sir, I would urge upon the Government to be very careful as far as scrutiny of these religious associations is concerned. Recently, we found that some members of the RSS were engaged in terrorist activities. I think RSS people themselves got a setback. But the point is in such cases, where funding comes from, how they utilize those funds has to be seen. Then, again, it has been said by the Minister that funding for speculative purposes is banned. Whether this Association is investing in shares or any instrument equivalent to shares has also to be scrutinized. Making inquiries only after somebody has complained will not serve the purpose. Suo motu, the Ministry of Home Affairs must have some machinery. We know very well the damage which the Vishwa Hindu Parishad is doing nowadays in the country. Their members, their well-wishers are spread all over the world. How they get

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their funds, how they are utilizing those funds needs to be scrutinized in the national interest and security of the country. These associations, as we have seen now, are somehow or other engaged in activities which are detrimental to the society. They are not as pure as they seem to be. They used to say, "we are very patriotic and we are engaged in propagation of patriotism, nationalism." Where is that patriotism and nationalism? Some of them are engaged in terrorism now. Therefore, you cannot take these associations for granted.

Then, Sir, foreign contribution becomes more important now because there is now a free economy. Investments are coming, multinationals are coming; therefore, more and more multinationals will get involved in local politics. In times to come, these companies will field candidates, these companies will finance candidates. Therefore, foreign contribution will come in this manner also. These companies will come, their officials will come and they will humiliate us. You all know what Charles Coomer said. He said, "Infosys is chop shop." Recently, when United States went into recession, we never called the United States as a Banana Republic. We would have been justified in calling the United States as Banana Republic, forget about chop shop. And, if it is a chop shop, then, Union Carbide is, obviously, a slaughter house. We can very well call it a slaughter house. What I mean to say is that we have to be very careful about these officials who come here in the name of carrying business because our policy provides for it. They are welcome but they should control themselves. We have seen the story of e-mail sent yesterday. A genuine e-mail was sent by Ahluwaliaji. That was accepted by him. In reply, the officer said, "okay, you do your job. You see

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that the Dow is not harassed." What is this? The Government of India is not going to go down to such things. There is no doubt about it. But this indicates their mindset. We have to be careful about this mindset. We are not going to tolerate any type of East India company here in future.

(Contd. by PB/2Z)

PB/2Z/3.45

SHRI SHANTARAM LAXMAN NAIK (CONTD.): Sir, one mistake was committed centuries back. So, we have to be very careful. Although investment is welcome, multinationals are welcome, but they should function here as per our laws.

Lastly, Sir, I feel, the NGOs need to be encouraged. Their foreign contribution requirements are to be met. But I will urge upon the hon. Home Minister to scrutinize the functioning of those NGOs and those NGOs who do good social work, those who wish to help the society, those who want to eradicate poverty, those who are engaged in increasing scientific temper in the society, need to be encouraged. Encourage those NGOs. I request you to help and dispose their applications at the earliest. Otherwise, let NGOs go and work for the welfare of those women and children who are being harassed in the name of superstition. Please encourage those associations. I wish the new law all the success.

(Ends)

SHRI PRASANTA CHATTERJEE (WEST BENGAL): Sir, over the years, a need has been felt to further amend some of the clauses of the Foreign Contribution

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and Regulation Bill for the purpose of further strengthening the national security in the national interest.

This matter had also been discussed in the Standing Committee on Home Affairs. I will confine myself to certain suggestions which have not been taken into consideration and I request the Minister to consider them here.

Sir, we have seen that Clause 12 has been elaborately redrafted or redrafted. In the Standing Committee, many Members expressed their views in regard to Clause 12. I will come to that a little later. According to me, one or two things have been left out.

Now, Sir, so far as clause 8(1) (b) is concerned, it is said, "shall not defray as far as possible such sum, not exceeding fifty per cent of such contribution, received in a financial year to meet administrative expenses." Sir, I am of the opinion that this cap of 50 per cent on administrative expenses is very high, and, as such, I propose to reduce the same to 25 per cent. However, the Government should also have the power to relax it in appropriate cases. This is what I would like to submit here for the consideration of the hon. Minister as far as this particular clause is concerned.

Then, Sir, as I mentioned earlier, Clause 12 has been redrafted or changed elaborately. Though it has been done, but still I would like to point out something with regard to this amended clause 12 (4) (a) (vi). This clause states that "the authorized officer is required to be satisfied that the organization is not likely to use the foreign contribution for personal gains or divert it for undesirable purposes." That is there. Sir, I am of the opinion that this should not be left to

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the subjective assessment of the concerned official and it should be clearly defined. Sir, I hereby suggest that the Government may ask for an affidavit from the organization to the effect that the foreign contribution will not be used for personal gains or diverted for undesirable purposes.

(Contd. by 3a/SKC)

3a/3.50/skc

SHRI PRASANTA CHATTERJEE (contd.): This may be considered and looked into in order to further strengthen the provisions.

Sir, I now come to the amended clauses 12(4)(b) and (c). It was previously 12(3)(b) and (c). As per these clauses, the official concerned was required to determine whether the organization had prepared a "reasonable project"; it previously said, "meaningful project". Now, as amended, it says, "reasonable project", for the targeted group intended to receive foreign contribution. These forward-looking statements are subject to subjective interpretations of the relevant officials. It should not be left to the interpretation of the relevant officials alone. I would suggest that the term should be specifically defined. In certain cases, an affidavit can be sought from the organization.

Then, Sir, in clause 18, it was stated that all organizations receiving foreign contributions should submit yearly audit accounts to the Government. I would like to suggest that these audited accounts should either be published in some of the national newspapers or put up on their websites. This is the suggestion I wish to make so far as submission of audited accounts to the Government is concerned.

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Then, Sir, I come to clause 38, which relates to prohibition of acceptance of foreign contribution. It was earlier said that any person "convicted for such offence shall not accept any foreign contribution for a period of three years from the date of subsequent conviction". As discussed in the Standing Committee, it has been amended and it has been changed to five years from three years. But, why 'subsequent conviction'; why not from the first conviction? I would like the hon. Minister to consider this point.

Finally, Sir, I come to clause 18(2), which reads, "Every person receiving foreign contribution shall submit a copy of a statement indicating therein the particulars of foreign contribution received duly certified by officer of the bank..." Now that the Reserve Bank has a wing and in that process the Reserve Bank is also involved, why not suggest that the statement should be duly certified by the Reserve Bank of India, to further strengthen the provision?

These are the points I wished to make. With these observations, I support this Bill.

(Ends)

SHRI N.K. SINGH (BIHAR): Thank you, Sir. I also wish to support the basic objective and the thrust of this Bill, which is to tighten the provisions of the 1976 Act. And, therefore, some of the suggestions which I make are concerned more with the operationalisation and the implementation of this Act than making any substantive drafting changes at this stage.

My first point, Sir, is that after the enactment of the 2006 Bill, there were several other Bills which were also enacted; for instance, The Unlawful Activities

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Prevention Act, 1967, The Prevention of Money Laundering Act and The Foreign Exchange Management Act, which was subsequently amended. Therefore, we must make sure that since in many of the working of the provisions of the subsequent Acts and their amendments there could be a duplication in the working of the present Foreign Contribution Regulation Act, as amended, there is no conflict in the operational working of this present law with the laws which have subsequently been enacted.

(Contd. at 3b/ksk)

KSK/3.55/3B

SHRI N.K. SINGH (CONTD): My second point, Sir, is that the Bill provides that voluntary organisations must register with the FCNR.

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

The registration process, unfortunately, confers a number of discretionary powers on authorised officers and the process of registration remains somewhat opaque. Thirdly, this present Act restricts the registration to five years and thereafter, it enjoins upon the beneficiary to really seek a renewal of the registration. There is, however, no timeframe again prescribed, or, when the renewal will take place, much less the provision of any appeal in the event of rejection of his application.

My next point, Sir, relates to the religious conversion where the words 'inducement' or 'indirectly' have been left to the interpretation of the authorised officer. It would, perhaps, lend a greater quality to the working of this Act if, at least, in the rules to be framed subsequently after the enactment of this, these terms - 'inducement' and 'indirectly' - can be more rigorously defined.

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I also agree with the point made by the previous speaker, Shri Prasanta Chatterjee, that the word 'reasonable project' in the forward looking statement has been left again undefined, leaving it to various kinds of interpretational ambiguities, and, perhaps, it would be better if this word 'reasonable project' can be defined more closely. Similarly, in the same spirit, while talking about the political nature of the organisation, the word 'political nature of the organisation' remains undefined. I go on, Sir, that in relation to foreign hospitality, whereas the Act does provide various kinds of hospitalities which can be accepted or not, it does leave the word 'purely casual' as again liable to interpretational ambiguity. For instance, Sir, would acceptance of hospitality from centres of academic excellence, like Harvard or Oxford, come under the ambit of the exemption or come under the ambit of 'purely casual' under the framework of the Act? Perhaps, it would lend greater clarity if this could also be defined.

My next point is that the Bill specifies that the interest accrued on income from foreign contribution shall also be considered as FCRA funding. This could be an issue if the group plans for the interest part to help in building a certain corpus of the fund. And, this is an objective, I think, we should support.

Two other points, when it comes to offences and penalties, there is no value which has been kept on the total value of the currency which is seized which will attract prosecution. My final point, Sir, is that in the working of the Office of the FCNR, there are a lot of administrative changes which are necessary. The present amendments strengthen the Act, but, I think, that that Office remains greatly divided. Half the time, he is doing administrative work; half the time, he is

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doing quasi judicial work. Having had the privilege of working in the Ministry of Home Affairs for some time, the person, who was responsible, was bit of a person toned between attending meetings in the North Block and continued to work in the Office which had been assigned to him. If he is to discharge judicial functions which are enjoined upon him under the Act, if the hon. Home Minister could consider strengthening the administrative structure of the Office of the FCNR, it will enable him a timely disposal of the cases. Also, Sir, that would enable him to fix firm timelines - in what period, the applications will be received; when an interim order will be passed; why can't it be done online; why can't, for instance, repetitive references be avoided so that we are able to have an orderly arrangement in the application of the new rigours and the new punishments and offences which this Act provides. Thank you, Sir.

(Ends)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you very much for strictly adhering to the time. Now, Shri Tiruchi Siva.

(followed by 3c - gsp)

GSP-MCM-4.00-3C

SHRI TIRUCHI SIVA (TAMIL NADU): Sir, the Foreign Contribution (Regulation) Bill, 2006, replaces the Foreign Contribution (Regulation) Act, 1976. It was originally enacted to regulate the acceptance and utilization of foreign funds through donations and gifts.

The Annual Report (2004-05) of the Ministry of Home Affairs with regard to the FCRA states "The primary purpose of this Act is to ensure that foreign

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contribution is utilized for genuine activities without compromising on concerns for national security." Sir, as cited by my previous speakers, this new Bill tightens restrictions on foreign contribution primarily to the voluntary sector and political organisations. Though the stated objective of the Bill is to strengthen internal security, it addresses only the voluntary sector, and, only from foreign funds.

Sir, the non-Government Organisations and the voluntary sector in India have expanded over the last ten years, of which many are funded, at least, partially by foreign donors. The number of FCRA-registered associations increased from 16,740 in 1995 to 30,321 in 2005, of which about 60 to 65 per cent reported their foreign contribution acceptance.

The foreign contribution increased from Rs. 2,169 crore in 1995-96 to Rs 6,256 crore in 2004-05, with a 23 per cent jump between 2003-04 and 2004-05. Sir, the main point is that these funds constitute about 0.6 per cent of the gross annual inflow of foreign funds into India. So, there is a jump in the increase. Actually, the inflow is very less; it is 0.6 per cent. In comparison, the Indian corporate sector contributed about Rs. 30,000 crore to Rs. 35,000 crore to charitable institutions in 2006-07. Sir, the Minister, who has taken much effort to tighten these restrictions, should also regulate other things.

As Mr. N.K. Singh also pointed out, many of the objectives of the Bill are met by other laws in force such as the Unlawful Activities Prevention Act, 1967; the Prevention of Money Laundering Act, 2002; the Foreign Exchange Management Act, 1999; and, the Income Tax Act, 1961.

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Sir, I have one or two clarifications. Firstly, there is some ambiguity, or, you can say, there is no clarity with regard to the definition of foreign source. The Standing Committee, in one of its recommendations, has stated that the definition of 'foreign source' is vague in relation to the status of Indian companies with more than fifty per cent foreign holding. The Committee has been given to understand that such foreign holding is permitted under FDI or FII norms. The Committee, therefore, recommends that Indian companies, where the foreign holding is in excess of 50 percent, may be excluded from the purview of the definition of 'foreign source', and, accordingly, the definition may be modified.

Sir, clause 5(3) provides for a notice period of thirty days for the organisation to make a representation. On this, it says, "The Committee, however, expresses its concern over the fact that there is no provision or a time-frame in the clause for a post-decisional hearing, or, in other words, there is no provision for an appellate authority, before whom an appeal may be made against the Government's decision. In the absence of a time frame and an appellate authority, the Government may procrastinate a decision, and, during this period of animated suspension, the sword of Damocles will be hanging on the organisation." It has also given a recommendation that a time frame may be provided, within which the Government has to take a decision on specifying whether an organisation is of a political nature, political party, or not.

(Contd. By VKK-3d)

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-GSP/VKK-GS/3d/4.05

SHRI TIRUCHI SIVA (CONTD.): The Committee made an observation. Sir, clause 6 says, "No member of a Legislature or office-bearer of a political party or Judge or Government servant or employee of any corporation or any other body owned or controlled by the Government shall, while visiting any country or territory outside India, accept, except with the prior permission of the Central Government, any foreign hospitality." Sir, I think, the observation of the Standing Committee holds good. I was also a Member of the Committee earlier. It is said that the Committee, after having discussions, comes to the conclusion that the definition of foreign hospitality is not clear regarding the status of a person, whether in official or personal capacity, when he is on foreign visit. (Time-bell) Excuse me, Sir. The Committee was of the view that clause 6 does not clarify the status of a person when travelling abroad -- whether in personal or official capacity. It is said that the Committee, therefore, also feels that restriction on acceptance of foreign hospitality provided in clause 6 should appropriately apply to a person when one is travelling to a foreign country in one's official capacity. This is the recommendation of the Standing Committee.

Sir, I have just one or two more points. Then, I come to the discretionary powers of the authorised officers. There are loopholes also. I would like to suggest to the hon. Minister that under the current law and in the proposed Bill, there are some loopholes for bypassing the FCRA requirements by channelising the funds through commercial firms as consultation fee, etc. This must be plugged. Sir, organisations of political nature and electronic media organisations

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have been included in the new Bill. Sir, with these things, this Bill holds good. I support this Bill. Thank you.

(Ends)

SHRI SYED AZEEZ PASHA (ANDHRA PRADESH): Sir, we will support the Bill with certain observations and clarifications. There are thirty-three lakh NGOs in our country and then, there are registered, unregistered, etc., as Shri Tiruchi Siva and others said. But, out of them, nearly about 8000 NGOs have not shown the records for the past three years. So, this law is going to check all these discrepancies. As it has already been pointed out, NGOs are playing a very important role in various fields like education, health, etc. At the time of disasters and natural calamities, they reach out to the masses; they go to rural areas and inform the people about optimum utilisation of land, livestock and other sources. But, on the other hand, we find certain fake and fictitious NGOs also which are indulging in racketeering work and minting money. But, it will be unjust to dub all the NGOs in the same category because most of the NGOs are really doing a good work. Sir, I want to seek certain clarifications. This Bill does not provide any guidelines to define 'organisations of political nature'. So, it is purely the discretion of the bureaucrat to define which one is political and which one is non-political. And then, the FCRA confers discretionary powers to the authorised officer. In this regard, I want to give a very glaring example of former Home Minister, Mr. Indrajit Gupta. When he was the Home Minister, he happened to be the president of an NGO, Chandra Raje Shroff Foundation for Social Justice. They applied for registration. To the utter surprise, registration of the NGO, which was presided

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over by the Home Minister, was rejected. I don't know whether the Secretary has seen the entire file or not. This is one of the episodes. Afterwards, they applied for registration once again. Then, there is no clarity in the term 'foreign hospitality'.

(Contd. By MKS/3e)

MKS-ASC/4.10/3E

SHRI SYED AZEEZ PASHA (CONTD.): It says: "It has given exemption to a purely casual one also." And here, in regard to the foreign hospitality, I am, again, giving another glaring example of Shri Bhupesh Gupta, a famous, veteran parliamentarian whose statue is also there in our Parliament. He applied for going to Bulgaria for a diagnosis. The then Deputy Secretary had given the reply by saying "This particular treatment of the disease is there in AIIMS. So, you need not go." But, later, when Giani Zail Singh, who was, then, Home Minister, came to know about that, he immediately telephoned Bhupesh Guptaji and said, "Sir, I am immediately sending the letter. That fellow, I do not know why, did not understand that when you are going to Bulgaria for a treatment, you should have been given the permission." Then, Mr. Bhupesh Gupta said, "No. I have already taken a decision not to go to Bulgaria. But I want to have a full-fledged discussion in the Parliament." Then, immediately, he sent the then Minister of State for Home Affairs, Shri Om Mehta, to personally explain the matter. Then, he said, "Here is the permission letter, Sir. That fellow has committed a blunder. He has done a mistake. You can go any time as you like." Mr. Gupta said, "No. I have already taken a decision. I am a man of principle. So, I want, anyhow, a discussion in the Parliament." Anyhow, there is a long story. (Time Bell) And,

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Sir, you are seeing the timeframe. So, such sort of things are there. When you give discretionary powers, overwhelming powers to the bureaucrats, they can be misutilised. You have to see that they are utilised properly. Sir, the Bill does not specify the time for granting a permission or a certificate of registration or renewal. I think there should be a proper timeframe. If you are denying that, why are you denying? That should also be given on the website because there are many examples wherein some persons have got the permission within 15 days, but for some other persons, the permission is kept pending for the past five to six months without any sort of clarifications. So, everything should be transparent and it should be given on the website so that the applicants could know why it is not being granted.

One thing more, Mr. Vice-Chairperson, Sir, I want to mention here. Some NGOs are putting pressure by saying why can't you put it in abeyance because in the Prime Minister's office, the NGOs' role is going to be decided. If it is going to be thoroughly discussed, the NGOs' role, in the Prime Minister's office, if it comes, we can do more justice. It is up to the Ministry to think it over whether it is right time or not. Thank you, Sir.

(Ends)

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

SHRI BHARATKUMAR RAUT (MAHARASHTRA): Sir, I welcome this Bill. It is, really, overdue. Like many of my predecessor speakers, I am also wondering why it took so much time. The Bill was introduced in 2006; four years have passed

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before it came for consideration. I think, in his reply, the hon. Home Minister, would give some explanation for that.

Sir, even though this Bill is, really, very comprehensive, I still have a couple of queries to raise and a couple of observations to make. One observation which has been made by my predecessor speaker is about clause 6 relating to "foreign hospitality" to be enjoyed by the officer. When it says legislators, office bearers or political parties, judges and Government employees, I think, this needs to be explained further. This is because when I was not a Member of the State Legislature, when I was not a Member of Parliament but I was still working in the political field, I used to be invited by some American universities and they were offering lodging/boarding facilities. Do you consider this 'a foreign hospitality'? If they do not give me these lodging/boarding facilities, then why should I go there? I am not speaking about politics, but I am speaking on journalism. Does that mean that even then, I have to seek your permission before going?

(Contd. by TMV/3F)

-MKS-TMV-LP/3F/4.15

SHRI BHARATKUMAR RAUT (CONTD.): I think that you need to clarify this. Otherwise, this clause becomes a problem not only for parliamentarians but also for people from all walks of life. When you call them office bearers of political parties, those who have nothing to do with the Parliament or the State Assemblies, why should they seek your permission? That is one of my queries. Definitely there should be an answer for this.

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Another thing which I have observed in this Bill is that in respect of registration, certification and renewals too much of discretionary powers are given to different authorities. Too much of discretionary powers are given to them. There should be more transparency, as far as these tasks are concerned. Take, for example, registration. If a registration is rejected, then what is the course? If a renewal does not come for five or six years, then what happens to that? So, there should be more transparency and the authorities should be reasonably answerable to the question why they are rejecting it or why they are accepting it.

Sir, one more point and I will stop at that. It relates to the medical NGOs. I am sure that the hon. Minister is aware that there are many NGOs which run public health projects. To my surprise these NGOs are funded by foreign pharmaceutical companies. The pharmaceutical companies fund these NGOs to push their products into the Indian market. The whole thing happens underground. There is an NGO or something like that in America. They fund the NGOs in India. The task given is health and on the pretext of health protection and health education, their products are dumped into the Indian market. Do you want to do this? I think, there should be more stringent clauses for those NGOs who are working in the public health area.

As far as religious funding is concerned, many of my colleagues have already spoken. I think, the Government should take a stringent view there also. No foreign funds should come to India in the name of religious institutions or for schools run by religious institutions as they are utilised for untoward purposes.

Thank you.

(Ends)

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SHRI PYARIMOHAN MOHAPATRA (ORISSA): Thank you, very much, Sir. I think, all the practical issues have been raised now. I will only try to clarify a few points for the understanding, hopefully, of our brilliant Home Minister because he has a brilliant mind. I am afraid, he read this Bill before giving his consent. I am afraid, because in answer to a question it was stated that there were 18,796 NGOs receiving foreign aid or contribution which amounted to Rs.9,663 crores. These NGOs constitute six per cent of the total number of NGOs, that is, 3 lakhs, in the country. The contribution that they have received is about 12 per cent of the funds received by the NGOs in this country, that is, Rs.18,000 crores. These NGOs have received Rs.9,663 crores. It means, on an average, Rs.50 lakhs per NGO. Why are we becoming so suspicious? The problem with this law is this. It doesn't recognise that good NGOs exist. I would like to tell, through you, Sir, the hon. Minister as to what is the problem. The problem is in the North Block.

(Contd. by 3G/RG)

RG/4.20/3G

SHRI PYARIMOHAN MOHAPATRA (contd.): Five or six years ago, a reputed NGO, working in a remote district of Orissa, run by a person who I knew, came to me seeking help. I said, "Go to North Block. Things will be perfectly all right." I rang up the Joint Secretary and told him to look into his case. Now, this man must have gone there three or four times over a period of six months. He was then told by someone in Delhi, "There is a chap called Surinder. Why don't you go to him? You will get it in no time." So, he went looking for Surinder. Finally, he found him, and Surinder also agreed. He said, "If you pay so much of money,

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then, you will get it in 15 days. If you pay something more, you will get it in three days." So, he again consulted some people here and was told by them, "Instead of running here and there so many times and spending so much money, you pay him up, and get things done." He did it and got the registration. Now, I cannot give an affidavit to prove that this exactly happened. But I know for sure that it happened. I am bringing it to your notice for this reason that when you give so much of powers, unbridled powers, in the name of economic liberalization, there will only be witch-hunting of NGOs.

Sir, I will give you another example. I wish I had known this earlier; my friend, Shri Shantaram Naik, mentioned that he approached the Home Minister and got it. I approached Shri Shivraj Patil in the case of an NGO which was put up by late Shri Jayaprakash Narayan. It is still lying with the Ministry. The fate of it is not known. Thanks to you for making a provision that the grounds of rejection will be made known. Thanks for making a provision that within such and such time, registration will be made, or, be intimated otherwise. Please give the time-limit in each case; wherever there is provision for rejection, kindly give the time-limit. Now, this renewal provision is going to cause us a lot of problems. Why is it five years? It was pleaded in the Standing Committee, especially, by Shri Bimal Jalan, to make it ten years. I don't think this is possible with the kind of monitoring system that you have put in place. Here again, why should it be for five years or ten years? There is no need for it. Now you have also made a provision for cancellation and suspension. How many cases, out of 18,976 cases,

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have you suspended or cancelled? You have put 41 in the prohibited category. And, you have prosecuted 82 out of 18,976 cases.

Then, Sir, about administrative expenses, my friends have pointed out certain facts. I would also point out a few things. I headed a research organization which goes into macro-level research in tribal areas. I know what are the expenses involved. Ninety-five per cent of the costs are towards administrative expenses. I am glad I have not applied for registration for receiving foreign contributions. Had I been registered, or, my organization been registered, we would not have been able to function. For heaven's sake, do not have this 25 per cent limit. This 25 per cent will not help any research organization because research organizations have to spend a lot on such expenses; they have to pay investigators, hire vehicles, print forms and, finally print reports. Everything is administrative or contingency expenditure.

Sir, there is one point more which I would like to mention.

(Continued by 3H)

3h/4.25/ks

SHRI PYARIMOHAN MOHAPATRA (contd.): As per Clause 21, why do you arrogate to yourself the powers of the Election Commission? You say, every candidate for election who had received any foreign contribution would declare it in such time and such manner as is prescribed in the law under intimation to the Central Government. Why don't you put it as a part of the Election Commission guidelines, because the Election Commission asks you to give the property

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statement, this and that? Please include it there. Please do not bring it within this Act.

(Ends)

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): All right. Now, the hon. Minister.

SHRI V. P. SINGH BADNORE (RAJASTHAN): Sir, I will take just one minute, if you permit me.

Sir, I do support the Foreign Contribution Regulation Bill, 2006. I seek a small clarification. If the objective of this Bill is only to strengthen internal security, then it is a very good Bill. But does it also look into the inflow and the funding of NGOs? Sir, there are hundreds and thousands of NGOs which are misusing funds that are coming from outside. Are you going to look into the misuse of those funds in a different way?

THE VICE-CHAIRMAN: Yes. You have made your point.

SHRI V. P. SINGH BADNORE: Sir, there are NGOs working in tribal areas who show afforestation area and, then, they go to another country and show the same afforestation area and get funds and, then, to the third country and so on, and they have been doing it for many years. Are you going to look into that part also or is it only the internal security part?

THE VICE-CHAIRMAN: All right. Please take your seat. Mr. Minister, please.

SHRI M. RAMA JOIS: Sir, I have two points to make.

THE VICE-CHAIRMAN: Now, no. What is this? You are a senior man.

SHRI P. CHIDAMBARAM: You just mention the sections.

SHRI M. RAMA JOIS: I won't take much time.

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THE VICE-CHAIRMAN (PROF. P. J. KURIEN): You have already spoken.

(Interruptions) What is this?

SHRI P. CHIDAMBARAM: You just mention the sections.

THE VICE-CHAIRMAN: It is not permissible after you have already spoken.

SHRI M. RAMA JOIS: Just two points, Sir.

SHRI P. CHIDAMBARAM: You just mention the Sections or send me a note and I will reply to it.

THE VICE-CHAIRMAN: That is right. It is not permissible. You have already spoken. (Interruptions) After the Minister's reply, I will allow. You can raise it then and I will allow you. (Interruptions) If you do not get the reply from the Minister, I will allow you and you can raise it then.

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Sir, I am grateful to the hon. Members for the support they have extended to the Foreign Contribution (Regulation) Bill which was introduced in 2006 but which has come up for consideration and passing in 2010. The foreign contribution law and the rules thereunder were made in 1976. We have examined the working of the law in the last 34 years and we think it is time to replace it by a brand new law. That is why, instead of attempting piecemeal amendments to that law, we are bringing a fresh Bill.

Sir, this Bill has gone through a Group of Ministers; it has gone through the Standing Committee; again, it went through another Group of Ministers; and, finally, the version that is now before the House with official amendments is what is being considered by the House.

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Sir, the objectives of the Bill are, indeed, to regulate the acceptance and utilization of foreign contribution or foreign hospitality. We think that this is a matter which requires to be regulated. We cannot have a *laissez faire* system of either foreign contribution or foreign hospitality.

And who are being regulated? Certain individuals are being regulated. Not any individual, but certain individuals are being regulated. Associations are being regulated. Companies are being regulated.

(contd. by kgg on 3j)

Kgg/3j/4.30

SHRI P. CHIDAMBARAM (contd.): The regulations have been so framed that while legitimate charitable social, educational, medical and activity that serves any public purpose is allowed, foreign money does not dominate social and political discourse in India. There is enough money for charity within India. Enough money can be raised within India for charitable causes, the social causes. But, if you want to access foreign money, then one has to come under a system of regulation. The regulation is of two kinds. The first is, certain categories are totally prohibited. Well, that, Sir, is *a priori* position. You can argue philosophically. But, the Government places before Parliament an *a priori* position, these people must be prohibited. A minister must be prohibited. A judge must be prohibited. A political party must be prohibited. You may argue, are there not good judges, are there not good ministers, are there not good Parliamentarians who should be allowed to receive money? But, that is a philosophical argument. That is a metaphysical argument. We think that these categories must be prohibited.

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The other is, they will be allowed to receive money, but in a regulated manner. That again divides into two categories. The normal rule is, if you wish to receive foreign money, take prior permission. If you wish to avail of foreign hospitality, take prior permission. There is no absolute prohibition. It is simply disclosure and taking prior permission. Then, we say, if the track record of the organization is very good for a period of three years or five years, if you are filing accounts, if you are using the money properly, if there are no complaints against you either by the donor or by the beneficiaries, if you have not violated any law, based upon your track record, we will give you registration which places you in a less restricted regime. You can receive the money, use it and give accounts every year. I think, this classification is logical; some are prohibited, the rest are regulated. Regulation takes two forms. The rule is, take prior permission. When your track record is good, you can graduate to the category of registration. I think, broadly, this should be acceptable to all Members of Parliament. I think, the Standing Committee has accepted it and I am grateful to the Standing Committee for supporting the Bill.

Sir, we have accepted a large number of recommendations of the Standing Committee. We have reworded the preamble. We have said that any fee payment in lieu of certain services rendered will be excluded from the definition of foreign contribution; organizations of the political nature, not being political parties will be placed in the prohibited category. That is the recommendation of the Standing Committee. Use of foreign contribution or any income arising out of it for

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speculative business will be proscribed. Administrative expenses will be capped at 50 per cent; that again is a recommendation of the Standing Committee.

The registration be granted for a period of five years with automatic renewal for a period of five years to all applicants except those who are defaulters is provided for. A fee will be charged for grant of registration, prior permission and on renewal; the fee will be specified. Rejection will be supported by reasons and reasons will be given in writing. Suspension of a registration certificate can only be for a maximum period of 180 days pending an inquiry. Cancellation of registration will be done only after giving reasonable opportunity of hearing. Foreign contribution will be routed through a single bank account. But, you can open one or more accounts to utilise the foreign contribution.

(Contd. By tdb/3k)

TDB/3K/4.35/

SHRI P. CHIDAMBARAM (CONTD.): Receipt must be through a single bank account. But, when you spend it, depending upon your area of activity, you can have more than one bank account. Country-wise information data base will be maintained. The provisions for punishment for violations have been made stricter, and compounding is being provided for minor violations. We have also partly accepted several recommendations, and I won't read them to you. We have not accepted two recommendations. Restriction on availing a foreign hospitality during visits abroad should apply only when one is travelling in official capacity. Now, this can give rise to problems. If you allow a person to travel in an official capacity and then in an unofficial capacity and then say your prohibition is only

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when in unofficial capacity, I think, that will lead to problems. It is because he will travel in an official capacity and then avail of the hospitality. The next time, he will say, "I am travelling in a non-official capacity". I think that is not possible. This we will have to relate to the status of the person, the office he is holding. We could not accept that recommendation. Likewise, when a foreign company or a foreign individual owns 51 per cent of an Indian company and he makes a foreign contribution, that has to be treated as a foreign contribution. These are only two recommendations that we have not accepted. All other recommendations have been wholly accepted or substantially accepted.

Sir, we are now dealing with nearly 40,000 associations. In fact, the number, as on July, 2010 is, 40,173. My biggest problem when I reviewed this Act is, one-half of the associations do not report the foreign contributions; they do not file accounts. So, what does it mean? It is a way of looking at it. The glass is either half empty or half full. You can say, half the organizations are very honest, so why have regulations of so strict nature? But, you can turn around and say, half the organizations are not so honest, therefore, regulation is necessary. This is the problem. One half of the organizations do not report their foreign contributions. Therefore, that is a cause for worry. Where is the money that they are getting going? Therefore, today, we have taken power that if the organizations do not file accounts or do not report, then, we have taken the power now, after issuing a show cause notice, their registration will be cancelled, and then further consequences will follow. I think the size of the money that is coming into this country is large; the number of organizations not reporting is one

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half the number, nearly one half the number, therefore, it is absolutely necessary to have a stricter law rather than a liberal law. Maybe a time will come when 90% of the organizations are reporting faithfully. They have web sites; they disclose their accounts. Maybe at that time, we can consider a more liberal law. But, today, given the situation in which we are, the amount of money that is coming into the country and the fact that one half of the organizations do not report or do not file accounts, it is necessary to have strict regulation. That is the reason for it. (Interruptions) See, one half, which is reporting, is reporting Rs.10,000 crores. The other half, which is not reporting, let us assume, this is another Rs.10,000 crores. Now, Rs.10,000 crores which have not reported their account for is a very large amount of money. That is why, I think, regulation is necessary.

Sir, many of the things which the hon. Members said have to be dealt with in the rules. They may appear vague, but any law, Mr. Rama Jois knows, if you read it without the rules will appear to be vague. But, many of the things have to be provided for in the rules.

(Contd. by 3l-kl)

KLS/3L-4.40

SHRI P. CHIDAMBARAM (CONTD): Wherever it is necessary, wherever it becomes excessive delegation, we have provided it here. But most of the things have to be done in the rules and guidelines and that is why I think any law which is drafted will appear to vest a large amount of discretion. But the rule making power is intended to control that discretion of power. Many of these will indeed be dealt with under the rules. Now, Mr. Rama Jois mentioned clause 5. Clause 5

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is already there in Section 5 of the present Act. You mentioned Clause 9. Clause 9 is already Section 10 in the present Act. These are not new provisions. These are the provisions which have been repeated because these are wholesale provisions that stood the test of law. 'Political nature', in fact, we have said that the present law is rather vague. The new law says political nature will lay down guidelines, we will frame rules, we will issue a show cause notice, and we will give the reasons why an organisation is being called an organisation of a political nature. We will get their reply, and then we will pass an order either of placing them in the category of organisations of a political nature, and publish that notification. If it is observed, if it is unreasonable, they know how to challenge it in the court of law. In fact, we are making it more transparent, we are making it more rule based and more reason based. Likewise, Clause 9 is already there in the present Section 10. The point is well taken. Functionaries must exercise powers within reasonable time. One of the reasons why we have not administered this law as effectively as I believe we should have administered is the paucity of human resources in this Division. When you start a Division of this kind you start with the hope that there will be a few hundred organisations and a few hundred crores will come. But suddenly the whole thing rises at a geometric proportion; the number doubles and doubles every three or four years. The amount doubles and doubles every three or four years. Unfortunately, our systems do not allow so many hands to come in the Division so quickly. But we are now trying to strengthen the Division. This Division which deals with about forty thousand organisations and deals with about, I do not know, twenty to twenty-five

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thousand crores of rupees, must indeed have more human resource. But once human resource comes, we will indeed lay down timelines in which each application should be disposed of. In fact, one of my plans is that every application should automatically get on to a website, when it was made. Then if it is returned that should also go on the website, when it was returned for completion of information, then, whether it was either accepted or rejected, all that should go on the website. It will be developed. Once a new law is made, we will develop that. Sir, administrative expenses are capped at 50 per cent but I wanted to read sub-clause 2 which gives power to the Government to indicate the guidelines for what would be considered administrative expenses. If your administrative expenses exceed 50 per cent, all that is required is you must get the approval of the Government. It is not that you cannot spend 51 per cent. We will now say what would fall in the administrative expenses and that should, as far as possible, not exceed 50 per cent. If it exceeds 50 per cent, you would have to get the approval of the Government. Sir, renewal, why is renewal for five years. Now, we think that an organisation should be allowed registration for five years and automatically renewal for five years unless it attracts penal provisions. I think once in five years it is good that organisations receiving foreign money renew themselves. I do not think we can renew for ever. An organisation, in fact, has infinite lifetime, therefore, it is no finite lifetime organisation. I think it is good that once in five years they should come up for scrutiny. Sir, I accept the suggestion that much of the information and much of the way in which these applications are dealt with must be put on the website and we will certainly follow that. There were

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some questions about Clause 6 read with clause 2(1). There is indeed a restriction on accepting foreign hospitality. In the beginning I said, some categories must be restricted because of the office you hold, the status you have, the position you hold must be restricted. If you still want to accept foreign hospitality, you must get prior permission. If a Member of Parliament wants to travel abroad and receive foreign hospitality, then no harm in his applying and the application is invariably granted and foreign hospitality is allowed. Foreign hospitality definition in 2(1) does include boarding and lodging. You have to disclose so and so has invited me and I am staying there for three days, I am going to stay in this hotel and they are going to pay for the hotel and food. That is perfectly logical. Once you accept my philosophy that some categories must indeed be prohibited because of the status, because of the position, they hold. Sir, with these words, I commend the Bill.

(Contd by 3M/SSS)

SSS/3M/4.45

SHRI P. CHIDAMBARAM (CONTD.): There are official amendments. We will take a few minutes to pass the official amendments. I want you to read the Bill with the official amendments. If you read the Bill with the official amendments there will be greater clarity. But, I do take all your points. We will address many of them while the rules are being made.

श्री रुद्रनारायण पाणि : नॉर्थ ब्लॉक के सुरिन्दर के बारे में कुछ कहिए।

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SHRI P. CHIDAMBARAM: Now, I would like you to tell me who Surinder is. If you tell me who Surinder is...

SHRI S. S. AHLUWALIA: I believe I am not.

SHRI P. CHIDAMBARAM: If you tell me who Surinder is, we will ensure that Surinder is put under the prohibited category.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): The question is:

That the Bill to consolidate the law to regulate the acceptance and utilization of foreign contribution or foreign hospitality by certain individuals or associations or companies and to prohibit acceptance and utilization of foreign contribution or foreign hospitality for any activities detrimental to the national interest and for matters connected therewith or incidental thereto, be taken into consideration.”

The motion was adopted.

Clause 2 - Definitions

THE VICE-CHAIRMAN: We shall now take up clause by clause consideration of the Bill. We shall, now, take up Clause 2. There are two Amendments (Nos. 3 and 4) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 3) That at page 4, **for** lines 9 and 10, the following be **substituted**, namely:-

“(E) Municipality as defined in clause (e) of article 243 P of the Constitution.”

(No. 4) That at page 4, **for** lines 14 and 15, the following be **substituted**, namely:-

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“(G) Panchayat as defined in clause (d) of article 243 of the Constitution; or

(H) any other elective body as may be notified by the Central Government;”

The questions were put and the motions were adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 was added the Bill.

Clause 4 – Persons to whom section shall not apply

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 4.

There are two Amendments (No. 5 and 6) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 5) That at page 6, **for** line 25, the following be **substituted**, namely:-

The Foreign Exchange Management Act, 1999; or”.

(No. 6) That at page 6, **after** line 25, the following be **inserted**, namely:-

(g) by way of any scholarship, stipend or any payment of like nature:.

The questions were put and the motions were adopted.

Clause 4, as amended, was added to the Bill.

Clause 5 – Procedure to notify an organization of a political nature.

THE VICE-CHAIRMAN: We shall, now, take up Clause 5. There are three Amendments (No. 7 to 9) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

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(No.7) That at page 6, *after* line 34, the following proviso be *inserted*, namely:-

“Provided that the Central Government may, by rules made by it, frame the guidelines specifying the ground or grounds on which an organisation shall be specified as an organisation of a political nature.”

(No 8) That at page 6, lines 39 to 41 be *deleted*.

(No.9) That at page 7, *after* line 9, the following be *inserted*, namely:-

“(6) Every order under sub-section (1) shall be made within a period of one hundred and twenty days from the date of issue of notice under sub-section (2):

Provided that in case no order is made within the said period of one hundred and twenty days, the Central Government shall, after recording the reasons therefor, make an order under sub-section (1) within a period of sixty days from the expiry of the said period of one hundred and twenty days.”

The questions were put and the motions were adopted.

Clause 5, as amended, was added to the Bill.

Clause 6 was added to the Bill.

Clause 7 – Prohibition to transfer foreign contribution to other person.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 7.

There is one Amendment (No. 10) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No.10) That at page 7, *after* line 26, the following proviso be *inserted*, namely:-

“Provided that such person may transfer, with the prior approval of the Central Government, a part of such foreign

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contribution to any other person who has not been granted a certificate or obtained permission under this Act in accordance with the rules made by the Central Government.”.

The question was put and the motion was adopted.

Clause 7, as amended, was added to the Bill.

**Clause 8 — Restriction to utilize foreign contribution
for administrative purpose**

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 8.

There is one Amendment (No. 11) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No.11) That at page 7, *after* line 32, the following proviso be *inserted*, namely:-

“Provided further that the Central Government shall, by rules, specify the activities or business which shall be construed as speculative business for the purpose of this section.”.

The question was put and the motion was adopted.

Clause 8, as amended, was added to the Bill.

Clauses 9 and 10 were added to the Bill.

Clause 11 — Registration of certain persons with Central Government.

THE VICE-CHAIRMAN: We shall, now, take up Clause 11. There is one Amendment (No. 12) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No.12) That at page 9, line 2, *for* the words “from specific source”, the words “from the specific source” be *substituted*.

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The question was put and the motion was adopted.

Clause 11, as amended, was added to the Bill.

Clause 12 – Grant of certificate of registration.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 12.

There are two Amendments (No. 13 and 14) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No13) That at page 9, *for* lines 24 to 46, the following be *substituted*, namely:-

“(3) If on receipt of an application for grant of certificate or giving prior permission and after making such inquiry as the Central Government deems fit, it is of the opinion that the conditions specified in sub-section (4) are satisfied, it may, ordinarily within ninety days from the date of receipt of application under sub-section (1), register such person and grant him a certificate or give him prior permission, as the case may be, subject to such terms and conditions as may be prescribed:

Provided that in case the Central Government does not grant, within the said period of ninety days, a certificate or give prior permission, it shall communicate the reasons therefor to the applicant:

Provided further that a person shall not be eligible for grant of certificate or giving prior permission, if his certificate has been suspended and such suspension of certificate continues on the date of making application.

(4) The following shall be the conditions for the purposes of sub-section (3), namely:-

(a) the person making an application for registration or grant of prior permission under sub-section (1),-

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- (i) is not fictitious or *benami*;
 - (ii) has not been prosecuted or convicted for indulging in activities aimed at conversion through inducement or force, either directly or indirectly, from one religious faith to another;
 - (iii) has not been prosecuted or convicted for creating communal tension or disharmony in any specified district or any other part of the country;
 - (iv) has not been found guilty of diversion or mis-utilisation of its funds;
 - (v) is not engaged or likely to engage in propagation of sedition or advocate violent methods to achieve its ends;
 - (vi) is not likely to use the foreign contribution for personal gains or divert it for undesirable purposes;
 - (vii) has not contravened any of the provisions of this Act;
 - (viii) has not been prohibited from accepting foreign contribution;
- (b) the person making an application for registration under sub-section (1) has undertaken reasonable activity in its chosen field for the benefit of the society for which the foreign contribution is proposed to be utilised;
- (c) the person making an application for giving prior permission under sub-section (1) has prepared a reasonable project for the benefit of the society for which the foreign contribution is proposed to be utilised;
- (d) in case the person being an individual, such individual

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has neither been convicted under any law for the time being in force nor any prosecution for any offence pending against him;

(e) in case the person being other than an individual, any of its directors or office bearers has neither been convicted under any law for the time being in force nor any prosecution for any offence is pending against him;

(f) the acceptance of foreign contribution by the person referred to in sub-section (1) is not likely to affect prejudicially-

(i) the sovereignty and integrity of India; or

(ii) the security, strategic, scientific or economic interest of the State; or

(iii) the public interest; or

(iv) freedom or fairness of election to any Legislature; or

(v) friendly relation with any foreign State; or

(vi) harmony between religious, racial, social, linguistic, regional groups, castes or communities;

(g) the acceptance of foreign contribution referred to in sub-section (1),-

(i) shall not lead to incitement of an offence;

(ii) shall not endanger the life or physical safety of any person.

(5) Where the Central Government refuses the grant of certificate or does not give prior permission, it shall record in its order the reasons therefor and furnish a copy thereof to the applicant:

Provided that the Central Government may not communicate the reasons for refusal for grant of certificate

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or for not giving prior permission to the applicant under this section in cases where there is no obligation to give any information or documents or records or papers under the Right to Information Act, 2005.

(6) The certificate granted under sub-section (3) shall be valid for a period of five years and the prior permission shall be valid for the specific purpose or specific amount of foreign contribution proposed to be received, as the case may be.”.

(No.14) That at page 10, lines 1 to 35 be *deleted*.

The questions were put and the motions were adopted.

Clause 12, as amended, was added to the Bill.

Clause 13 was added to the Bill.

Clause 14 — Cancellation of certificate

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 14.

There are two Amendments (No. 15 and 16) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No.15) That at page 11, *for* line 13, the following be *substituted*, namely:-

“or order made thereunder; or”.

(No.16) That at page 11, *after* line 13, the following be *inserted*, namely:-

“(e) if the holder of the certificate has not been engaged in any reasonable activity in its chosen field for the benefit of the society for two consecutive years or has become defunct.”.

The questions were put and the motions were adopted.

Clause 14, as amended, was added to the Bill.

(Contd. by NBR/3N)

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-SSS/NBR-MCM/3N/4.50

Clause 15 was added to the Bill.

Clause 16 -- Renewal of certificate

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 16.

There are three Amendments (Nos. 17 to 19) By Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 17) That at page 11, line 34, *for* the words "renew the certificate", the words "renew the certificate, ordinarily within ninety days from the date of receipts of application for renewal of certificate" be *substituted*.

(No. 18) That at page 11, *after* line 35, the following proviso be *inserted*, namely:-
"Provided that in case the Central Government does not renew the certificate within the said period of ninety days, it shall communicate the reasons therefore to the applicant."

(No. 19) That at page 11, line 36, *for* the words "Provided that", the words "Provided further that" be *substituted*.

The questions were put and the motions were adopted.

Clause 16, as amended, was added to the Bill.

Clause 17 -- Foreign contribution through scheduled bank

THE VICE-CHAIRMAN: We shall, now, take up Clause 17. There is one Amendment (No. 20) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 20) That at page 12, line 3, *for* the words "the amount of

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foreign remittance", the words "prescribed amount of foreign remittance" be ***substituted***.

The question was put and the motion was adopted.

Clause 17, as amended, was added to the Bill.

Clauses 18 to 31 were added to the Bill.

Clause 32 -- Revision of orders by Central Government

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 32.

There is one Amendment (No. 21) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 21) That at page 15, line 9, ***for*** the words "for revision, call for and examine", the words "call for and examine" be ***substituted***.

The question was put and the motion was adopted.

Clause 32, as amended, was added to the Bill.

Clause 33 -- Making of false statement, declaration or delivering false accounts

THE VICE-CHAIRMAN: We shall, now, take up Clause 33. There is one Amendment (No. 22) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 22) That at page 15, line 37, ***for*** the words "three years", the words "six months" be ***substituted***.

The question was put and the motion was adopted.

Clause 33, as amended, was added to the Bill.

Clauses 34 to 37 were added to the Bill.

Clause 38 -- Prohibition of acceptance of foreign contribution

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THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 38 of the Bill. There is one Amendment (No. 23) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 23) That at page 16, line 20, *for* the words "three years", the words "five years" be *substituted*.

The question was put and the motion was adopted.

Clause 38, as amended, was added to the Bill.

Clauses 39 to 44 were added to the Bill.

Clause 45 -- Protection of action taken in good faith

THE VICE-CHAIRMAN: We shall, now, take up Clause 45 of the Bill. There is one Amendment (No. 24) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 24) That at page 17, line 44, *for* the words "referred to", the words "referred to in" be *substituted*.

The question was put and the motion was adopted.

Clause 45, as amended, was added to the Bill.

Clause 46 was added to the Bill.

Clause 47 -- Delegation of powers

THE VICE-CHAIRMAN: We shall, now, take up Clause 47 of the Bill. There is one Amendment (No. 25) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 25) That at page 18, line 5, *for* the word and figure "section 22", the word and figure "section 48" be *substituted*.

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The question was put and the motion was adopted.

Clause 47, as amended, was added to the Bill.

Clause 48 -- Power to make rules

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 48.

There are seven Amendments (Nos. 26 to 32) by Shri Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

(No. 26) That at page 18, *for* lines 17 and 18, the following be ***substituted***, namely:-

"(d) guidelines specifying the ground or grounds one which an organization may be specified as an organization of political nature under sub-section (1) of section 5;"

(No. 27) That at page 18, *after* line 18, the following be ***inserted***, namely:-

"(da) the activities or business which shall be construed as speculative business under the proviso to clause (a) of sub-section (1) of section 8;"

(No. 28) That at page 18, line 21, *for* the words "and manner", the words "and the manner" be ***substituted***.

(No. 29) That at page 18, line 24, *for* the words "and manner", the words "and the manner" be ***substituted***.

(No. 30) That at page 18, line 45, *for* the words "form, and manner", the words "prescribed amount of foreign remittance, the form and manner" be ***substituted***.

(No. 31) That at page 19, line 1, *for* the words "and manner",

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- the words "and the manner" be *substituted*.
- (No. 32) That at page 19, line 7, *for* the words "and manner", the words "and the manner" be *substituted*.

The questions were put and the motions were adopted.

Clause 48, as amended, was added to the Bill.

Clauses 49 to 54 were added to the Bill.

Clause 1 -- Short title, extent, application and commencement

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 1 of the Bill. There is one Amendment (No. 2) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

- (No. 2) That at page 1, line 5, *for* the figure "2006", the figure "2010" be *substituted*.

The question was put and the motion was adopted.

Clause 1, as amended, was added to the Bill.

ENACTING FORMULA

THE VICE-CHAIRMAN: We shall, now, take up the Enacting Formula. There is one Amendment (No. 1) by Shri P. Chidambaram.

SHRI P. CHIDAMBARAM: Sir, I move:

- (No. 1) That at page 1, line 1, *for* the word "Fifty-seventh", the word "Sixty-first" be *substituted*.

The question was put and the motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

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SHRI P. CHIDAMBARAM: Sir, I move: That the Bill be passed.

The question was put and the motion was adopted.

(Ends)

(FOLLOWED BY USY "30")

-NBR-USY/30/4.55

THE LAND PORTS AUTHORITY OF INDIA BILL, 2010

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY

MAKEN): Sir, on behalf of my senior colleague, Shri P. Chidambaram, I beg to

move:

"That the Bill to provide for the establishment of the Land Ports Authority of India to put in place systems which address security imperatives and for the development and management of facilities for cross border movement of passengers and goods at designated points along the international borders of India and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration".

The Land Ports Authority of India Bill, 2009, as introduced in the Lok Sabha on 7th August, 2009, was referred to the Department-related Parliamentary Standing Committee on Home Affairs for its examination and report. The Committee considered the Bill and presented its report to Rajya Sabha on 24.02.2010.

The infrastructure available with the Customs, Immigration and other regulatory authorities at the existing border-crossing points on our land borders are generally inadequate. The supporting non-sovereign facilities are also either

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inadequate or absent and all regulatory and support functions are generally not available in one premises. Even where the facilities are located in close proximity, there is no single agency responsible for coordinated functioning of various Government agencies/ service providers. To overcome such bottle necks at such border-crossing points and with a view to facilitate legitimate cross border trade and commerce and movement of passengers, it has been decided to develop 'integrated check post' (ICPs), which are envisage to provide required facilities for such movements in a coordinated manner to enable better administration of sovereign and non-sovereign functions. The institutional arrangement to overcome the planning, construction and maintenance of the ICPs is envisaged through a statutory body viz., the Land Port Authority of India.

The Land Ports Authority of India is an innovative institutional arrangement and will be a lean, oversight body aimed at providing better administration an cohesive management at designated crossing points/ land ports on our borders through integrated check posts. It would function as a body corporate with the representatives from the Ministry of External Affairs, Railways, Defence, Departments of Commerce, Revenue, Road Transport and Highways, State Governments concerned, other stakeholders, such as, trade and workers representatives, etc. The Land Ports Authority of India shall exercise its jurisdiction only over the designated points, notified by the Government from time to time for development as an Integrated Check Post. Each ICP will be a one-stop location for availing various sovereign and non-sovereign services, as in the case of airports and seaports, and function under the aegis of the Land Ports

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Authority of India. The proposed Land Ports Authority of India and Integrated Check Posts will be unique in nature and are coming up for the first time in the country. Further, the construction of ICPs will also enhance the bilateral trade and cooperation between India and its neighbouring countries.

The Integrated Check Posts shall be a sanitized zone with dedicated passenger and cargo terminal comprising adequate customs and immigration facilities, security and scanning equipments, health and quarantine facilities, passenger amenities, like, waiting areas, restaurants, restrooms, duty-free shops, parking, warehousing, container yards, offices of transport and logistic companies, banks and financial services, dormitories for drivers, and all related facilities, like, service station and fuel stations in a single complex, equipped with state-of-the-art modern amenities. To begin with, it is proposed to set up ICPs at 13 locations in two phases. In first phase seven ICPs and in the second phase, six ICPs would be developed.

With this, I request the House that the Land Ports Authority of India Bill, 2010, as passed by Lok Sabha on 6th May, 2010, be taken into consideration.

The question was proposed.

(Ends)

(Followed by 3p PK)

-USY/PK/3P/5.00

SHRI S.S. AHLUWALIA (JHARKHAND): Sir, I rise to speak on the Landports Authority of India Bill, 2009. This Bill was referred to the Standing Committee. Sir, the background of the Bill is this. It was way back in 2003 that the National

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Security Council Secretariat and the Committee of Secretaries of the Government of India concluded a series of discussions and said that Integrated Check Posts (ICPs) at the major entry points on our international borders can be started. Then, Sir, it was found necessary that to set up ICPs all regulatory agencies like Immigration, Customs, Border Security, etc. should be housed together with the support of facilities in a single complex equipped with all modern amenities. That was the basic idea. But, Sir, in the meeting of National Security Council Secretariat held on 8th January, 2004, which was chaired by the Cabinet Secretary, it was decided that the Department of Border Management would set up an Inter-Ministerial Group comprising of representatives from NSCS, MEA, Department of Revenue, Ministry of Commerce, the Ministry of Road Transport and Highways, Intelligence Bureau, SSB and State Governments to recommend the nature and structure of autonomous agency which will undertake this task. Sir, the Inter-Ministerial Working Group was formed and they recommended a statutory authority as the most suitable model for an agency to oversee and regulate construction, management and maintenance of ICPs. The Committee of Secretaries considered this on 27th April, 2005, and concurred with the approach of the IMWG. The Committee of Secretaries gave in-principle approval for setting up of Landports Authority of India as an autonomous agency under the Department of Border Management framing a proper legislation for this purpose. Sir, I would like to mention here that initially when this idea was being discussed in different quarters, at that time, under the Chairmanship of the Minister of Commerce, a meeting was called where the Ministry of Commerce came forward

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for ICPs and they allotted Rs.30 crores for a kickstart. Today, on different international borders, although our agencies are there, they are in rented accommodation. Somewhere, it is near the border, somewhere the offices are far away from the border. They are working from rented apartments. There is no full-fledged office but it is working. Sir, we have about 4096.7 kilometer long border with Bangladesh; we have 3,488 kilometer long border with China; we have 3,323 kilometer long border with Pakistan; with Nepal, we have got 1,751 kilometer long border; with Myanmar, 1,643 kilometer long border; with Bhutan, it is 699 kilometer long and still we claim that we have about 106 kilometer long border with Afghanistan. That is our claim. The point is, out of these, with China, it is a porous border. With Pakistan, it is partially barbed-wire and partially porous, because right from Jammu to Sri Nagar, it is totally porous.

(Contd. by PB/3Q)

PB/3q/5.05

SHRI S.S. AHLUWALIA (CONTD.): Then, with Myanmar, it is porous; with Nepal, it is porous and with Bhutan also, it is porous. There is no barbed wire. We have a barbed wire right from Gujarat to Rajasthan-Punjab and in a part of Kashmir also. But in rest of the places, there is porous border. Now, Sir, if you see the Bill, in the Statement of Objects and Reasons, it has been said, 'There are several designated entry and exist points on the international borders of the country through which cross-border movement of persons, goods and traffic takes place. Good border management is mandated by India's security concern and to this end, it is important to put in place system which addresses security imperatives

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while also facilitating trade and commerce." Sir, the reason why I am reading this is because till today I am not able to understand as to why this Land Port Authority is handed over to border management, to the Home Ministry. Why is a Home Minister piloting this Bill? Actually, this Bill is meant either for the Finance Ministry where the Revenue Department, the Customs and the Excise are there, or, it should be piloted by the Commerce Ministry where the trade, commerce and other treaties are being done. Sir, there was no Department in the name of Border Management in our system. In North Block, there was no such Department. But, Sir, suddenly, it was decided by the Committee of Secretaries on the 8th of January, and the formation of Border management was done on 29th September, 2003. Although this idea of formation of ICP was long ago discussed by us, but, suddenly, a Department was created, the Department of Border Management; and what is their role, Sir? If you see the Bill, this Bill is nothing but simply a replica of Airports Authority of India's Bill. If you just read out the Airports Authority of India Bill and then read out the Land Ports Authority of India Bill, you will find that it is more or less the same. It is simply cut and paste. Although there also the security aspect is there, but it is not controlled by the Home Ministry. Although in the entire Airports, the security provisions are there and the CISF is taking care of everything -- Customs is there; Excise is there; the Commerce Ministry is there and the Immigration Department is also there -- but still it is not under the Home Ministry. It is under the Civil Aviation Ministry. Now, when you are talking about land ports, then either it should go to the Highway Authority or to those who are looking after Urban Development, to those who are looking into the

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matters related to roads. Now, when we are talking about providing highway connection right from Turkey to Hanoi and when discussions are going on in SAARC that there will be no passport system, no visa system for movement in the SAARC countries and we will have a Highway, then who will control this? Why do you need a Police there? Why do you need the Home Ministry there? Sir, I was going through the functions of the Land Ports Authority. That is in Chapter III and I find that in just two places only, the role of security has been mentioned. And for what purpose is that? I shall read clause 11(2). It says, "Without prejudice to the generality of the provisions contained in sub-section (1), the Authority may -- (c) plan, procure, install and maintain communication, security, goods handling and scanning equipment at an integrated check post."

(Contd. by 3r/SKC)

3r/5.10/skc

SHRI S.S. AHLUWALIA (contd.): Now, Sir, they are doing the same work here, in the Airports Authority of India. The CISF is doing the same thing. What new work are they doing here? For the aeroplane, whichever be the airport where it is landing is the border. Why is there no border management there? Wherever land connectivity is there, when they enter India, that is again a land port. Secondly, in clause 11(2)(c) says, "...provide appropriate space and facilities for immigration, customs, security, taxation authorities, animal and plant quarantine, warehouses, cargo, baggage examination, yards, parking zones, banks, post offices, communication facilities, tourist information centres, waiting halls, canteen refreshment stalls, public conveniences, health services and such other services

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as may be deemed necessary". These are the functions of the Land Port Authority of India. Now, here they want that it should be under the Home Ministry. I thought, there may be some danger and they want to protect the building and they want to protect everybody. Now, Sir, the question arises, when you reach a border area, where are they going to put up? Rucksol; it is Indo-Nepal border. Now, the entire 1751 kilometres of the Indo-Nepal border is a porous border. Nobody can make out when a cowboy, while grazing cows and taking care of them, entered Nepal and when a Nepali cowboy came into the Bihar and Uttar Pradesh border. In that porous border you are putting up a land-port authority at Rucksol. Then comes Wagah, which is at the Indo-Pakistan border. Then there is More, which is Indo-Myanmar, which is again a porous border. People come from paddy fields with headloads of goods and enter into the villages of India and go back from Indian villages to their villages in Myanmar. Nobody cares. You are going to sit on the road only this building, this big arch, gate, gateway to India or gateway to Myanmar, and you want border management. Now, the third is Petrapol. It is Indo-Bangladesh. At the Indo-Bangladesh border also, at some places there is barbed wire while it is porous at other places. Then there is Docky at the Indo-Bangladesh border; Docky port in Meghalaya. It is again a porous border. Then there is Akhora in Tripura, which lies at the Indo-Bangladesh border. There is barbed wire, but partly porous. Then, Heely, West Bengal. Then, Chandrabangha, West Bengal, is again on the Indo-Bangladesh border. Sutrakhandi in Assam is on the Indo-Bangladesh border as well. Gawarpuchia, Mizoram, is also at the Indo-Bangladesh border; it

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is also covered partly with barbed wire and partly left open. Then, Sunouli, Uttar Pradesh; Indo-Nepal. It is porous. Then, Rupaidiha, Uttar Pradesh, Indo-Nepal; it is a porous border. So, Sir, what is the role? You might be aware that some time back a BSF officer posted in that area had said, "What will we do with the cattle or buffaloes that are entering our side of the border? We have caught them. But we have no funds to feed them. How to feed them?" These are the problems, but we are going ahead with a land-port authority.

(Contd. at 3s/ksk)

KSK/SCH/5.15/3S

SHRI S.S. AHLUWALIA (CONTD): Land Ports Authority is basically a building where you are putting all these people to open their offices. So, you can have a landlord. Is this the Home Ministry's work to become the landlord of the building? I am saying so because again, for the security of that building, you are not doing the security. In clause 12, you say that respective Border Guarding Forces deployed at the borders of India shall be responsible for the security around an integrated check-post. Who is the Border Guarding Force? Either it is the BSF, or, it is a paramilitary force, or, the military. If they have to protect and take care of the security arrangement for the building, then, why are you required? Then, Sir, next is the clause 12(2) which states, "The Authority may, whenever considered necessary so to do for ensuring the peace and security at an integrated check-post, seek the assistance of Armed Force - Central paramilitary force or the State Police." That means, in the border management, they don't have any role. For the security purpose, they need the help of either State police

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or paramilitary forces or the Defence Forces. Then, again, Sir, in the CrPC, there is a provision for maintenance of public order and tranquillity. You cannot call any time the Armed Forces that come and rescue us, come and maintain tranquillity and peace. You have to invoke section 130 of CrPC - use of Armed Forces to disperse assembly. Then, you have to disperse assembly by use of civil force; then, Armed Forces. Then, you have to depute a Magistrate. The role of the State Government comes. But, when the Committee of Secretaries initially suggested that they should consult the States, the major States were not consulted. Many States came forward that you are going to acquire land from us; talk to us; discuss with us on how you are going to manage it. The State Government people are the best people. If you want to start anything in Raxaul, you should have contacted Bihar Government, if you are going to start anything in Sinauli or Rupai Diha, you could have talked to the U.P. Government; if you are starting anything in Bengal, you could have taken the West Bengal Government into confidence. When you are talking to start an ICP in Moray, you could have taken the Manipur Government into confidence, or Mizoram Government, or, Meghalaya Government into confidence. But, I am surprised to see that all these things have not happened. And, we have mentioned in the Committee Report also that the States were not consulted. जमीन तो स्टेट की है, स्टेट ने ही एक्वायर करना है। गृह मंत्रालय जो बॉर्डर मैनेजमेंट की बात कह रहा है, उसका रोल क्या है? उसका रोल कुछ है ही नहीं। I have got both the Bills - the Airports Authority Bill and the Land Ports Authority Bill. Sir, I have done little comparison. Whatever is written in the functions of Land Ports Authority in clause 11(i), the same is mentioned in the

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Airports Authority Bill. The only word that they have changed, at the time of functions, they have said, "have powers". Then, in clause 11(ii) is the same as clause 11(iii) of the Airports Authority Bill. Everything is same. I do not know whether my learned friend and the Minister of State, Shri Ajay Maken, has done this homework or not.

(continued by 3t - gsp)

GSP-DS-5.20-3T

SHRI S.S. AHLUWALIA (contd.): I am not aware whether a legal luminary like P. Chidambaram applied his mind or not. But it shows the poor knowledge of the legislative department. They have done the job of cutting and pasting. They have copied the 'Powers and Functions' of the Airports Authority Bill, and, pasted in the Land Ports Authority Bill. At only two places, they have done something. How is it possible? And, why is it so when you are making a separate law. The border management was not there at all. This was a new department, which you started. Now, a new Secretary is deputed. I don't have any grouse against the person who is working there but my grouse is against the system.

Now, in the Airports Authority, you can maintain without border management. Why will the Land Ports Authority not be maintained without border management? Is it the work of the border management to look after the State Manager's work? This is basically the work of the State Manager's, and, nothing else. When you need security, you need the para-military forces to protect the building, when you need Armed Forces to support you from outside, then, why you are there. I don't know whether under the powers and role of border

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management, any para-military forces are coming under them or not. I am not aware whether they have raised any separate force or not. Here again, in the building, you are using 'watch and ward'. Because 'watch and ward' was written in the Airports Authority Bill, you have written it here also. When 'watch and ward' is there, then, why do you need a '*sipahi*' there? So, when the CISF is looking after the scanning machines, x-ray machines, frisking machines and everything, the same CISF can work there also. But because Airports Authority is controlled by the Ministry of Civil Aviation, and, this Land Ports Authority will be controlled by the Ministry of Home Affairs, as if the Home Ministry has no other work to do, and, now, they are going to do the job of landlord.

Sir, apart from this, what are we going to do here? For cargo, you have: cargo inspection sheds, warehouse, cold storage, quarantine, laboratory, dormitory, dispensary, restaurant, clearing agents, and, banks. For passengers, you have: passenger process area, waiting halls, duty-free shops, passenger utilities, dispensers, currency exchange, and, internet facility. Now, for internet facilities, Mr. A. Raja is also there. Then, for administrative building, you have: gates, security huts, watch tower, electric substation, area lightning, bore wells, pumps, water treatment plant, area drainage, sewerage, everything; whatever is required as a part of infrastructure, that is there. I am concerned about the point that you are going to outsource the places for private hotels. You are going to outsource the work of the clearing agents also, all private people. Then, you have restaurants. In the name of restaurant, people will get free access; in the name of hotel, people will get free access. Is the Border Management department of the

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Home Ministry going to run this, or, are they going to outsource it? And, if they are going to outsource it, whom are they going to outsource it - to a private party, to a foreign party, to PSUs or to the ITDC. That is my point. That is a matter of security concern. In the Statement of Objects and Reasons, you have raised certain points. You say that for strategic reasons and security management, you are taking these steps. I agree with you on that point but how are you going to manage, and, how are you going to manage these porous borders.

(Contd. by VKK-3U)

-GSP/VKK-NB/3u/5.25

SHRI S.S. AHLUWALIA (CONTD.): Then, Sir, I come to another chapter of this. They have left Srinagar-Muzaffarabad access. There is no landport authority building on Srinagar-Muzaffarabad access. They have left Poonch-Rawalkot access. They have left Uri-Salmabad-Chakoti access which is going to PoK. They said that there is strategic reason because we treat PoK as Pak-occupied Kashmir. That means, it is part of India. Yes, fine, I agree. But, then, put some scanners. Whether on those trucks, when they are saying that they are bringing apples or *akhrot* from that area, they are bringing those things or grenades and AK-47 are coming. Why don't you put scanners there? Why don't you put machines there? You can scan everything and all the containers can be scanned so that arms and ammunitions do not reach here. Now, today, what is happening? In the entire Kashmir Valley, you will find Chinese products. It is full of Chinese products. From which way or route, they are coming? They are coming through PoK. Now, we have an agreement with them called note on cross-LoC

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trade between Jammu and Kashmir and PoK. I was going through it. When it was started, they had shown the strength saying that so much of trade can take place. But slowly, it is coming down. Now, it is not a product which is the produce of that area. The understanding was that the produce of that area and the produce of this area can be exchanged through barter system or through money exchange also. Basically, it was through barter system. But, now, we find that the produce of that area is not coming here; the Chinese products are coming to India. Now, if you are not going to put scanners or the security arrangements at the check posts, then, how are you going to stop them? Sir, I was going through the items like apples, bananas, grapes, mangoes, pineapples, oranges, coconuts -- fresh and dry. All these things were there. Then, Peshawari *chappals*, cushions, bed-sheets, wall hangings, carpet pieces, stoles, medicinal herbs, etc. were exchanged between PoK and Jammu and Kashmir. But, now, what is happening? These stoles are Chinese; these herbs are Chinese; these products are Chinese; and, they have flooded the market. So, how are you going to stop it? There is no coordination between different Departments and there is no vision. I think, it is a fight to grab this opportunity. Now, if the concerned people are not there and if the concerned people are not designated with the job, then, who is going to do it? The work was of the Revenue Department; the work was of the Department of Trade and Commerce. But, the work is taken up by somebody else. So, my apprehension is about its successful functioning. Sir, my apprehension is that these officially acclaimed landport authority entry points will be misused. These are my apprehensions. But, otherwise, I support this Bill. I

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support the cause, but, there are so many lacunae. I believe that the Government should take care of these while framing rules and regulations and they should take care that these access points do not fall into wrong hands when they are going to outsource. They are certainly going to outsource. There is no doubt about it because they are not going to control it from North Block. And if they are going to do it, they should see that it should not fall into wrong hands and we should not repent later that we have not done this; otherwise, we could have saved the people from such tragedies. So, Sir, with these words, I support this Bill.

(Ends)

(Followed by MKS/3w)

MKS-VNK/5.30/3W

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Shri Shantaram Laxman Naik. As we have to pass it today, please take only five minutes.

SHRI SHANTARAM LAXMAN NAIK (GOA): Okay, Sir.

I rise to support the Land Ports Authority of India Bill, 2010.
...(Interruptions)...

THE VICE-CHAIRMAN: Please take five minutes only.

SHRI SHANTARAM LAXMAN NAIK: In any case, Sir, I am a substitute speaker!

THE VICE-CHAIRMAN: That is why I said 'take only five minutes'.

SHRI SHANTARAM LAXMAN NAIK: My friend Mr. Natchiappan was to speak on this. So, five minutes are enough for me.

THE VICE-CHAIRMAN: They are sacrificing time. Others can also sacrifice time.

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SHRI SHANTARAM LAXMAN NAIK: As far as the objects of the Bill are concerned, Sir, they are quite laudable. Para one says: "There are several designated entry and exit points on the international borders of the country through which cross-border movement of persons, goods and traffic takes place. Good border management is mandated by India's security concerns, and, to this end, it is important to put in place systems which address security imperatives while also facilitating trade and commerce." Therefore, Sir, this Authority is, basically, created for coordination of various agencies which manage, admittedly, our porous border. The length of border, at various places, has been narrated by Ahluwaliaji and it will be a very difficult task, in fact, for this Authority, to manage the porous border. The question, now, -- Mr. Ahluwalia also has asked it -- is: what is the status of this Authority? Is the Authority a landlord or a rector in a hostel or a head master for what? The agencies under the Authority are not minor agencies; they are Customs, Immigration Authorities doing their jobs for various years. Under an Act of Parliament, they have got a role to perform; there are laws which govern them. And, therefore, over and above this, if there is an Authority being made for coordination, who will resolve the disputes among these various agencies? This is a question which the Government may have to face in future, Sir.

If you see, Sir, the functions of this Authority, it has a tremendous task to perform. One cannot imagine how these jobs or tasks will be carried out by the Authority, Sir. To cite a few functions, to plan, construct and maintain roads; to plan, procure, install and maintain communications; to provide appropriate space

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and facilities for immigration, customs, security, taxation authorities; then to establish and maintain hotels, restaurants and restrooms -- very dangerous; to establish and maintain warehouses; to arrange for postal, money exchange, insurance and telephone facilities; to make appropriate arrangements for watch and ward. So, this will require a tremendous infrastructure, huge sums of money and many years to materialize it really. But, more important than this, Sir, is as to why this provision has been inserted, "that ultimately, this Authority has been authorized to -- and I read -- "form one or more companies under the Companies Act, 1956 or under any other law relating to company for efficient discharge of functions imposed on it by this Act." Now, this Authority which has been entrusted with a task, which is a huge task, has been authorized to form a company. I mean, I have just been given a task and I have been authorized to give that task to somebody else. Why this provision, at all, was necessary, I cannot understand. If an Authority is created, and if the Authority is created with some plus and minus points, whatever they are, then, that Authority has to discharge, in its own humble way, the functions entrusted to it. But if the Authority is simply entrusted the task of forming a company and discharging all functions, not any specific functions, that means the Authority can just go away from the picture and a Company can take its place. Therefore, Sir, this provision is, rather, difficult to understand or grasp.

(Contd. by TMV/3X)

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-MKS-TMV-MP/3X/5.35

SHRI SHANTARAM LAXMAN NAIK (CONTD.): Sir, then, the most important thing is outsourcing. As my learned colleague has already stated, all these functions like running hotels and other things may require outsourcing. Outsourcing is very dangerous at land ports in a place like borders. If you go on outsourcing at every place, undesirable elements will pour in and they will be everywhere. I don't know how this Authority will manage it. If a company is formed and the power is delegated to it, how will this company ensure the security of the country? I don't know.

Again, this Authority is entrusted, under clause 12, with some powers and I quote:

"12(2) The Authority may, whenever considered necessary so to do for ensuring the peace and security at an integrated check post, seek the assistance of armed force, Central para military force or State police".

Now, if the Authority is to seek assistance of these forces, then, either the Immigration Authority or the Customs Authority has to tell the Land Port Authority that they require this assistance. They have to tell the Authority that so and so problem is arising in the discharge of their duty and, therefore, they require the assistance of the forces. Thereafter, the Authority can call these forces. There is no such provision which allows the Customs Authority and the Immigration Authority to seek the assistance from the Land Port Authority for the purpose.

Now, in the assets and liabilities clause it is stated that all the assets will automatically belong to this Authority. What about the revenue? Suppose some

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revenue or amount is due to the Immigration Authority or to the Customs Authority from a third party. As I see it, there is no mention regarding the revenue that this Authority will be entitled to collect. There are provisions regarding assets and liabilities. But there is no provision in this regard. I hope that this Authority will function.

My last point is this. I will take just one minute. As far as framing of regulations is concerned, -- the rules are framed by the Government -- they are framed by the Authority. As far as issues like what should be the contract format, what should be the fee, etc., are concerned, the powers are given to the Authority under the clause power to make regulations. In fact, these powers should have been given to the rule-making authority. The rule-making authority is the Government because it is a substantive law. Issues like what should be the contract format, what should be the provisions of the contract, how much fee should be charged, etc., should not be left to the Authority. With these submissions, I support the Bill. Thank you.

(Ends)

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Thank you very much for concluding your speech though your party has time. Shri Narendra Kumar Kashyap.

श्री नरेन्द्र कुमार कश्यप (उत्तर प्रदेश) : उपसभाध्यक्ष महोदय, मैं आपका बहुत आभारी हूँ कि आपने मुझे इस महत्वपूर्ण बिल पर बोलने का मौका दिया है।

मान्यवर, निर्वाचित होने के बाद आज मेरी यह पहली स्पीच है और इस मौके पर मैं बहुजन समाज पार्टी की राष्ट्रीय अध्यक्ष, उत्तर प्रदेश की माननीय मुख्य मंत्री बहन कुमारी

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मायावती जी का आभार व्यक्त करता हूं कि उनकी कृपा और संवैधानिक शक्तियों के आधार पर आज मुझे इस सदन में बोलने का मौका मिला।

मान्यवर, यह विधेयक बहुत महत्वपूर्ण है और ज़रूरी भी है।

(3Y/MCM पर क्रमशः)

MP/MCM-RG/3Y/5-40

श्री नरेन्द्र कुमार कश्यप (क्रमागत) : जिस मंशा के साथ हमारी सरकार ने इस लैंड आथॉरिटी बिल के जरिए 13 चौकियों की स्थापना के संबंध में अपना इरादा जाहिर किया है, मैंने इस बिल के कारण, उद्देश्य को पढ़कर समझने की कोशिश की है और जितना मैं समझ पाया हूं, जो कथन में लिखा है कि एक योजनाबद्ध स्कीम द्वारा देश की अंतर्राष्ट्रीय भूमि सीमाओं पर प्रवेश और निकास स्थानों पर एकीकृत जांच चौकियां स्थापित करने का प्रस्ताव है। एकीकृत जांच चौकियां पर्याप्त सीमा शुल्क और आप्रवासन सुविधा और सुरक्षा, अनुवीक्षण उपसर्गों, स्वास्थ्य और अन्य सुविधाओं, यात्री सुविधाओं जैसे प्रतिक्षा क्षेत्र, जलपान गृह विभाग कक्ष, शुल्क मुक्त दुकानों, पार्किंग, भण्डागारों, आधान यार्डों, परिवहन और सम्वाद तंत्र, कम्पनियों के कार्यालय, बैंक और वित्तीय सेवाओं, ड्राइवरों के लिए शयनयानों और नवीनतम आधुनिक सुविधाओं से सुसज्जित एकल परिसर में सेवा स्टेशनों, ईंधन स्टेशनों वाले सभी संबंधित सुविधाओं वाला यात्री और स्थोरा टर्मिनलों की समर्पित एक क्षेत्र होगा। मान्यवर, बिल को पढ़ने के बाद मुझे ऐसा लगा कि यह बिल गृह विभाग को प्रस्तुत नहीं करना चाहिए था, चूंकि जिस तरह की व्यवस्था और जिस तरह का कारण इस बिल के जरिए स्पष्ट किया गया है, उसको देखकर यह सीमा शुल्क का मामला है या सुविधाओं का मामला है, शुल्क मुक्ति दुकानों का मामला है या परिवहन का मामला है। मान्यवर, दुकानों का निर्माण एक तो मैं समझता हूं कि लैंड आथॉरिटी बिल न होकर जैसे यह कोई हाऊसिंग कमेटी का बिल हो गया। इसलिए मुझे इसमें दो तरह की आशंकाएं लग रही हैं, एक तो बिल को समुचित विभाग द्वारा प्रस्तुत न किए जाने से गृह विभाग पर अतिरिक्त बोझ पड़ेगा, अतिरिक्त भार पड़ेगा, जैसा कि

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कृषि विभाग पर पड़ रहा है। उनके पास खाद्य भी है, क्रिकेट का सारा सामान भी है। इस तरह से अतिरिक्त भार एक विभाग पर पड़ेगा। दूसरा, मान्यवर, अगर इस बिल को वाणिज्य विभाग प्रस्तुत करता या इस बिल की प्रस्तुति रेवेन्यू डिपार्टमेंट करता तो जरूर बात समझ में आती। इसलिए इस बिल को गृह विभाग द्वारा प्रस्तुत करना मेरे विवेक से, मेरे विचार से उचित नहीं लगता है।

मान्यवर, इस बिल के द्वारा सरकार की मंशा है कि 13 एकीकृत चौकियों की स्थापना होगी, जिसमें 7 का निर्माण पहले किया जाएगा और 6 को बाद में बनाया जाएगा। मान्यवर, 13 चौकियों के बनाने से यह बात सही है कि विदेशी व्यापार में वृद्धि हो सकती है, 7 चौकियों से भी देश की सुरक्षा में कुछ लाभ हो सकता है लेकिन जो बाकी देश का बॉर्डर है, चाहे नेपाल बॉर्डर है, चाहे बंगला देश का बोर्डर है, चाहे पाकिस्तान का बॉर्डर है या भूटान का बॉर्डर है, उन बॉर्डर्स की लाइन पर सरकार क्या प्रबंध करेगी....

(3Z/GS पर क्रमशः)

GS-KS/3Z/5.45

श्री नरेन्द्र कुमार कश्यप (क्रमागत): सरकार क्या प्रबंध करेगी, बिल में क्या व्यवस्था की जाएगी, इस पर कोई ध्यान नहीं दिया गया। उपसभाध्यक्ष महोदय, अब गृह विभाग ने यह बिल प्रस्तुत कर ही दिया है, तो इस हाउस की चिंता यह है कि बहुत अच्छा होता कि इस बिल के अंदर देश की अंतर्राष्ट्रीय सीमाओं पर फेंसिंग कराने की व्यवस्था भी की जाती। हम घर बना रहे हैं, घर का दरवाजा है, लेकिन बाउंड्री नहीं है। मुझे इसमें कई बार यह आशंका लगती है कि तेरे घर में दरवाजा है, लेकिन तुझे खतरे का अंदाजा नहीं है। सरकार को खतरे का अंदाजा नहीं है, लेकिन सरकार को खतरे का अंदाजा होना चाहिए था।

उपसभाध्यक्ष महोदय, आज हमारा देश जिन परिस्थितियों से गुजर रहा है, भयावह स्थिति पैदा हो गई है। यह बात मैं इसलिए कह रहा हूं कि न तो इस बिल में अंतर्राष्ट्रीय सीमाओं पर फेंसिंग की व्यवस्था पर कोई ध्यान दिया गया है और न बार्डर रोड आर्गनाइजेशन

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पर महत्व दिया गया है, इसमें बार्डर रोड मैनेजमेंट का कोई जिक्र नहीं है। फ्लड लाइट्स की व्यवस्था होनी चाहिए। हमारे देश में घुसपैठिए आ जाते हैं, बंगलादेश से रिक्शा चलाने वाला दिन में हमारे देश में आता है और शाम को बंगलादेश पहुंच जाता है। हम इसको कैसे रोकेंगे ? जब तक हमारे देश की अंतर्राष्ट्रीय सीमाओं पर फेंसिंग नहीं होगी, बार्डर रोड मैनेजमेंट नहीं होगा, फ्लड लाइट का प्रबंध नहीं होगा, तब तक इन चौकियों का, इस अथॉरिटी को लाने का लाभ हमारे देश की सरकार, हमारे देश को कैसे देगी, यह हमारी चिंता है ? चूंकि यह मामला देश की एकता, अखंडता और सुरक्षा से जुड़ा हुआ है, इसीलिए मैंने यह कहा कि यह बिल महत्वपूर्ण भी है और आवश्यक भी है। इस बिल से हम देश की एकता, अखंडता और सुरक्षा को महसूस कर रहे हैं। इसको इसलिए कर रहे हैं कि आतंकवाद, उग्रवाद, नक्सलवाद, माओवाद आज हमारे देश के लिए चुनौती बन गया है।

उपसभाध्यक्ष जी, मुम्बई की 26/11 की घटना को अभी हमारा देश भूला नहीं है। पाकिस्तान से मिलिटेंट हमारी कंट्री में आते हैं, मुम्बई में बड़े-बड़े पुलिस आफिसर्स को, विदेशियों को मार देते हैं। अगर मुम्बई जैसी घटनाएं हमारे देश में हो रही हैं, तो इसके पीछे सबसे बड़ी वजह मुझे यह नजर आती है कि हमारे देश में बार्डर चौकियां चाहे जितनी बन जाएं, कितनी ही सिक्योर्टी फोर्स क्यों न लगा दी जाए, लेकिन जब तक देश के अंतर्राष्ट्रीय बार्डर पर हमारी सरकार की चाक-चौबंद व्यवस्था नहीं होगी, तब तक इस बिल का लाभ हमारे देश के लोगों को नहीं मिल सकता है। आज हमारी चिंता यह है कि चाहे नेपाल का बार्डर हो, चाहे पाकिस्तान का बार्डर हो, चाहे बंगलादेश का बार्डर हो, चाहे भूटान का बार्डर हो और चाहे अफगानिस्तान हो, हमारा देश इन सीमाओं के खुला होने के कारण सुरक्षित नहीं है। देश में एक चिंता का माहौल पैदा हो गया है। उपसभाध्यक्ष महोदय, हमारे देश के प्लेन को नेपाल से हाईजेक करके कंधार ले जाया गया था, यह इसलिए हो गया क्योंकि नेपाल की सीमा पर कोई पासपोर्ट लागू नहीं होता है। जब मर्जी हो, नेपाल का आदमी इधर आ जाता है, इधर का

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उधर चला जाता है, यह एक गम्भीर मामला है। हमारे देश में इस तरह की गंभीर घटनाएं हो रही हैं।

(4A/ASC पर जारी)

ASC-KGG/4A/5.50

श्री नरेन्द्र कुमार कश्यप : आज नेताओं के बच्चों का किडनैप कर लिया जाता है। डेमोक्रेटिक सिस्टम में इससे बड़े दुर्भाग्य की बात और क्या हो सकती कि देश की पार्लियामेंट पर हमला होता है।

मान्यवर, हमारे देश की पार्लियामेंट पर हमला होता है, 26/11 को मुम्बई के होटल पर हमला होता है और कंधार में हमारे प्लेन को हाईजैक कर लिया जाता है, हमारे देश के लोग यह सब अपनी खुली आंखों से देख रहे हैं। आज भी देश के लिए यह चिंता का विषय बना हुआ है। मान्यवर, मैं आप से माफी के साथ यह बात कहता हूँ कि आज हालत ऐसे बन गए हैं कि 15 अगस्त पर जम्मू कश्मीर के माननीय मुख्य मंत्री पर जूता फेंका जाता है। ... (व्यवधान). माफ करना तो मजबूरी है। हमने माफ तो उसको भी कर दिया, जिसने पार्लियामेंट पर हमला किया था।

आज देश के बार्डर्स पर सिक्युरिटी फोर्सों का न होना, देश की सीमाओं की चौकसी न होना, इन सब ने आज हमारे देश के नेताओं पर भी प्रश्न चिह्न लगा दिया है। आज देश की जनता नेताओं पर कम भरोसा कर रही है। लोगों के मन में शंका पैदा हो रही है कि पता नहीं हमारे देश के लोग हमको बचा पाएंगे या नहीं बचा पाएंगे, हमारे देश की सुरक्षा हो पाएगी या नहीं हो पाएगी। जब देश की जनता, देश का लोकतंत्र नेताओं पर शक करना शुरू कर दे, तो फिर कहीं न कहीं हमारे लिए यह विषय चिंतन और चिंता का जरूर बन जाता है। हम देश की सुरक्षा से समझौता नहीं करेंगे।

मान्यवर, हमारा पूरा सदन और सदन के माननीय सदस्य, इस देश के लोकतंत्र के लिए, देश की सीमाओं की सुरक्षा के लिए, देश की आंतरिक सुरक्षा के लिए

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सरकार के साथ हैं। हम सरकार के हर अच्छे काम के साथ हैं, लेकिन अफसोस इस बात का है कि अभी तक देश से लगी अंतर्राष्ट्रीय सीमाओं का ठीक से सीमांकन नहीं हो सका है। जम्मू कश्मीर कहां से शुरू होकर, कहां पर खत्म होगा, भूटान की सीमाएं कहां समाप्त होती हैं, नेपाल की सीमाएं कहां समाप्त होती हैं, कुछ पता नहीं है। अभी हमारे देश की सीमाओं को चिह्नित कर पाना, रेखांकित कर पाना ही संभव नहीं हो पा रहा है। जब हमारे देश की सरकार को इस बात का भी अंदाजा न हो कि हमारी कौन सी सीमा कहां पर समाप्त होती है, तो उसकी सुरक्षा करना मुझे संभव नहीं लगता है।

मान्यवर, यह बहुत महत्वपूर्ण बिल है और मैं यहां पर प्रथम बार अपना भाषण दे रहा हूं। इस सदन को चलते हुए 18 दिन होने को हैं। मैं संविधान का ज्ञाता नहीं हूं और न ही मुझे सदन की कार्यवाही का, सदन में बोलने का ज्यादा अनुभव है, लेकिन मैंने इस दरमियान अपने सीनियर सदस्यों से जानने व समझने की कोशिश की है। मैं यहां पर अपने सीनियर्स से कुछ सीखकर, अपने दिल के उद्गार और भावनाओं को व्यक्त कर रहा हूं। इसमें मुझे कुछ समय लग सकता है, इसलिए आप से माफी चाहता हूं। मुझे पता चला है कि ऐसी परंपरा है कि जब maiden speech होती है, तो सदस्य को बोलने का खुला मौका दिया जाता है।
...(व्यवधान).. अगर खुला मौका दिया जाता है, तो मुझे दो लाइनें याद आ रही हैं,

जिंदगी दी है तो शर्ते इबादत न लगा।

पेड़ का साया भी भला पेड़ को क्या देता है।।

मान्यवर, मैं अभी अपनी बात शुरू कर रहा हूं। ..(व्यवधान)..मान्यवर, कल तक के लिए करना हो, तो कल तक के लिए कर लीजिए। ..(व्यवधान)..

उपसभाध्यक्ष (प्रो.पी.जे. कुरियन): ओ.के. ठीक है। कश्यप जी, आप मेरी बात सुनिए।...(व्यवधान).. Time extension should be proportional to the time allotted for the discussion. I am not stopping you. But, please bear in mind that it is already 6 p.m.

(Contd. By tdb/4b)

Uncorrected/ Not for Publication-19.08.2010TDB-LP/4B/5.55

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will not stop him, but he himself will have some control. ...(Interruptions)...

श्री नरेन्द्र कुमार कश्यप : मान्यवर, कल शुरू कर लेता हूँ।

THE VICE-CHAIRMAN: Just a second. We have to pass this Bill. The Congress Party has surrendered 40 minutes of their time. My request is that every party should do so. ...(Interruptions)... I will not control him only, but all others I will cut. ...(Interruptions)... I am not controlling him. Don't worry.

श्री अवतार सिंह करीमपुरी : मान्यवर, जितने भी मैम्बर पहले बोले हैं, जिन्होंने मेडन स्पीच दी है, आपने उनके प्रति बहुत ही हमदर्द रवैया रखा है। हम यही कहते हैं कि घंटा, सवा घंटा कल बोल लेंगे, आप इसको कंटीन्यू रखिए।

THE VICE-CHAIRMAN: I am not controlling. ...(Interruptions)... Shri Karimpuriji, I am not stopping him. I told you, but I only requested that the Congress Members have surrendered their time. I am not stopping him. But, I said, "some control". That is all what I said. आप बोलिए।

SHRI RUDRA NARAIN PANY: It may be his maiden speech, but it should be related to the Bill. ...(Interruptions)...

उपसभाध्यक्ष : बिल रिलेटिड बोला है। वही बोला है, आप बिल के बारे में बोलिए। कश्यप जी, बिल के बारे में आपकी मेडन स्पीच है, इसीलिए बोल रहे हैं कि बिल के बारे में बोलिए।

श्री शिवानन्द तिवारी : सर, यह कल तक जाएगा कि नहीं?

श्री राजनीति प्रसाद : सर, हम इस बिल का पूरा समर्थन करते हैं, नमस्ते एवं प्रणाम।

उपसभाध्यक्ष : ठीक है, आप बोलिए।

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श्री नरेन्द्र कुमार कश्यप : मान्यवर, बिल में व्यवस्था की गई है कि तेरह एकीकृत जांच चौकियां बनाई जाएंगी, जिनके जरिए हम बॉर्डर पर व्यापार को खोलना चाहते हैं। एकीकृत जांच चौकियां बनाकर हम विदेशों के साथ व्यापार को खोलना चाहते हैं, व्यापार को बढ़ावा देना चाहते हैं, देश की अर्थव्यवस्था को मजबूत करना चाहते हैं, लेकिन जैसी मैंने चिंता व्यक्त की है कि यह सरकार का बहुत अच्छा कदम है, I appreciate it, मैंने इस बिल पर बिल्कुल नहीं कहा है कि यह बिल नहीं आना चाहिए था या बिल की मंशा अच्छी नहीं है। मान्यवर, बिल का लाना बहुत जरूरी है। मैं माननीय मंत्री जी की सराहना करता हूं, उनको बधाई देता हूं कि देर से ही सही, यह बिल लाए हैं। 1947 में देश आजाद हुआ था, लेकिन हम अभी तक लुट रहे हैं। देश में आतंकवाद बढ़ रहा है, नक्सलवाद बढ़ रहा है, व्यापार के जरिए हथियारों की तस्करी हो रही है, नशों की तस्करी हो रही है। यह हम 1947 से देख रहे हैं। अब अगर 63 साल के बाद सरकार जागी है, तो मैं समझता हूं कि इसके लिए सरकार को बधाई देनी चाहिए, ये बधाई के पात्र हैं। इसीलिए मैंने कहा कि बिल की मंशा बहुत अच्छी है। इस बिल की सरकार और देश को भी जरूरत है, लेकिन मैंने चिंता व्यक्त की थी कि हम व्यापार को कंट्रोल कैसे करेंगे? मान्यवर, नेपाल, जम्मू-कश्मीर, बंगलादेश, भूटान की सीमाएं कहां से शुरू होती हैं और कहां पर खत्म होती हैं, जब तक इन सीमाओं का निर्धारण हम भली प्रकार से नहीं करेंगे, तब तक मुझे कहीं न कहीं इस बिल की उपयोगिता में शंका लगती है। माकन साहब, यह बिल तो पास होना है, बिल तो पास होगा ही, यह सदन की चिंता है और देश की भी चिंता है, लेकिन मेरा अनुरोध है कि यह सर्वोच्च सदन, जिसको संवैधानिक मान्यताओं के आधार पर, राज्य सभा का नाम दिया गया है, लोक सभा में कोई बिल पास होता है, तो राज्य सभा में इसलिए आता है कि यदि उस बिल में कुछ त्रुटियां रह गई हैं, तो यह सर्वोच्च सदन उसे दूर करे।

(akg/4c पर जारी)

AKG/4C/6.00

श्री नरेन्द्र कुमार कश्यप (क्रमागत) : अगर कोई ऐसा प्रावधान है, जो बिल में लोक सभा में नहीं आ सका, उस पर यह सर्वोच्च सदन विचार करे। इसलिए आज हम इस सर्वोच्च सदन के सदस्य के नाते अपने देश, देश के व्यापार, चौकियों और सीमाओं के प्रति अपनी चिन्ता व्यक्त कर रहे हैं। इसलिए मैं कह रहा था कि हमारी सरकार को इन चौकियों की स्थापना से पूर्व देश की अंतर्राष्ट्रीय सीमाओं का निर्धारण कर लेना चाहिए। अगर देश की अंतर्राष्ट्रीय सीमाओं का निर्धारण किए बिना बिल पर विचार होता है या बिल का process आगे बढ़ता है, तो हमारे सामने हमेशा एक आशंका बराबर बनी रहेगी कि हम आतंकवादी, घुसपैटिए, अवैध हथियार के तस्कर और नकली नोटों का धंधा कैसे रोकेंगे। हमारे देश में आज के जमाने में एके-47 आ रही हैं। मेरी निश्चित जानकारी है कि पंजाब के बॉर्डर से महीने-दो महीने में नशे की दवाइयों की एकाध खेप आती है। पंजाब के बॉर्डर से पंजाब की सरकार या देश की सरकार की दूसरी एजेंसियाँ करोड़ों रुपए के नशे का सामान पकड़ती हैं। ऐसे सैकड़ों घातक हथियार, जो हमारे देश में तबाही मचाने के लिए भेजे जाते हैं, चाहे वे कश्मीर के रास्ते आएँ या बंगलादेश के रास्ते आएँ, हम उन हथियारों की आमद कैसे रोकेंगे? हमारे पास कौन-सी फोर्स है, हमारे पास कौन-सा ऐसा बिजली का तार है, जिससे हम उसको रोक पाएँगे? हमारे पास ऐसी कौन-सी फौज है, जो वहाँ पर लगी हुई है?

अभी माननीय सदस्य कह रहे थे कि दूसरे देशों की गाय-भैंसें हमारे देश में घुस आती हैं। गाय-भैंस चराने वाला देश में घुस आता है, शाम तक गाय-भैंसों को चराता है और जब दिन छिपता है, तो उन्हें लेकर अपने देश में चला जाता है। बंगलादेश के रिक्शा चलाने वाले लोग सुबह हमारे देश में आते हैं और शाम को कमाई कर अपने देश में निकल जाते हैं। नेपाल से तस्करी करने वाले लोग देश में आते हैं और देश से निकल जाते हैं। मान्यवर, इसलिए मैं इस बिल से सम्बन्धित उन मुश्किलों को माननीय सदन के सामने रखना चाहता हूँ, जिनके समाधान पर हम सबको गम्भीरता से बिना राजनीतिक पार्टियों की बाध्यता के विचार करना

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पड़ेगा, जिन पर हमें बिल्कुल चिन्तामुक्त होकर, जाति-धर्म से मुक्त होकर विचार करना पड़ेगा।

मान्यवर, 26 जुलाई को पहली बार इस सम्मानित सदन में हमारा आगमन हुआ था। हमने उसी पीठ के सम्मुख इस बात की शपथ ली थी कि हम देश की एकता और देश की अखंडता को खंडित नहीं होने देंगे। हमने इस बात की भी शपथ ली थी कि जो भी विषय हमारे सम्मुख लाए जाएँगे, बिना जाति-भेद के हम उनका निर्वहन करेंगे। आज वह शपथ और शपथ के वे शब्द हमें इस बात के लिए प्रेरित कर रहे हैं कि सच्चाई के साथ, निष्ठा के साथ देश की एकता और अखंडता की बेहतरी के लिए हम अपने मन में उन भावों को इस तरीके से जाग्रत करें, ताकि जो मुश्किलें हमारे सामने हैं, उनका हल हो सके।

मान्यवर, आज इंतहा हो गई है। जम्मू-कश्मीर में law and order problem हो गई। अनंतनाग की बात करें, श्रीनगर की बात करें, शोपियाँ की बात करें, पुंछ की बात करें, पूरी घाटी आज जल रही है। कर्फ्यू लगा दिए गए हैं, आम आदमी का जीवन अस्त-व्यस्त हो गया है। आज दलित, पिछड़े समाज के लोगों के सामने खाने का संकट पैदा हो गया, हाहाकार मचा है। मान्यवर, कैसे होगा इन समस्याओं का हल? देश में बड़ा विचित्र माहौल पैदा हुआ है। इसलिए मैं कह रहा था कि माननीय गृह मंत्री जी ने इस बिल को बहुत अच्छे तरीके से रखा है, हमारे भी विचार आ रहे हैं, ... ।

(4डी/एससीएच पर जारी)

SCH/6.05/4D

श्री नरेन्द्र कुमार कश्यप (क्रमागत): लेकिन इस बिल को पास कराने के लिए हमें देश की सुरक्षा सर्वोत्तम प्राथमिकता पर लेनी होगी।

मान्यवर, आज देश में काले धंधे पनप रहे हैं। इससे बुरा हाल क्या हो सकता है कि विदेश की महिलाओं को हमारी कंट्री में लाकर जो कुछ हो रहा है, वह आज सदन के सामने कहने लायक नहीं है। आप इसको कैसे रोक पाएंगे? आज मुश्किलें पैदा हो गई हैं। यहां

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आतंकवादी आ रहे हैं, हथियारों की तस्करी हो रही है, देश में नशों का आगमन हो रहा है, सीमाएं बाधित हो गई हैं, देश के सामने कानून और व्यवस्था का संकट पैदा हो गया है, जम्मू-कश्मीर जल रहा है, छत्तीसगढ़ का हाल बुरा है। इन सबका हल आप कैसे निकालेंगे? मान्यवर, इन सारी बातों को देखते हुए मैं कह रहा था कि हमें देश की सुरक्षा को प्राथमिकता देनी होगी।

मैं माननीय मंत्री जी से यह भी कहना चाहता हूँ कि इस रिबेट के ज़रिए आप कस्टम को कंट्रोल कैसे करेंगे? यह कस्टम कैसे कंट्रोल होगा? इसके लिए हमारे पास क्या प्लानिंग है? बॉर्डर रोड ऑर्गनाइज़ेशन, बीएसएफ और सीआरपीएफ को कैसे कंट्रोल किया जाएगा? आज हमारे सामने बहुत सारी मुश्किलें हैं, बहुत सारी बंदिशें हैं, इसलिए मैं पूछ रहा था कि बॉर्डर रोड ऑर्गनाइज़ेशन, बीएसएफ, सीआरपीएफ को कंट्रोल करने की सरकार के पास क्या योजना है? जब माननीय मंत्री जी जवाब देंगे, तो कम से कम इस विषय पर अपनी बात को जरूर रखें।

मान्यवर, जिन सीमाओं पर आप चौकियां बनाने की बात कह रहे हैं, क्या वहां पर पासपोर्ट व्यवस्था लागू होगी? जो सीमाएं हमारे देश के बॉर्डर से खुलती हैं, चाहे वह नेपाल की हो या किसी दूसरे देश की हो, उस पर क्या सरकार पासपोर्ट की व्यवस्था लागू कर पाएगी?

(श्री उपसभापति पीठासीन हुए)

मान्यवर, इस तरह के बहुत सारे सवाल हमारे सामने हैं। मैंने अभी कहा था कि सीआरपीएफ कैसे कंट्रोल होगी। मैं उत्तर प्रदेश के बारे में कहना चाहता हूँ, आज उत्तर प्रदेश में एक गंभीर समस्या पैदा हुई है ... (व्यवधान) इस बिल से संबंधित बात ही है। मैं इस बिल से रिलेटिड बात ही करूंगा। मैं कह रहा था कि बीएसएफ को कंट्रोल कैसे किया जाएगा। आबादी के हिसाब से देश का सर्वाधिक आबादी वाला प्रदेश - उत्तर प्रदेश है। आज भी इस प्रदेश में सात जिले ऐसे हैं, जिनमें महाराज गंज है, सिद्धार्थ नगर है, बलरामपुर है, बहराइच

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है, श्रावस्ती है, पीलीभीत है और खीरी है, उत्तर प्रदेश के इन सात जिलों में सीमा सुरक्षा बल के अधिकारियों और कर्मचारियों ने उग्र माहौल पैदा कर दिया है।

माननीय मंत्री जी, मैं आपका ध्यान जरूर इस तरफ लाना चाहता हूँ कि उत्तर प्रदेश के इन सात जिलों में आज एसएसबी के अधिकारियों ने इस तरह का माहौल क्रिएट कर दिया है कि जनता के बीच में आक्रोश पैदा हो गया है। इसका नतीजा यह है कि थाना सम्पूर्णा नगर, ग्राम त्रिकोलिया में एसएसबी कर्मियों के द्वारा दो लोगों की हत्या हुई। 3 जून, 2008 को सिपाही इन्द्र कुमार की हत्या की गई, 5 जून, 2008 को खीरी में संतोष कुमार गुप्ता की हत्या हुई ... (व्यवधान)

श्री उपसभापति: इन हत्याओं का इसका इस बिल से क्या संबंध है? यह जो विषय चल रहा है, आप उसी पर बोलिए ... (व्यवधान)

श्री नरेन्द्र कुमार कश्यप: बिल्कुल, मान्यवर, मैं उसी पर आ रहा हूँ।

श्री उपसभापति: देखिए, आप ज़रा सुनिए, हम मानते हैं कि आपकी मेडन स्पीच है और हम इस बात की इज्जत भी करते हैं। हम इंटरफ़ीयर नहीं करना चाहते, लेकिन मेहरबानी करके आप बिल पर ही बात कीजिए, जिससे दूसरे मैम्बर्स का भी आपकी बात सुनने में इंटरेस्ट रहे। सिर्फ बोलना ही काफी नहीं है, सुनना भी होता है, इसलिए आप कोशिश कीजिए कि आप बिल पर ही बोलिए। आपकी मेडन स्पीच है, मगर हर चीज़ अपने विषय पर होनी चाहिए। इस बिल का विषय है, "The Land Ports Authority of India."

4e-DS पर आगे

4e/6.10/DS-NBR

श्री नरेन्द्र कुमार कश्यप: मान्यवर, मैं अपनी बात को जल्दी समाप्त करने की कोशिश करूँगा। .. (व्यवधान) ..

श्री उपसभापति: आप अपने साथियों का भी ख्याल रखें।

श्री नरेन्द्र कुमार कश्यप: मान्यवर, मैं आठ बजे से पहले निपटा दूँगा। .. (व्यवधान) ..

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श्री उपसभापति: आप बोलिए। आप एक अच्छा काम यह कर रहे हैं कि पूरे हाउस को मेडन स्पीच के बारे में second look लेना पड़ेगा।

श्री के.बी. शणप्पा: इन्होंने जो कहा है, वह आज राज के आठ बजे हैं या सुबह के आठ बजे हैं? ..(व्यवधान)..

श्री नरेन्द्र कुमार कश्यप: मान्यवर, मैं इस बात को समझता हूँ कि सदन का समय बहुत ही महत्वपूर्ण है, भले ही शुरुआती चार दिन खराब हो गये हों। यह मुझे मालूम है कि शुरुआती चार दिन इसलिए चले गये कि महँगाई पर चर्चा नहीं हो सकी। मैं तो बस थोड़ा-सा समय ले रहा हूँ।

मान्यवर, मैं इस बिल के संदर्भ में कुछ ऐसे महत्वपूर्ण सुझाव आपके सामने रखना चाहता हूँ, जिन पर माननीय मंत्री जी भी शायद नोटिस लेंगे और उन पर विचार करेंगे। मैं अपनी बात को शॉर्ट कर रहा हूँ। इस बिल में जो भारतीय भूमि पत्तन प्राधिकरण बनाने का सिस्टम है, उस पर मैं यह ध्यान दिलाना चाहता हूँ और माननीय मंत्री जी भी ज़रा इसका मुलायज़ा कर लेंगे कि पेज़ नम्बर 2 पर क्रम संख्या (3) पर यह लिखा है कि प्राधिकरण निम्नलिखित से मिल कर बनेगा। मान्यवर, मैं एक बहुत ही टेक्निकल बात रखूँगा। यह बिल से संबंधित है, मैं बिल के अलावा कुछ नहीं कहूँगा। इसमें लिखा है कि एक अध्यक्ष होगा। उसके आगे यह भी लिखा है कि एक सदस्य योजना और विकास से होगा और दूसरा सदस्य वित्त से होगा। इस प्रकार, इसमें एक अध्यक्ष और दो मैम्बर्स की व्यवस्था की गयी है। आगे (ग) में यह लिखा है कि नौ से अनधिक सदस्य, पदेन जो गृह, विदेश, राजस्व, वाणिज्य, सड़क परिवहन और राजमार्ग, रेल, रक्षा, कृषि और सहकारिता, विधि और न्याय से संबंधित भारत सरकार के मंत्रालयों या विभागों का प्रतिनिधित्व करेंगे। मान्यवर, एक यह चीज़ इस बिल के अंदर आयी है। मेरा माननीय मंत्री जी से अनुरोध है और साथ ही मेरा उनको एक सुझाव है कि इस बिल का object बहुत बड़ा है, इस बिल का function बहुत बड़ा है। अगर हम अकेले अध्यक्ष पर ही सारा बोझ डाल देंगे, तो कई बार ऐसी परिस्थितियाँ भी बनेंगी कि

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अध्यक्ष बीमार हो गये या अन्य परिस्थितियाँ पैदा हो गयीं, तो अगर इसमें अध्यक्ष के साथ-साथ उपाध्यक्ष के पद की भी व्यवस्था होती तो शायद बहुत अच्छा होता।

मान्यवर, इस बिल में नौ से अनधिक सदस्यों की बात कही गयी है और जो विभाग इसमें लिखे गये हैं, उनकी संख्या 13 है। इसमें नौ से अधिक सदस्य नहीं बनेंगे जबकि इसमें 13 विभाग अंकित किये गये हैं, तो मेरा माननीय मंत्री जी से अनुरोध है कि अगर इस बिल में नौ सदस्यों की बजाय 15 सदस्यों का प्रावधान होता तो सदस्यों को कार्य करने में सुविधा होती।

मान्यवर, इसके अलावा, (ड.) में यह कहा गया है कि व्यापारियों और कर्मकारों में से प्रत्येक का एक-एक प्रतिनिधि, जो केन्द्रीय सरकार द्वारा नियुक्त किया जाएगा, मामले के आधार पर जहाँ कहीं आवश्यक हो, सहयोजित किया जाएगा। मान्यवर, मेरी आशंका यह है और इस सदन की आशंका भी यह है कि आपने कहा है कि अधिकारियों और कर्मचारियों में से कोई एक-एक प्रतिनिधि होगा, इसमें मेरी आशंका यह है कि यह राजनैतिक होगा या गैर-राजनैतिक होगा? ऐसा न हो कि बिल पास हो गया और माननीय मंत्री जी ने एक दल के लोगों को ही उसमें मैम्बर्स बना दिया। अगर इस एक शब्द का प्रयोग कर दिया जाता कि ये व्यापारी और कर्मकार, जो गैर-राजनैतिक होंगे, उनको इसमें रखा जाएगा, तो शायद अच्छा होता।

मान्यवर, अगली चीज, जो (च) में आयी है, वह यह है कि ऐसे अन्य प्रतिनिधि जिन्हें केन्द्रीय सरकार कृत्यकारी प्रयोजनों के लिए सहयोजित करे। यह क्लॉज अस्पष्ट है। इसमें बात को गोलमोल कर दिया गया है कि सरकार जिसको चाहे उसको इसमें समायोजित कर सकेगी। क्या इसमें स्टेट का कोई शेयर है?

(4एफ/एनबी पर क्रमशः)

NB/USY/4F/6.15

श्री नरेन्द्र कुमार कश्यप (क्रमागत) : जिन borders पर ये चौकियां बनाई जा रही हैं, क्या वहां के मेंबर ऑफ पार्लियामेंट को भी इस प्राधिकरण में लिया जाएगा, क्या वहां के MLAs को

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इसमें मेंबर के तौर पर लिया जाएगा, क्या वहां की political parties के लोगों को इसमें involve किया जाएगा?

श्री उपसभापति : यह कहां पर है? यह कौन सी जगह पर लिखा है?

श्री नरेन्द्र कुमार कश्यप : उपसभापति जी, यह पेज नंबर 3 पर खंड 3(च) के अंतर्गत लिखा हुआ है ... (व्यवधान) यह बिल में है।

श्री उपसभापति : आप कह रहे हैं कि "the Chairperson authority consists of two Members and not more than nine Members." यही है न?

श्री नरेन्द्र कुमार कश्यप : इससे आगे है।

MR. DEPUTY CHAIRMAN: Are you referring to 'Qualification'?

SHRI NARENDRA KUMAR KASHYAP: No, Sir.

श्री उपसभापति : आपने कहा कि मेंबर्स political, non-political होंगे, इसमें साफ तौर से लिखा है कि 'not more than nine members, *ex officio*, to be appointed by the Central Government from amongst the officers'. इसमें political, non-political कहां होंगे?

श्री नरेन्द्र कुमार कश्यप : मैं यह नहीं कह रहा हूं।

श्री उपसभापति : आपने कहा है ... (व्यवधान)

श्री नरेन्द्र कुमार कश्यप : मैं खंड 3(च) के बारे में बोल रहा हूं ... (व्यवधान)

श्री उपसभापति : देखिए, मुझे अब रूल 240 के तहत interfere करना पड़ रहा है। मैं मेंबर्स के नोटिस में ला रहा हूं कि Under Rule 240, "After having called the attention of the Council to the conduct of a Member who persists on irrelevance or deviation or repetition either of his own argument or the arguments, which the other Members have made in the debate, may direct him to discontinue his speech." यह रूल 240

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है ... (व्यवधान) Maiden speech की भी limit होती है ... (व्यवधान) मैं कह रहा हूं कि रिपीट मत कीजिए।

श्री नरेन्द्र कुमार कश्यप : उपसभापति जी, मैं इतना समझ पाया हूं कि सदन की व्यवस्था या तो नियमों से चलती है या मान्यताओं से चलती है। मैं इस बात को जानता हूं कि नियम और मान्यता, ये दो चीजें हैं, जिन पर सदन चलता है। सदन की मान्यता यह रही है कि जब भी maiden speech हुई है, तो उस सदस्य को बोलने का मौका दिया गया है।

श्री उपसभापति : देखिए, आपने 40 मिनट ले लिए हैं ... (व्यवधान) ठीक है, आप बोलिए।

श्री नरेन्द्र कुमार कश्यप : उपसभापति जी, मैं बहुत जल्दी अपनी बात समाप्त कर दूंगा। इस बिल में लिखा है कि अध्यक्ष का चुनाव ऐसे व्यक्तियों में से किया जाएगा जिन्हें परिवहन, उद्योग, वाणिज्य, विधि, वित्त या लोक प्रशासन के क्षेत्र में विशेष ज्ञान और अनुभव हो। मेरा निवेदन यह है कि एक व्यक्ति को इतने सारे विभागों की जानकारी हो पाना संभव नहीं लगता है। इसलिए अगर अध्यक्ष के अलावा उपाध्यक्ष की व्यवस्था भी होती, तो बहुत अच्छा होता।

उपसभापति जी, एक महत्वपूर्ण चीज कहकर मैं अपनी बात समाप्त करूंगा, वह यह है कि खंड 5(1) में लिखा है कि धारा 6 के उपबंधों के अधीन रहते हुए प्रत्येक पूर्णकालिक सदस्य उस तारीख से, जिसको वह पद ग्रहण करता है, पांच वर्ष की अवधि के लिए या 60 वर्ष की आयु तक पद पर बहाल रहेगा। मैं माननीय मंत्री जी से यह कहना चाहता हूं कि आपने 60 वर्ष की अधिकतम आयु का जिक्र इसमें किया है और 5 साल का कार्यकाल भी इसमें निश्चित है, लेकिन न्यूनतम आयु का इसमें कोई जिक्र नहीं है। यदि न्यूनतम आयु पर भी आप विचार करते, तो बहुत अच्छा होता। मेरा निवेदन है कि आप इस पर जरूर विचार करिएगा।

इसके अलावा इसमें यह भी लिखा है कि केन्द्रीय सरकार ऐसे किसी पूर्णकालिक सदस्य की नियुक्ति, उसे तीन मास से अन्यून की अवधि की सूचना देने के पश्चात् अथवा उसके बदले में उसे तीन मास की अवधि के उसके वेतन और भत्तों, यदि कोई हों, के बराबर रकम का संदाय करने पर समाप्त कर सकेगी। यह थोड़ा सा अव्यावहारिक लगता है, इसलिए

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इसमें संशोधन करने की जरूरत है। मैं सदन की भावनाओं को समझ रहा हूँ, माननीय सदस्यों की बात को समझ रहा हूँ और पीठ का सम्मान सदैव मेरे दिल में रहेगा, सभी के मन में रहना चाहिए।

(4G/VNK पर क्रमशः)

-NB/VNK-PK/4g/6:20

श्री नरेन्द्र कुमार कश्यप (क्रमागत): बिल बहुत important है और देश के लिए जरूरी है, लेकिन मेरे अंतर मन में जो शंकाएं हैं, मंत्री जी उनको निर्मूल करने की कोशिश करेंगे। यह देश से जुड़ा हुआ मामला है, व्यापार से जुड़ा हुआ मामला है। आप इस पर जो भी कदम उठाते हैं, उसको जरा गंभीरता से उठाएं।

इस बिल में malls, cold storage और बहुत सारे संस्थान बनाने की बात कही गई है। मान्यवर, मैं आपके माध्यम से माननीय मंत्री जी से पूछना चाहता हूँ कि ये जो चीजें बनाना चाहते हैं, चाहे वे malls हों या Cold storages हों या दुकानें हों या और चीजें हों, क्या वे इनमें Scheduled Castes, Scheduled Tribes और OBCs के लिए reservation की कोई व्यवस्था करेंगे? अगर वे ऐसा करते हैं, तो मैं समझता हूँ कि वे हमारी भावनाओं और सदन की भावनाओं का जरूर आदर रखेंगे।

माननीय उपसभापति महोदय, मैं बहुत लंबी बात न कहते हुए, सदन की गरिमा और आपके आदेश का शत प्रतिशत अनुपालन का मान रखते हुए, इस उम्मीद के साथ अपनी बात समाप्त कर रहा हूँ कि मैंने आपके माध्यम से माननीय मंत्री जी के समक्ष जो वक्तव्य, जो बातें और जो सुझाव रखा है, कृपापूर्वक जो उचित हों, उन पर वे जरूर विचार करें, लेकिन देश की एकता और अखण्डता से कहीं खिलवाड़ न हो, इसकी कोशिश जरूर करें। सबका बहुत-बहुत धन्यवाद। जय भीम, जय भारत।

(समाप्त)

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MR. DEPUTY CHAIRMAN: Shri Prasanta Chatterjee. My request to the rest of the Members is, please be brief.

SHRI PRASANTA CHATTERJEE (WEST BENGAL): Sir, when this Bill was brought before the Standing Committee by the Ministry of Home Affairs, even at that time, in the long title of the Bill, the words "security imperatives" were not mentioned and the Members of the Standing Committee elaborately discussed this issue. Even in the Bill which was placed in the Lok Sabha, there was no mention of these even after the Standing Committee submitted its unanimous report. There was no mention before. But after the Bill has been passed by the Lok Sabha and placed here, there is a change and the words "systems which address security imperatives" have been included. It was elaborately discussed. Shri Ahluwalia mentioned about the justification of bringing this Bill by the Ministry of Home Affairs. He also said if you compare the Civil Aviation Bill with this Bill, you will find that in certain clauses there are similarities. Anyway, that is one point. Taking that into consideration, that is, the security imperatives, and also the functions of authority which have been elaborated here, that is," provide appropriate space and facilities for immigration, customs, security, taxation authorities, animal and plant quarantine, so on and so forth" in a one-roof system, all these arrangements would have to be done. Now, I have submitted amendments to sub-clause 2 (a) and that was the unanimous decision of the Standing Committee also. Nowadays you have formed the Standing Committees. I do not know what percentage you care about the Standing Committees. Anyway, the Minister should explain this. In the functions of the authority it is

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mentioned, " establish and maintain hotels". I do not know whether it will be like the fate of Centaur hotel. At one time, it was owned by the Government, then, later, it went to the private entity. So, it is mentioned here, "establish and maintain hotels, restaurants and restrooms". The Department of Home Affairs which is related with the Customs, security, Immigration, so on and so forth is interested to establish hotels. It is not five-star or seven-star or three-star. That is one point. We unanimously took the decision. Yes, restaurants will be necessary and restrooms will be necessary, but what is the purpose of constructing the hotels?

(Contd. by 4H/PB)

PB/4h/6.25

SHRI PRASANTA CHATTERJEE (CONTD.): So, Sir, based on the unanimous decision of the Standing Committee, my amendment is, that at page 5, line 1, the word "hotels" may be *deleted*. You can keep the words 'restaurants and restrooms.' This is one thing.

Then, Sir, we know that after an elaborate discussion it has been decided that the sovereign functions of the authority shall not be assigned to any private entity. But it has not been incorporated in the related clause. In clause 11(2) (p), it has been said, "set up joint ventures for the discharge of any of the functions assigned to the Authority." Though the character of the Authority will be sovereign, but the duties of the authority will not be sovereign." So, my second amendment is that at page 5, line 28, *after* the words, "joint ventures" the words

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"in the public sector" be *inserted*. Sir, I have placed these amendments here and these amendments have been circulated.

Sir, both these amendments are based on the unanimous decision of the Standing Committee and based on the fact that it is related to the important issues like customs, security, immigration, etc., the Standing Committee had taken this decision. So, I place these two amendments for the consideration of the hon. Minister.

With these few words, I conclude my speech. Thank you.

(Ends)

SHRIMATI VASANTHI STANLEY (TAMIL NADU): Thank you, Mr. Deputy Chairman, Sir, for having given me this opportunity.

"Where the mind is without fear, the head is held high; where knowledge is free, where the world has not been broken up into narrow domestic walls; into that heaven of freedom, let my country awake", said our Indian Nobel laureate for literature, Rabindranath Tagore, in Gitanjali.

But it is the bare reality that not only the world, the nations, countries and even the States within our India has built up narrow domestic barriers in the name of language, culture, caste, creed and what not. At this juncture, it is also needed that we have clear cut demarcations of our Indian boundaries and also safeguard the interest of our nation.

I congratulate the hon. Minister for establishing the Land Ports Authority of India for establishing the Integrated Check Posts at the entry and exit points on the international land boundaries at the cost of Rs. 730 crores -- seven in the first

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phase and six in the second phase. But, Sir, there is no mention of such a check post on Indo-China border where it is very much required. Will the Minister inform this House about this? I also congratulate the Ministry for the proposal to construct 1377 km road along the Indo-Nepal border and 313 km along with Indo-Bhutan border.

Sir, my next concern is about privatization. At this juncture, I would like to recall the Bangladesh Government's effort to build a land port between Burma and Bangladesh, i.e., the Teknaf Land Port on B.O.T. basis on 25 years lease. They have entrusted this work to one M/s Univern Port Services Limited and they claim that as against 7.25 million US dollars, which was collected by the Government's land ports, they were able to collect 8.7 million US dollars when it was given to private sector. They were able to collect 8.7 million US dollars as against 7.25 million US dollars before being taken up by the private sector. But my request is, as this authority is going to take up the sensitive security matters along with facilitating the trade at the border with the neighbouring countries like Bangladesh, Nepal, Myanmar and Pakistan, I wish that privatization does not take place under any circumstances like airports.

My next concern is about the nodal agency. The Land Ports of India will be a statutory body, as we understand it, engaging representatives of Ministries of External Affairs, Railways, Defence, Department of Commerce and Revenue, Road Transport and Highways and also the representatives of the concerned State Government.

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Always, whenever there is a presence of a multiplicity of authorities like this, it means shifting of responsibilities also. There should be synergy amongst these various agencies in order to accomplish the objectives and not to pass on the responsibilities.

(Contd. by 4j/SKC)

4j/6.30/skc

SHRIMATI VASANTHI STANLEY (contd.): The airports come under the Department of Civil Aviation while ships come under the Ministry of Shipping. Similarly, the Land Ports Authority should come under the Ministry of Home Affairs. The Home Ministry must be the nodal agency for this. For this purpose, we must see to it that powers are vested on it clearly and unambiguously.

Sir, my next point is about the land acquisition process. The National Highways Authority Act does not clearly earmark as to which department should handle the case of compensation for the displacement activities arising out of land acquisition. We have heard about 122 acres being taken away from the farmers when the check post was established at Attari, at Wagah border; the farmers there have still not been adequately compensated. Hence, I would like to know whether powers are vested in the Home Ministry for awarding compensation during the land acquisition process for the Land Port Authority. Would the Minister take up the responsibility of seeing to it that compensation reaches people who give up land for this purpose?

Sir, my next point concerns appointment of the Chairman. The Bill says that the Chairman of this Authority is proposed to be from among persons who

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have special knowledge and experience in the field of transport, industry, commerce, law, finance and public administration. To my knowledge, I do not know of any person who is well-versed in all the fields, except the hon. Home Minister himself. I would request him to make it simple and see to it that the Members appointed are chosen in proportion to the States wherever the 13 integrated check posts are being proposed to be erected, as it concerns the State Governments more.

Sir, another of my concerns is about the powers vested on the Land Port Authority; one, to collect fee and then, to raise funds through debentures, shares, etc. Clause 19, laying the condition to act with the prior approval of the Central Government, may be deleted and clear powers given to the Land Port Authority. Coming to the power to raise funds, it can raise funds only if the Central Government approves. Only on special occasions or extraordinary circumstances would the Land Port Authority be raising such funds. Why must the Government itself not keep a ceiling on such funds? Only when the LPA crosses that limit, it can approach the Central Government, as and when required. This will facilitate free functioning of the Land Port Authority.

My last point is this. Bangladesh and other countries are openly accusing India of smuggling computer parts, wrist watches, gold, electric wires, China silk yarn, cycle parts, spares of textile mills, torches, etc. On the other hand, it is only our refrained borders which have become havens of illegal arms trade, flushing of people of fake currency, human trafficking, etc. I would request the hon. Minister to see to it that neither we are being exploited inside our borders nor are we

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accused unnecessarily by other countries. This can be achieved by the effective functioning of the Land Port Authority.

With these observations, Sir, I welcome this Bill.

(Ends)

SHRI RANJITSINH VIJAYSINH MOHITE-PATIL (MAHARASHTRA): Sir, much has already been talked about the Bill by my hon. colleagues. The Government has decided to establish a Land Port Authority through the Land Port Authority of India Bill, 2009, which shall have the power to manage the facilities for cross-border movements of goods and passengers at designated points along the international border of India.

Sir, as we are short of time, I would like to be brief. I would like to say that we have different relations with different countries. So, the officers and personnel deputed on the border should be very well-versed with the treaties and relations which we share with the bordering countries.

Sir, the serious issues should be addressed seriously and properly. As the hon. Member, Shrimati Vasanthi, said, human trafficking, infiltration, drug trafficking, arms and ammunition, etc. should be handled properly and it should be looked into as a serious concern. We have seen attacks like the Mumbai attack of 26/11 and the Parliament attack. So, the staff and the personnel should be fully equipped with advanced equipment like life jackets and bullet-proof jackets; the cars, trucks and containers that would be passing through should be screened; x-ray machines have come up in various parts of the country. The

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goods that are imported and travelling should be screened; that technology is available across the globe.

(Contd. at 4k/ksk)

KSK/6.35/4K

SHRI RAJNITSINH VIJAYSINH MOHITE-PATIL (CONTD): Sir, the best of the technology should be given. Lastly, I would like to request that the personnel and the officers, who will be posted at these points, will be from various parts of the country. They will be from Kerala, Maharashtra, Tamil Nadu, etc. So, the biggest issue with the personnel posted there will be their residence, not only for themselves but for their families also. So, their families should be taken care at the same point.

Then, I would like to request that it should be ensured that no corruption takes place at this point. This should be the main priority and concern of the Government and the hon. Minister. Of course, I know that he has taken all these things into consideration, but, with these suggestions, I support the Bill.

(Ends)

SHRI PYARIMOHAN MOHAPATRA (ORISSA): Sir, at the outset, I must say that the Home Ministry is the most appropriate Ministry to deal with this Bill, not the Finance, Commerce or the Highways Ministries. I say so because in case of immigration, it is not only a question of security of the country but also of the immigrants coming into the country with arms and ammunitions, immigrants coming into the country to settle here like from Bangladesh, immigrants coming with contraband goods, narcotics, and all that. So, I don't agree with my friend,

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Shri Ahluwalia, that it should go to the Commerce or the Finance Ministry. But, I do worry about the need for an Authority. Security and intelligence or border management are too sensitive and crucial issues to be left to an authority. You people have been creating authorities, for example, IRDA. What did they do for the general public, the customers about insurance? When SEBI came with a fee limit of two per cent, then, all the hell broke. Then, the Government had to come with a Bill to protect it. Let us hope that you don't have to cover up the inefficiency that will accrue to an authority behind which, you need not hide. As a nodal Ministry, you can always control that inefficiency. Maybe you don't have to come to the Parliament in future to cover up for that.

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

Lakhs and millions of people are coming in from border with Bangladesh creating imbalances in demography, imbalances politically and plenty of other things are coming in. We are facing the problems. Politicians finally do have to get those people identified for ration because of humanitarian grounds. Then, from ration cards, it goes to electoral rolls. Then, there is political clout and all that. You cannot have these Integrated Check Posts to really stop all this. I wish you had consulted the major States as many friends have pointed out. Out of eight States, you consulted only three and that too insignificant States. Here, the main trouble is about Nepal where your security concerns are the most important. We are not having consultations with the concerned States. We see the Unified Check Gates in the States. In States, we tried to merge the Check Gates, unify them and then

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what happened? They proved to be a source of unified corruption, and your ICPs will become sources of integrated corruption.

(continued by 4I - gsp)

GSP-6.40-4L

SHRI PYARIMOHAN MOHAPATRA (CONTD.): There is so much of money flowing in, fake currency, smuggled goods, and, arms and ammunition, etc. How will you check it? Once it becomes an authority, people will feel safe. I support the amendments moved by Shri Prasanta Chatterjee on both counts. One is, please don't have joint ventures. If you want to have joint ventures, have them with PSUs. If you want to open a restaurant etc., in every walk of life, you have PSUs. For security concern, please ensure that you have nothing to do with the private parties. So, Mr. Minister, please accept the amendment.

There is another issue to be considered, if you persist with the authority. Anyway, you will get the Bill passed. You are not bothered about it but the Home Ministry can not shed its responsibility. It is accountable to Parliament. Clause 19 says that previous approval of the Government is necessary for levying rent and fee. When you are giving so many powers to an authority, then, for levying rent and fee, which is a minor matter, why should they come to a *babu* in the Home Ministry.

You have a clause with regard to reappointment of members. Please don't do so because the moment you make a provision for reappointment of members, their vested interests will develop, and, they will become subservient to the *babus* in the Home Ministry. Let there be one term. Mostly, you will find that only

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people who are either on the verge of retirement, or, who have retired, are appointed. And, if you make a provision for second term, they will do whatever you tell them to do; they will not apply their own minds. (Time-bell)

I will take only half-a-minute. If you want to retain joint ventures even with the PSUs, leave apart the private parties, please don't keep a clause for formation of companies. Why should the authority, a statutory authority, go into the business of forming companies? What is the need? So, please kindly look into this also. With this, I, per force, support the Bill as the Bill is going to be passed. Thank you.

(Ends)

SHRI D. RAJA (TAMIL NADU): Sir, I took part in the work of the Standing Committee, which processed this Bill. This Bill has a limited purpose of establishing Land Ports Authority of India for the development and management of facilities for cross-border movement of passengers and goods at designated points along the international borders of India. At the same time, during the course of discussion, we also admitted that the Government should take into consideration the security imperatives also.

Having said that, I would like to caution the Government on some counts. We have the sea ports, which are managed by the Port Trust of India, broadly under the Ministry of Shipping. We have the airports, which are managed by the Airports Authority of India but there are changes coming in. In the name of Public-Private-Partnership, even, our airports are managed by private entities. That gives apprehension on how this Land Ports Authority of India will really be a

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successful one. It is obvious now that the Ministry of Home Affairs will remain as the nodal agency for this Land Ports Authority of India.

(contd. By VKK-4m)

-GSP/VKK-LP/4m/6.45

SHRI D. RAJA (CONTD.): But, in the Standing Committee, it was made very clear that the Government should not involve the private sector to set up hotels and participate in such other activities in the integrated check-posts premises since it could be a security threat. Only public sector undertakings should be involved in such activities. In fact, I agree with the previous speaker, comrade Prasanta Chatterjee. I have also moved one amendment on the question of joint venture. In the name of joint venture, you cannot have private participation. Then, it will lead to further complications and pose threat to the very functioning of the Landport Authority of India. We are dealing with land borders and we are concerned with the legitimate movement of passengers and goods through our borders. That is why, we are bringing all of them together under one roof through integrated check-posts. If it is so, I think, our governance needs to be strengthened.

Sir, I would refer to what the Home Minister said during the debate on Bhopal gas tragedy. He said that the MEA or the Home Ministry does not have records with regard to the safe passage given to Mr. Anderson. If that is the case, whether the Landport Authority of India will manage these integrated check-posts efficiently. Here, the Home Ministry will have to assure the House that the governance will be strengthened in all these centres and there won't be any case as happened in the case of Mr. Anderson. Many speakers referred to the

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neighbouring countries. We have very sensitive, porous and long borders. But, we are talking about development and facilities for cross border movement. When I say this, it is legitimate movement of passengers and goods. For safeguarding the borders, there is Army and there are border security forces. Here, we are talking about the movement of passengers and goods. It does not mean that I am undermining the security imperative and the security aspect. But, the Home Ministry must assure the House that it will strengthen the governance in all these centres. That is where I have a strong apprehension that if you leave scope for private participation, then, it will lead to serious complications as far as cross border management of goods and movement of passengers are concerned. There, I think, the Home Ministry must assure the House that the entire thing will be managed by the Government and whatever construction or other facilities are created are undertaken by the Home Ministry. Home Ministry means by the Government. We have a problem with the Airports Authority. It is not that privatising airports or giving enormous role to private sector in the maintenance of our airports helps the country and the Airports Authority of India is being undermined in every aspect. Now, when you are creating a new authority, the Landport Authority, I think, the Government should be very cautious about what it is going to do. (Time-bell) There, I

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think, the private participation should be discouraged and that's why, that amendment has been moved.

Sir, the last point which I want to underline is about land acquisition. There should be proper consultation with the State Governments and the people whose land is acquired for Landport Authority must get proper compensation and other facilities according to rules. With these cautions, I think, the Government will have to assure this House in this regard. Thank you.

(Ends)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay. Thank you, Mr. Raja. Now, Shri Mysura Reddy, not here. Shri Sanjay Raut, not here. Now, Mr. Minister.

* Pp 649 Onwards will be issued as a Supplement.

Uncorrected/ Not for Publication-19.08.2010AKG-MKS/4N/6.50**THE LAND PORTS AUTHORITY OF INDIA BILL, 2010 (CONTD.)**

गृह मंत्रालय में राज्य मंत्री (श्री अजय माकन) : उपसभाध्यक्ष महोदय, मैं माननीय सदस्यों का धन्यवाद करना चाहूँगा, जिन्होंने इस बिल पर इतना interest लिया और अपने सुझाव यहाँ पर दिए। मैं चाहता था कि जिन्होंने चर्चा की शुरुआत की, हमारे एस.एस. अहलुवालिया साहब, अगर वे यहाँ पर रहते, तो मैं उनके कुछ प्रश्नों का जवाब दे सकता। दुर्भाग्यवश अभी वे यहाँ पर नहीं हैं, लेकिन मैं समझता हूँ कि वे मेरी भावनाओं तक जरूर पहुँचेंगे। सब लोगों ने यहाँ पर कुछ common बातें उठाई हैं, मैं उनकी भी चर्चा करूँगा और उनका भी जवाब देने की कोशिश करूँगा और कुछ अलग-अलग मसले उठाए गए हैं, उनका भी जवाब देने की कोशिश करूँगा।

उपसभाध्यक्ष महोदय, मुख्यतः यहाँ पर एक बात रखी गई कि यह बिल गृह मंत्रालय क्यों लेकर आ रहा है और गृह मंत्रालय इसका nodal मंत्रालय क्यों है और दूसरा कोई मंत्रालय इसके nodal मंत्रालय का role क्यों नहीं play करता है। अगर इस बिल के 'Statement of Objects and Reasons' को देखें, तो उसके दूसरे sentence के अन्दर ही हमने कहा है, "Good border management is mandated by India's security concerns." अभी यहाँ पर अहलुवालिया साहब बोल रहे थे, तो उन्होंने इस प्रश्न को भी उठाया और उन्होंने अपने भाषण में इसका जवाब भी दिया। इस बिल की शुरुआत कहाँ से हुई, उत्पत्ति कहाँ से हुई, जब उन्होंने उसकी चर्चा की, तो उन्होंने खुद इस चीज को बताया कि सन् 2003 में National Security Council Secretariat (NSCS) में इसकी चर्चा हुई और वहीं से इस बात की शुरुआत हुई। जब इस बिल की उत्पत्ति National Security Council Secretariat के माध्यम से हुई, तो इसका security imperative ही इस बिल का ध्येय है, इस बिल का मकसद है।

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प्रशांत जी ने यहाँ पर अभी इस बात को बोला, यह सही बात है कि जो Standing Committee ने title में amendment के लिए कहा है, मैं इस ओर इंगित करना चाहूँगा कि उस चीज़ को हम लोगों ने मान लिया है। अगर आप बिल का title देखें, तो मैं पढ़ कर सुनाना चाहूँगा कि "to provide for the establishment of the Land Ports Authority of India to put in place systems which address security imperatives and for the development and management of facilities." Standing Committee में आप लोगों की जैसी सिफारिश थी, हम लोगों ने उसको माना है और उसको title के अन्दर ही सबसे पहले दिया है।

जैसा मैं बता रहा था कि National Security Council Secretariat से ही 2003 में इसकी उत्पत्ति हुई, उसके बाद मैं सदन को बताना चाहता हूँ कि किस जगह के ऊपर इसकी location होनी चाहिए, हमारी ICPs की locations के बारे में फैसला भी Cabinet Committee on Security के माध्यम से discuss करके ही किया जाता है, क्योंकि इसके दो मापदण्ड हैं। एक तो, वहाँ से कितना व्यापार होता है और दूसरा, strategic concerns से वह जगह हमारे लिए कितनी जरूरी है। जब strategic concerns की बात आती है, तो बहुत सारे कारणों से हम सब लोग जानते हैं कि इसके लिए गृह मंत्रालय बेहतर suitable है बनिस्बत किसी और मंत्रालय के। Cabinet Committee on Security के अन्दर हमेशा गृह मंत्री साधारणतः इसके सदस्य रहते ही हैं, लेकिन जरूरी नहीं है कि दूसरे और मंत्रालय, जैसे वाणिज्य मंत्रालय या Surface Transport मंत्रालय के मंत्री उसके सदस्य हों। गृह मंत्री Cabinet Committee on Security के सदस्य साधारणतः रहते ही हैं, इस वजह से गृह मंत्रालय इसके लिए बेहतर suitable है।

अहलुवालिया जी ने इस बात को भी कहा कि एकदम से Border Management का डिपार्टमेंट बनाया गया। नहीं, यह बात सत्य नहीं है। Border Management का डिपार्टमेंट आज से 6 साल पहले सन् 2004 में बना है। हम लोग इस बिल को लेकर आ रहे हैं, तो यह

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कारण नहीं है कि केवल इस बिल की वजह से Border Management का डिपार्टमेंट बनाया गया है। ऐसी बात नहीं है।

सब लोगों ने यहाँ पर एक और चिन्ता जाहिर की है कि हमारे यहाँ जो 13 Integrated Check Posts स्थापित होंगे, इनके अलावा हम बॉर्डर की security को कैसे manage करेंगे? इसके ऊपर अलग-अलग जगह के अलग-अलग पार्टीज़ के अलग-अलग सदस्यों ने अपनी बात कही है। मैं उसके बारे में बताना चाहता हूँ कि Integrated Check Posts का यह मतलब नहीं है कि इसके बाद या इसके साथ border security की बात को हम लोग नहीं देखेंगे। मैं माननीय सदस्यों को आपके माध्यम से बताना चाहता हूँ कि जो border outposts हैं, हम लोगों ने तय किया है कि Indo-Bangladesh border पर 383 border outposts और बनाएँगे, जिनमें 51 already under construction चल रहे हैं। हम लोग 126 border outposts Indo-Pakistan border पर बनाएँगे, जो 2013-14 तक बन कर तैयार हो जाएँगे। हमारा मकसद यह है कि हमारा जितना भी Indo-Pakistan और Indo-Bangladesh border है, उसके ऊपर 3.5 किलोमीटर के average के ऊपर हम लोगों का एक border outpost होना चाहिए। इसकी वजह से हम लोगों ने तय किया है कि हम लोग BSF के माध्यम से इन सब जगह के ऊपर लगभग 500 से ऊपर नए border outposts बनाएँगे, ताकि यहाँ पर बेहतर ध्यान रखा जा सके।

(4ओ/एससीएच पर जारी)

TMV-SCH/40/6.55

श्री अजय माकन (क्रमागत): यही नहीं, इंडो-बांग्लादेश बॉर्डर के ऊपर, जैसी कि अभी चर्चा की गई, काफी पोरस बॉर्डर है। वहां से काफी लोग आते-जाते हैं और सामान भी काफी आता-जाता है।

सभापति महोदय, मैं आपके माध्यम से माननीय सदस्यों को बताना चाहता हूँ कि इंडो-बांग्लादेश बॉर्डर पर हम लोगों ने बीएसएफ की 16 बटालियन्स और सेंक्शन की हैं,

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जिनमें से दो इस साल स्थापित हो चुकी हैं और बाकी की 14 बटालियन्स आगे आने वाले चार साल के अन्दर स्थापित हो जाएंगी।

यही नहीं, एक सदस्य ने फ्लड लाइट्स के बारे में जिक्र किया था। मैं बताना चाहूंगा कि हम लोगों ने बांग्लादेश बॉर्डर पर 277 किलो मीटर का फ्लड लाइट का पायलेट प्रोजेक्ट स्थापित कर दिया है और इसके लिए 1327 करोड़ रुपया सैंक्शन किया है। मैं माननीय सदस्यों को यह भी बताना चाहूंगा कि इंडो-बांग्लादेश बॉर्डर के ऊपर 2840 किलो मीटर के एरिया पर फ्लड लाइट का काम हम 2012 तक खत्म कर देंगे। इसमें से 392 किलो मीटर का काम खत्म हो चुका है। मैं इसके डिटेल में नहीं जाना चाहता, नहीं तो इसमें बहुत समय लगेगा, लेकिन हम लोग अलग-अलग माध्यम से अलग-अलग बॉर्डर्स के ऊपर सिक्योरिटी को और टाइट करने के लिए कार्य कर रहे हैं। इंटीग्रेटिड चैकपोस्ट बनाने का मतलब यह नहीं है कि हम लोग बाकी जगह के बॉर्डर्स के ऊपर किसी प्रकार की कोई कमी करेंगे।

एक मसला यहां पर उठाया गया कि स्टेट गवर्नमेंट्स को हम लोग कैसे अपने साथ लेंगे। उपसभाध्यक्ष महोदय, मैं आपके माध्यम से माननीय सदस्यों को बताना चाहता हूं कि हम लोगों के साथ इंटरैक्ट करने के लिए और हम लोगों को गाइड करने के लिए स्टेट गवर्नमेंट्स सबसे बेहतर स्थिति में हैं। इसलिए हम लोगों ने Clause 3 (3) (d) के अन्दर इस चीज़ का प्रावधान रखा है कि या तो चीफ सेक्रेटरी या उसके मैम्बर वहां पर हमारी लैंड पोर्ट अथॉरिटी के सदस्य होंगे। यही नहीं लैंड एक्विज़िशन के लिए अभी जो तरह जगह हम लोगों ने आइडेंटिफाई की हैं, इन तरह की तरह जगहों का जो आइडेंटिफिकेशन हुआ है, वह प्रदेश की सरकारों के द्वारा हुआ है। डिस्ट्रिक्ट लैवल के ऑफिस के माध्यम से आइडेंटिफाई करवा करके ही उनके एक्विज़िशन और आइडेंटिफिकेशन का कार्य किया जा रहा है। इस संबंध में केन्द्र सरकार ने न केवल स्टेट्स को, बल्कि डिस्ट्रिक्ट ऑफिशियल्स को भी कॉन्फिडेंस में लिया है।

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हमारे श्री अहलुवालिया साहब ने श्रीनगर-मुजफ्फराबाद एवं पुंछ-रावलकोट एक्सिस के ऊपर जो क्रॉस एलओसी ट्रेड है, उसके बारे में चर्चा की है। उन्होंने full truck scanners और दूसरे scanners की बात की है। मैं माननीय सदस्यों को यह बताना चाहता हूँ और अहलुवालिया साहब को यह बात सुन कर खुशी होगी कि इसी साल 25 मार्च को Cabinet Committee on Security ने इस चीज़ का फैसला किया है कि वहाँ पर full truck scanners की स्थापना की जाएगी। दोनों के दोनों एक्सिस के ऊपर वह स्कैनर लगाया जाएगा। हमारे गृह मंत्रालय ने सब चीज़ों के अलावा, सिक्योरिटी रिलेटिड एक्सेडिचर की तरफ से 10 करोड़ रुपया इसके लिए ही सैंक्शन किया है।

अभी कुछ सदस्य जब बोल रहे थे, तो ऐसा लग रहा था कि शायद उनको लगता है कि केवल 13 ICPs ही बनेंगे, जबकि ऐसी बात नहीं है। हम लोगों ने 13 की शुरुआत की है, जिसके लिए 635 करोड़ रुपये सैंक्शन किए गए हैं। 13 के आगे भी हम लोग और दूसरे ICPs सैंक्शन करेंगे और उनको बनाएंगे।

हमारे यहाँ पर टोटल Land Customs Stations लगभग 143 के करीब हैं, जिनमें से लगभग 84 फंक्शनल हैं। हमारी कोशिश है कि ज्यादा से ज्यादा जगह के ऊपर हम इंटीग्रेटिड चैक पोस्ट्स की स्थापना करें, ताकि जहाँ पर बिज़नेस का वॉल्यूम ज्यादा है अथवा स्ट्रैटेजिक कंसर्न्स ज्यादा हैं, दोनों को ध्यान में रख कर ही हम लोग इन चीज़ों की स्थापना करें। 13 से तो शुरुआत की गई है, यहाँ पर यह समाप्त नहीं होता है। आगे हम लोग अलग-अलग जगह पर और ज्यादा इंटीग्रेटिड चैक पोस्ट्स की स्थापना करेंगे।

यहाँ पर मैं एक और बात को जरूर कहना चाहूँगा। अभी कुछ माननीय सदस्यों ने, जैसे राजा साहब ने, प्रशांत जी ने और कुछ अन्य दूसरे सदस्यों ने भी इस चीज़ की चर्चा की है कि ज्वाइंट वेंचर्स के अन्दर पब्लिक सेक्टर अंडरटेकिंग्स का ही मेशन होना चाहिए। मैं माननीय सदस्यों से कहना चाहूँगा, अगर आप देखें, इसको टोटल अथॉरिटी के sovereign and non-sovereign functions के अन्दर डिवाइड किया जा सकता है। हम लोगों ने पहले

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से ही Department Related Standing Committee की सिफारिशों के बाद, Clause 11 (2)

(o) के अन्दर ऐड किया है, "Provided that sovereign functions of the Authority shall not be assigned to any private entity". यानी जो sovereign functions हैं, उनके लिए ज्वाइंट वेंचर भी नहीं होगा, बल्कि उसे सरकार खुद करेगी। उसे हम लोग किसी और को नहीं देंगे।

अपने शुरुआत के भाषण में जब इस बिल को पास करने के लिए, इसके कंसिडरेशन के लिए मैं निवेदन कर रहा था, उसमें भी मैंने कहा था कि यह पूरा का पूरा इलाका sanitize इलाका होगा।

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-SCH/DS-RG/7.00/4P

श्री अजय माकन (क्रमागत): किसी भी तरीके से सिक्योरिटी के लिए जगह से कॉम्प्रोमाइज़ नहीं किया जाएगा। ज्वायंट वेंचर्स की क्यों जरूरत है? आप और हम सब अच्छी तरह जानते हैं कि पार्किंग की फैसिलिटीज़ होती हैं, टॉयलेट्स के रखरखाव की फैसिलिटीज़ होती हैं और दूसरी चीज़ों के अंदर कई बार हमें प्राइवेट एंटीटीज़ की किसी न किसी प्रकार जरूरत होती है। दूसरी ओर, भविष्य में इन सुविधाओं के लिए भी ज्वायंट वेंचर्स के लिए प्राइवेट एंटीटीज़ के साथ किसी न किसी तरीके से कभी जरूरत पड़ी और अगर आप इतनी बड़ी पीएसयूज़ से इन छोटे-छोटे फंक्शंस को करवायें, तो मैं समझता हूँ कि ये पीएसयूज़ इसे बेहतर तरीके से नहीं कर सकतीं। दूसरी चीज़ यह है कि पूरे देश में, न केवल एयरपोर्ट या सी-पोर्ट के अंदर बल्कि दूसरी जगहों पर भी ऐसे उदाहरण हैं, जहाँ पर सरकारी और गैर-सरकारी संस्थाओं के साथ मिलकर इन सब फंक्शंस को अच्छे तरीके से किया जा रहा है।

उपसभाध्यक्ष महोदय, मैं आपके माध्यम से माननीय सदस्यों से कहना चाहता हूँ कि यह हम लोगों के लिए जरूरी है, क्योंकि अगर हम इस बिल के अंदर ज्वायंट वेंचर्स को मेशन न करें, तो आने वाले समय में, जब जरूरत पड़ेगी ..(व्यवधान)..

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SHRI PRASANTA CHATTERJEE: The PSUs also can do that.

श्री अजय माकन: मुझे बोल लेने दीजिए।

SHRI PRASANTA CHATTERJEE: It is a serious question of security. The danger of security can develop in that.

SHRI D. RAJA: Our concern is that if non-sovereign function is left to private people, then, that should not pose threat to our security.

श्री अजय माकन: उपसभाध्यक्ष महोदय, माननीय सदस्यों ने जो चिन्ता जाहिर की है, मैं उनको यह कहना चाहूँगा कि यह पूरा इलाका सैनिताइज़ होगा। हमारे देश में अलग-अलग स्थानों, जैसे, हमारे एयरपोर्ट्स और दूसरी जगहों पर भी ऐसे बहुत-से उदाहरण हैं, जहाँ पर सिक्योरिटी की बात को ध्यान में रखते हुए सरकार प्राइवेट आर्गेनाइजेशंस को किसी न किसी प्रकार से यह काम देती है और वहाँ पर सिक्योरिटी का ध्यान भी रखा जाता है। हम किसी भी प्रकार से सिक्योरिटी के आस्पेक्ट को कम्प्रोमाइज़ नहीं करेंगे। मैं आपके माध्यम से माननीय सदस्यों से यह निवेदन करना चाहूँगा कि वे ज्वायंट वेंचर्स के संबंध में पब्लिक सैक्टर के लिए दबाव न डालें।

(समाप्त)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, the question is:

That the Land Ports Authority of India Bill, 2010, as passed by the Lok Sabha, be taken into consideration.

The Motion was adopted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 to 10 were added to the Bill.

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THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Clause 11 stands part of the Bill.

There are three Amendments, Nos. 1 and 2 by Shri Prasanta Chatterjee and No.3 by Shri D. Raja. Do you want to press the Amendments?

SHRI PRASANTA CHATTERJEE: Sir, we have elaborately stated the reason for our Amendments. The Minister has accepted, in principle, the broad areas, but he has not accepted the Amendments.

THE VICE-CHAIRMAN: So, don't press it.

SHRI PRASANTA CHATTERJEE: It is a serious issue linked with security threat. So, I would again request the Minister to accept the small words 'in public undertakings'. Everything else is okay.

THE VICE-CHAIRMAN: The Minister will consider it later.

SHRI AJAY MAKEN: Yes, Sir.

SHRI D. RAJA: Sir, I am on the same issue of joint venture. I said that the Government should assure the House the involvement of the public sector because we are equally concerned with the security. I understand that the Government is concerned about it. We are equally concerned. With that concern in mind, we are raising this issue.

श्री अजय माकन: उपसभाध्यक्ष महोदय, मैं माननीय सदस्यों से यह कहना चाहूँगा कि सिक्योरिटी कंसर्न्स के ऊपर हम किसी भी किस्म का कम्प्रोमाइज़ नहीं करेंगे। हमने फिलहाल कहीं पर भी किसी भी प्रकार से ज्वायंट वेंचर्स की परिकल्पना नहीं की है, लेकिन अगर हमें भविष्य में कभी यह करनी भी पड़ी, तो हम जिस एंटीटी के साथ यह करेंगे, उस समय इसको अच्छे तरीके से जाँच-पड़ताल करके और उसके अंदर सिक्योरिटी आस्पेक्ट की एक-एक चीज़ को ध्यान में रख कर यह किया जाएगा। मैं माननीय सदस्यों से यह कहना चाहूँगा और

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उनसे निवेदन भी करना चाहूँगा कि सिक्थोरिटी कंसर्न्स जैसे आपका है, वैसे ही हमारा भी है। हम यह पूरी कोशिश करेंगे कि अगर हम किसी एंटीटी के साथ ज्वायंट वेंचर करें, तो उसको करने से पहले और करने के बाद उस पर कड़ी निगरानी के साथ सिक्थोरिटी कंसर्न्स के ऊपर ध्यान रखा जाए।

महोदय, मैं आपके माध्यम से माननीय सदस्यों से निवेदन करना चाहूँगा कि वे अपने अमेंडमेंट्स वापस ले लें।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): So, I understand, you are not pressing the Amendments. I shall now put clause 11 to vote.

Clause 11 was added to the Bill.

(Followed by 4Q)

4q//7.05/nb-ks

Clauses 12 to 37 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

THE VICE-CHAIRMAN: The Minister to move that the Bill be passed.

SHRI AJAY MAKEN: Sir, I move:-

That the Bill be passed.

The question was put and the motion was adopted.

(Ends)

Uncorrected/ Not for Publication-19.08.2010**ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT AND OTHER BUSINESS**

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Hon. Members, I have to inform the House that the Business Advisory Committee, at its meeting held on 19th August, 2010, allocated time as follows for Government Legislative and other business:-

<u>Business</u>	<u>Time allotted</u>
1. Consideration and passing of the Indian Medicine Central Council (Amendment) Bill, 2010.	Two hours
2. Consideration and passing of the following Bills, after they are passed by Lok Sabha:-	
(a) The Orissa (Alteration of Name) Bill, 2010	} One hour
(b) The Constitution (One Hundred Thirteenth Amendment) Bill, 2010	} (to be discussed together)
(c) The Civil Liability for Nuclear Damage Bill, 2010	Four hours

The Committee recommended that the sitting of the Rajya Sabha may be extended by two days and, accordingly, the House will sit on Monday, the 30th August and Tuesday, the 31st August, 2010, for transaction of Government Legislative Business and that there will be no Question Hour on those days.

(Ends)

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THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We take up Special Mentions admitted by the Chairman -- laying on the Table.

श्री राम विलास पासवान (बिहार) : उपसभाध्यक्ष जी, बोलने दीजिए।

THE VICE-CHAIRMAN: No, no. Only laying on the Table.

श्री राम विलास पासवान : हर दिन हम लोग बैठे हैं, दो-दो लाइनें पढ़ने में कितनी देर लगती है ... (व्यवधान)

THE VICE-CHAIRMAN: Then, you will have to sit for long.

श्री राम विलास पासवान : सभी लोग बैठेंगे, आप पढ़वाइए। सभी Special Mention वाले ही तो बैठे हैं ... (व्यवधान)

THE VICE-CHAIRMAN: If the House is ready, I have no objection. (Interruptions) There are 42 Special Mentions. You will have to sit, at least, for one hour more. (Interruptions) All right. It is like this. Those who are particular about reading their Special Mentions, they can read them but those who want to lay their Special Mentions on the Table, they can lay them. Shri Prasanta Chatterjee.

SPECIAL MENTIONS**ICDS HELPER KIDNAPPED BY MAOISTS IN
MIDNAPORE, WEST BENGAL**

SHRI PRASANTA CHATTERJEE (WEST BENGAL): Sir, I rise to draw the attention of this House to the most heinous crime committed by Maoists in Shalboni Bhangabandh village on 2nd August, 2010. On that fateful night, the Maoists attached the residence of Shrimati Chhabi Mahato, Helper, ICDS, and kidnapped her on the plea that she was resisting the torture and pressure tactics

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of the armed Maoists to join their rallies and meetings. Shrimati Mahato, a widow and mother of three children, was a dedicated ICDS worker. Her dedication, particularly to the causes of women and girl children was well-known to the locals. But she always refused to succumb to the pressures and threats of the Maoists-led political combine to toe their dictums. The very recent call of the Maoists to join a rally made the real face of the Maoist led violence open. During the last two years, hundreds of common men and women had been murdered. While calling upon members of this august House to condemn this heinous crime, I take this opportunity to urge upon the hon. Prime Minister to ensure that all political parties condemn the Maoists-led political forces in its true spirit and take stern action against them.

SHRI SAMAN PATHAK (WEST BENGAL): Sir, I associate myself with what the hon. Member has mentioned.

(Ends)

(followed by 4r/kgg)

-NB/VNK-KGG/4r/7:10

**CONCERN OVER PROBLEMS BEING FACED BY PEOPLE IN ORISSA DUE TO
SETTING UP OF THERMAL POWER PROJECTS IN STATE**

श्री रुद्रनारायण पाणि (उड़ीसा): महोदय, यह बात ठीक है कि देश के विकास हेतु बिजली की महत्वपूर्ण भूमिका है। शायद इसलिए प्रधान मंत्री जी बार-बार इस बात पर बल देते हैं कि बिजली के उत्पादन पर सर्वाधिक प्राथमिकता दिया जाए, लेकिन इन ताप विद्युत केन्द्रों के कारण परिधीय क्षेत्रों में निवास करने वाले लोगों की मुश्किलें बढ़ जाए, उनका सांस लेना

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मुश्किल हो जाए, उन्हें पीने का पानी न मिल पाए, स्नान का मौका न मिले, खेती पर भयंकर असर पड़े, पशुओं का जीना भी हराम हो जाए, ये सब कैसे ग्रहणीय हो सकते हैं? उड़ीसा अब एक ऐसा राज्य हो गया है, जहां पर शायद सर्वाधिक ताप बिजली उत्पादन होना चालू हो गया है और अब भी कई सारी नई परियोजनाएं निर्माणाधीन हैं। इन सब प्रकल्पों के कारण स्थानीय लोगों को जो दिक्कतें हो रही हैं, उनके प्रति माननीय विद्युत मंत्री तुरंत ध्यान दें। ऐसा मेरा आग्रह है।

प्रदेश में एन.टी.पी.सी. की दो इकाइयां हैं, एक तलचर में और दूसरी कणिहां में। एक-दो और इकाइयां भी बनने वाली हैं। उड़ीसा पावर जेनरेशन कॉर्पोरेशन (ओ.पी.जी.सी.) की दूसरों के साथ मिल कर भी उत्पादन इकाइयां हैं। पावर फाइनेंस कॉर्पोरेशन का भी उपक्रम है। साथ ही साथ सार्वजनिक क्षेत्र के "नालको" जैसी कंपनियों के भी "केप्टिव पावर प्लांट" (सी.पी.पी.) हैं।

अब जो भी स्टील फैक्ट्री लगा रहे हैं, उन सबका निजी विद्युत केन्द्र बन गया है। विशुद्ध रूप से विद्युत उत्पादन करने वाले निजी क्षेत्र की कंपनियां भी भारी मात्रा में कार्य प्रारंभ कर दी हैं। अत्यधिक ताप विद्युत के कारण प्रदेश का तापमान इतना बढ़ जाता है कि इससे हर गर्मी में काफी लोगों की मृत्यु हो जाती है। एन.टी.पी.सी. यद्यपि अत्यधिक मुनाफा करती है, फिर भी परिधीय क्षेत्र के विकास के प्रति ध्यान नहीं देती है। तलचर में कर्मचारियों की समस्याओं का समाधान अब तक नहीं हो पाया है और कणिहां के विस्थापितों को नौकरी दिया जाना लंबित है। निर्माणाधीन निजी क्षेत्र की कंपनियां भी जमीन देने वालों को भारी मात्रा में मुसीबत में डालती हैं। जी.एम.आर. कमलांग नामक एक कंपनी है, जो कि जमीन देने वाले किसानों को उचित मूल्य देने के लिए तैयार नहीं है, जब कि उसका प्लांट जहां लग रहा है, वह जमीन प्रस्तावति सिंचाई परियोजना के अंतर्गत आता है। इस क्षेत्र के लोगों को अधिक मुआवजा मिलना चाहिए। ऐसी मेरी मांग है। धन्यवाद।

(समाप्त)

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NEED FOR REGULAR SITTING OF APPELLATE TRIBUNAL UNDER
PROVIDENT FUND ACT IN SOUTH INDIA INCLUDING GOA

SHRI SHANTARAM LAXMAN NAIK (GOA): Sir, at present, the Appellate Tribunal, under the Provident Fund Act, holds its sittings only at one place in India, that is, at Delhi. This causes immense hardships to the concerned people considering the time and money involved in attending the Tribunal in Delhi.

The presiding officer occasionally also holds sittings in Goa, Mumbai and Bengaluru and, I would, incidentally, like to mention that the last sitting in Goa took place almost a year back. I would, therefore, like to suggest that since taking justice to the doorsteps of the people is the Government's motto, a bench of the Employees Provident Fund Appellate Tribunal can be constituted either at Mumbai, Goa or Bengaluru to cover Bengaluru, Mangalore, Gulbarga, Goa, Nagpur, Raipur, etc.

Alternatively, there can be one permanent presiding officer sitting in Delhi and the other a mobile presiding officer presiding over the camp in various parts of south India on rotation. There is also another alternative. Since the Industrial Tribunals are already established under the Industrial Tribunal Act, the same may be designated as the Employees Provident Fund Appellate Tribunal, which will result in every State getting an Appellate Tribunal under the Provident Fund Act.

The Ministry of Labour should undertake an exercise in this matter and take an appropriate decision in the matter, in consultation with all the stakeholders. Pending the decision, sitting of the Delhi Tribunal in south India including Goa

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should resume and there should not be a disproportionate gap between one sitting and the other.

(Ends)

**DEMAND TO GIVE APPROVAL TO ELECTRIFICATION PLAN OF VILLAGES OF
UTTAR PRADESH UNDER RAJIV GANDHI RURAL ELECTRIFICATION
SCHEME**

श्री बृजलाल खाबरी (उत्तर प्रदेश): महोदय, केन्द्र सरकार ने वर्ष 2005 में गैर विद्युतीकृत ग्रामों के विद्युतीकरण के लिए "राजीव गांधी ग्रामीण विद्युतीकरण योजना" प्रारंभ की थी। इस योजना में विभिन्न राज्यों के 100 से अधिक आबादी वाले गांवों एवं मजराओं के विद्युतीकरण का कार्य स्वीकृत किया गया था, लेकिन उत्तर प्रदेश में वर्ष 2004 में ग्रामीण विद्युतीकरण की जो योजना स्वीकृत की गई थी, उसमें केवल एक मुख्य गांव एवं एक मजरा शामिल किया गया था।

(4s/MP पर क्रमशः)

MP-TDB/4S/7.15

श्री बृजलाल खाबरी (क्रमागत) : बाद में उत्तर प्रदेश द्वारा 1,37,109 मजराओं के विद्युतीकरण हेतु लगभग रुपए 10,861 करोड़ की योजनाएं स्वीकृति हेतु भेजी गईं लेकिन केवल रायबरेली एवं सुल्तानपुर जनपदों के मजराओं के विद्युतीकरण की रुपए 453 करोड़ की योजना स्वीकृत की गई तथा शेष योजनाएं अभी भी स्वीकृति हेतु लम्बित हैं।

केंद्र सरकार ने यह घोषणा की है कि वर्ष 2012 तक प्रत्येक घर को बिजली की सुविधा प्रदान की जाएगी, लेकिन उत्तर प्रदेश के गैर विद्युतीकृत मजराओं की योजनाएं स्वीकृत न हो पाने के कारण उत्तर प्रदेश में केंद्र सरकार का यह लक्ष्य पूरा नहीं हो सकता। इससे भारत सरकार की घोषणा खोखली साबित होती है।

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अतः सदन के माध्यम से मेरा केंद्र सरकार से अनुरोध है कि उत्तर प्रदेश में मजरा के विद्युतीकरण की जो योजना केंद्र सरकार के पास लम्बित है, उसे तत्काल स्वीकृत किया जाना चाहिए।

(समाप्त)

DEMAND TO INCLUDE 16 CASTES OF UTTAR PRADESH IN SC CATEGORY

श्री नरेन्द्र कुमार कश्यप (उत्तर प्रदेश) : महोदय, मैं आपके माध्यम से सरकार का ध्यान अत्यंत महत्वपूर्ण विषय की ओर दिलाना चाहता हूं। उत्तर प्रदेश में कश्यप, कहार, केवट, निषाद, बिन्द, भर, प्रजापति, राजभर, वाथम, गौड, तुराहा, माझी, मल्लाह, कुम्हार, धीमर और महुआ जातियां आर्थिक, सामाजिक, शैक्षणिक तथा रोजगार के क्षेत्र में बहुत ही पिछड़ी हुई हैं। इन जातियों की अति पिछड़ी दशा के कारण उनके साथ आज भी छुआछूत किया जाता है। उत्तर प्रदेश की माननीय मुख्य मंत्री महोदया ने अपमान का जीवन व्यतीत करने वाली इन समस्त जातियों के पिछड़ेपन को दूर करने के लिए उत्तर प्रदेश सरकार की ओर से केंद्र सरकार को पत्र लिखकर प्रस्ताव दिया था कि इन उपरोक्त सभी 16 जातियों को अनुसूचित जाति की सूची में शामिल कर उन्हें मिलने वाले सभी लाभ दिए जाएं ताकि ये सभी जातियां राष्ट्र की मुख्य धारा से जुड़ सकें, परंतु खेद है कि केंद्र सरकार ने अभी तक उत्तर प्रदेश सरकार के प्रस्ताव पर कोई विचार नहीं किया है। इस संबंध में उत्तर प्रदेश सरकार ने केंद्र सरकार को कई पत्र लिखे हैं। फिर भी केंद्र सरकार इस अत्यंत महत्वपूर्ण मुद्दे पर मौन बरती हुई है जिसके कारण उत्तर प्रदेश की इन सभी 16 जातियों, जिनकी आबादी करोड़ों में है, में आक्रोश व्याप्त है और कभी भी राजस्थान के गुर्जर आंदोलन की तरह स्थिति विस्फोटक हो सकती है।

अतः मैं आपके माध्यम से केंद्र सरकार से मांग करता हूं कि उत्तर प्रदेश की करोड़ों की आबादी वाली इन 16 जातियों को शीघ्रता से अनुसूचित जाति की सूची में शामिल करने की

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कृपा करें तथा अनुसूचित जातियों का कोटा भी बढ़ाया जाए, ताकि उपर्युक्त सभी 16 जातियों को इसमें शामिल किया जा सके और उनका शैक्षणिक, आर्थिक, सामाजिक व राजनीतिक विकास किया जा सके।

(समाप्त)

DEMAND TO BAN FDI IN RETAIL SECTOR

SHRI A. ELAVARASAN (TAMIL NADU): Mr. Vice-Chairman, Sir, I would like to bring to the notice of the Government about the impending negative reaction by allowing Foreign Direct Investment in retail sector. Our country is already facing double digit inflation rate, and consequently the prices of essential commodities are higher than ever before. Online trading of essential commodities, black marketing, illegal storage of commodities, middlemen role between farmers and to the consumers are the basic reasons for the high prices of food items. Our former Chief Minister of Tamil Nadu, Amma has also warned the Government about these anti-social elements. Especially in online trading, the middlemen play a major role in increasing the retail price of commodities. At this juncture, if the Government allows Foreign Direct Investment in retail sector, the already increased prices will also increase continuously and there would be a tilt in small enterprises. Further, millions of people are surviving by engaging in small retail trade and they have no alternative. The proposal of allowing multinational companies in retail trade will encourage the negative factors like online trading, black marketing, illegal storage of food items, middlemen role and will affect the livelihood of millions of small traders. Therefore, I urge the Government that it should consider to impose the permanent ban on Foreign Direct Investment in

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Indian retail trade. Sir, I also request the Government that it should enact the Monopoly Trade Control Act to put restrictions on the big Indian players to save the small and medium scale food business operations and industries in the country.

(Ends)

(Followed by 4t-cls)

KLS/4T-7.20

[THE VICE-CHAIRMAN (SHRI PRASANTA CHATTERJEE) in the Chair]

DEMAND FOR AUTOMATIC SIGNALING SYSTEM FOR RAILWAYS IN KERALA

SHRI K.N. BALAGOPAL (KERALA): Sir, the need for a speedy rail line is a need for our rail transport system. The ever increasing passenger traffic always urges for more trains, especially passenger trains. The urbanization and the skyrocketed growth of automobile users have made our road traffic overcrowded and time consuming. The only way-out is to make use of the existing facilities more effective immediately, in addition to the construction of new roads and railway lines which will take more time.

Kerala's uniqueness regarding land scarcity, land terrain and other factors needs special attention. Because of the high density of population and the difficult topography, constructing new roads and railway lines is very difficult in Kerala. Increasing the rail travel frequency is a better way to address the traffic needs and commuters demand.

The railway line from Trivandrum to Trichur is highly overloaded now. The traffic will further increase after the commissioning of Vallarpadam Mega Container

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Terminal, Kochi. Kerala is like an integrated village or city which is connected altogether. So Kerala needs train facilities like in a metro city. If automatic signaling system will be introduced it would increase more sections in between stations which will provide room for running more trains between two stations. Then like in metro cities -MEMU trains can run with a gap of two or three minutes. For making things better in the congested traffic scenario in Kerala, the Ministry of Railways is requested to take appropriate steps to introduce automatic signaling system and MEMU trains in Trivandum-Trichur Railway Line.

SHRI P. RAJEEVE (KERALA): Sir, I associate myself with the Special Mention of the hon. Member.

(Ends)

CONCERN OVER UNNATURAL DEATHS OF NUCLEAR SCIENTISTS

PROF. P.J. KURIEN (KERALA): Sir, there have been a number of unnatural deaths of nuclear scientists and other incidents/accidents involving nuclear and radioactive materials, in the last one year, in the country. The details of some of such cases, as reported in the media, are as under. The *Week* magazine also carried a detailed investigative report on this subject. (1) Alleged suicide of Shri L. Mahalingam, Senior Scientific Officer at the Kaiga Atomic Power Station, Karwar in June 2009. (2) Death of two researchers, S/Shri Umang Singh and Partha Pratin Bag, by burning in November 2009, in a mysterious fire in BARC Lab. (3) Murder of Shri Mahadevan Parmanabhan Iyer, Mechanical Engineer at the BARC in February, 2010. (4) Other incidents: (a) November 2009-Radiation poisoning of about 45 employees of the Kaiga Atomic Power Station (b) April 2010- death of

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one person in Mayapuri, New Delhi due to Cobalt-60 in scrap came from Chemistry Department of Delhi University (c) June 2010 - Radioactive material found in a room in AMU.

In view of this mystery surrounding the aforesaid unnatural deaths of our nuclear scientists and the incidents/accidents involving breach of nuclear safety, the Government should take immediate steps to (i) thoroughly investigate all these unnatural deaths and determine the exact cause of death in each case; (ii) ensure Standard Operating Procedures are strictly adhered to in all nuclear establishments; and (iv) frame strict guidelines for monitoring all Departments/agencies, other than the nuclear establishments, which handle nuclear or radioactive elements for research and other purposes, to prevent any kind of nuclear mishap in future. Thank you.

SHRI RUDRA NARAYAN PANY (ORISSA): I associate myself with this Special Mention.

SHRI AMBETH RAJAN (UTTAR PRADESH): Sir, I also associate myself with the sentiments expressed by the hon. Member.

(Ends)

**DEMAND FOR TAKING STEPS FOR APPOINTMENT OF OFFICERS
BELONGING TO SC/ST CATEGORIES IN HIGHER POSTS IN ALL
DEPARTMENTS**

श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश) : महोदय, आपका ध्यान अति लोक महत्व के विषय पर आकृष्ट कराना चाहूंगा कि आज भी अपने देश में अनुसूचित जाति, जनजाति के कर्मचारियों, अधिकारियों को उत्तर प्रदेश राज्य को छोड़कर बाकी समस्त प्रदेशों एवं संघ

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शासित प्रदेशों में उनके अधिकार से वंचित किया जा रहा है। यहां यह बताना उचित समझता हूं कि जैसे किसी प्रदेश में जिलाधिकारी की कुल 50 सीटें, पुलिस अधीक्षक की 50 सीटें, एस0डी0एम0 तहसीलदार की 1000 सीटें, जिला चिकित्सक अधिकारी की 50 सीटें, प्रधानाध्यापकों की 5000 सीटें हैं, तो इनमें अनुसूचित जाति, जनजाति के अधिकारियों की संख्या शीर्ष पद पर गिने चुने होंगे। ठीक इसी प्रकार केन्द्र सरकार के भी विभिन्न मंत्रालयों और विभागों में भी शीर्ष पदों पर गिनी-चुनी होगी। अनुसूचित जाति, जनजाति के कर्मचारी/अधिकारी मिल जाएंगे। यह भी संज्ञान में लाना चाहूंगा कि यदि कोई अनुसूचित जाति, जनजाति का अधिकारी प्रमोशन पाकर उच्च एवं शीर्ष पद पर आसीन होने वाला है तो उसकी संबंधित पत्रावलियों को इतना लम्बित कर दिया जाता है कि वह शीर्ष पद पर पहुंचने के पहले ही रिटायर हो जाता है।

अतः आपके माध्यम से केन्द्र सरकार से अनुरोध है कि समस्त विभागों, मंत्रालयों तथा राज्यों में भी समस्त विभागों, मंत्रालयों में शीर्ष पदों पर अनुसूचित जाति और जनजाति के अधिकारियों को उस विभाग, उस मंत्रालयों के प्रमुख पदों पर कुल अधिकारियों की संख्या के आधार पर अनुसूचित जाति और जनजाति के अधिकारियों को शीर्ष पदों पर बैठाया जाए।

(समाप्त)

(4u/GS पर आगे)

SSS/4U/7.25

**DEMAND TO WITHHOLD PERMISSION TO VEDANTA GROUP COMPANY FOR
BAUXITE MINING IN ORISSA**

SHRI RAMA CHANDRA KHUNTIA (ORISSA): Sir, Vedanta Bauxite Mines has already established alumina plant and started mining operation without proper permission. Two tribal groups in the Niyamgiri hill- Dongria Kondh and Kutia Kandha tribes in Orissa will lose faith on the Government as they will be deprived

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of their natural rights. There was also people's movement in Niyamgiri Area. Since the Saxena Committee has clearly said that Vedanta has violated Forest Conservation Act, The Environment Protection Act and Orissa Forest Act and also said that there would be negative impact of mining in the region of biodiversity and on the Dongria and Kutia Kandh as they have the cultural and economic ties with land. It seems Orissa State Government, in spite of caution, has allowed them to work in that area as the report has already been submitted. I urge upon the Government to give clear cut orders for not handing over the Niyamgiri mines to Vedanta.

(Ends)

SHRI RUDRA NARAYAN PANY (ORISSA): Sir, I associate myself with the Special Mention made by Shri Rama Chandra Khuntia.

(Ends)

DEMAND TO BAN APPOINTMENT OF TEACHERS ON CONTRACT BASIS IN CENTRAL UNIVERSITIES, PARTICULARLY IN ALLAHABAD UNIVERSITY

SHRI AMBETH RAJAN (UTTAR PRADESH): Sir, hon. Chairman, Sir, Allahabad is well-known for Kumbh and its famous Central University, the Allahabad University. Being the centre of intellect and wisdom, it is supposed to promote an inclusive India; an India which takes its cue from its guiding document, the Constitution of India. In 2009, University Grants Commission team reprimanded Allahabad University for not filling the quota for SC/STs. It directed the University to fill 112 teaching posts by 30.4.1020 as per norms. Despite three reminders sent by UGC, University has not recruited even a single SC/ST against this backlog.

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Instead of filling the backlog, Allahabad University has decided to appoint teachers on contract for one year at the rate of Rs. 25000 per month. There is no quota for SC/ST/OBCs in this recruitment. Sir, appointments of guest or contract teaching staff in the Central universities have become a regular feature. Sir, I urge upon the Government to ban *ad hoc* appointment of teaching staff not only in Allahabad University but also in all universities which denies SC/ST/OBC candidates their fare share. To fill up the vacancies that exist then and there, universities shall prepare a waiting list of the candidates in main recruitment drives and these wait listed candidates could be given a chance.

(Ends)

(Followed by by NBR/4W)

ASC-NBR/4w/7.30

**DEMAND TO TAKE STEPS FOR RENOVATION OF DR. B.R. AMBEDKAR
MEMORIAL, 26, ALIPUR ROAD, DELHI**

श्री रामविलास पासवान (बिहार) : महोदय, साहेब अम्बेडकर भारत के संविधान के निर्माता थे। यह भारतीय संविधान की देन है कि भारत में प्रजातंत्र और दिनों दिन सशक्त हो रहा है और इसकी जड़ें मजबूत हो रही हैं। भारत के संविधान और बाबा साहेब भीम राव अम्बेडकर ने मूक को आवाज दी और दलितों, पिछड़ों, अल्पसंख्यकों और महिलाओं को उनके अधिकार को दिलाया तथा कानून के सामने सभी बराबर हैं, के मौलिक अधिकार का भी प्रतिपादन किया।

बाबा साहेब अम्बेडकर से जुड़े चार स्थान हैं। पहला महु (मध्य प्रदेश) में है, जहां बाबा साहेब अम्बेडकर ने जन्म लिया था। दूसरा नागपुर जहां उन्होंने बौद्ध धर्म की दीक्षा ली थी।

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तीसरा स्थल है, 26 अलीपुर रोड, जहां उनका देहावसान हुआ था और चौथा चैत्य भूमि (महाराष्ट्र), जहां उनकी अंत्येष्टि हुई थी। मुझे खुशी है कि 26 अलीपुर रोड, दिल्ली को राष्ट्रीय स्मारक घोषित किया जा चुका है, लेकिन यह दुख भी है कि 26 अलीपुर रोड जर्जर अवस्था में है और राष्ट्रीय स्मारक का कोई स्वरूप नहीं है। वहां न तो कोई विशिष्ट व्यक्ति जाता है और न ही बाबा साहेब से संबंधित आलेख या अन्य चीजें हैं। बाबा साहेब ने 26 अलीपुर रोड में रहकर संविधान को लिखा था तथा अंतिम रूप दिया था। अम्बेडकरवादियों एवं विभिन्न दलों द्वारा 26 अलीपुर के विकास हेतु बार-बार मांग की जाती रही है।

मैं भारत सरकार से मांग करता हूं कि 26 अलीपुर रोड को तत्काल विकसित किया जाए और उसे राजघाट के समान महत्व दिया जाए। जिससे देश विदेश के महत्वपूर्ण व्यक्ति वहां जाएं और दलितों, शोषितों के मसीहा के संबंध में जानकारी हासिल कर उससे प्रेरणा लें।

(समाप्त)

SHRI D. RAJA (TAMIL NADU): Sir, I associate myself with the special mention made by my frined, Mr. Paswan. Thank you. (Ends)

**DEMAND TO MERGE MEWAR GRAMEEN
BANK INTO ANY NATIONALISED BANK**

श्रीमती माया सिंह (मध्य प्रदेश) : * महोदय, देश में विकास की जड़ें मजबूत करने में बैंकों ने सराहनीय कार्य किया है। चाहे वह शहरों में औद्योगिक विकास हो या ग्रामीण क्षेत्र में कृषकों से जुड़ी विकास की बात हो, इसमें बैंक अत्यंत महत्वपूर्ण भूमिका निभाए हैं।

1943 से दि बैंक ऑफ राजस्थान लिमिटेड देश के विभिन्न भागों में अपनी सेवाएं दे रहा है। इसकी कुल 467 शाखाएं हैं, जिसमें 200 से अधिक ग्रामीण क्षेत्रों में हैं। दि बैंक ऑफ राजस्थान लिमिटेड से प्रायोजित मेवाड़ ग्रामीण बैंक में इसकी पूंजी 35 प्रतिशत, केंद्र सरकार

* Laid on the Table of the House

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की 50 तथा 15 प्रतिशत राज्य सरकार की पूंजी है। इस बैंक में तकरीबन 20 लाख खाताधारक हैं और इसमें 4 हजार कर्मचारी अपनी सेवाएं दे रहे हैं।

इस बैंक के मुख्य शेयरधार द्वारा सेबी के नियमों का उल्लंघन करते हुए बैंक का 55 प्रतिशत शेयर अपने पास रखा है जो नियमानुसार 10 प्रतिशत से अधिक नहीं होना चाहिए। इस अनियमितता के कारण सेबी ने बैंक के मुख्य शेयरधारक पर शेयर के लेन-देन में प्रतिबंध लगाया हुआ है।

प्रतिबंध के बावजूद मुख्य शेयरधारक ने आईसीआईसीआई बैंक को शेयर स्थानांतरित किया है और दि बैंक ऑफ राजस्थान को आईसीआईसीआई बैंक में विलय करने हेतु एक प्रस्ताव रिज़र्व बैंक ऑफ इंडिया में दी है, जो अभी लंबित है। मज़े की बात यह है कि इसकी कुल संपत्ति 12 हजार करोड़ रुपए से अधिक है जबकि आईसीआईसीआई बैंक में विलय हेतु मात्र 3 हजार 40 करोड़ रुपए का प्रस्ताव मुख्य शेयरधारक हेतु प्रस्तावित है।

इतनी बड़ी संपत्ति का सौदा मात्र 3 हजार 40 करोड़ रुपए में करने का मामला संदेहास्पद है। इसके साथ ही दि बैंक ऑफ राजस्थान के 4 हजार कर्मचारी किस प्रकार कहां समायोजित किए जाएंगे तथा इससे प्रायोजित मेवाड़ ग्रामीण बैंक से जुड़ी बात प्रस्ताव में नहीं है और न ही विलय में उनकी स्वीकृति ली गई है।

मेरी मांग है कि वित्तीय अनियमितताओं से बचने के लिए इस बैंक का विलय किसी राष्ट्रीयकृत बैंक में किया जाए जो खाताधारकों और बैंक के कर्मचारियों तथा मेवाड़ ग्रामीण बैंक के हित में होगा तथा सेबी के नियमों के उल्लंघन के लिए मुख्य शेयरधारक की गतिविधियों की जांच करा कर आवश्यक कार्यवाही की जाए।

(समाप्त)

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NEED FOR TRAIN SERVICES FOR TUTICORIN RAIL PASSENGERS
AND GOODS SERVICES

SHRI PAUL MANOJ PANDIAN (TAMIL NADU): * Tuticorin port city in Tamil Nadu is developing in terms of trade and industry. On account of export oriented business activities, Tuticorin contributes more in respect of Forex, IT and other taxes to the Government exchequer. Train services are not sufficient to cater to the needs of the people. Therefore, the people of Tuticorin need a link train facility from Nagercoil-Coimbatore (Train No. 6609/6610). The same was included in the Interim Budget for February, 2009. But it was not mentioned in the final Budget of July, 2009. Therefore, the hon. Minister may take urgent steps to give a link train facility until the gauge conversion is completed and a direct train service is introduced between Tuticorin and Coimbatore. An intercity Railway service between Tuticorin and Madurai is absolutely necessary. This service is very much needed because Madurai happens to be the next biggest city falling within 150 KM and people are having lot of interests to frequent to this city for business and other purposes. The Government should take urgent steps for the doubling line between Tuticorin and Madurai. An additional train facility may be provided for the benefit of the public of Tuticorin who are traveling from Tuticorin to Chennai. Therefore, the hon. Minister may take appropriate action by providing train facilities for the benefit of the public of Tuticorin. (Ends)

* Laid on the Table of the House

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NEED TO TAKE STEPS TO RESOLVE THE PROBLEM OF RAMPANT
UNEMPLOYMENT IN THE COUNTRY

श्री अविनाश राय खन्ना (पंजाब) : आज देश कई समस्याओं से जूझ रहा है। बेरोजगारी एक बहुत बड़ी समस्या है। पढ़े-लिखे नौजवानों में उचित नौकरी न मिलने के कारण रोष व्याप्त है। कई लोग निराश होकर जुल्म की दुनिया में चले गए हैं। इसके ताजा उदाहरण देश में बढ़ रही लूटपाट, हत्या, डकैती, चोरी और जालसाजी की घटनाएं हैं। कई नौजवान रोजगार पाने के लिए विदेशों में जा रहे हैं। कानूनी, गैर कानूनी ढंग से विदेशों में जाने की लालसा ने कई नौजवानों को मजदूरी वगैरह करने या जेलों की यात्रा तक पहुंचा दिया है। कई बच्चे दुखी होकर आत्महत्या तक का फैसला लेकर अपनी जीवन लीला खत्म कर रहे हैं। नौजवान देश का भविष्य हैं। अगर यही नौजवान बेरोजगार होकर घूमेंगे तो विदेशी ताकतों के हाथ की बागडोर बनकर देश को नुकसान भी पहुंचा सकता है। उसके भी कई मौजूद उदाहरण हैं। बेरोजगारी, पढ़े-लिखे, कम पढ़े-लिखे, skilled, unskilled, technical क्षेत्र के बच्चों के लिए दुख का कारण बनी हुई है। सरकार रोजगार के ज्यादा से ज्यादा साधन पैदा करे, अगर रोजगार नहीं दे सकती तो सम्मानजनक बेरोजगारी भत्ता जब तक नौकरी नहीं मिलती, दिया जाना चाहिए। नहीं तो यह समस्या cancer की तरह फैल कर देश की एकता और अखंडता को खतरा पैदा कर सकती है।

(समाप्त)

DEMAND TO REVIEW DECISION OF COMMERCE MINISTRY TO REDUCE
IMPORT DUTY

SHRI P. RAJEEVE (KERALA) : * I would like to raise a serious issue regarding the decision of Commerce Ministry to reduce the import duty of natural rubber from 20 per cent to 7.5 per cent. Kerala accounts for about 95 per cent of the total production of rubber in our country. The value of rubber production in our country is nearly Rs.4000 crores.

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As more than 85 per cent of rubber is cultivated on small holdings in Kerala, more than 10 lakh of rubber farmers are in the category who have less than ½ acre of land. Import of rubber would be detrimental to Kerala's small cultivators.

The Rubber Board of India, Government of Kerala and the farming community have taken a position against the decrease of import duty. But the Government of India has taken this decision according to the demand from the tyre industry. They are the only party continuously demanding to decrease the import duty.

The decision would seriously affect the economy of the State and the livelihood of the farmers. So, I request the Ministry of Commerce to reconsider its decision to reduce the import duty of natural rubber.

(Ends)

PROF. P.J. KURIEN (KERALA): Sir, I associate myself to the Special Mention made by my friend. Thank you.

(Ends)

DEMAND TO PAY GRATUITY TO CONTRACT WORKERS OF CEMENT CORPORATION OF INDIA, GULBARGA, KARNATAKA

SHRI K. B. SHANAPPA (KARNATAKA): Cement Corporation of India established a 500 TPD capacity cement plant in Kurukanta taluk Sendam, Gulbarga District. Initially, the production was good and the corporation was earning profit. Later on because of bad management and a lot of irregularities that had taken place, the Cement Corporation of India closed down the plant and paid the permanent workers' dues under the VRS scheme. They could not declare lockout. They paid

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the dues without declaring the lockout. There were 176 contract labourers for the purpose of loading and unloading cement and coal. They were not paid their gratuity saying that they come under the contractor.

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SHRI K.B. SHANAPPA (CONTD.): Lastly, these contract labourers started hunger strike in front of the company. Meanwhile, some labourers raised the dispute before the Regional Labour Commissioner, Bellary. After conducting many sittings, the Regional Labour Commissioner, Bellary, awarded Rs. 1.2 crores as a gratuity to the labourers.

Challenging the verdict of the Regional Labour Commissioner, Bellary, the management went to the High Court. The High Court, rejecting the plea, upheld the decision of the Regional Labour Commissioner, Bellary. Subsequently, they approached the Supreme Court. The hon. Supreme Court also upheld the decision of the Regional Labour Commissioner, Bellary and the High Court of Bangalore and directed the management to deposit Rs. 1.20 crores. But the management has so far not complied with the directions of the Supreme Court.

Further, the Regional Labour Commissioner, Bellary, requested the DC, Gulbarga, to confiscate the property of the company and pay the gratuity money to the workers. But it is also in no vain. I request the Minister for Industries and Public Undertakings to intervene and settle the gratuity money, which is due to the labourers.

(Ends)

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SHRI RUDRA NARAYAN PANY (ORISSA): Sir, I associate myself with what the hon. Member, Shri K.B. Shanappa, has said.

(Ends)

THE VICE-CHAIRMAN (SHRI PRASANTA CHATTERJEE): The House is adjourned till 11 o' clock, tomorrow.

The House then adjourned at thirty-six minutes past seven of the clock till eleven of the clock on Friday, the 20th August, 2010.