









Uncorrected/ Not for Publication-21.12.2011

KSK/11.00/1A

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair

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Q.No. 401

**SHRI Y.S. CHOWDARY:** Sir, as we are all aware that there has been a lot of trade deficit for the past 4-5 years, I would like to know as to what is preventing the Government to set any targets for exports and also give boost to manufacturing exports rather than service exports.

**SHRI ANAND SHARMA:** Sir, as I mentioned, there has been a trade deficit in the country. That has historically been there. This is primarily because India needs to import many of the commodities and petroleum and gas which we do not have. Therefore, depending upon the needs of the country, what India imports, that gets reflected in the import numbers. During the last five years, there has been a consistent effort on the part of the Government to augment exports and to incentivise value-added manufacturing. As the hon. Member has asked that why we are not encouraging the exports of the manufacturing sector, the fact is that the manufacturing sector

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**Q. No. 401 (contd.)**

exports are on the increase. Only the engineering exports were in excess of \$ 66 billion.

Regarding his question about the targets, whether the Government is setting the targets or not, my answer would be, "Yes". We have set targets under the Foreign Trade Policy, which is meant for five years, from 2009-2014. The objective is to double the share of India's trade in merchandise trade of the world by 2014, which would call for a minimum increase of 20 per cent per annum and also to double it, in percentage terms, by the year 2020. Despite the difficult economic backdrop, contraction of global demand, continuing weak recovery and crisis in Europe, we have been able to do well and cross the targets for the year 2010-11, when we reached the targets highest ever. For the first time in the history of this country, we crossed the figure of \$ 200 billion. But, the final figures were \$ 250 billion.

**SHRI Y.S. CHOWDARY:** Sir, apart from entering into treaties for exports...(Interruptions)...

**MR. CHAIRMAN:** Silence, please.

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Q. No. 401 (contd.)

**SHRI Y.S. CHOWDARY:** ...is Government monitoring the performance of the treaties that we have entered into with the neighbouring countries?

**SHRI ANAND SHARMA:** Sir, I could not get the question.

**MR. CHAIRMAN:** Please repeat the question.

**SHRI Y.S. CHOWDARY:** Sir, our country has been entering into various treaties for exports with neighbouring countries. Is Government monitoring the performance of those bilateral treaties that we have signed with neighbouring countries?

**SHRI ANAND SHARMA:** Yes, we do monitor, and our trade with the countries of the SAARC region is very healthy, on the increase. We hope that with the new understanding reached and with the full implementation of the SAFTA Protocol, the trade in the region of the South Asia, among the member countries, is expected to double. We set a target even recently, during the visit of Pakistan's Commerce Minister, the country with which we have a bilateral trade of less than \$ 3 billion, to make it \$ 6 billion. Overall in the region, India's own trade with the countries of SAARC region is in excess of \$ 14 billion.

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Q. No. 401 (contd.)

**PROF. P.J. KURIEN:** Sir, on seeing the hon. Minister's answer, I think, the increase in trade deficit is alarming.

(continued by 1b – gsp)

GSP-HMS-1B-11.05

**PROF. P.J. KURIEN (CONTD.):** As per the reply, during 2010-11, the total trade deficit was US \$ 119 billion whereas for the year 2011-12, from April to November only -- of course, it is provisional -- the trade deficit is US \$ 117 billion. This itself shows that it is alarming. Sir, I agree. The hon. Minister said that the essential items like oil etc. have to be imported. But what about the non-essential items? Indiscriminate imports are taking place. Sir, if you go to the market, you will find that the market is flooded with Chinese goods, cheap goods. People are buying only Chinese goods. What are you doing about indiscriminate imports taking place with regard to non-essential items being imported from China and countries, to which, you have given the MFN status? What are you going to do in this regard?

**SHRI ANAND SHARMA:** Sir, the hon. Member has put one supplementary but actually it has three parts. The first part is about



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**Q. No. 401 (contd.)**

the increasing trade deficit. I have mentioned in my reply and also to the hon. Member, who has asked this question, that though the last five years' figures show that despite the challenges, we have sustained high growth rates, percentage terms increase in our exports is higher than the percentage terms of our imports. Even for this year, which Professor Kurien has mentioned, the exports have registered a growth of 33.2 per cent reaching US \$ 193 billion whereas the imports have registered a growth of 30.2 per cent ...(Interruptions)...

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

**SHRI ANAND SHARMA:** I am coming to the numbers also. US \$ 193 billion is the number. I have myself mentioned in the reply to the question that from April to November, 2011, exports are US \$ 193 billion and imports are US \$ 310 billion, and, therefore, there is a trade deficit of US \$ 117 billion. Sir, I would like to inform the hon. Member that we have to keep in mind the developments which have taken place in the world. I did refer to the major contraction in global trade in 2008-09, 2009-10. It was in the range of 12 to 14 per cent because of the downturn; and the global economy has not emerged till now

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**Q. No. 401 (contd.)**

from the crisis of 2008 and 2009 whereas the Euro zone crisis has further aggravated the situation.

Secondly, what India imports has to be kept in mind. Since January, this year, there has been turbulence for various reasons in major oil producing parts of the world, like, North America and the Middle East. The oil prices have gone up; significantly impacting our own import Bill. There is a pressure on the Government to try to augment exports so that the trade deficit is reduced. Deficit will always be there; we have not reached a situation where India will become self-sufficient in fertilizers, in oil and gas.

For the benefit of the hon. Member, I would like to inform that last year, our oil import bill alone was US \$ 105 billion. This is the figure of the last year. This year, it will be much more because the mean average oil price last year was US \$ 70 per barrel whereas, this year, the oil prices have spiralled to US \$ 115.

Similarly, Sir, India is a major importer of edible oils. We import 8 to 9 million tonnes of edible oils per annum. Edible oil prices including the farm oil prices have gone up. Pulses prices in the global

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**Q. No. 401 (contd.)**

market, where we have to import between 3 to 4 million tonnes, have gone up, so as the fertilizer prices. The hon. Member will appreciate that it is not because of want of effort. We take steps to improve the situation but when it comes to the contraction of global demands, when it comes to the spiralling commodity prices, the Government of India does not have the means to check and control or regulate those prices.

(Contd. by sk-1c)

SK-KLG/1C/11.10

**SHRI ANAND SHARMA (CONTD.):** Now, with regard to indiscriminatory import, Sir, that is not correct. We keep a watchful eye. We take measures. Even in the WTO Agreements, the countries have the provision either to impose anti-dumping duties, if there is a surge in import, or to go for safeguard duties, if there is a threatened — even threatened, not actual — injury to the domestic industry. We have taken steps in the past, including banning milk products, banning toys from the country the hon. Member referred to and also the mobile phones which did not have the IEMI identity, that is, the

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**Q. No. 401 (contd.)**

international identity numbers, and we thought we would take and we had taken these actions keeping in view the complaints and the fact that there was a surge in these imports.

**SHRI SHYAMAL CHAKRABORTY:** Sir, is it true that one of the reasons of the trade deficit is bilateral agreement with some countries like Bangladesh and other SAARC countries introducing abolition of import duty which has created havoc, and the domestic industries are suffering very much? I am talking about the handloom and other industries.

**SHRI ANAND SHARMA:** Sir, that is not the correct position. Had that been the position, India's export would not have been increasing on a year-on-year basis. As I mentioned to the hon. Member, India's exports stood only at 163 billion US dollars four years ago. After that came the economic crisis and the financial crisis. In 2009, it was 179 billion US dollars, and that was the period when there was a global turmoil. We took various steps and a number of measures, first the three stimulus packages were announced, one by the Prime Minister and two by the Finance Minister. Those stimulus packages were

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aimed at ensuring that the domestic production remained steady and robust. Fortunately for us, the domestic demand also remained very strong. At the same time, through the foreign trade policy measures and interventions, we carefully looked at how to redeem the situation. The priority was to arrest the fall and reverse the trend. In May 2009, India's exports were in deep red territory of -39.4. For a brief period, even the industrial production moved to a negative territory. But we did turn around. Government worked closely with the industry, with the exporters, to policy intervention. We were very clear at that time that we could not have waited, given the pressure on the trade account and the increasing deficit, for the recovery in traditional destinations, that is, Europe, America and Japan, where we would have taken years. So, we took a conscious decision to go in for market diversification. We identified two incentivised schemes — focus market scheme and focus product scheme ..(Interruptions)..

**SHRI TAPAN KUMAR SEN:** Sir, I think, the question is different. ..(Interruptions)..

**MR. CHAIRMAN:** Just one minute, please. ..(Interruptions)..

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**SHRI TAPAN KUMAR SEN:** I think, the question is relating to ..(Interruptions).. He is replying to something else. (Interruptions)

**SHRI SHYAMAL CHAKRABORTY:** I am not going to argue with him. I just repeat the question. One of the reasons for the trade deficit in my opinion — there are a lot of reasons — is the bilateral agreement of introducing import-free region with some countries, particularly in the handloom and other sectors. If you want, I can lead a delegation to you. ..(Interruptions).. Please hear the agony of the handloom workers. ..(Interruptions)..

**श्री बलविंदर सिंह भुंडर:** चेयरमैन साहब, यह जो ट्रेड डेफिसिट है, इसको कम करने के लिए मैं मिनिस्टर साहब से यह जानना चाहता हूँ कि पेट्रोलियम, फर्टिलाइजर, एडिबल ऑयल एण्ड पलसेस, चूंकि ये चार चीजें हैं, जिसके कारण मेजर डेफिसिट है, तो क्या इसको कम करने के लिए आप जो एडिबल ऑयल एण्ड पलसेस हैं, इसकी सपोर्ट प्राइस, कंण्ट्री में इसके लिए ठीक गुड प्राइसेस देंगे? नंबर वन, नंबर टू फर्टिलाइजर के लिए ....

**श्री सभापति:** नहीं, नहीं। यह सवाल इससे रिलेटेड नहीं है।

(1डी/एनबी पर आगे)

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Q. No. 401 (contd.)

NB/VKK/1D/11.15

**श्री बलविंदर सिंह भुंडर :** मैं इसी से related सवाल पूछ रहा हूँ ... (व्यवधान)

**श्री सभापति :** देखिए, support price एक चीज है और trade deficit दूसरी चीज है ... (व्यवधान)

**SHRI BALWINDER SINGH BHUNDER:** Sir, please listen to me.

(Interruptions)

**MR. CHAIRMAN:** Please don't argue.

**SHRI BALWINDER SINGH BHUNDER:** Sir, please listen to me.

(Interruptions) दूसरी चीज फर्टिलाइज़र है। मैं जानना चाहता हूँ कि क्या आप green manure को बढ़ावा देना चाहेंगे? तीसरी चीज पेट्रोलियम है ... (व्यवधान)

**श्री सभापति :** आपको केवल एक सवाल पूछने की इजाज़त है ... (व्यवधान)

**श्री बलविंदर सिंह भुंडर :** सर, इसी सवाल के तीन parts हैं।

**श्री सभापति :** सप्लीमेंटरी सवाल में तीन parts नहीं होते हैं। Please ask your one supplementary.

**SHRI BALWINDER SINGH BHUNDER:** Sir, the question is only one.

**श्री सभापति :** आप बैठ जाइए ... (व्यवधान) You can ask one supplementary.

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**SHRI BALWINDER SINGH BHUNDER:** Sir, please try to understand.

Sir, please listen to me.

**MR. CHAIRMAN:** Please try to understand me. (Interruptions) I have given you an opportunity to ask a supplementary question on the main question.

**SHRI BALWINDER SINGH BHUNDER:** Sir, this is the main question which I am asking. (Interruptions) It is the reason of deficit. (Interruptions)

**श्री रुद्रनारायण पाणि :** सर, मिनिस्टर साहब का जवाब इतना लंबा है ... (व्यवधान) Sir, the Minister is giving a long reply. (Interruptions)

**MR. CHAIRMAN:** Is Mr. Pany his spokesman? (Interruptions)

**श्री बलविंदर सिंह भुंडर :** सर, मैं यह जानना चाहता हूँ कि देश के trade deficit को कम करने के लिए मंत्री जी कोई steps उठाने के लिए तैयार हैं, ताकि देश को फायदा हो?

**MR. CHAIRMAN:** Please answer the part that relates to your jurisdiction. (Interruptions) Please do not interfere.

**SHRI ANAND SHARMA:** Sir, the Government is duty bound to meet the national needs and that too, of the growing economy which



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includes the energy needs and the food security of the people. If that requires certain imports, which I have mentioned, it is very clear that India would like to augment the production of what India has and the House is aware that they are ongoing efforts in all three fields to increase productivity. But, this question does not relate to my Ministry. The Finance Minister and the Agriculture Minister have given detailed information as to what is being done to increase the production of oil seeds, to increase the production of pulses, and onshore and offshore exploration of oil and gas is already on in the country. But, India's demands are also growing and that is why, imports are unavoidable.

**MR. CHAIRMAN:** Thank you. Question No.402. (Interruptions)

**श्री रुद्रनारायण पाणि :** सर, प्रश्न 401 में कुछ और सप्लीमेंटरी सवाल पूछने की इजाजत दे दीजिए ... (व्यवधान)

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

**श्री अविनाश राय खन्ना :** सभापति जी, हम इसी प्रश्न पर और सवाल पूछना चाहते हैं ... (व्यवधान)

**MR. CHAIRMAN:** Mr. Khanna, please resume your place. (Interruptions) Please sit down. (Interruptions) I am afraid indiscipline

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is not going to help the functioning of the House. (Interruptions) Mr. Pany, please resume your place. (Interruptions) आप बैठ जाइए ... (व्यवधान)

**श्री रुद्रनारायण पाणि :** सर, हम प्रश्न संख्या 401 पर और सवाल पूछना चाहते हैं ... (व्यवधान)

**श्री सभापति :** पाणि जी, आप नोटिस दे दीजिए, डिस्कशन होगा ... (व्यवधान)

**श्री रुद्रनारायण पाणि :** सर, पहले भी ऐसा हुआ है। एक प्रश्न पर 4-5 सप्लीमेंटरी सवाल पूछे गए हैं। सर, एक बार, एक प्रश्न पर 56 मिनट तक सवाल-जवाब हुए थे।

**MR. CHAIRMAN:** Are you trying to teach the Chair how to conduct the Question Hour?

(Ends)









**प्रो. अनिल कुमार साहनी** : सभापति जी, अभी पिछले दिनों कोलकाता में एक बड़े हॉस्पिटल में आग लगी थी, लेकिन बहुत देर के बाद दमकल की गाड़ियां वहां पहुंची थीं। स्थायी अग्नि-शमन सलाहकार परिषद ने आपको जो रिपोर्ट दी है, उसके अनुसार तीन से पांच मिनटों के अंदर दमकल की गाड़ियां वहां पहुंचनी चाहिए। घनी आबादी के इलाकों में यदि दमकल की गाड़ियां आधे घंटे या पौने घंटे के बाद पहुंचती हैं, तो इसके कारण बहुत से लोग मर जाते हैं।

(1E/MP पर क्रमशः)

MP-KR/1E/11.20

**प्रो. अनिल कुमार साहनी (क्रमागत)** : मैं पूछना चाहता हूं कि इस स्थायी अग्नि-शमन सलाहकार परिषद के मानदंड क्या केवल बड़ी-बड़ी बिल्डिंगज़, बड़े-बड़े शहरों पर ही लागू होते हैं या जो गरीब और छोटे शहर हैं, वहां भी ये लागू होते हैं? छोटे शहरों और छोटे गांवों में जाने के लिए आपका क्या कार्यक्रम है, उसको बताएं।

**SHRI P. CHIDAMBARAM**: Sir, ...(Interruptions)...

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

Please don't come here. ...(Interruptions)...

Second supplementary please. ..(Interruptions)...

पाणि जी, उनको सवाल पूछने दीजिए।  
...(व्यवधान)...

**Q. No. 402 (contd.)**

**प्रो. अनिल कुमार साहनी :** एक मिनट.... (व्यवधान)...

**श्री सभापति :** आप सवाल पूछिए। ...(व्यवधान)... आप सवाल पूछिए।  
...(व्यवधान)...

**प्रो. अनिल कुमार साहनी :** दूसरा सवाल है ...(व्यवधान)...

**MR. CHAIRMAN:** One minue please. ..(Interruptions)..

**प्रो. अनिल कुमार साहनी :** एक किलोमीटर के अंदर ....(व्यवधान)... सर,  
पहले क्वेश्चन का आन्सर नहीं मिला है। ...(व्यवधान)... राज्य मंत्री को उत्तर  
के लिए बुलाइए। ...(व्यवधान)...

**MR.CHAIRMAN:** One minute please. ..(Interruptions)...  
Silence...(Interruptions)... Silence. ...(Interruptions)... Silence  
please. ..(Interruptions)... Since no more supplementaries on this are  
being asked, we go to Q.No.403....(Interruptions)...

**SOME HON. MEMBERS:** Why not, Sir?

**प्रो. अनिल कुमार साहनी :** सर, हमारे क्वेश्चन का जवाब नहीं मिला है।  
...(व्यवधान)...

**श्री सभापति :** प्रश्न संख्या 403 ...(व्यवधान)... Please put your question.



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Answer please. ..(Interruptions)... Please resume your place.

..(Interruptions)... Please resume your place. ..(Interruptions)...

Please, please, Mr Sabir Ali, please, please. ..(Interruptions)...

Please resume your places. Q.No.403

**SHRI BHARATSINH PRABHATSINH PARMAR:** Yes, Sir.

**MR. CHAIRMAN:** Answer please.

**श्री वीर पाल सिंह यादव :** उनको उत्तर नहीं दिया गया है।

**श्री सभापति :** आप इनके वकील नहीं हैं, आप बैठ जाइए। ..(व्यवधान)... आप

बैठ जाइए। ....(व्यवधान)... Mr. Sabir Ali, ..(Interruptions)... You have just been sworn in; please remember the rules of the House.

..(Interruptions).. आपके सवाल का जवाब मिल चुका है, आपने सप्लीमेंटरी नहीं पूछा, बात खत्म हो गई। Question No. 403.

(समाप्त)

(1F/SC पर आगे)









[-mp/sc-mks/11.25/1f](#)

**श्री भरतसिंह प्रभातसिंह परमार :** धन्यवाद सभापति महोदय, मंत्री जी का जवाब मैंने देखा है। जब हम गुजरात से पूरे देश में ट्रेन में गुजरते हैं तो बड़े शहरों में रेल की पटरी के आजू-बाजू देखने में भी शर्म महसूस होती है, ऐसा दृश्य हमें देखने को मिलता है। मैंने मंत्री जी से पूछा था कि गुजरात में बड़े शहरों में रेलवे की जमीन पर बस रहे गरीब लोगों को कब पुनर्स्थापित किया गया? हमें उसका जवाब तो मिला, लेकिन जवाब देखकर मुझे ऐसा लगता है कि वही धीमी रफ्तार है - जो पहले थी, अब भी वही है। मुझे लगता है कि इसमें टाइम सुनिश्चित करना चाहिए। मेरा पहला प्रश्न यह है कि..(व्यवधान)..

**श्री सभापति :** एक सवाल पूछिए।

**श्री भरतसिंह प्रभातसिंह परमार :** सर, मैं एक ही सवाल पूछ रहा हूँ। गुजरात में रेलवे की जमीन पर बस रहे ऐसे लोगों की संख्या कितनी है?

**कुमारी शैलजा :** सर, यह सही बात है कि यह मामला थोड़ा लम्बा है, लेकिन मैं यह भी कहना चाहती हूँ कि हमने इस बात को पूरी गंभीरता से लिया है और एक बार नहीं, बार-बार हमने इसके बारे में दूसरे मंत्रालयों को भी लिखा है तथा इसे highest level पर take up किया गया है। हमारे मंत्रालय ने अगस्त 2009 में दूसरे मंत्रालयों को चिट्ठी लिखी थी कि वे देखें कि उनके यहां कितनी सेंट्रल

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गवर्नमेंट लैंड है, जो इस तरह से encroached है। इसके बारे में एक बार नहीं, अनेकों बार highest level पर मीटिंग्स हुई हैं, पीएमओ लेवल पर प्रिंसिपल सेक्रेटरी ने मीटिंग्स ली हैं और जो डीपीई हैं, उनसे कहा गया है कि वे पता करें कि कितने पब्लिक सेक्टर अंडरटेकिंग्स हैं, उनका कितना लैंड है जो इस तरह से encroach किया गया है। इसी तरह से रेलवे मिनिस्टरी, डिफेंस मिनिस्टरी, सिविल एविएशन और बहुत से पोर्ट ट्रस्ट हैं, बहुत सा ऐसा लैंड है, जो encroach हुआ है, न केवल गुजरात बल्कि अनेकों राज्यों में encroach हुआ है। हमने इसे पूरी गंभीरता से लेते हुए मंत्रालयों को लिखा है और हमें बताया गया कि 21 मंत्रालयों से संबंधित इस तरह की जमीनें हैं, जहां पर encroachment हुई है, लेकिन इसका ब्यौरा लेने में भी वक्त लगता है। इसके बावजूद रेलवे मंत्रालय और डिफेंस मंत्रालय, दोनों ने हमें कहा है कि वे इस मामले को देख रहे हैं, उनसे हमें रिसपाँस मिला है, रेलवे मंत्रालय ने कुछ आंकड़े भी दिए हैं। इसको अपडेट भी किया जाना है। कैबिनेट सेक्रेटेरिएट लेवल पर भी इसे take up किया गया है और हमारा मंत्रालय भी इस पर एक concept तैयार कर रहा है कि जो दूसरे मंत्रालयों की लैंड है, उस पर जो स्लम्स आए हैं या इस तरह से encroachment हुई है, उसको हम किस तरह से tackle करें।

**श्री भरतसिंह प्रभातसिंह परमार :** सर, जहां-जहां पर इस तरह से encroachment हुई है, जिस स्टेट में यह प्रॉब्लम है, उस स्टेट गवर्नमेंट के साथ

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शहरी विकास या रेल मंत्री के साथ एक हाई पावर कमेटी बनाकर टाइम पीरियड में इसको पूरा करने की जरूरत है। मैं जानना चाहता हूँ कि गुजरात में बस रहे ऐसे लोगों को कितने समय में पुनर्स्थापित किया जाएगा?

**कुमारी शैलजा :** सर, इसमें टाइम देना बहुत मुश्किल होता है। यह सिर्फ सेंट्रल गवर्नमेंट लैंड्स की बात नहीं है। सभी माननीय सदस्य जानते हैं कि यह एक बहुत ही संवेदनशील मामला है। जहां स्लम्स की बात है, encroachments हैं, प्रॉपर्टी राइट्स की बात है, स्टेट गवर्नमेंट्स को भी प्लानिंग करनी है। जैसा मैंने कहा, हम मंत्रालयों से भी इस संबंध में बात कर रहे हैं, उनको भी प्लानिंग करनी होगी। जो हमारी नयी स्कीम है, राजीव आवास योजना, उसके तहत हमने clearly कहा है कि सेंट्रल गवर्नमेंट लैंड्स पर भी देखा जाएगा और स्टेट गवर्नमेंट्स भी देखेंगी। इस प्रकार दोनों मिलकर इसे देखेंगी। प्लानिंग स्टेट गवर्नमेंट करेगी तथा जो भी city wide planning है, उसमें इस तरह के लैंड्स का ध्यान किया जाएगा तथा जो central public sector undertakings हैं उनके लैंड की भी प्लानिंग की जाएगी। हमने कहा है कि कुछ pilot projects हमारे पास दिए जाएं, लेकिन अभी तक न किसी स्टेट गवर्नमेंट ने और न किसी central public sector undertaking ने कोई pilot project दिया है।

**श्री आर.सी.सिंह :** सर, बीच-बीच में रेलवे मंत्रालय द्वारा कहा गया है कि जहां रेलवे की जमीन दखल करके स्लम्स बने हुए हैं, उनको पक्का मकान बनाकर



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दिया जाएगा। मैं मंत्री महोदया से जानना चाहता हूँ कि कितने public sectors की जमीन पर स्लम बस्तियां बसी हुई हैं और उनको पुनर्वासित करने के लिए कितने समय में क्या योजना है?

(1जी-एमसीएम पर आगे)

-MKS-TMV-MCM/1G/11.30

**कुमारी शैलजा :** सर, अभी हमारे पास जो कुछ इंफार्मेशन आई है, जो डी0पी0 ने अनेकों मंत्रालयों से इकट्ठा की है, उसमें 21 मंत्रालय ऐसे हैं जिनके पास पब्लिक सैक्टर अंडरटेकिंग्स हैं, और 88 पब्लिक सैक्टर अंडरटेकिंग्स की जो लैंड है जहां पर एन्क्रोचमेंट हुआ है या स्लम्स बने हैं, तकरीबन 5500 एकड़ की ऐसी जमीन अभी बताई गई है, हम यह नहीं कह सकते कि This is not the last word. ज्यादा भी हो सकती है। लेकिन अभी तक जो इंफार्मेशन हमें डी0पी0 के माध्यम से प्राप्त हुई है, उसमें 88 पब्लिक सैक्टर अंडरटेकिंग्स की जमीन 5500 एकड़ लैंड के करीब मानी जाती है।

**DR. MANOHAR JOSHI:** Sir, the reply to the question is not at all satisfactory. Four years ago I put a similar question and the reply given by the then Minister was also the same. How long will the Government take to take a decision on such an important issue? There are slums in every city, in every part of the country. The slums

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are to be redeveloped and that redevelopment is held up because the Government is not taking any policy decision. I know that a number of Departments is involved in it. But it should not take more than four years. I see the same reply today. So, I want to know whether the Government is serious about it. The State Government has already taken its decision. But the Railways are not cooperating. The railway lands are occupied by unauthorised slums. I would like to know, on the lines of the Maharashtra Government or any other State Government, whether they are considering that it is in the interest of the people and that it has to be done fast. If it is so, in how many years are they going to complete this job?

**KUMARI SELJA:** Sir, with all due respect to the hon. senior Member, I will take -- I don't usually like -- the time of the hon. House and read out what all has been done.

महोदय, माननीय सदस्य ने चार साल पहले के सवाल का जिक्र किया है। सर, मैं बतलाना चाहूंगी कि उसके बाद क्या-क्या हुआ है, ताकि किसी को यह नहीं लगे कि कुछ नहीं हुआ है। यह सच्चाई है कि जो भी स्लम्स अब तक बने हैं, this has been so because of lack of proper planning. जो आज हम

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फेस कर रहे हैं, we have actually excluded the poor out of the planning process. That is the reason why we see this urban sprawl. Now who is to be blamed and what should have been done, let us not get into those historical questions. But the point is what needs to be done for the future. We took a major initiative in 2004. In 2005, हमने जवाहर लाल नेहरू मिशन बनाया, उसके बाद हमने राजीव आवास योजना बनाई है, जो हमारा लेटेस्ट कार्यक्रम है। उसके तहत मैं आपके लिए कुछ पढ़ना चाहूंगी कि 2009 में, मैं रिपीट कर रही हूँ कि for the benefit of the hon. Member and the House, 2009 में मेरे मंत्रालय ने स्टेट गवर्नमेंट को और सेंट्रल गवर्नमेंट एजेंसीज को चिट्ठी लिखी requesting information on the slums on Central Government lands and to suggest appropriate strategies for slum dwellers. After that, a meeting was taken by the Principal Secretary to the Prime Minister on 3<sup>rd</sup> June, 2010 to consider policy issues relating to *in situ* rehabilitation of slum dwellers occupying the land belonging to the Central Ministries, PSUs, etc. After that, the Secretary, DPE, was to collect the data and, as I shared with the House, the DPE has supplied us some data. Regarding the Railway Ministry, they have said, according to the information supplied by the

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Railway Ministry, about 486 hectares of their land had been occupied by 1.3 lakh jhuggies. I am not saying that this is the correct figure and it could be more also. Then the DPE has also provided us with the information, which I have just shared with the House, from 21 Ministries and 88 PSUs stating that more than 5,500 acres of land are occupied by slum dwellers.

(Contd. by 1H/VK)

VK-ASC/1H/11.35

**KUMARI SELJA (CONTD):** Sir, then a Concept Paper, outlining various options available, was circulated to the concerned Ministries. A meeting under the Chairmanship of our Ministry Secretary with representatives of various Central Government land owning agencies was held on 26<sup>th</sup> April, 2001. I have not done, Sir. I am still carrying on.

**MR. CHAIRMAN:** Please complete quickly. It is only a supplementary question.

**SHRI SITARAM YECHURY:** Sir, she is taking four years record.

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**कुमारी शैलजा :** मैं 4 years के बारे में बताना चाहूंगी...(व्यवधान).. सर, मुझ पर और सरकार पर लांछन लगाया गया है कि हमने कुछ नहीं किया है। Sir, you must protect me.

**MR. CHAIRMAN:** You have given facts and the detailed reply can go to the hon. Member. (Interruptions).

**KUMARI SELJA:** Sir, the Rajiv Awas Yojana was launched on 2<sup>nd</sup> of June, 2011. Sir, the provisions in RAY regarding slums on the Central Government land are as follows. There are just two provisions. I will read it out quickly. First, available land is put to the best use by designing slum specific solutions and negotiating the best possible utilization of land; second, on land belonging to Cantonment Boards, Central Government Departments, PSUs, agencies concerned will work in cooperating with the State Governments... (Interruptions)... and will design similar solutions to unlock the land....(Interruptions).

**MR. CHAIRMAN:** Thank you. I am afraid you have to conclude.

**KUMARI SELJA:** Just last sentence, Sir. (Interruptions). Sir, a request has been made that .... (Interruptions).

**MR. CHAIRMAN:** Please. Let me go to the next supplementary.

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**KUMARI SELJA:** Sir, a Committee of Secretaries will look into the matter...(Interruptions)... and a note is being prepared... (Interruptions).

**श्री अवतार सिंह करीमपुरी :** सर, मैं आपके माध्यम से माननीय मंत्री जी से यह कहना चाहता हूँ कि वे पिछले सात सालों की बात न करके, सिर्फ 2004 ये लेकर आज तक इन्होंने सात सालों में क्या किसी स्लम्स में रहने वाले आदमी को घर बनाकर दिया है? आप इन सात सालों के बारे में बता दें। इन्होंने बताया है कि हमने डिफेंस और रेलवे मंत्रालय को लिखा है। कॉमनवैल्थ गेम्स में एक पुल गिर गया था, तो डिफेंस डिपार्टमेंट ने उसको रात में तैयार कर दिया था। मैं मंत्री जी से यह जानना चाहता हूँ कि अब ऐसी क्या कमी है कि डिफेंस और रेलवे मंत्रालय स्लम्स के लिए रेस्पॉन्स नहीं कर रहे हैं?

**कुमारी शैलजा :** सर, जो दूसरा भाग है, उसमें हमने कहा है कि डिफेंस और रेलवे दोनों ही ऐसे मंत्रालय हैं, जिन्होंने हमें रिस्पॉन्स दिया है। सर, इसके अलावा पिछले सात सालों का ब्यौरा भी माननीय सदस्य मांग रहे हैं। ... (व्यवधान).

**MR. CHAIRMAN:** No, there are other questions to be completed.

**कुमारी शैलजा :** पिछले सात सालों में .... (व्यवधान).. जवाहरलाल मिशन शुरू किया था। उसके तहत ... (व्यवधान)..

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Q. No. 403 (contd.)

**MR. CHAIRMAN:** I would have to disallow this. I am sorry. You have to answer the supplementary. (Interruptions).

**KUMARI SELJA:** Sir, just one sentence. (Interruptions).

**MR. CHAIRMAN:** No, no, please. There are other questions to be completed. Just answer the supplementary.

**KUMARI SELJA:** Sir, just one sentence. सर, अब तक हमने 15 लाख मकान एपूव किए हैं, जिनमें से पांच लाख मकान पूरे हो चुके हैं। ...(व्यवधान)..

**श्री अवतार सिंह करीमपुरी :** कहां पूरे हो चुके हैं? ...(व्यवधान)..

**कुमारी शैलजा :** मैंने पूरे देश में बताए हैं। ...(व्यवधान)..

**श्री अवतार सिंह करीमपुरी :** यह लैंड ...(व्यवधान).. मान्यवर, मेरा सवाल रेलवे और डिफेंस के बारे में है। ऑनरेबल मिनिस्टर साहब, रेलवे और डिफेंस की जमीन में जो झुग्गियां बनी हैं और आपने जो 15 लाख की संख्या दी है, उसमें आपने दो नाम बताए हैं कि हमने नेहरू जी और राजीव जी के नाम पर एक योजना शुरू की है, तो आप दो घरों के बारे भी तो बताओ? ...(व्यवधान)..

**MR. CHAIRMAN:** You have answered the question. Question No. 404. Hon. Member not present. Any supplementary?

(Ends)

(Followed by 1J)















**Q. No. 404**

**DR. E.M. SUDARSANA NATCHIAPPAN:** Sir, I would like to know whether the Government is having knowledge that most of the human trafficking takes place on fake passports and whether the Government has initiated any investigation in this regard to prevent such cases and to rehabilitate the girls who have already been taken, through the Dubai route, to various countries.

**SHRI P. CHIDAMBARAM:** Sir,...(Interruptions) Cases have been filed...(Interruptions)

**MR. CHAIRMAN:** Please don't do this...(Interruptions)

**SHRI P. CHIDAMBARAM:** They must also book these cases under the Immoral Traffic (Prevention) Act as well as under the relevant Section of the IPC...(Interruptions) ...so that prosecutions can begin...(Interruptions)

**MR. CHAIRMAN:** Now, the second supplementary, please...(Interruptions) Mr. Seelam, do you have a supplementary?(Interruptions)

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**SHRI JESUDASU SEELAM:** Sir, it is our right to put our supplementaries...(Interruptions)

**SHRI V. HANUMANTHA RAO:** Sir, why are they interrupting like this?(Interruptions)

**SHRI JESUDASU SEELAM:** Sir, I would like to know from the hon. Minister...(Interruptions) We want to tell the Opposition to allow the Question Hour...(Interruptions) This is not proper...(Interruptions) Sir, I want to know from the hon. Minister one thing...(Interruptions) What concrete measures have been taken administratively?(Interruptions) Sir, I would like to know the number of cases which have been detected...(Interruptions) The number of people who have been convicted...(Interruptions) Sir, I want to know from the hon. Minister what concrete measures have been taken...(Interruptions) Sir, we would request the Members from the Opposition to go back to their seats...(Interruptions)

**SHRI P. CHIDAMBARAM:** Sir, in 2003, out of 356 cases which were booked, in 83 cases, convictions were made ...(Interruptions) In 2010, out of 158 cases, in 47 cases, people were

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convicted...(Interruptions) In 2011, out of 215 cases reported, in 15 cases, convictions were made...(Interruptions) I agree with the hon. Member that the victims were mostly...(Interruptions) All these cases must be booked under the Immoral Traffic (Prevention) Act as well as under the relevant provisions of the IPC...(Interruptions) Only then convictions will be followed by strong punishment...(Interruptions)

(Followed by 1K)

1k/11.45/ks-akg

**MR. CHAIRMAN:** Mr. Shivanand Tiwari, do you have a supplementary? (Interruptions)

**श्री शिवानन्द तिवारी :** सर, मैं क्या पूछूँ? ... (व्यवधान) ... इतने शोर में मैं प्रश्न नहीं पूछ सकता। ... (व्यवधान) ...

**MR. CHAIRMAN:** So, I take it that there is no more supplementary on this question. Question No. 405. (Interruptions) Please, go back to



**Q. No. 404 (contd.)**

your places. (Interruptions) Please, go back to your places.

(Interruptions)

The House is adjourned till 12:00 hrs.

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**The House then adjourned at  
forty-six minutes past eleven of the clock.**

TDB-SCH/1L/12.00

**The House reassembled at twelve of the clock,  
MR. DEPUTY CHAIRMAN in the Chair.**

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**PAPERS LAID ON THE TABLE**

**SHRI MALLIKARJUN KHARGE:** Sir, I lay on the Table, under sub-section (5) of Section 38 of the Industrial Disputes Act, 1947, a copy (in English and Hindi) of the Ministry of Labour and Employment Notification No. S.O.1808 (E), dated 5<sup>th</sup> August, 2011, amending Notification S.O.2193, dated the 30<sup>th</sup> June, 1965.

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

- (a) Fifty-sixth Annual Report and Accounts of the All India Handloom Fabrics Marketing Co-operative Society Limited, NOIDA, for the year 2010-11, together with the Auditor's Report on the Accounts.

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

**KUMARI SELJA:** Sir, I lay on the Table—

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

- (a) Fifty-eighth Annual Report and Accounts of the Hindustan Prefab Limited (HPL), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

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

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

- (i) (a) Twenty-first Annual Report and Accounts of the Central Government Employees Welfare Housing Organization (CGEWHO), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.

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

- (ii) (a) Annual Report and Accounts of the Building Materials and Technology Promotion Council (BMTPC), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.

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

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**SHRI JITENDRA SINGH:** Sir, I lay on the Table, under sub-section (2) of Section 3 of the Registration of Foreigners Act, 1939, a copy (in English and Hindi) of the Ministry of Home Affairs (Foreigners Division) Notification No. G.S.R. 113 (E), dated the 25<sup>th</sup> February, 2011, publishing the Registration of Foreigners (Amendment) Rules, 2011.

**SHRI RAJEEV SHUKLA:** Sir, on behalf of Shri V. Narayanasamy, I lay on the Table, under sub-section (2) of Section 3 of the All India Services Act, 1951, a copy (in English and Hindi) of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) Notification No. G.S.R. 707 (E), dated the 21<sup>st</sup> September, 2011, publishing the All India Services (Leave) Amendment Rules, 2011.

**SHRI JYOTIRADITYA MADHAVRAO SCINDIA:** Sir, I lay on the Table—

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

(a) Thirty-fourth Annual Report and Accounts of the India Trade Promotion Organisation (ITPO), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

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

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

(i) (a) Annual Report and Accounts of the Chennai Environmental

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Management Company of Tanners (CEMCOT), Chennai, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Company.
- (ii) (a) Annual Report and Accounts of the Crew B.O.S. Academy, Haryana, for the year 2010-11, together with the Auditor's Report on the Accounts.  
  
(b) Review by Government on the working of the above Academy.
- (iii) (a) Annual Report and Accounts of the Asian Centre for Entrepreneurial Initiatives (ASCENT), Karnataka, for the year 2008-09, together with the Auditor's Report on the Accounts.  
  
(b) Review by Government on the working of the above Centre.  
  
(c) Statement giving reasons for the delay in laying the papers mentioned at (iii) (a) above.
- (iv) (a) Annual Report and Accounts of the Gramin Jan Kalyan Parishad, Muzaffarpur, Bihar, for the year 2010-11, together with the Auditor's Report on the Accounts.  
  
(b) Review by Government on the working of the above Parishad.
- (v) (a) Annual Report and Accounts of the Support to Artisan (Leather Art) Program, Harshal Gramin Vikas Bahu Sanstha, Chandrapur, Maharashtra, for the year 2010-11, together with the Auditor's Report on the Accounts.

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- (b) Review by Government on the working of the above Organisation.
- (vi) (a) Annual Report and Accounts of the Quality Council of India (QCI), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.  
(b) Statement by Government accepting the above Report.
- (vii) (a) Annual Report and Accounts of the Delhi Mumbai Industrial Corridor Development Corporation Limited (DMICDC), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.  
(b) Statement by Government accepting the above Report.
- (viii) (a) Annual Report of the Rubber Board, Kottayam, Kerala, for the year 2010-11.  
(b) Annual Accounts of the Rubber Board, Kottayam, Kerala, for the year 2010-11, and the Audit Report thereon.  
(c) Review by Government on the working of the above Board.
- (ix) (a) Sixth Annual Report and Accounts of the South Asia Rubber and Polymers Park (SARPOL), Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts.  
(b) Review by Government on the working of the above Park.
- (x) (a) Tenth Annual Report and Accounts of the Ambur Economic Development Organisation (AEDOL), Chennai, for the year 2010-11, together with the Auditor's Report on the Accounts.  
(b) Review by Government on the working of the above

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Organisation.

- (xi) (a) Annual Report and Accounts of the Baddi Infrastructure (B.I.), Solan, Himachal Pradesh, for the year 2010-11, together with the Auditor's Report on the Accounts.
  - (b) Review by Government on the working of the above Company.
- (xii) (a) Seventh Annual Report and Accounts of the Sar Infracon Private Ltd. (Surat International Exhibition and Convention Centre), Surat, Gujarat, for the year 2010-11, together with the Auditor's Report on the Accounts.
  - (b) Review by Government on the working of the above Company.
- (xiii) (a) Sixth Annual Report and Accounts of the Tiruchirappalli Engineering and Technology Cluster (TREAT), Trichy, Tamil Nadu, for the year 2010-11, together with the Auditor's Report on the Accounts.
  - (b) Review by Government on the working of the above Company.
- (xiv) (a) Annual Report and Accounts of the Central Pulp and Paper Research Institute (CPPRI), Saharanpur, Uttar Pradesh, for the year 2010-11, together with the Auditor's Report on the Accounts.
  - (b) Review by Government on the working of the above Institute.

**SHRI RAJEEV SHUKLA:** Sir, on behalf of Shrimati D. Purandeswari, I lay on the Table—

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I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Human Resource Development (Department of School Education and Literacy), under Section 23 of the Right of Children to Free and Compulsory Education Act, 2009:—

S.O. 623 (E), dated the 24<sup>th</sup> March, 2011, granting relaxation to the State of Orissa in respect of the minimum teacher qualification norms notified by the National Council for Teacher Education (NCTE) on 25<sup>th</sup> August, 2010.

S.O. 1352 (E), dated the 10<sup>th</sup> June, 2011, regarding minimum qualifications for a person to be eligible for appointment as a teacher in classes I to VIII in the State of West Bengal.

S.O. 1756 (E), dated the 29<sup>th</sup> July, 2011, regarding minimum qualifications for a person to be eligible for appointment as a teacher in classes I to VIII in the State of Manipur.

S.O. 2067 (E), dated the 12<sup>th</sup> September, 2011, regarding minimum qualifications for a person to be eligible for appointment as a teacher in classes I to VIII in the State of Assam.

II. A copy (in English and Hindi) of the Ministry of Human Resource Development (Department of School Education and Literacy) Notification No. F. 47-8/2011/NCTE/CDN, dated the 23<sup>rd</sup> September, 2011 regarding Nomination of Members of the four Regional Committees of National Council for Teacher Education, under Section 33 of the National Council for Teacher Education Act, 1993.

**SHRI M.M. PALLAM RAJU:** Sir, I lay on the Table—

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

- (i) (a) Annual Report and Accounts of the Goa Shipyard Limited (GSL), Goa, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.  
(b) Statement by Government accepting the above Report.
- (ii) (a) Annual Report and Accounts of the Mazagon Dock Limited (MDL), Mumbai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.  
(b) Statement by Government accepting the above Report.
- (iii) (a) Forty-seventh Annual Report and Accounts of the BEML Limited (formerly Bharat Earth Movers Limited), Bangalore, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.  
(b) Statement by Government accepting the above Report.
- (iv) (a) Thirty-seventh Annual Report and Accounts of the Mishra Dhatu Nigam Limited (MIDHANI), Hyderabad, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.  
(b) Statement by Government accepting the above Report.

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

- (a) Twenty-sixth Annual Report and Accounts of the



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Aeronautical Development Agency (ADA), Bangalore, for the year 2010-11, together with the Auditor's Report on the Accounts.

(b) Statement by Government accepting the above Report.

**SHRI SAUGATA RAY:** Sir, I lay on the Table—

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Urban Development (Metro Rail Cell), under the Metro Railway (Operation and Maintenance) Act, 2002:—

G.S.R. 271 (E), dated the 30<sup>th</sup> March, 2011, publishing the Bangalore Metro Railway (General) Rules, 2011.

G.S.R. 272 (E), dated the 30<sup>th</sup> March, 2011, publishing the Bangalore Metro Railway (Opening of Public Carriage for Passengers) Rules, 2011.

G.S.R. 401 (E), dated the 25<sup>th</sup> May, 2011, publishing the Bangalore Metro Railway (Procedure for Investigation of Misbehaviour or Incapacity of Claims Commissioner) Rules, 2011.

G.S.R. 402 (E), dated the 25<sup>th</sup> May, 2011, publishing the Bangalore Metro Railway (Carriage and Ticket) Rules, 2011.

G.S.R. 403 (E), dated the 25<sup>th</sup> May, 2011, publishing the Bangalore Metro Railway (Notice of Accidents and Inquiries) Rules, 2011.

G.S.R. 404 (E), dated the 25<sup>th</sup> May, 2011, publishing the Bangalore Metro Railway (Procedure for Claims) Rules, 2011.

II. A copy each (in English and Hindi) of the following papers, under Section 19 and sub-section (4) of Section 20 of the Delhi Urban

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Art Commission Act, 1973:—

- (a) Annual Report of the Delhi Urban Art Commission (DUAC), New Delhi, for the year 2010-11.
- (b) Annual Accounts of the Delhi Urban Art Commission (DUAC), New Delhi, for the year 2010-11, and the Audit Report thereon.
- (c) Review by Government on the working of the above Commission.

III. A copy each (in English and Hindi) of the following papers, under Section 26 of the National Capital Region Planning Board Act, 1985:—

- (a) Annual Report and Accounts of the National Capital Region Planning Board (NCRPB), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Board.

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

- (i) (a) Fourth Annual Report and Accounts of the Chennai Metro Rail Limited (CMRL), Chennai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Company.
- (ii) (a) Fifty-first Annual Report and Accounts of the National Buildings Construction Corporation Limited (NBCC), New

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Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

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

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

- (a) Annual Report and Accounts of the Rajghat Samadhi Committee (RSC), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Committee.

**SHRI R.P.N. SINGH:** Sir, I lay on the Table—

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under sub-section (3) of Section 642 of the Companies Act, 1956:—

G.S.R 618 (E), dated the 11<sup>th</sup> August, 2011, publishing the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2011.

G.S.R 716 (E), dated the 23<sup>rd</sup> September, 2011, publishing the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2011.

G.S.R 749 (E), dated the 5<sup>th</sup> October, 2011, publishing the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2011.

II. A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under Section 79 of the Limited

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Liability Partnership Act, 2008:—

- (1) G.S.R. 680 (E), dated the 14<sup>th</sup> September, 2011, publishing the Limited Liability Partnership (Second Amendment) Rules, 2011.
- (2) G.S.R. 796 (E), dated the 4<sup>th</sup> November, 2011, publishing the Limited Liability Partnership (Amendment) Rules, 2011.

III. A copy (in English and Hindi) of the Ministry of Corporate Affairs Notification No. L-3(2) Regln-Gen.(Amdt.)/2011/CCI, dated the 22<sup>nd</sup> November, 2011, publishing the Competition Commission of India (General) Amendment Regulations, 2011, under sub-section (3) of Section 63 of the Competition Act, 2002.

**डा. चरण दास महन्त:** महोदय, मैं निम्नलिखित पत्रों की एक-एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ:-

- (a) Annual Report and Accounts of the Indian Grape Processing Board (IGPB), New Delhi, for the year 2009-10, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of above Board.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (a) above.

**SHRI JITENDRA SINGH:** Sir, I lay on the Table—

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Home Affairs, under Section 15 of the National Investigation Agency Act, 2008:—

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S.O. 787 (E), dated the 26<sup>th</sup> April 2011, notifying the Special Court Central Bureau of Investigation Cases, Jaipur as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 788 (E), dated the 26<sup>th</sup> April, 2011, notifying the 3<sup>rd</sup> Senior most Court of Additional District and Sessions Judge, Lucknow as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 950 (E), dated the 29<sup>th</sup> April, 2011, notifying the Court of District and Sessions Judge Khurda at Bhuvaneshwar as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 951 (E), dated the 29<sup>th</sup> April, 2011, notifying the Court of the Senior most Additional District and Sessions Judge at Siliguri as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 952 (E), dated the 29<sup>th</sup> April, 2011, notifying the Court of the Chief Judge, City Sessions Court, Calcutta as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 953 (E), dated the 29<sup>th</sup> April, 2011, notifying the Court of the District and Sessions Judge at Port Blair as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 1142 (E), dated the 20<sup>th</sup> May, 2011, appointing Special public Prosecutor for National Capital Territory of Delhi, along with delay statement.

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S.O. 1454 (E), dated the 25<sup>th</sup> June, 2011, notifying the City Civil and Sessions Courts, Bombay as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 1455 (E), dated the 25<sup>th</sup> June, 2011, notifying the District and Sessions Court, Dehradun as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 1456 (E), dated the 25<sup>th</sup> June, 2011, notifying the Court of the Sessions Judge at North Goa as the Special Court for trial of Scheduled Offences, along with delay statement.

S.O. 1457 (E), dated the 25<sup>th</sup> June, 2011, notifying the Court of the Sessions Judge, Dadara and Nagar Haveli at Silvassa as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 1458 (E), dated the 25<sup>th</sup> June, 2011, notifying the Court of the Sessions Judge at Diu as The Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 1459 (E), dated the 25<sup>th</sup> June, 2011, notifying the Court of the Sessions Judge at Daman as the Special Court for the trial of Scheduled Offences, along with delay statement.

S.O. 1965 (E), dated the 25<sup>th</sup> August, 2011, appointing special Public Prosecutor, Public Prosecutor and Additional Public Prosecutor of Haryana State for conducting the cases instituted by the National Investigation Agency in the trial courts, along with delay statement.

S.O. 1966 (E), dated the 25<sup>th</sup> August, 2011, appointing Special Public Prosecutor and Public Prosecutor of

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Rajasthan State for conducting the cases instituted by the National Investigation Agency in the trial courts, along with delay statement.

S.O. 1967 (E), dated the 25<sup>th</sup> August, 2011, appointing Special Public Prosecutor of Gujarat State for conducting the cases instituted by the National Investigation Agency in the trial courts, along with delay statement.

S.O. 1968 (E), dated the 25<sup>th</sup> August, 2011, appointing Special Public Prosecutor of Andhra Pradesh State for conducting the cases instituted by the National Investigation Agency in the trial courts, along with delay statement.

S.O. 1969 (E), dated the 25<sup>th</sup> August, 2011, appointing Special Public Prosecutor of Maharashtra State for conducting the cases instituted by the National Investigation Agency in the trial courts, along with delay statement.

S.O. 1970 (E), dated the 25<sup>th</sup> August, 2011, appointing Special Public Prosecutor of West Bengal State for conducting the cases instituted by the National Investigation Agency in the trial courts, along with delay statement.

S.O. 1971 (E), dated the 25<sup>th</sup> August, 2011, appointing Special Public Prosecutor of National Capital Territory of Delhi for conducting the cases instituted by the National Investigation Agency in the trial courts, along with delay statement.

S.O. 2070 (E), dated the 12<sup>th</sup> September, 2011, regarding appointment of Senior Public Prosecutor and Public Prosecutor for conducting the cases instituted by the

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National Investigation Agency in the trial courts.

S.O. 2359 (E), dated the 13<sup>th</sup> October, 2011, regarding appointment of Special Public Prosecutor and Standing Counsel in Hon'ble High Court of Jammu & Kashmir.

S.O. 2531 (E), dated the 11<sup>th</sup> November, 2011, regarding appointment of Standing Counsel in High Courts for conducting cases instituted by the National Investigation Agency.

G.S.R. 815 (E), dated the 17<sup>th</sup> November, 2011, publishing the Ministry of Home Affairs, National Investigation Agency (Group C posts) Recruitment Amendment Rules, 2011.

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

—

(a) Thirty-fifth Annual Report and Accounts of the Rehabilitation Plantations Limited (RPL), Punalur, Kerala, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

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

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

(a) Forty-second Annual Report and Accounts of Repatriates Co-operative Finance and Development Bank Limited (REPCO), Chennai, for the year 2010-11, together with the Auditor's Report on the Accounts.



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

(Ends)

## **REPORTS OF THE COMMITTEE ON PAPERS LAID ON THE TABLE**

**SHRI K. B. SHANAPPA (KARNATAKA):** Sir, I present the following Reports (in English & Hindi) of the Committee on Papers Laid on the Table:—

- (i) One Hundred and Thirty-seventh Report regarding laying of the Annual Reports and Audited Accounts of Kerala State Agro Industries Corporation Limited; Sarva Shiksha Abhiyan, Kerala and Kidwai Memorial Institute of Oncology, Bangalore;
- (ii) One Hundred and Thirty-eighth Report regarding laying of the Annual Reports and Audited Accounts of Commissioner for Linguistic Minorities (CLM), Allahabad; National Commission for Women (NCW), New Delhi and National Institute of Siddha, Chennai; and
- (iii) One Hundred and Thirty-ninth Report regarding laying of the Annual Reports and Audited Accounts of National Projects Construction Corporation Limited (NPCC), New Delhi; All India Institute of Medical Sciences (AIIMS), New Delhi and University Grants Commission (UGC), New Delhi.

(Ends)

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**REPORT OF DEPARTMENT RELATED PARLIAMENTARY  
STANDING COMMITTEE ON COMMERCE**

**श्री शान्ता कुमार (हिमाचल प्रदेश):** महोदय, मैं कृषि और प्रसंस्कृत खाद्य उत्पादों के निर्यात संवर्धन के संबंध में विभाग संबंधित वाणिज्य संबंधी संसदीय स्थायी समिति का निन्यानवेवाँ प्रतिवेदन (अंग्रेजी तथा हिन्दी में) प्रस्तुत करता हूँ।

(Ends)

**REPORT OF THE DEPARTMENT RELATED PARLIAMENTARY  
STANDING COMMITTEE ON HUMAN RESOURCE DEVELOPMENT**

**DR. JANARDHAN WAGHMARE (MAHARASHTRA):** Sir, I present the Two Hundred and Fortieth Report (in English and Hindi) of the Department-related Parliamentary Standing Committee on Human Resource Development on 'The Protection of Children from Sexual Offences Bill, 2011'.

(Ends)

**EVIDENCE TENDERED BEFORE THE DEPARTMENT RELATED  
PARLIAMENTARY STANDING COMMITTEE ON  
HUMAN RESOURCE DEVELOPMENT**

**DR. JANARDHAN WAGHMARE (MAHARASHTRA):** Sir, I lay on the Table, a copy of the Evidence tendered before the Department-related Parliamentary Standing Committee on Human Resource

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Development on 'The Protection of Children from Sexual Offences Bill, 2011'.

(Ends)

**STATEMENTS OF THE COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND SCHEDULED TRIBES**

**SHRI LALHMING LIANA (MIZORAM):** Sir, I lay on the Table, a copy each (in English and Hindi) of the following Statements of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes:—

Final Action Taken by the Government on the recommendations/observations contained in Chapter-I of the Twentieth Report (Fourteenth Lok Sabha) — [Reservation for and employment of Scheduled Castes and Scheduled Tribes in All India Institute of Medical Sciences including reservation for Scheduled Castes and Scheduled Tribes in admission therein]; and

Final Action Taken by the Government on the recommendations/observations contained in Chapter-I of the Second Report (Fifteenth Lok Sabha) — Situation arising out of the employment secured on the basis of false caste certificates.

(Ends)

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**ACTION TAKEN STATEMENT OF THE DEPARTMENT RELATED  
PARLIAMENTARY STANDING COMMITTEE ON LABOUR**

**SHRI MOHD. ALI KHAN (ANDHRA PRADESH):** Sir, I lay on the Table, a copy each (in English and Hindi) of the statement showing further action taken by the Government on the recommendations/observations contained in Fifteenth Report (Fifteenth Lok Sabha) of the Department-related Parliamentary Standing Committee on Labour on the recommendations contained in Eleventh Report (Fifteenth Lok Sabha) on Demands for Grants for the year 2010-11 of the Ministry of Textiles.

(Ends)

**STATEMENT RE. IMPLEMENTATION OF NINETY-SEVENTH  
REPORT OF DEPARTMENT-RELATED PARLIAMENTARY  
STANDING COMMITTEE ON COMMERCE**

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND  
INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA):** Sir, I beg to make a statement regarding Status of implementation of recommendations contained in the Ninety-seventh Report of the Department-related Parliamentary Standing Committee on Commerce on Demands for Grants (2010-11) pertaining to the Department of Industrial Policy and Promotion.

(Ends)

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**STATEMENT RE. IMPLEMENTATION OF SIXTEENTH REPORT OF  
DEPARTMENT-RELATED PARLIAMENTARY STANDING  
COMMITTEE ON LABOUR.**

**THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES  
(SHRIMATI PANABAKA LAKSHMI):** Sir, I beg to make a statement regarding Status of implementation of recommendations contained in the Sixteenth Report of the Department-related Parliamentary Standing Committee on Labour on the 'Development of Jute Sector' of the Ministry of Textiles. (Ends)

**STATEMENT RE. IMPLEMENTATION OF NINTH, TENTH AND  
FOURTEENTH REPORTS OF DEPARTMENT-RELATED  
PARLIAMENTARY STANDING COMMITTEE ON ENERGY.**

**THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI K.  
C. VENUGOPAL):** Sir, I beg to make a statement regarding Status of implementation of recommendations contained in the Ninth Report on 'Funding of Power Projects, Tenth Report on ' Availability of Gas and Coal for Power Sector' and Fourteenth Report on 'Transmission and Distribution Systems and Networks' of the Department-related Parliamentary Standing Committee on Energy.

(Ends)

(Followed by 1m-cls)KLS/1M-12.05

**STATEMENT RE: UNITED NATIONS CLIMATE CHANGE  
CONFERENCE IN DURBAN**

**THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE  
MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI  
JAYANTHI NATARAJAN):** Hon. Sir, I rise to make a statement on the deliberations held in the United Nations climate change conference in Durban last week. The decisions taken in the Durban Conference have implications not only for the protection of global environment but also for sustainable growth in our country.

The climate change conference is held every year under the auspices of the United Nations Framework Convention on Climate Change and its Kyoto Protocol. The key aim of the Durban Conference, this year was to complete the ongoing work as per the Bali Road Map. At Bali in 2007, it had been decided that the implementation of the Convention will be enhanced by a series of steps on finance, technology, adaptation and mitigation. At the same

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time, it had been decided that the Parties to Kyoto Protocol will finalize their targets for second commitment period commencing from 2013.

The negotiations in the two tracks have been going on for the last four years. The Copenhagen Conference held in 2009 which had to finalize the targets for developed countries during the second commitment period failed to take the necessary decisions. The situation was partially retrieved at Cancun last year when some of the decisions relating to Bali Action Plan could be finalized and some Parties agreed to indicate their voluntary pledges for emission reduction. However, the decisions regarding the Kyoto Protocol could not be taken and all aspects of the Bali Action Plan were not fully implemented.

Durban Conference was held against this background. Operationalizing the Cancun agreements was one of its important tasks. This included work on the transparency arrangements for mitigation pledges and actions, setting up the Green Climate Fund, the Adaptation Committee, and the Climate Technology Centre and Networks. At the same time, it had to complete the unfinished work in respect of the Bali Action Plan and the Kyoto Protocol. It had also

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been agreed in Cancun that legal options will be explored in Durban to implement the relevant decisions in a legally appropriate form.

India has followed a clear, consistent and compassionate strategy to the climate change negotiations. Our stand in these matters has always been based on equity and the principle of common but differentiated responsibility. At Durban, we were also conscious of the fact that the term of the Ad-hoc Working Groups on Kyoto Protocol and Long Term Cooperative Action was coming to an end. We, therefore, considered it important that the decisions relating to the Kyoto Protocol and the Bali issues were concluded in Durban.

Against this background, I am happy to inform the House that the Durban conference has taken some important decisions in relation to these issues.

The Durban Conference has established the second commitment period for the developed countries that are Party to Kyoto Protocol. The targets have been decided through a decision in Durban. These targets will now be converted into actual emission limits in 2012 at the next session of the parties in Qatar. A time frame



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of 5 years till 2017 has been given to the Kyoto Protocol Parties for ratification of the targets and the emission limits.

This is a major achievement, considering the fact that this decision had been delayed by almost two years because of the insistence of main Kyoto Protocol Parties on a single and comprehensive legally binding treaty, to be negotiated first and made applicable to all parties of the Convention. Durban decisions have ensured that the only legally binding protocol under the Convention i.e., Kyoto Protocol will continue for another 5 years into its second commitment period till 2017.

Another major decision taken in Durban was to begin a process to negotiate on the future arrangements for enhanced actions under the Convention. This is intended to raise the ambition of all Parties towards the global goal of climate stabilization. The Durban Conference has decided to launch Durban Platform for conducting negotiations on the arrangements for a future protocol or a legal instrument or an agreed outcome with legal force, to be finalized no sooner than 2015 and to be implemented not later than 2020. The new arrangements will be designed under the existing Convention and will

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hence, be subject to the relevant principles and provisions of the Convention including the principles of equity and the CBDR.

A new ad-hoc working group has been set up to finalise the details. The arrangements will be negotiated in the light of assessment of progress made by parties in implementing their commitments and actions as per the Bali Action Plan and the Cancun agreements. 5<sup>th</sup> assessment report of the Inter-governmental Panel on Climate Change (IPCC), the outcomes of 2013-2015 review and the work of the subsidiary bodies will be the basis of making assessment of the nature of arrangements needed.

The issue of an appropriate legal form for the future arrangements by 2020 was a matter of intense debate at Durban. As per the decision on Durban Platform, three options for the legal form of final arrangements were envisaged, namely: a protocol, a legal instrument or legal outcome. Some parties led, in particular, by the EU pressed for a form of agreement that should be legally binding on all Parties.

India has always believed that legal form should follow the substance. A legally binding agreement, by itself, is no guarantee for

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increased ambition or its implementation. Some Kyoto Protocol Parties have recently made unilateral announcements to renounce their legal obligations under the Kyoto Protocol. This is a clear pointer to the fact that a legal form is useful only as long as the party is willing to abide by it. Moreover, India has always taken a stand that India cannot agree to a legally binding agreement for emissions reduction at this stage of our development. Our emissions are bound to grow as we have to ensure our social and economic development and fulfil the imperative of poverty eradication.

Some Parties led by the European Union wanted to delete the option relating to ‘legal outcome’ which was originally mooted by India., We successfully resisted this pressure and in turn suggested a similar expression ‘agreed outcome with legal force’ which found acceptance with all the Parties. The post 2020 arrangements, when finalized, may include some aspirational CoP decisions, binding CoP decisions, setting up of new institutions and bodies, and new protocols or other legal instruments as necessary to implement the decisions covering various issues with various degrees of binding-

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ness as per domestic or international provisions of law under the Convention.

I must clarify that this decision does not imply that India has to take binding commitments to reduce its emissions in absolute terms in 2020. India has already announced a domestic mitigation goal of reducing the emissions intensity of its output by 20-25% by 2020 in comparison with 2005 level. This goal is relative in nature and allows India's emissions to grow as the economy grows. Our National Action Plan on Climate Change is designed to meet this objective. Further steps to implement a strategy that will meet this domestic goal are being taken as part of implementation of the 12<sup>th</sup> Five Year Plan.

India ensured that the new arrangements in 2020 are established under the Convention. This will ensure that the principles and provisions of the Convention will continue to apply to the arrangements to be developed. India will negotiate the nature of agreed outcome strictly in accordance with the principle of equity and common but differentiated responsibility as provided under the Convention.

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Further, the Durban decision mandates that the ‘outcome’ has to be agreed by all parties before it is implemented through legal arrangements having force. The decision allows India the necessary flexibility over the choice of appropriate legal form to be decided in future. This choice will be guided by our national development imperatives and the principles of the Convention.

Sir, we are fully conscious of the immense responsibility that the Durban decisions have now placed on us. It is of paramount importance that the issue of equity is brought to the centre-stage of negotiations in future. With this objective in mind, India had proposed at Durban that the issues of equity, unilateral trade measures and technology related intellectual property rights should be included in the agenda of the conference of parties.

I am happy to inform that the importance of the issue of equity has been recognized and the Ad-hoc Working Group on Long term Cooperative Action (AWG LCA) has decided to organize a workshop on the matter next year. The deliberations of the workshop will inform the outcomes on relevant issues under the working group whose term has been extended till December 2012. The importance of the other

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two issues has also been noted by the CoP and the issues are now part of the discussion text that is under consideration of the AWG-LCA for decisions in Qatar next year.

CoP-17 also took an important decision of establishing the Green Climate Fund which will commence its operations immediately with an interim Secretariat and a Board. The Fund will help a large number of vulnerable countries in taking effective mitigation and adaptation actions. India played a facilitating role in ensuring that the Fund is established in Durban. Substantial progress was also made in relation to operationalizing the Adaptation Committee and the Climate Technology Centre and Networks.

Sir, India participated in the conference with an open mind and constructive spirit. Our primary objective was to protect India's long term interest in the climate change negotiations. In this matter, we have been guided by the political consensus that has been the hallmark of our national position on the issue of climate change ever since this matter became a global concern decades ago.

Next few years will be a period of intensive negotiations on the future arrangements. We will continue to pursue a vision of the future

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that is rooted in the Convention and its principles. I am confident that the house will continue to share this vision of the Government and support the future steps that will have to be taken. I remain willing to be guided and advised.

Thank you.

**MR. DEPUTY CHAIRMAN:** The clarifications on this statement will be taken up later on. It was discussed in the meeting that clarifications will be on some other time.

**SHRIMATI JAYANTHI NATARAJAN:** Any time.

**THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY):** Sir, I have only one point to make. If it is not possible to seek clarifications today, tomorrow immediately after the Question Hour Members can seek clarification. The text of the statement may be circulated to the hon. Members.

**MR. DEPUTY CHAIRMAN:** The text of the statement is very long. Members also need some time to study it. ...(Interruptions)... The text is being circulated now. ...(Interruptions)... Now the next item is the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2011

**The Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2011**

**THE MINISTER OF STATE IN THE MINISTRY OF OIL AND NATURAL GAS (SHRI R.P.N. SINGH):** Sir, I beg to move:

That the Bill further to amend the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, as passed by Lok Sabha, be taken into consideration.

The Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 provides for the acquisition of right of users in land for laying pipelines. However, the existing provisions do not provide sufficient deterrence to criminals. Sections 15 and 16 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 do not contain adequate provisions for the enforcement authorities to arrest or detain any person unless he is caught red-handed during pilferage or sabotage. Usually due to non-availability of witnesses in such cases, it is difficult to ensure



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conviction of the culprits in a timely manner. The Bill may be taken into consideration.

***The question was proposed.***

**SHRI RAJIV PRATAP RUDY (BIHAR):** Sir, I thank you very much for this opportunity to speak on this Bill. This is the original Act of 1962 which has been proposed to be amended now. The Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2010, has been passed by Lok Sabha and has been sent to us for consideration. Sir, we all know the network of crude oil is expanding across the country and not only across the country, we also have network traversing across different Continents as well. The requirement for energy is growing and as well the requirement of petroleum products is growing. At the same time, energy needs are there and requirement of gas is there. We are talking about meeting the needs of about 1.26 billion people. This is one of the most important aspects which has to be taken into account because petrol or fuel is treated as liquid gold. There is a natural tendency to pilfer it. Ever since the excavation or extraction of oil started, it is not only in

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India but across the world, pilferage has been a natural temptation of the people across the world. But now a different trend is also coming where there is an attempt by groups to sabotage it to pursue their own terror incidents or to pursue their own cases. There are places in the world where the pipelines have been destroyed to prove a point and there are groups who have been working to destroy those pipelines. In India also it becomes very important now and, therefore, this Bill has been brought to incorporate certain provisions of penal actions.

(Contd by 1N/SSS)

SSS/1N/12.10

**SHRI RAJIV PRATAP RUDY (CONTD.):** India comprises of about 16 per cent of the world's population, which means almost every sixth man walking on the globe is an Indian and we have to meet his requirement. India, of course, is having very small reserves of petroleum, which is only 0.6 per cent and only 10 per cent of coal reserves and it is very less. There is growing energy consumption across and we need to cater to that. We expect this to grow. The requirement and flow of pipelines and fuel in the pipelines will keep on

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growing and we expect it to be around 20-25 per cent higher in another 20 years than what we are today. I am really very sure about the actual extent of pipelines in this country. Some figures talk about 33,000 kms in length and some figures talk about 40,000 kms. I am sure the Minister would be able to exactly give us the details of the exact length of the oil pipelines, of the gas pipelines and other pipelines. I could not get the figures. I have been trying to locate the figures. I am sure the exact length of the pipelines in the country and the projected pipelines in the next couple of years, the projects which are on-going would be reflected because it was not reflected in the Objects and Reasons as to what is the extent of these pipelines. Sir, we all know that theft or pilferage is mostly related to oil pipelines because it is very difficult to extract gas or capture gas or take it out and make a separate use for that and the original lines, which we remember, was from Digboi to Barauni. It was one of the oldest lines in the country in 1960s. That was possibly the first experiment when you started with pipelines because it is the cheapest mode of transportation of crude oil. It is much cheaper than road transport or rail transport. It had an advantage, but, at the same time, there were

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other issues involved but that was the first. The gas pipeline which is Hazira-Bijapur-Jagdishpur gas line which is of course, a very long one, is about 3452 kms. In Gujarat alone, the ONGC has a gas pipeline of around 12000 kms which is extraordinary and today across the world the total length of pipelines which is used for transportation of gas is 20 lakh kms. It is in itself a big challenge for the world to protect all the gases flowing across. Now we are talking of gas pipelines which have to be protected not within the countries. The gas pipelines have to be protected across the nations. I do not know, the Minister would be able to tell us whether there are gas lines which are proposed in India, which were international. We found that certain gas lines had to go down to China. China could access those gas pipelines from Myanmar and further down to Iraq. That is another story which possibly the Minister may like to reflect if he thinks it is appropriate. But, these lines are being extended across boundaries and the ramifications are different. It is just not protecting at the international level but it is also protecting at the local level. Sir, throughout the world, the maximum -- as I said -- pipelines which are used caters for 71 per cent of oil supplies and the rail and road is

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approximately 3-4 per cent. We understand and we all appreciate in times to come that the numbers would be growing. In India, we have six major ports which are taking care of these pipelines. They are six on the Eastern Coast and another five on the Western Coast. There are small major ports which are taking care of this transportation of oil. Sir, the aspect which has been brought in here is about securing these pipelines and the very purpose of this Bill is to secure these pipelines. I will come back to certain more figures. When the pipelines are laid and initially it is the Government's prerogative to have pipelines being laid across the States and we made an Act where we said that we will acquire pipelines. Wherever the pipelines have to go and there is a right of way for the pipelines -- three metres on the right side and three metres on the left side -- we can lay a pipeline of about a metre deep in the ground. So, thousands and thousands of kilometres in length were taken over. But the Government did acquire it. It is a fact and at that time we did not have so much rights or activists who could have talked about these pipelines being laid across States and we never talked about it.

(Contd. by NBR/10)

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-SSS/NBR-DS/10/12.15.

**SHRI RAJIV PRATAP RUDY (CONTD.):** But, today, the challenge is that we have to maintain these pipelines. To maintain these pipelines, we have to secure these pipelines. And, to secure these pipelines, we need to have security. For security, we need the support of the State Governments, the Central Government agencies and also the people of that area. Now, it has become a biggest challenge. Of course, if a pipeline is damaged because of its age or pilferage or when people try to get into these, it becomes a major issue. And, Sir, there is also one aspect which was not considered, initially, when the pipelines were laid and that is the environmental issues. Now, fortunately, there are enough laws today and with the passing of the National Green Tribunal Bill we are able to access all that support which we could not get earlier.

Sir, there is another aspect. I do not know whether the hon. Minister would like to speak on this subject here. Today, we are spending huge amount of money for protecting these pipelines. To secure these, we have new surveillance devices. Equipments installed at pumping stations will tell you wherever pilferage takes

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place or you can make out when there is drop in pressure. But, what about those people who have given away their land 20 or 30 or 40 years ago? Had the consciousness across the country been as much as we have today when we have the Land Acquisition and other Bills, the things would have been different. Had the Government, at any point of time, involved the stakeholders -- stakeholders are those people who have given their land, even a small patch of land -- and if they were allowed to look after the pipelines crossing their land and if they were paid a small rental for looking after pipelines, possibly, this huge expenditure which the Government would incur now, or, the provisions which we are trying to bring in, would have been avoided. I do not know whether this is going to become a reality. Or, we will have to wait for some agitation to come back to this point that all those who have allowed their land to be used for laying down the pipelines 20 or 30 or 40 years ago could have a stake. I am not putting an idea. But, possibly, the amount of money which is being spent on surveillance and the stakeholders, वे किसान, जिनकी धरती से वह पाइप गयी है, अगर उनको किसी समय इसके साथ जोड़ दिया जाता, तो ये अरबों-खरबों रुपये उनकी सुरक्षा पर खर्च नहीं करने पड़ते।

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एक नया प्रावधान हम लोग यह लेकर आ रहे हैं कि यह सरकार इस प्रकार की चोरी पर नियंत्रण करेगी। सरकार यह कर सकती है, क्योंकि आपकी सरकार बहुत तरह के काम करना चाहती है। आप खाद्य सुरक्षा अधिनियम लाना चाहते हैं। मैं यह नहीं जानता कि आपकी नेता इस बात को सुन रही होंगी या नहीं, लेकिन अगर वे सुन लेंगी, तो शायद इस प्रस्ताव पर भी काम किया जा सकता है। यह एक सुझाव है, मैं समझता हूँ कि यह कठिन होगा, लेकिन इस सुझाव पर विचार करना अच्छा होगा और भविष्य में अगर किसी प्रकार की जमीन अधिग्रहित की जाती है, चाहे वह जमीन किसान की हो या किसी भी व्यक्ति की हो, तो मुझे लगता है कि उसे स्टेकहोल्डर बना लेने में ज्यादा सुरक्षा की सम्भावना है। यह एक नया विचार है और यह नया विचार इस विषय को लेकर है, लेकिन अगर आप इस पर विचार करेंगे, तो शायद यह बेहतर होगा।

महोदय, इस बिल में कई सारे प्रावधान लाये गये हैं। अब आपने इसमें एक नया प्रावधान यह जोड़ा है कि अगर आपके खेत से पाइपलाइन जा रही है और उस पाइपलाइन के बाहर 'ऑयल इंडिया लिमिटेड' की एक छोटी-सी नेम प्लेट लगी है। अगर गाँव का एक बच्चा खेलते हुए उस नेम प्लेट को उखाड़ लेता है और उसको ले जाकर कहीं फेंक देता है, तो इसमें आपने जो यह अधिकार दिया है कि उसे छः महीने तक के लिए जेल भेज दिया जाएगा, तो मुझे यह लगता है कि it is not required for signage. जैसे, एक किसान के खेत में बोर्ड लगा हुआ है और अगर किसी बच्चे ने या किसी ट्रैक्टर ने उसे गिरा दिया, तो कल



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आपका अधिकारी वहाँ जाएगा, क्योंकि आप इस बिल के माध्यम से एक ऐसा प्रावधान दे रहे हैं कि the Central Government officials would have the right of policing. And, once you give them the right of policing, वह कहेगा कि तुम्हारे बेटे ने इस लैम्प पोस्ट के बगल में लगा हुआ नक्शा उखाड़ दिया है। As Mr. Ravi Shankar Prasad has said that it is policing over a private land. उसमें पनिशमेंट यह है कि उसके लिए छः महीने की सज़ा होगी और कुछ फाइन किया जाएगा। यह अपने आप में ऐसा लग रहा है जैसा अभी अहलुवालिया साहब कह रहे हैं कि दो भैंस आपस में लड़ जाएँ और वह अगर गिर जाए, तो आप कहेंगे कि आपका सिपाही वहाँ जाकर कार्रवाई करेगा। यह जो अन्ना हज़ारे का अभियान है, यह ऐसे ही कर्मचारियों को लेकर है। आप इसमें ऐसे प्रावधान देकर वैसे चतुर्थवर्गीय कर्मचारियों को अधिकार दे रहे हैं जो हर दिन पाँच सौ या सात सौ रुपया वसूलता रहेगा, इसलिए इस क्लॉज़ को तो बिल्कुल ही डिलीट कर दीजिए, क्योंकि इसका कोई महत्व नहीं है। पता नहीं आपके अधिकारियों ने क्या समझाया है, लेकिन मुझे समझ में नहीं आता है कि इस क्लॉज़ को इसमें रखने की आवश्यकता है या नहीं कि अगर कहीं बोर्ड पर कोई नाम लिखा हुआ है और अगर वह बोर्ड गिर गया, तो उसको आप जेल भेज देंगे, तो इस पर आपको थोड़ा ध्यान देना चाहिए।

(1पी/एचएमएस पर क्रमशः)

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**श्री राजीव प्रताप रूडी (क्रमागत) :** अब इस में दिया है कि trenches खोदे जाएंगे। भला किसान को जिसे आप ने एक बार trench खोद कर दे दिया तो दूसरा trench खोदने का क्या उद्देश्य है? इसलिए मुझे लगता है कि इस प्रावधान पर विचार करते हुए आप इसे विलोपित कर दें तो बेहतर होगा। फिर जो आप करेंगे, वह उचित ही होगा। The other provision which has been made is very important; this is about damage to pipelines.

**AN HON. MEMBER:** What is the meaning of mentioning Anna Hazare here?... (व्यवधान)..

**श्री राजीव प्रताप रूडी :** मैंने कहा कि ऐसे ही नियमों के कारण चतुर्थ वर्ग कर्मचारियों के विषय उठते हैं और जब सरकार गलती करती है तो लोग कहने लगते हैं कि यह बेईमानी हो रही है। इसलिए आप ऐसे नियम न बनाएं जिस से ऐसे अधिकारी बाजार में घूमें जिस के लिए फिर लोग एक बड़ा कार्यक्रम चलाएं। My idea is to get rid of all these provisions. This is sub-clause 15 (1). I am sure you will understand that and consider it.

Now I come to damaged pipelines. सर, यह दो प्रकार का है। एक तो बीस वर्षों में उस पाइप लाइन को बदलना है। आप ने बीस वर्षों तक उस पाइप लाइन को बदला नहीं और अचानक उस में से तेल का रिसाव होने लगा। तो आप क्या समझते हैं कि गांव का लड़का वहां अपनी बाल्टी लेकर नहीं पहुंचेगा? वह निश्चित रूप से पहुंचेगा क्योंकि उसे लगेगा कि इस में तेल है। सर, जब वह

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बाजार में पेट्रोल पम्प पर जाता है और उसे पता चलता है कि उसे वह खरीदने के लिए 40-50 रुपया देना पड़ेगा। तो अगर कहीं से रिसाव हो रहा हो तो वह अपनी बाल्टी या डिब्बा लेकर जाएगा और तेल जमा कर लेगा। अब उस ने तेल जमा कर लिया और उसे घर ले गया तो the onus of the proof lies on the person--उसे यह प्रूव करना पड़ेगा कि वह मेरा है, जैसा कि रेप केस व और लॉज में आप ने प्रोवीजन किया है, The onus to prove is on the accused. I think this is a bad provision. In this case, seepage has taken place because of a damaged pipeline. It is the responsibility of the petroleum company. If a pipeline is damaged, then, how will you define this? किसान को पता लगेगा कि यहां से तेल निकल रहा है और वह कीमती है तो उस ने उसे ड्रम में भर लिया। इसलिए इस बात पर भी ध्यान दिया जाए कि आप की liability क्या है? Who will certify that the pipeline was damaged, which caused this seepage and that seepage has been collected by an individual? और आप ने कहा है कि ऐसे व्यक्तियों को दस साल की सजा होगी और वह non bailable होगी। मंत्री महोदय भी किसान दिखते हैं और बीच-बीच में किसान जैसी बात करते हैं, आप कभी खेत में पाइप लाइन के बगल में जाकर खड़े होइएगा तो शायद यह विषय आप को बेहतर समझ में आएगा। इसलिए मेरा आग्रह है कि इस पर भी विचार किया जाए कि ऑइल कंपनी के जो लोग उसे पम्प कर रहे हैं, उन की क्या liability है? Who

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will certify that the product which leaked out was lost because of the poor maintenance on the part of the company, as far as the pipeline is concerned? जहां तक आप यह प्रमाणित कर सकें कि someone has pilfered it, किसी ने उस में छेदकर उस में से निकाला है। वह सही है, But, who will prove that? This investigation is being left to the person who is going to be certified by the Central Government.

सर, यह कानून अपने आप में बड़ा खतरनाक है।

सर, उस के बाद तीसरा प्रावधान sabotage के बारे में है। अगर कोई उस में बम लगाकर उड़ा देता है और उस से death/injury होती है, It is a very good provision. If it is a proven sabotage, someone comes to the pipeline and places a bomb, then, the punishment which has been suggested here सर, इस में कंडिका 15(3) में प्रावधान किया गया है कि अगर कोई व्यक्ति बम लगाकर sabotage करता है तो उस को death sentence भी दिया जा सकेगा। यह बहुत अच्छी बात है कि सरकार ने ऐसी मंशा जाहिर की है कि पाइप लाइन में बम लगाइए, उस पर कब्जा कीजिए, उसे तोड़िए तो मौत की सजा दी जाएगी। यह सरकार की मंशा होगी। आप अच्छा काम करेंगे, लेकिन अगर सरकार की यह मंशा है तो इस भावना को और भी जगह प्रचारित करना चाहिए। उदाहरण के तौर पर पार्लियामेंट पर अटैक हुआ, उसे पूरी दुनिया ने देखा। यह हम सब को प्रभावित कर सकता था और हम सब लोगों की हत्या हो

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सकती थी। सर, निचली अदालत ने उस में फांसी की सज़ा सुना दी। मामला उच्चतम न्यायालय तक गया, वहां भी फांसी की सज़ा सुनायी गयी, लेकिन आज तक वैसे व्यक्ति को ...(व्यवधान).. मैं कह रहा हूं कि आप ने प्रावधान किया है। मेरा यह आग्रह है कि अगर सरकार की मंशा सही हो तो यह बहुत अच्छा प्रावधान है, लेकिन सरकार अपने निर्णय और मंशा को लागू भी करे! यह देश और राष्ट्रीय सुरक्षा के हित में होगा और हम आप से मांग करते हैं कि आप उस मंशा को प्रकट करें।

(1 क्यू/केएलजी पर क्रमश)

-PK/PB-KLG/1q/12.25

**SHRI RAJIV PRATAP RUDY (CONTD.):** Mr. Minister, I was recently delivering a lecture in the National Police Academy and I had to prepare for that. But the sabotage which you are talking about is different. I was going through the documents and I realized कि इस देश में वर्ष 2001 में जो लोग आतंकवादी घटनाओं में मारे जाते थे, the number of people -- the paramilitary forces, the civilians, the terrorists -- who were killed in 2001 were about 4000 people. This was in 2001. The number of *Naxals* killed during that period of time was around 300 to 400. निश्चित रूप से आपकी सरकार ने, हमारी सरकार ने आतंकवाद पर काम किया है, आज 2011 में आतंकवादी घटनाओं में मारे जाने वाले लोगों की संख्या लगभग चार सौ, पांच सौ तक आ गई है, जिसमें पैरामिलिटरी फोर्सस,

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सिविलियन्स एंड अदर्स, और नक्सली घटनाओं में मरने वालों की संख्या लगभग तीन हजार हो गई है। अब आप देखिए, दस वर्षों में इस देश में कितना बड़ा फर्क आया है? एक तरफ आतंकवादी घटनाओं की संख्या में कमी हुई है, तो दूसरी तरफ नक्सली घटनाओं की संख्या में बढ़ौतरी हो रही है। आज देश भर में जहां भी आपकी जितनी पाइपलाइन्स हैं, उनमें अधिकांश इलाके ऐसे हैं, या हो सकते हैं और भविष्य में भी हो सकते हैं, वे नक्सल प्रभावित क्षेत्र हैं। सरकार की जो नीतियां हैं, सभी राज्य सरकारों की नीतियां हैं, जिस प्रकार से हमने इन 60 वर्षों में देश को चलाया है, जिस प्रकार से देश के सामने गरीबी है, महंगाई है, और भी विषय हैं, लेकिन आने वाले दिनों में आपके सामने नक्सलियों से चुनौती है, क्योंकि नक्सली इसको टारगेट करेंगे, जिसके कारण बहुत हैं। इसलिए मुझे लगता है और मैं यह कह रहा हूँ कि नक्सलियों से वह किसान बेहतर लड़ेगा, न कि अपना सिपाही, अगर आप उसको उसमें हिस्सेदारी दीजिएगा। अगर उसको हिस्सेदारी नहीं दीजिएगा, तो नक्सली उसको बैठकर समझाएगा कि साहब, देखो, इसमें अरबों-खरबों का तेल जा रहा है, तुम्हारे खेत से जा रहा है, फलों इतने पैसे कमा रहा है। You have to make these people stakeholders in protecting that pipeline. If you don't start thinking on these lines, time would come when you would find it very difficult to control it.

Sir, the only comparison which I found across the world, which is not exactly like India but is comparable to India, is Nigeria. आज

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दुनिया में दसवें स्थान पर अगर कोई देश ऑयल एक्सट्रेक्ट करता है, the tenth position in the world is of Nigeria. Nigeria, which is a major supplier to the United States of America, is in top 10. There are millions of communities, around 16,000 communities, who come together in the regions where these pipelines have been there. It is mostly in the Niger-Delta which has approximately 5000 oil wells, 7000 kilometres of pipeline, 10 export terminals; and they had similar problems. Now, a scientific assessment was made for rupturing and other problems. How oil is stolen was assessed in Nigeria; and I can tell you that it is very interesting. If we compare the Indian system to Nigeria, almost everything can be replicated. There are four ways of stealing oil or fuel from the pipeline. One is oil bunkering. Now, in oil bunkering, when these pipelines are laid next to the coast, what they do is, in the creeks, they excavate a portion, open the pipeline, put a pipe, place a barge in the sea and when the company starts pumping it, the barge is filled and the barge sails it out to the sea. That is one of the ways. That is called bunkering. The other way is, making drills in the pipelines and then extracting it; they scoop it and take it to the drums and carry it. That is another way of doing it. And the third way

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in which it is done, which is not happening in India, is that there are terrorist organizations in Nigeria who are capturing pipelines, who are capturing installations; and there is a group called 'MEND' which is a terror outfit. This has not happened in India; will not happen in India; we will not want it to happen; but if we do not address many of these issues, things would become like that.

Sir, I have got very interesting figures. Possibly, you must also be having that. In India alone, the theft and the loss through theft, every year, as reported by Indian Oil Corporation and ONGC, is Rs. 1,000 crores; and this is a figure which the Economic Survey has given. Even in China, the most interesting aspect is -- I may be wrong but I have picked up this figure; I may be wrong -- that one per cent is the loss. This is what has been given to me. You may correct it. Even in China, Sir, the oil theft, between 2002 and 2006, was Rs. 3,500 crores.

(Contd. by 1r/SKC)

1r/12.30/skc-nb

**SHRI RAJIV PRATAP RUDY (contd.):** And today, China has to go in for a big legislation to defend that. In Nigeria, the pilferage and



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stealing of oil is worth about five lakh crores of rupees. Then, Sir, another country which is very badly affected by it is Pakistan. Now, this is something very interesting. The largest theft of gas in the world takes place in Pakistan where theft of about ten lakh crore rupees worth of gas and nine-and-a-half lakh crore rupees worth of oil is pilfered. Now, one really does not know. Pakistan has come out with a very tough legislation recently trying to fix up this problem because that money is going into something else. I am sure the Government would be able to say where the money which is going out of the system is being used. So, the country where one of the largest amounts of oil pilferage takes place in this part of the world is Pakistan. Now, where is that money going? Where this money is being used is a question that, I am sure, the Home Ministry and other officials would be able to answer.

आपका यह जो बिल है, इसमें जो प्रावधान हैं, इनसे हम बहुत हद तक सहमत हैं, लेकिन कुछ विषय हैं, जिनके बारे में हम कहना चाहेंगे। Now, it may not be very relevant today, but wherever the pipelines are now going to be laid, you are going to have problems, whether it is in the private sector or in the public sector. For example, environmental

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issues are coming up. आजकल पर्यावरण के बारे में ऐसे बहुत महत्वपूर्ण विषय आ रहे हैं, जो पूरी दुनिया को प्रभावित कर रहे हैं। रूस में ट्रांस-साइबेरिया में एक पाइपलाइन आ रही थी, लेकिन वहां के लोगों ने इसका विरोध किया, क्योंकि वहां एक किस्म का तेंदुआ पाया जाता है, उसे बचाने के लिए इस पाइपलाइन का विरोध हुआ और करीब 6-7 हजार किलोमीटर की पाइपलाइन का क्षेत्र बदल दिया गया, क्योंकि उस तेंदुए को बचाना था। Now this is the consciousness. अभी कुछ दिनों पहले White House का घेराव हुआ। कनाडा से USA में एक पाइपलाइन आनी थी। अभी तक President Obama ने यह तय नहीं किया है कि इसके बारे में क्या करें, क्योंकि अगले साल चुनाव है और चुनाव से पहले चाहे कहीं की भी सरकार हो, वह संकट में होती है। यहां तो कुछ सरकारें उससे पहले ही संकट में होती हैं, लेकिन वह अलग बात है। They have protested and this pipeline that comes from Canada to US has been stopped. This pipeline belongs to a company called Keystone. (Time-bell) उनकी जो Keystone Company है, उन्होंने कहा कि रेत से तेल निकालने पर carbon emission होगा, so we cannot allow it. So, we are becoming conscious about environmental issues. This Bill does not deal with environmental issues. Here, I must thank all the Members of Parliament, all the environmentalists in this country, and all those people who talk about things green. There is the National Green

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Tribunal. आज देश में बहुत से लोगों को जानकारी नहीं है और आप सभी लोगों को भी पता होना चाहिए कि देश में कहीं भी, किसी भी व्यक्ति को या किसान को पर्यावरण से संबंधित किसी प्रकार का नुकसान हो, चाहे वह वित्तीय नुकसान हो या सामाजिक नुकसान हो, कुछ भी नुकसान हो, तो आप तुरंत जाकर National Green Tribunal में अपील कर सकते हैं और आपको तुरंत कंपनसेशन मिलेगा। Unfortunately or fortunately, the Bench has started working only in Delhi. It is supposed to be set up in Chennai and other places. अब हमें किसानों को बताना होगा कि अगर आपके खेत में एक लीटर तेल भी गिरता है, तो आप अपना petition लेकर जाइए और सरकार से कहिए कि वह इसकी भरपाई करे। (Time-bell) I am speaking because ...(Interruptions)... Sir, the Government had passed the Bill bringing in the National Green Tribunal.

**MR. DEPUTY CHAIRMAN:** Please, conclude, Mr. Rudy.

**श्री राजीव प्रताप रूडी :** हमें देश के सभी किसानों को बताना होगा कि जहां भी इस प्रकार की घटना हो, जो भी नुकसान हो, आप पिटीशन लेकर आइए, हमारे पर्यावरण मंत्रालय में एक ज्वाइंट सेक्रेटरी बैठते हैं, आप उनके पास पिटीशन लेकर आइए। इस तरह सरकार प्रयास तो कर रही है, लेकिन लोगों को जानकारी नहीं है।

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उपसभापति जी, पर्यावरण को किसी भी प्रकार का नुकसान न हो, इसके लिए हम सभी लोगों को मिलकर कोशिश करनी चाहिए और खासकर सरकार को इस बारे में संवेदना रखनी चाहिए। जो विषय मैंने आपके सामने रखा है, वह बड़ा नीरस विषय था, लेकिन किसी प्रकार से तैयारी करके, कुछ ज्ञान अर्जित करके, मैंने इसे सरस बनाने की कोशिश की है। धन्यवाद।

(समाप्त)

(1S/MP पर क्रमशः)

MP-HK/1S/12.35

**श्री बीरेन्द्र सिंह (हरियाणा)** : उपसभापति महोदय, मैं Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2011, जो लोक सभा ने पास किया ...(व्यवधान)...

**श्री रवि शंकर प्रसाद** : सर, हमारी संसद में जब बहस होती है, तो बहुत अच्छी होती है, यह बात ज़रा बाहर के लोगों को भी समझने की ज़रूरत है।

**श्री उपसभापति** : इसीलिए आप बहस ज्यादा होने दीजिए।

**श्री रवि शंकर प्रसाद** : यहां केवल हल्ला-गुल्ला नहीं होता है।

**श्री उपसभापति** : हल्ला-गुल्ला कम कीजिए, बहस ज्यादा कीजिए।

**श्री रवि शंकर प्रसाद** : अच्छे भाषण को भी दिखाया जाएगा, ऐसी मैं उम्मीद करता हूं।

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**श्री उपसभापति :** यह सारे देश में दिखाया जा रहा है और दुनिया में भी लोग इसे देख रहे हैं। ... (व्यवधान)... वे बोल रहे हैं, प्लीज़।

**श्री बीरेन्द्र सिंह :** उपसभापति जी, मैं इस बिल के समर्थन में और जो इसमें प्रावधान किए गए हैं, उनके बारे में बोलना चाहूंगा। सबसे पहली बात तो यह कि कंपनियों ने या पेट्रोलियम मिनिस्ट्री ने उन पाइपलाइनों को डालने के लिए जो भी acquisition rights लिए थे, उनमें जो प्रावधान था, उसको अगर थोड़ा अपने नज़रिए से हटकर देखें तो आज जितनी भी मोबाइल कंपनियां हैं, जिन्होंने अपने tower लगाए हुए हैं, वे सब के सब tower किसानों के खेतों में... अभी माननीय सदस्य ने कहा कि 33,000 किलोमीटर है या उससे ज्यादा है, इतने आंकड़ों का तो नहीं, लेकिन मुझे इतना ज़रूर पता है कि जब देश आज़ाद हुआ, तब इस देश में 1,40,000 व्हीकल्स थे, जिसमें बसें भी थीं, ट्रक भी थे, लोगों की अपनी गाड़ियां और टू-व्हीलर्स भी थे, लेकिन अब इनकी संख्या करोड़ों में है। महोदय, पहले केवल petrol-driven गाड़ियां होती थीं, आहिस्ता-आहिस्ता समय बदला और डीज़ल एक महत्वपूर्ण fuel बना। उससे 33,000 किलोमीटर जो पाइपलाइन डाली गई, तो मेरे कहने का अभिप्राय यह है कि इसमें ज्यादा नहीं तो 70 प्रतिशत ऐसी भूमि होगी, जो किसान की land owning होगी, जिसका मालिक वह खुद होगा। रूडी जी यह बात कहना भूल गए कि किसान का उसमें अपना क्या स्वार्थ हो सकता है? मैं यह चाहता हूँ कि अगर पेट्रोलियम की policing के लिए दो-दो या तीन-तीन किलोमीटर की बीट में आप एक क्लास-

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फोर की नियुक्ति करना चाहते हैं, तो उससे कोई ज्यादा लाभ नहीं होगा। जिस किसान के खेत से जितनी length में वे पाइपलाइनें गुजरती हैं, उनको आप रॉयल्टी के नाम से या rent के नाम से ...(व्यवधान).. यह हमने किया है। रूडी जी, आपको शायद पता नहीं, हमने यह किया है। आप तो किसान की बात कहकर हमारे मंत्री जी को यह कहने की कोशिश करते हैं कि शायद आप भी कुछ-कुछ किसान लगते हैं, लेकिन मुझे उधर बैठा हुआ कोई भी किसान नहीं लगता। आप मेहरबानी करें। आपकी अपनी जो सोच है, यह ठीक है कि You are the champion of traders, but you cannot be the champion of *kisans*. I know that. And, that is the thesis of your party. तो मेरे कहने का अभिप्राय यह है कि अगर इसका सारा सर्वे कराकर किसान को उसके महीने का, जैसे मैंने कहा कि जो transmission towers लगे हुए हैं, उनमें वे कंपनियां किसानों को हर महीने या साल में उनका किराया देती हैं और वे खुद maintain करते हैं। उसकी technical faults को कंपनी देखती है, लेकिन उसका रख-रखाव, उसकी सुरक्षा सब उस किसान के हाथ में होती है, इसलिए कोई भी आपको ऐसा example नहीं मिलेगा, जिसमें किसी tower को किसी आतंकवादी या किसी नक्सलाइट ने डैमेज किया हो, तो यह एक सोच है। ...(व्यवधान)...

**श्री राजनीति प्रसाद :** डैमेज किया है, कई जगह किया है।

(1T/SC पर आगे)

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**श्री बीरेन्द्र सिंह :** जहां उसको सुरक्षित स्थान पर नहीं रखा जाएगा, वहां डैमेज होना अलग बात है। मेरा जो प्रपोजल है, वह यह है कि अगर आप किसान को yearly कोई रेंट देकर उन पाइप लाइन्स की सुरक्षा कराएंगे तो आप इन कम्पनियों का बहुत सा पैसा बचाएंगे। दूसरी ओर, जो किसान अपने खेत से कुछ पैदा करता है, उसको जब कुछ additional income होगी, तो वह उन्हें ज्यादा सुरक्षित रख सकेगा। दूसरा, मंत्री जी ने लोक सभा में इस बात का खुलासा नहीं किया, उसके संबंध में मैं यह कहना चाहूंगा कि सेक्शन 15 और 16 में आपने अमेंडमेंट्स किए हैं और कहा है कि deterrent होगा, क्योंकि इसमें सजा बढ़ा दी गयी है। महोदय, जिसको चोरी करनी है या जिसको कत्ल करना है, वह यह नहीं देखता कि मुझे 6 महीने की सजा मिलेगी या उम्र कैद होगी। मेरे विचार से deterrent कुछ नहीं होता। सर, कुछ ऐसे सुझाव हैं जो मैं आपके समक्ष रखना चाहूंगा। जैसे रूडी जी ने कहा कि जो पाइप लाइन्स हैं, वे किस तरह फटी, किस तरह टूटी या किस तरह लीक हुईं। मेरा यह कहना है कि जो भी पाइप लाइन है, उसकी specification का रिव्यू होना ज्यादा जरूरी है क्योंकि कई बार जिस specification की पाइप आपने दस साल पहले या पांच साल पहले बिछाई है, हो सकता है कि जो लिक्विड आप उसमें दे रहे हैं वह उससे ज्यादा कैपेसिटी का हो या उसकी velocity ज्यादा हो। ऐसे में वह पाइपलाइन उसको bear नहीं कर सकती। इसलिए उसको रिव्यू करने का प्रावधान करना भी आवश्यक है। उससे आप अपनी पाइपलाइन को ensure कर सकेंगे और उसमें डैमेज होने की भी जो

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बात है, उसकी संभावना भी कम रहेगी। तीसरी बात मैं, जो अंडरग्राउंड पाइप है, उसकी मेंटेनेंस का जो प्रावधान है, उसकी व्याख्या के बारे में कहना चाहता हूँ। जब आप किसी को सजा देते हैं, जब आप कहते हैं कि हमने किसी को चुराते पकड़ लिया या ऑलरेडी कोई लीकेज थी, उसमें से किसी ने कुछ लिक्विड ले लिया और उसको इस बात की सजा मिलेगी कि उसने उस लिक्विड को चुराया है। मैं यह कहता हूँ कि उसकी मेंटेनेंस अगर समय पर नहीं हुई तो उसका जिम्मेदार कौन है? उसकी जिम्मेदार वह कम्पनी है न कि वह आदमी, जिसके खेत में वह रिसाव हुआ है या वह आदमी, जिसने उस रिसाव का फायदा उठाने की कोशिश की है। जो pilferage और spill की बात है, जहां off-shore pipeline है, उस off-shore pipeline पर भी यह देखना पड़ेगा कि जो फिशरमेन हैं, जब वे फिशिंग के लिए जाते हैं तब हो सकता है कि उनके नेट से या उनकी मूवमेंट से कोई पाइपलाइन डैमेज हो जाए। ऐसे में तो उनको भी यह सजा मिलेगी। लेकिन अगर हम इसकी व्याख्या करें कि क्या उनको पता है कि वहां पाइपलाइन है? क्या उनको पता है कि वह पाइपलाइन कितनी गहराई के नीचे है? इसलिए इस प्रावधान को भी हमें देखा होगा कि जो off-shore pipeline है, उसे डैमेज करने की कैपेसिटी सिर्फ उन लोगों को हो सकती है, जिसकी व्याख्या नाइजीरिया का हवाला देकर की गयी है। वह उस systematic तरीके से तो हो सकता है और उन्हीं लोगों को आप apprehend भी कर सकते हैं, उनको सजा भी दे सकते हैं, लेकिन किसी फिशरमैन की वजह से, उसके vessels की



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वजह से अगर कोई डेमेज होता है, तो मैं नहीं समझता कि उसमें यह प्रावधान होना चाहिए। इसके अतिरिक्त हमें यह भी देखना पड़ेगा कि इस किस्म का ऑफेंस cognizable offence होना चाहिए या non-cognizable offence होना चाहिए, bailable होना चाहिए या non-bailable होना चाहिए। मैंने यह देखा है कि जिस आदमी को आप depute करते हो, अगर वह किसी को किसी भी कारण से implicate करना चाहता है...।

(1यू-एमसीएम पर क्रमशः)

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**श्री बीरेन्द्र सिंह (क्रमागत)** : किसी भी कारण से तो उसके लिए बड़ा आसान है यह ढूंढना कि यह नॉन बेलेबल ऑफेंस है और इस आदमी को मैं बिना किसी ज्यादा तवोज्जह के अगर इसमें सिर्फ यह नहीं लिख दूंगा कि यह डेमेज करता पाया गया है, तो उसको भी सजा का प्रावधान है। डिप्टी चेयरमैन सर, मैं यह जरूर कहूंगा कि यह जो प्रावधान हैं, यह जो नेच्युरल जस्टिस है, उसके प्रावधान और यह प्रावधान मेल नहीं खाते। नेच्युरल जस्टिस कभी यह नहीं कहता कि अगर मैं बेगुनाह हूं, मैं अपनी बेगुनाही साबित करूं। नेच्युरल जस्टिस यह कहता है कि जो मुझे गुनाहगार साबित करना चाहता है उसके पास कुछ तो ऐसा मेटेरियल हो, कुछ तो उसके पास ऐसे तथ्य हों जिससे कि वह मेरी गुनाहगारी को साबित कर सके। तो यह नेच्युरल जस्टिस की जो बात है वह भी

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इस ऐक्ट से हटकर है। लेकिन इन सारी बातों के मद्देनजर यह जरूर है कि हम जब तक अपने सिस्टम के अंदर कोई तब्दीली नहीं करेंगे, यह पाइप लाइन की पिलफ्रेज नहीं है, हमने पिछले 50-60 साल में यह देखा है कि जहां से कोल माइनिंग से जो कोल निकलता है, वहां माफिया कैसे डवलप हो गए और वह माफिया आज अगर कोई रेवेन्यू स्टाम्प दस रुपए की खरीदता है तो वहां माफिया की भी दस रुपए की स्टाम्प है। सरफेस ट्रांसपोर्ट पर जो माफिया का कब्जा है, इसी तरीके के अगर हमने कोई कंक्रीट स्टेप नहीं उठाए, कोई कारगर कदम नहीं उठाए, तो पाइप लाइन की जो पिलफ्रेज है, यह भी माफिया डॉमिनेटिड हो जाएगी, एक दिन माफिया का इस पर पूरा कब्जा हो जाएगा और उनकी सैट परसंटेज होगी कि टोटल जो पिलफ्रेज है It should not be 15 per cent; rather, it should be less than 15 per cent. I have seen in some of the States, indirectly, they give assent to what they say, they give credibility to what they say. They just say, we would be charging 10 per cent of any movement of coal, and, that 10 per cent means that there is an implied consent of the State Government, and, even of the Opposition parties in those State Governments. If the system is not demolished, if we cannot confront with this system, then, there is a possibility that this pilferage through pipelines may also get shape,

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and, there may be an established mafia to dominate the entire 33,000 kilometre pipeline pilferage system.

सर, यह सारी बातें मैं इसलिए कहना चाहता हूँ कि सिर्फ कानून की बात नहीं है, आप तेल कम्पनियों से क्या अपेक्षा करते हैं कि जिन लोगों को वे एम्प्लोई करेंगे, इन पर प्रोटक्शन के लिए, इन पर निगरानी रखने के लिए वे तेल कम्पनियां अपने एम्प्लोइज को इतने कमिटमेंट से रख सकती है, जितनी कमिटमेंट आप किसी स्थाई आदमी को, लोकल आदमी को वह रेस्पॉसिबिलिटी देकर करवाना चाहेंगे। एक तो उसके रिजल्ट अच्छे होंगे, पैसे बचेंगे, मुझे इस बात की हैरानी है कि आज अगर पेट्रोल का रेट 60 रुपए है, उसमें 28 रुपए ऐसे हैं, हम पेट्रोल की कीमतों की तो बात करते हैं कि कीमत बढ़ गई, घट गई, डॉलर की कीमत बढ़ गई, घट गई, इंटरनेशनल मार्केट में कूड ऑयल की कीमत बढ़ गई, घट गई, कभी हमने यह सोचा है कि 60 रुपए में से 28 रुपए 63 पैसा ऐसा है जो आपका खुद का लगाया हुआ है और आप कम्पनी से कभी यह नहीं कह सकते कि इसमें से आप कितना रिड्यूज कर सकते हो। You never talk of reducing their expenditure. You would just listen only to their arguments that market has gone up.

(contd. by SK-1W)

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Uncorrected/ Not for Publication-21.12.2011

**श्री बीरेन्द्र सिंह (क्रमागत) :** Now, the price of one barrel is 127 dollars; now the price of one barrel has come down from 127 dollars to 123 dollars. सर, कुछ ऐसी बातें हैं, मैंने सुझाव दिया कि इनके माध्यम से भी You don't put that much force. You give the rent to the *kisans*. You will be saving a lot of money. मंत्रालय मेरे इन सुझावों पर विचार करे और मंत्री जी यह सोचें कि हम किस तरीके से इस cost को reduce कर सकते हैं और जिस किसान के खेत के नीचे से यह लाइन गई है, उसको केवल सहायता ही न देकर, बल्कि उसको इन्सैंटिव देकर पार्टनर बना सकते हैं। जब वह पार्टनर बन जाएगा तो वह इसकी रक्षा ज्यादा मज़बूती से कर सकेगा। इन बातों के साथ मैं इस बिल का समर्थन करता हूँ और मुझे उम्मीद है कि इस बिल के होते हुए रचनात्मक ग्राउंड पर कुछ ऐसे सुधार होंगे, जिनसे टोटल pilferage में कमी आएगी।

(समाप्त)

**SHRI MANI SHANKAR AIYAR:** Sir, I have a point of order. There are nineteen minutes left to the Congress Party, according to the board there. I hope you will give an opportunity for those nineteen minutes to be utilised. ..(Interruptions)..

**श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश) :** उपसभापति महोदय, आपने मुझे पेट्रोलियम और खनिज पाइपलाइन(भूमि में उपयोग के अधिकार का अर्जन)

**Uncorrected/ Not for Publication-21.12.2011**

संशोधन विधेयक, 2011 पर बोलने का मौका दिया है, मैं आपको इसके लिए धन्यवाद देता हूँ। यह विधेयक बहुत ही महत्वपूर्ण है। जरूरत के अनुसार यह विधेयक पहले ही आ जाना चाहिए था, क्योंकि इसके माध्यम से कच्चा तेल पेट्रोलियम उत्पाद और जो देश में भूमिगत गैस पाइपलाइन बिछाने की प्रक्रिया चल रही है, उसकी सुरक्षा को ध्यान में रखकर ही यह बिल लाया गया है। इस बिल में सज़ा और जुर्माने की भी व्यवस्था की गई है। आपने इसमें जो सज़ा का प्रावधान रखा है, यह व्यवस्था खासतौर से आतंकवादियों को ध्यान में रखकर ही है और अगर कोई sabotage करता है, तो उसके लिए तो यह मृत्युदंड तक ठीक है। यह बात तो हमारी समझ में आती है, लेकिन यदि किसी साधारण व्यक्ति, किसी बच्चे या किसी किसान द्वारा अनजाने में कोई नुकसान हो जाता है, तो उसके लिए आपने जो एक साल से तीन साल तक की सज़ा का प्रावधान किया है, हम इससे सहमत नहीं हैं। महोदय, मैं आपके माध्यम से मंत्री जी से इस बारे में यह कहना चाहूंगा कि वे इस पर पुनः विचार करें कि जो innocent लोग हैं, हम उनको सज़ा से कैसे बचा सकेंगे।

मैं इसके बारे में एक और बात कहना चाहूंगा कि सरकार ने इस बिल में खासतौर पर सज़ा का प्रावधान किया है, लेकिन सुरक्षा की तरफ कोई ध्यान नहीं दिया है। आज देश में नक्सलवाद की समस्या है, सरकार इसके बारे में हर बार यह बताती है कि हमने इसके लिए बड़ी कठोर नीति बनाई है। हमने अपने सुरक्षा बलों को आधुनिक वैपन्स उपलब्ध कराए हैं।

-ASC/LP/12.55/1x

**श्री अवतार सिंह करीमपुरी (क्रमागत) :** हमने बजट बहुत बढ़ा दिया है, लेकिन इसके बावजूद भी आप इस बात को जरूर ध्यान में रखें कि आप उस समस्या का समाधान नहीं कर पाए हैं। समाधान तो छोड़ो, आप स्थिति को नियंत्रण में भी नहीं ला पाए हैं, इसलिए हमें सज़ा की बजाय सुरक्षा पर ध्यान देना होगा। हमसे पहले जो मैम्बर बोले हैं, उन्होंने भी चर्चा की है कि हमारे खनिज पदार्थों की चोरी हो रही है। जो माइन्स, मिनरल्स हैं, उनमें माफ़िया कैसे घुसा, इस संदर्भ में हमने ऑनरेबल मिनिस्टर की बेबसी को, इसी हाउस में एक क्वेश्चन के जवाब में देखा था। उन्होंने बताया था कि जो कोल माफ़िया है, हम उस माफ़िया को कंट्रोल करने की स्थिति में नहीं हैं। उन्होंने ऐसी बेबसी एक क्वेश्चन की रिप्लाय करते हुए दर्शाई थी, इसलिए यह चिन्ता है कि हम इसको कैसे कंट्रोल कर पाएं। हमारी यह सजेशन है, ..मंत्री जी खुश हो रहे हैं, हमें उनकी खुशी समझ में आ रही है। दो दिन पहले हम एक गीत सुन रहे थे, “मेरे देश की मिट्टी सोना उगले, उगले हीरे-मोती”, हम सोच रहे थे कि जिसने गीत लिखा है, उसने तो सच लिखा है, इसमें कोई कमी नहीं है, लेखक की लेखनी में कोई कमी नहीं है, उसको तो हमें एप्रिशिएट करना चाहिए, लेकिन सोना गया कहाँ, हीरे गए कहाँ, मोती गए कहाँ? सोना, मोती और हीरे मिट्टी उगल रही है, लेकिन हमारे देश के 70 फीसदी लोग 20 रुपये से भी कम में प्रतिदिन अपना जीवन जीने के लिए

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मजबूर हैं।..उत्तर प्रदेश में तो उत्तर देते हैं, लेकिन वह जो उत्तर है, उसमें लज्जा कम होती है। अगर उसमें लज्जा को आधार माना जाए, तो मेरे खयाल से किसी की ज़बान खुल नहीं सकती है। आप कह सकते हैं, लेकिन लज्जा की कमी तो हमें भी नजर आती है और निर्लज्जता किस हद तक होती है, यह आप सब जानते हैं। हमारा यह कहना है कि जैसे हमारे देश की मिट्टी का सोना, हीरे और मोती..(व्यवधान)..पुतले तो दिल्ली में भी हैं, गाँधी जी के हैं, लेकिन अम्बेडकर जी के पुतले की आपको तकलीफ होती है, यह हमारी समझ में आता है। क्योंकि डॉ. अम्बेडकर साहब ने कहा था कि कांग्रेस एक जलता हुआ महल है, जो उसमें जाएगा, वह राख हो जाएगा। डॉ. अम्बेडकर साहब ने इस देश के खनिज पदार्थों की रक्षा करने के लिए, इस देश के रिसोर्सज की रक्षा करने के लिए, देश के सामने जो नीति रखने की कोशिश की थी, उस वक्त के हाकिमों ने डॉ. अम्बेडकर की उस नीति को नहीं अपनाया, इसलिए आज हम माफ़िया के आगे सरेंडर कर चुके हैं।..(व्यवधान)..

**श्री शान्ताराम नायक :** कांग्रेस ने आपसे ज्यादा पुतले लगवाए हैं।

**श्री अवतार सिंह करीमपुरी :** आप डॉ. अंबेडकर के कितने भक्त हैं, हम यह जानते हैं। डॉ. अंबेडकर को भारत रत्न देने के लिए कितने बरस लगे, उनके प्रति आपकी नीयत क्या रही, आपकी क्या नीति रही..(व्यवधान)..इन्होंने तो दिया नहीं, बाबा साहेब डॉ. अम्बेडकर के प्रति आपकी आस्था क्या है, हम वह जानते हैं, लेकिन आपको छाती पर पत्थर पर रखकर इस परिवर्तन को स्वीकार

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करना चाहिए। आपको छाती पर पत्थर रखकर करना होगा। पत्थर दे देंगे। अब हम यह बिल्कुल कहना चाहते हैं कि आप सजा की बजाय सुरक्षा पर ध्यान दीजिए। (AKG/1Y पर जारी)

AKG-VKK/1Y/1.00

**श्री अवतार सिंह करीमपुरी (क्रमागत)** : हमारा यह कहना है कि सरकार एक स्पेशल टास्क फोर्स बनाने पर विचार करे, जो इस पाइपलाइन की सुरक्षा के लिए निरंतर ध्यान रख सके। आप किसान को involve करने की बात कर रहे हैं, पहले यह राय आई है, अगर वह सम्भव हो सके, तो उस पर हमारी भी राय है, लेकिन किसान नक्सलवाद से लड़ने में कितना सक्षम हो सकता है? नक्सलवाद के ऊपर भी सोचिए कि आप उसको हथियार से control नहीं कर पाएँगे। इसके लिए आपको अपनी आर्थिक नीति बदलनी पड़ेगी और उनके culture को save करना पड़ेगा।

इसके अलावा हम यह भी कहना चाहते हैं कि पंजाब में आतंकवाद रहा, तो आपने बहुत देर से हथियारों की लड़ाई लड़ने के बाद सरहद पर तार लगाने की व्यवस्था की। हम यह कहना चाहते हैं कि अगर हम इस पाइपलाइन की सुरक्षा के लिए इसके इर्द-गिर्द तार की व्यवस्था कर सकें, तो फिर सजा की बजाय सुरक्षा पर ध्यान देते हुए इस बिल की भावना के अनुरूप हम आगे बढ़ सकते हैं। यह हमारी suggestion है।



**Uncorrected/ Not for Publication-21.12.2011**

इस बिल में सरकार के शब्द अच्छे हैं, लेकिन इसमें intention कैसी होगी, इसके पीछे will power कैसी होगी, पहले के बिलों की तरह इसका हाल न हो, सरकार को यह सलाह देते हुए मैं अपना भाषण समाप्त करता हूँ। धन्यवाद।

(समाप्त)

**MESSAGE FROM LOK SABHA**

**THE PRASAR BHARATI (BROADCASTING CORPORATION OF INDIA) AMENDMENT BILL, 2011**

**SECRETARY-GENERAL:** Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:

“In accordance with the provisions of rule 120 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to inform you that Lok Sabha, at its sitting held on the 20<sup>th</sup> December, 2011, agreed without any amendment to the Prasar Bharati (Broadcasting Corporation of India) Amendment Bill, 2011, which was passed by Rajya Sabha at its sitting held on the 8<sup>th</sup> December, 2011.”

(Ends)

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**MR. DEPUTY CHAIRMAN:** The House is adjourned till 2.00 p.m. for lunch.

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**The House then adjourned for lunch  
at two minutes past one of the clock.**

KR/1Z/2.00

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

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**THE VICE-CHAIRMAN:** We will continue the discussion on the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2011, Shri P. Rajeeve.

**THE PETROLEUM AND MINERALS PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT BILL, 2011 - (contd.)**

**SHRI P. RAJEEVE (KERALA):** Thank you, Sir, in this session several Bills are in the pipeline. I am, at least, happy that I got an opportunity to speak on the Petroleum and Minerals Pipelines (Amendment) Bill.

Sir, the Petroleum and Minerals Pipelines (acquisition of Right of User in Land) Amendment Bill was passed in 1962. At that time, the public sector undertakings were the only players in the petroleum

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sector. The main objective of the public sector undertakings is service. But now the situation has changed. The private sector is the major supplier in this sector. Their main motto is profit and profit. So, the spirit of 1962 Act does not exist now. So, I hope the Ministry will revisit the present Bill in this new scenario and come forward with a comprehensive Bill to address the news issues prevailing in this sector. This type of piece of legislation is not sufficient to address the issues that are there.

Sir, my second point is we do not have enough networking for the supply of natural gas in our country. It is mostly concentrated in certain parts of our country. The cry for more pipelines for the supply of natural gas is increasing especially from South and East. After KG Basin gas exploration, south is the biggest reservoir of natural gas. But unfortunately no connectivity is available for the Southern part of the country. We all know that natural gas is an essential input in the manufacture of fertilizer and generation of power. If it is available, then, price of power and fertilizer would be cheaper. So, I would like to use this opportunity to request the Ministry to ensure genuine and collective distribution of natural gas all over the country.

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Sir, in January, 2010, the U.S. Energy Information Administration Department had estimated that India's proven oil reserves are approximately 5-6 million barrels. But the Ministry has no specific plan to explore this in a proper manner. The hon. Member, Shri Rajiv Pratap Rudy had mentioned about the length of pipelines in our country. In this connection, I read an article dated 1st April, 2010 which said that petroleum products, LPG and crude pipelines in the country cover a distance of over 19,000 KM. I do not know what the actual figure is. I hope the hon. Minister will clarify it.

(Continued by 2A/MKS)

MKS-PSV/2.05/2A

**SHRI P. RAJEEVE (CONTD.):** Between 2006 and 2009, it was reported, there were more than 300 cases of pilferage from oil and gas pipelines across the country. The consequent loss to the Exchequer, as a result, was a little over Rs.14 crores. It has been observed that the protection and the posters that are put in place are inadequate to contain the pilferage of oil and sabotage of pipelines, that is taking place in various parts of the country.

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Sir, this new amendment is moving in a good direction to tackle the issues. The Ministry has admitted certain observations or recommendations of the Standing Committee; that is good. Most of the Ministries are not working in that direction. They are very eager to avoid the recommendations of the Standing Committee. That is not proper. It is going in a good direction, but there is a possibility to misuse these new provisions. I hope, it would be noted by the Ministry.

But, Sir, legislation is not sufficient to address this issue. This Ministry should have made a proper mechanism to protect the pipelines. Leak protection system should be installed in pipelines, which gives alarm in case of any pressure dropped due to leaks or pilferage activities.

Secondly, Sir, monitoring of operation parameters through Supervisory Control and Data Acquisition (SCADA) System is necessary. There was a proposal by the Ministry, but it was not implemented in all sectors. State interaction and sensitization of villages through awareness programmes - for this, take them in confidence by giving more incentives.

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And, lastly, close and regular interaction with State Administration and District Authorities is required. So, I urge the Minister, through you, Sir, to implement these steps as early as possible.

Sir, I would like to raise certain criticisms on this Bill. Firstly, this Bill does not have any provision to protect the witnesses, those who report thefts at pipelines. It should be incorporated in this Bill, Sir. The Bill does not propose how surveillance at pipelines will be increased. These two issues should be examined by the Ministry.

Sir, I would like to take this opportunity to raise some serious issues with regard to the original Act. In the existing Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Amendment Act, 1962, the Government can acquire the right of use, RoU, in any land under which a pipeline has to be laid for transport of oil or gas. The Act provides for compensation @ 10 percentage of the market value of the land under RoU as determined by the competent authority.

Sir, they have claimed that they acquired the right of use only. But, *de facto*, this is an acquisition because they have acquired 20

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metres. They have made some restrictions. In fact, 30 metres they have acquired under the Right of Use. There are certain restrictions for cultivation. Nobody is ready to purchase the land where the pipeline is laid down. The result is, the land value is reducing. *De facto*, it is acquisition. The compensation is very less. Now, the Government came with a Land Acquisition Bill, but, as per Schedule III of the introduced Land Acquisition Bill, this does not come under the purview of that Bill. It should come under the purview of the Land Acquisition Bill, Sir.

Now, the Ministry has decided to lay a pipeline from Petronet, Kochi to Bangalore and Mangalore. This is a good step. It is very good for the industry and it is a welcome step, but, Sir, the Bill is not providing the existing provision of the Act. They are not conducting any ground survey. They are dependent on Satellite survey. They have not conducted any study on public units. They have not conducted any environmental study. Recently, hon. Member Mr. Rudy has stated the relevance of environmental mechanism with regard to these pipelines. After Section 7(1) of the existing Act, no pipeline shall be laid under any land which, immediately before the

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date of notification under sub-section (1) of section 3 was used for residential purposes; .....

(Contd. by TMV/2B)

-MKS-TMV-VNK/2B/2.10

**SHRI P. RAJEEVE (CONTD.):** ... (2) any land on which there stands any permanent structure which was in existence immediately before the date of notification; (3) any land which is appurtenant to a dwelling house.

I will conclude just now. This is a very important point. These are the provisions of the existing Act.

Sir, recently I visited the place which has been identified for laying pipeline in Kochi. Several residential areas have been identified. I was shocked to see that a lower primary school ground had been identified for laying natural gas pipeline. The GAIL is functioning in a unilateral way. It is not holding any discussions with the representatives of the people. It is not ready to consider the public opinion. I request the Minister to intervene in this issue. When the hon. Cabinet Minister came to Kochi in connection with a function in Kochin Refinery, all Parliamentarians from Kochi, irrespective of their



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political affiliation, met him and submitted a memorandum a month ago. We have not got any reply from the Ministry. This is a very serious issue. People of several districts in Kerala, Karnataka and Tamil Nadu are in panic. I would request the Ministry to intervene in this issue and stop the process, and reconsider some alternative path for laying the pipeline. The GAIL is the biggest profit-making company. The Minister should consider this point.

Lastly, the price of LNG should be reasonable and the Government should have a say in fixing the price of natural gas.

With these words, I support the Bill. Thank you. (Ends)

**THE VICE-CHAIRMAN (PROF. P. J. KURIEN):** Thank you very much. Mr. Pyarimohan Mohapatra.

**SHRI PYARIMOHAN MOHAPATRA (ODISHA):** Thank you, Sir, for giving me this opportunity. I rise to support the intention behind the Bill, but I oppose the Bill in its present form. I support my friend, Rajeeveji. He has mentioned about the land use and the difficulty to which the farmers are being put. The land used is about 1.8 metres or six feet in depth and 18 metres in width. Now a huge extent of land is being taken over. I think that there are around 7,000 kilometres of

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pipelines and more pipelines are being added. In Odisha, there is the Paradip-Haldia pipeline which gives Odisha nothing. Then there is another one, Reliance. It is Paradip-Surat, where some provision for supply of gas is there. What does the farmer get? He gets nothing except a little bit of money at the time of acquisition. It is not really acquisition value. It is for acquisition of the right of use. He does not get anything thereafter. Please give him, as Mr. Birender Singh has suggested very wisely, an annual rent. He will be your first security against theft and pilferage.

Sir, having said that and being very conscious of the fact that petroleum and other petroleum products are very important for the country, I am not in favour of this Bill. There are stringent measures. You are increasing imprisonment, in one case to five years and in another case to ten years. Then you are going in for life imprisonment and death penalty. Now life imprisonment and death penalty look like a dictatorial system. You can't have death penalty for anything. You can have it, maybe, for a saboteur. As Mr. Rudy pointed out, death penalty is there. It is there in respect of the Parliament attackers. As regards their mercy petitions, years and years have passed. Nothing

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has happened. (Interruptions) ... Death का मतलब है no death. Please remove the death penalty. It has absolutely no meaning.

Another point which I would like to mention is your effort to make it non-bailable. I see no harm in it. But you are denying somebody anticipatory bail. When the court considers an anticipatory bail it goes through tremendous deliberations and takes the utmost care to see that anybody who is not supposed to get a bail does not get the anticipatory bail.

(Contd. by 2C/VK)

VK/2C/2.15

**SHRI PYARIMOHAN MOHAPATRA (CONTD):** Then you are making many kinds of comparisons with narcotics, drugs and all that. In this case, we just find that ultimately innocent people will suffer and the gangs will get away. You will never be able to catch them. If you want to catch them, do something. Give some responsibility to the Panchayats of those villages through which these pipelines are passing for protecting them. It will be better protected with less money. You are spending a lot of money and you wish to spend a lot more money by empowering various Central Government officers for

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detection, arrest, investigation, prosecution and all that. Where are these officers? When your officers appeared before the Standing Committee, they made a comparison with the Central Excise officers. That is a force which is well trained to do all these jobs. Is it your intent to create such a force? In fact, the force on which you depend, as on today, they have expressed some dissatisfaction that you are not backing them fully.

Then comes the issue of putting the onus of proof, as mentioned by the hon. Member. Of course, somebody has joked about it; but jokes apart, let us say, in a village, something comes out and somebody takes away something. It may be due to a technical defect or it may be the handiwork of somebody else or let us say, somebody else made a dent in your pipeline and then another fellow comes and sees that it is leaking and he takes out something. Then you catch that fellow. The real thief will always get away, as always happens.

I have serious quarrel with your thesis in regard to Clause 15 (2), regarding adding minerals along with petroleum. While we can all defend petroleum and petroleum products because of its importance

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to the national economy, and because we are very much short of petroleum, but the same can't be said about iron ore fines. You are protecting all of them. You are now making stringent penalties by adding minerals here. Here in clause 15 (2), besides petroleum, you are adding minerals. Let us say, ESSAR taking fines from Bailadilla to Vizag gets protected. You can't have same sentence, same non-bailable provisions for iron ore fines as you have for petroleum. Mr. Minister, please reconsider. Thank you.

(Ends)

**SHRI D. BANDYOPADHYAY (WEST BENGAL):** Mr. Vice-Chairman, Sir, I rise to support the Bill. Some of my friends have already expressed some reservation or grave concern about the punitive element that is incorporated in the Bill. Sir, our criminal jurisprudence is based on the British Common Law of which the fundamental principle is that an accused is supposed to be not guilty unless his guilt is proved beyond reasonable doubt. Another principle is that, let a hundred culprits get away, but not a single innocent person should be punished. Against this background, we have developed our criminal jurisprudence. So the way you are shifting the onus of

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proof from the prosecutor to the accused, is going to make the jurisprudence system topsy-turvy; make the people stand on their head. It is not done. Why is this a draconian piece of legislation? Even the Supreme Court, in Section 302 cases, says that death penalty is to be given in rarest of the rare cases. Though they have not defined what is the rarest of the rare cases, it has clearly said that it should not be done. Now against that, for a theft of petroleum or even assuming sabotage or damage, you put a person on death penalty.

(Contd. By 2D)

RG/HMS/2.20/2D

**SHRI D. BANDOPADHYAY (contd.):** It is a draconian piece of legislation, which cannot be supported.

The next point is that, as Shri Rudy has pointed out, which has been supported by my friends here, the best protector of the pipeline is the owner of the land on which the pipeline has been laid. It has been called , ‘the user’; and, it is not correct to use the word ‘user’. But the fact is that it is more than acquisition. It cannot be sold; you cannot have agriculture there. So, why don’t you give them some monthly rent or some yearly rent? If, say, a house is rented out, I get

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rent out of it. So, if I have rented out my property to you for laying a pipeline, give me the rent, and then, I will obey your other conditions. But give me the rent for it. You are giving 10 per cent of the acquisition value, of some pre-historic price, and you expect that I will have nothing to do with it. So, Sir, these two points are very serious, and I would request the Government to consider them.

Also, let them not play with the basic principle of criminal jurisprudence in the country. The onus of proof should always be on the prosecutor, and not on the accused. Secondly, the penalty should be moderate and equivalent to the intensity of the crime committed. You cannot have a penalty disproportionate to the crime.

Sir, at the end, I would say that there is a saying in English that law is a cobweb which catches small flies, but the big flies always breakthrough. So, this is what is going to happen. Small flies will be caught, and may be given the life imprisonment or even the death penalty, while the real mafia will breakthrough and you will never be able to touch them. My simple answer to this is, change the punitive system.

(Ends)

Uncorrected/ Not for Publication-21.12.2011

प्रो० राम गोपाल यादव (उत्तर प्रदेश) : श्रीमन्, यह विधेयक दो महत्वपूर्ण बिंदुओं से संबंधित है। एक तो पाइप लाइन से पेट्रोलियम प्रोडक्ट्स की चोरी रोकने के लिए और दूसरे अगर कुछ आतंकवादी या अन्य इस तरह के लोग पाइप लाइन को destroy करें, blast करें या उसे नुकसान पहुंचाएं तो उस की सुरक्षा और उस के लिए इस में दंड का प्रावधान है। यह विधेयक mainly इसी उद्देश्य के लिए लाया गया है जोकि मौजूदा परिस्थितियों में ठीक भी है। श्रीमन्, कई बार इस तरह की घटनाएं सामने आयी हैं जिन में टेलिविजन चैनल्स पर दिखाया गया कि पाइप लाइन में अलग से स्पेस बनाकर ऐसे लोग पेट्रोलियम प्रोडक्ट्स को भर लेते हैं या टैंकर भर लेते हैं। इस से भी बड़ा खतरा नक्सलाइट्स, माओस्टिंस या पी०डब्ल्यू०जी० के लोगों से है। श्रीमन्, हमारे learned होम मिनिस्टर जानते हैं कि यह प्रॉब्लम कितनी गंभीर है। इस देश में बहुत लंबी फैली इन की पाइप लाइंस की श्रृंखला को ऐसे लोग कहीं भी तोड़ सकते हैं। इस दृष्टि से यह बहुत महत्वपूर्ण विधेयक है।

श्रीमन्, एक प्रावधान जो इस के सेक्शन 16(बी) में जोड़ा गया है, मैं उस से सहमत नहीं हूँ क्योंकि जो Jurisprudence या न्याय शास्त्र है, उस का यह नियम है और हमारा Natural justice भी यह कहता है कि आरोप लगाने वाले पर यह onus होना चाहिए कि वह आरोप सिद्ध करे, लेकिन पिछले दिनों इस देश में ऐसे कानून बने हैं जिन का दुरुपयोग हो रहा है। जहां आरोप लगाने वाला सिर्फ



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आरोप लगाता है और जिस पर आरोप लगाया जाता है, उसी पर यह दायित्व आता है कि वह स्वयं को निर्दोष सिद्ध करे।

(2 ई/केएलजी पर क्रमशः)

-HMS/KLG-KS/2.25/2e

**प्रो० राम गोपाल यादव (क्रमागत):** यह एक बहुत ही गंभीर चीज है, जो न्याय-शास्त्र के और नेचुरल जस्टिस के सिद्धांत से हटकर हो रही है। इसमें यह जो आपने 16(बी) जोड़ा है, उसमें यह चीज है, जो नहीं होनी चाहिए।

महोदय, हमारे माननीय मंत्री जी बहुत ही एनर्जेटिक हैं, हंसमुख हैं। मैं चाहता हूँ कि वे इस पर विचार करें और जो रूल्स एंड रेगुलेशंस बनेंगे, उनमें इसका ध्यान रखें कि इसका दुरुपयोग न होने पाये, क्योंकि हमारा, हम सबका अतीत का अनुभव रहा है कि इस तरह के जितने भी कानून आए हैं, जिनमें जिस पर चार्ज लगा, उसी पर साबित करने का बर्डन पड़ा कि वह अपने को निर्दोष साबित करे। यह सही है कि जब पाइपलाइन पड़ती है, तो जमीन खोदी जाती है, उसमें जमीन का तो नुकसान होता ही है, इसलिए किसानों को उसका ठीक तरीके से जो मुआवजा मिल सकता हो, वह दिया जाए। चौधरी वीरेन्द्र सिंह जी ने जो रायल्टी का सुझाव दिया था, वह मुझे कुछ जायज लगता है। यह सही चीज है और जो बहुत सारी बातें रूडी साहब ने कही थीं, मैं उनसे सहमत हूँ। इसी के साथ मैं सदन का ज्यादा समय बर्बाद न करते हुए इस बिल का समर्थन करता हूँ। धन्यवाद।

**श्री आर. सी. सिंह(पश्चिमी बंगाल):** उपसभाध्यक्ष महोदय, यह जो पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) संशोधन विधेयक, 2011 है, इसमें सिर्फ पेट्रोलियम ही नहीं, दूसरे खनिज को भी पाइपलाइन के द्वारा देश के एक कोने से दूसरे कोने तक ले जाने का है। इस विधेयक के जरिए जो पहला विधेयक था, उसकी धारा 15 और 16 का संशोधन किया जा रहा है, ताकि उपयुक्त तरीके से गैस और पेट्रोलियम की चोरी को रोका जा सके।

महोदय, सबसे पहली बात मैं यह कहना चाहूंगा कि हमारे देश के सामने मंत्री महोदय का इस तरह का कोई आकलन नहीं है कि गैस और पेट्रोलियम पदार्थ की उपयोगिता किस क्षेत्र में है और किस हद तक किस इलाके में कितनी दूर तक हम कर पाएंगे। दूसरी बात यह है कि जो पाइपलाइन ले जाते हैं, उसकी गहराई का भी वर्णन होना चाहिए कि जमीन के नीचे कितनी दूर तक पाइपलाइन होनी चाहिए। मेरा अनुभव है कि अभी जो कोल बेस्ड मिथेन गैस निकाली जा रही है, या कोल का लिक्विडिफिकेशन जो गैस के रूप में किया जा रहा है, जब इसको एक जगह से दूसरी जगह ले जाया जाता है, वह सरफेस से बहुत कम नीचे दूरी पर है, जिनके फटने के बाद आग लगती है और विशेषकर घनी बस्तियों से जब यह होकर जाती है, तो इससे काफी खतरा पैदा होता है। अभी हाल ही में ईस्टर्न कोलफील्ड्स की एक माइन से कोल बेस्ड मिथेन गैस जो

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कलकत्ता प्राइवेट कंपनी ले जाती है, वह सरफेस से बहुत कम गहराई से ले जाई जा रही थी, जिसके चलते पाइपलाइन फटी, आग लगी और इससे भीषण नुकसान होने की बात थी, लेकिन किसी तरीके से वह कंट्रोल हो सकी। इसलिए इस विधेयक में इस बात की भी सम्यक जानकारी होनी चाहिए कि कितने नीचे तक ले जाया जाएगा।

महोदय, आप जानते हैं कि गैस के लिए पूरे देश में करीब 6,554 किलोमीटर पाइपलाइन बिछाई गई है, 4,721 किलोमीटर पाइपलाइन बिछाने का कार्य चल रहा है और पेट्रोलियम के लिए 7,440 किलोमीटर पाइपलाइन बिछाई गई है, जो कि संतोषजनक नहीं है। इसलिए पूरे देश का एक खाका, तानाबाना होना चाहिए कि कहां से कितनी गैस उत्सर्जन होगी और देश के किस कोने में कैसे ले जाएंगे? इसका पूरा विवरण होना चाहिए था। मंत्रालय के पास शायद इसकी कोई जानकारी नहीं है। इसके बारे में मैं मंत्रालय से चाहूंगा कि वह इसकी पूरी जानकारी ले।

महोदय, जैसे मैंने पहले शुरूआत की थी, जो कोल बेस्ड मिथेन से, कोल के लिक्विडिफिकेशन से जो गैस निकाली जा रही है, इसका प्रावधान क्या है, इसके जाल देश में कहां किस तरीके से बिछाए जाएंगे, इसकी भी जानकारी होनी चाहिए। इसके साथ ही एक दुखद बात यह है कि जो गैस के माफिया हैं, वे हमारे अफसरों को जिंदा जलाते हैं, हमारी सरकार मूकदर्शक बनी रहती है।

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इसमें सजा का जो कुछ प्रावधान है, लेकिन वे दूर जाते-जाते कुछ अभाव में छूट जाते हैं।

(2एफ/एनबी पर क्रमशः)

NB/KGG/2F/2.30

**श्री आर.सी. सिंह (क्रमागत)** : इसकी कंप्लेंट कौन करेगा कि हमारी गैस की चोरी हो रही है या पेट्रोल की चोरी हो रही है और कंप्लेंट करने वाले को क्या लाभ होगा? इसलिए जिनकी जमीन के नीचे से गैस जाती है, अगर आप उनको कुछ मुआवजा दे दें, तो हो सकता है कि वे इसमें अपना interest दिखाएं। (समय की घंटी) मैं अपनी बात समाप्त करने जा रहा हूं। आप जब भी कहते हैं, मैं बैठ जाता हूं, लेकिन मुझे गैस के बारे में कुछ और भी प्वाइंट्स कहने थे। धन्यवाद।

(समाप्त)

**उपसभाध्यक्ष (प्रो. पी.जे. कुरियन)** : अभी समय नहीं है, हमें दूसरे बिल भी लेने हैं। धन्यवाद।

**SHRI KUMAR DEEPAK DAS (ASSAM)**: Sir, thank you very much for the opportunity. I support the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2010 to curb incidences of pilferage and sabotage of pipeline and to check the security threat. The pilferage and sabotage is predominant in the petroleum producing States like Assam and Maharashtra.

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Sir, recently we have gone through a news item and it is a fact that 2,200 drums of crude oil was seized in Bombay wherein the crude oil was being used for adulteration. The oil mafia has killed one ADC in Maharashtra. Sir, there is a racket in which criminals are stealing crude oil every possible moment in my State, Assam, which is being used for adulteration. This type of incidents are taking place. I would like to know whether this Amendment Bill would serve the purpose and stop such crimes. I need to have clarification on this specific point in the reply of the hon. Minister.

Sir, section 15 and 16 of the aforesaid Act lays down the provision to deal with the cases of pilferage and sabotage of pipelines, and it does not provide for sufficient deterrence to criminals from committing the crime of pilferage or sabotage. Sub-section 2 of section 15 provides, "Whoever willfully removes, displaces, damages or destroys any pipeline shall be punished with rigorous punishment for a term which shall not be less than one year, which may extend to three years, and shall also be liable to fine." Section 16 provides, "The offence of sub-section 2 of section 15 shall be deemed to be cognizable under the code of criminal procedure." This is fine, Sir.

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But, a question comes to my mind and already it has been raised— on the onus of proof. The burden of onus of proof is on the person who is accused. But, it should lie on the prosecutor. The jurisprudence says like that. The implementation of such provisions would be controversial. We need to be more transparent, to avoid harassment to the people of the locations where such pipelines are laid. The Government may take steps in this regard. The Government may declare some areas as ‘No Thoroughfare Areas’ where the pipeline is laid. That may protect the areas. Action should be taken. I do not go into the details because it may take time. I support the Bill and seek clarifications on the points I have raised. Thank you, Sir. (Ends)

(Followed by tdb/2g)

TDB/2G/2.35

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Now, Shri Mani Shankar Aiyar. Please, take only five minutes.

**SHRI MANI SHANKAR AIYAR:** Mr. Vice-Chairman, Sir, of course, I am entitled to 19 minutes, but I will limit myself to five.

**THE VICE-CHAIRMAN:** But, as a special...

**SHRI MANI SHANKAR AIYAR (NOMINATED):** No, no; certainly, Sir. Thank you, Sir, for giving me this opportunity. While rising to support

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this Bill, Mr. Vice-Chairman, Sir, I would like to clarify, on behalf of the Minister, and then he can clarify it further, that this debate has been permeated with the failure to understand the wording of the proposals that have come. It is only if somebody wilfully obstructs or wilfully fills up or willfully does any act that is prohibited, that Clause 2 is attracted. Equally Clause 2, 15(2) is also only there when somebody makes an unauthorized connection. So, if there is an oil spill, that is not an unauthorised connection. So, it does not arise at all. And, equally under the fourth provision, it says that you have to have the intent to cause damage through fire or an explosive. So, I think, a lot of the apprehensions that have been expressed are without foundation, but I do want to caution the Minister that what he has provided for in 16B is a return of POTA. I don't think it is very fair that if a terrorist has done something, stolen something from a pipeline, and stored it on a corner of a farm, that the owner of the farm who has nothing to do with terrorism is then required to prove that he is not a terrorist. That is why I call it POTA. So, please relook at 16B.

Secondly, Sir, arguments have been made that those whose land is used for this right of user should be appropriately compensated

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either through royalty or additional rent and so on and so forth. Here, my plea with the Ministry is that in the Bill for Land Acquisition, that has currently been referred to the Standing Committee, the Ministry of Petroleum has sought to exempt this Act from the provisions of that Land Acquisition Bill. I think, it is a grave mistake on their part to keep themselves above the law. I would request him to please consider going to the Standing Committee and saying that you have no objection to this Bill also being brought within the purview of the Land Acquisition Bill; otherwise, some of the scenarios that have been drawn before you of how you might be promoting naxalism, how you might be promoting rural discontent by acquiring land without due compensation could cause you much greater difficulty than allowing this Act to also be within the purview of the new Land Acquisition Bill. Of course, your Ministry would have entire right to come before the Standing Committee and explain what would be the limitation that should be put on the application of this Act to you, but not a total exemption.

But the principal reason why I rose — I still have got two minutes, Sir — to speak is that this kind of punitive measure is going to



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change nothing on the ground. Most of the disruptions take place where terrorism is widespread, as in Assam; now, I think, it is going to come down. But it is in Assam that we suffered the most disruptions on pipelines. Therefore, while you can do what you wish on the punitive side, please remember an old 18<sup>th</sup> century English saying that you might as well be hanged for a sheep as a lamb. So, if you are going to be caught anyway, it only incentivises them to take more when you put all the emphasis on punitive measures. Much more sensible would be to take action on prophylactic measures. By which I mean, particularly, kindly study the technology for the security of the pipeline running from Baku in Azerbaijan through Tbilisi in Georgia to Jehan in Turkey. It runs between a Muslim country, and a Christian country. The Muslim country has been to war with the best friend of Georgia, which is Armenia. Notwithstanding this, they are running the pipeline. The pipeline almost abuts on the provinces of the Russian Federation, called South Ossetia and Abkhazia, which along with Chechnya are among those who are in a state of revolt against the Russian Federation, yet the pipeline runs there. And from Georgia, it enters that part of Turkey which is under Kurdish, certainly the Kurdish

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population is there in very large numbers, and the Kurds have for decades now been in revolt against the Government in Ankara. Nevertheless, that pipeline is being secured because they have technological measures which will enable that any one spot for you to see through the systems that they have set up when any single accident or deliberate attempt is made to disrupt the flow of oil.

(Contd. by 2h-cls)

KLS/2H-2.40

**SHRI MANI SHANKAR AIYAR (CONTD):** If you pick up that technology and bring it into India, then, I think a lot of this either can be forestalled or if not forestalled, I think, almost immediately in real time action can be taken against those who are responsible for disruption. So, please, you have the Bill you want to have to have, it is not going to change anything on the ground. What will change action on the ground is if you call in the BP representatives, they are the ones who did the work on the DGC Pipeline and they will be able to advise you on the new technology which is available to take prophylactic measures to ensure the security of pipelines. If you have no objection to calling me, I am sure you will give me more than five

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minutes which the Chair has allotted me, I will explain to you in detail how this could be done. Thank you very much.

(Ends)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Thank you Mr. Mani. It was a good intervention.

**THE MINISTER OF STATE IN THE MINISTRY OF OIL AND NATURAL GAS (SHRI R.P.N. SINGH):** Sir, I would like to thank all the ten Members who have taken part in the debate. Their suggestions have been noted and after my reply, I will reply to all their individual queries that they have put here in the House.

Sir, transportation of petroleum products, crude oil and gas through pipeline is the cheapest, safest and environmental friendly mode of transportation. Petroleum, crude oil products are hazardous materials. The network of pipelines in the country has gone in a big way in the recent past. However, petroleum and crude oil products which are highly inflammable materials, being very costly items, any spillage not only causes financial loss to the Company it also causes disruption in supply of crude oil, finished products, damage to cultivable soil as well as loss to life and property in case of a

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confrontation, etc. To check incidents of pilferage and sabotage, regular patrolling and inspection of pipelines is carried out by the respective Oil Companies for law enforcement. The help of the State Governments is also taken through regular interaction with police and local authorities. Villagers and land owners along the route of the pipelines are also sensitized about the consequences of pilferage attempts. Still incidents of pilferage and sabotage by anti-social elements do take place in various pipelines. While pilferage is done by organized criminal gangs using improvised technologies to puncture high pressure pipelines and affixing tapping gadgets and carrying out sabotage attempts on the pipelines by use of explosives also which could result in complete disruption in supply of crude oil and petroleum products, attempts are also being made to pilfer crude from oilfields and also oil installation.

Now I would like to come to the points which have been made by the hon. Members. Mr. Rudy spoke about the extent of oil pipelines and wanted the exact figure of pipelines that we have. We have 33,066 kilometres of pipelines running throughout the country and out of which 6,559 kilometres is crude oil pipeline, 13,271

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kilometres is the product pipeline and we have 13,236 kilometres natural gas pipelines. There has been a great sense in the House about acquiring land and many Members have brought about the point about acquiring land which disrupts farmers. Mr. Birender Singh spoke about farmers being displaced. We can say that the Government is very sensitive to the need of the farmers. As all the hon. Members have spoken, I can tell you there is only temporary acquisition of land which is the right of way. After completion, land is returned. The only restriction is that they cannot construct building or plant trees. But still that does not answer a lot of reservations that have been raised. People have come up with various suggestions. We are looking at ten per cent as the amount of rate that we give to the farmers at the moment for acquisition of land temporarily. We are exploring the possibility of increasing that value of money for the right of way. We will see how we can raise it keeping in mind the opinion of the hon. Members. We will try to compensate the farmers in whatever way it is possible for us keeping in view the sense of the House. Mr. Rudy talked about the point that people should be made stakeholders. Well, we try to provide adequate compensation.

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Awareness programmes along the pipelines are being organised for the farmers so that they know how they can be punished if there is anything going wrong. Awards are given for providing information that can lead to breach of a pipeline. He also spoke about removal of nameplates by a child being made liable to punishment.

(Contd 2J/sss)

SSS-MCM/2J/2.45

**SHRI R. P. N. SINGH (CONTD.):** Keeping this in mind as Shri Mani Shankar Aiyar said, the word 'wilfully' has been inserted and it is the prime thing. The word, 'wilfully' has been inserted. That will not take place and there is nothing in the law which talks about name plates being removed. As you know, the pipeline is not a water pipeline which is very thin. These are high pressure pipelines which need technology to break through and there is no kind of penalty if there is a seepage or leakage. The Government companies come to know about that. When there is sabotage you can only pilfer them with equipment because they are very high pressure pipeline. He talked about seepage and lot of people talked about seepage. Every case of seepage is inquired into by the oil companies and by the Oil Industry

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Safety Directorate. Ten years' punishment is for making unauthorised connection for the removal or damaging or displacing the pipelines. He spoke about making the farmer a stakeholder. Many of you have come up with the idea. It is a very good suggestion. We will see what we can do about it. Mr. Mohapatra also spoke about it. Mr. Rajeeve also spoke about it. Many Members spoke about that. He came up with a figure that there has been a loss of about a thousand crores in the last few years because of pilferage. I would just bring to the House that IOCL loss reported -- due to pilferage and sabotage in the last five years -- is only 16.04 crores. That was 13.08 crores on crude and 2.96 on products. Birender Singhji spoke about farmers. I want to reply to that question. He spoke about how telecom towers are given rents every year but telecom towers are over the land. They are placed above the land and as you know these pipelines run below and so land is actually returned to the farmer again. अवतार सिंह करीमपुरी जी ने भी कहा है, अनजाने से नुकसान हो जाता है। इसलिए वह जो शब्द है कि अनजाने में नहीं होता, अगर अनजाने में हो जाता, इसीलिए जैसे श्री मणि शंकर अय्यर जी ने कई बार कहा, वह जो शब्द हमने बिल्कुल ही इसमें क्लॉज में डाल रखा है, बिल्कुल ही अगर होता है, अनजाने में अगर हो जाएगा तो उससे कोई

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कानूनी कार्रवाई नहीं होती है। Mr. P. Rajeeve spoke about the need for more gas pipelines. We are already having our natural gas pipeline by over 13000 kms. In the Twelfth Plan it would be about 18,200 kms of proposed new pipelines that are coming about. I would just like to bring to the House the number of pilferage cases we had in the last three years. If you look at the record, there have been 230 cases of pilferages and the law that we are bringing about actually is, it is not that it can be done by a farmer or by a child. These are by organised criminals and organised gangs which do it and the mafia that the House has spoken about. This kind of punishment that we bring forward for you to pass is actually to deter them from doing this kind of thing and we increase the punishment as you do it repeatedly over and over again. He spoke about pipeline in Kochi and he said that GAIL is not listening to the people. He has already spoken to my senior Minister. I will look into that and I will get back to him regarding the matter which he personally brought about the pipeline being laid in Kochi. I will get back to him on that. Mr. Pyare Lal Mohapatra spoke about the farmers which I have already spoken about. He spoke about the death penalty. That is in the rarest or rare cases. We are



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talking about sabotage; we are talking about terrorist acts. We have to deter people if they actually pipeline something that you cannot blow up. So it is in the rarest of rare cases.

**SHRI PYARIMOHAN MOHAPATRA:** You are taking my name wrongly. It is Shri Pyarimohan Mohapatra.

**SHRI R. P. N. SINGH:** I am extremely sorry. I stand corrected. I am sorry for taking the wrong name.

**THE VICE-CHAIRMAN (PROF. P. J. KURIEN):** *Pyari* means dear.

**SHRI R. P. N. SINGH:** Sir, I apologise. He spoke about anticipatory bail only denied for offences in nature of sabotage under Clause 15(4). He gave over responsibility to Gram Panchayat. That is something we will be looking at also. Burden of proof is on culprits. The burden of proof is on culprits only on certain cases, i.e. under Clause 15(2) and Clause 15(4).

(Contd. by NBR/2K)

-SSS/NBR-ASC/2K/2.50.

**SHRI R.P.N. SINGH (CONTD.):** Shri Bandyopadhyay spoke that penalty should be moderate. We have looked at it. We have come out, as I said, that for the first offence the imprisonment is for six

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months, for repeated offenders the penalty would go gradually up and for terrorists or saboteurs or mafia, we have taken it from six months to death penalty. So, we have a range of imposing penalty depending upon the kind and extent of damage or sabotage.

राम गोपाल यादव जी ने कहा है कि वे 16 (a) के पक्ष में नहीं हैं। मैं उनसे कहना चाहता हूँ कि वे हमेशा इस हाउस में अच्छे सुझाव देते हैं और उन्होंने मेरी तारीफ भी की है, मैं उनका शुक्रगुजार हूँ। उन्होंने एक अच्छा सजेशन दिया है, लेकिन मैं उनको बताना चाहूँगा कि जैसे उन्होंने 16 (a) के बारे में बात की है, यह सिर्फ उन सेक्शन्स के अंडर एप्लीकेबल है, जो 15 (2) में है और 15(4) में है तथा बाकी जितने सेक्शन्स हैं, यह उनके ऊपर लागू नहीं होता है। जो उन्होंने सुझाव दिए हैं, हम उनको भी जरूर देखेंगे।

आर.सी. सिंह साहब ने पाइपलाइन्स के बारे में बात की है कि पाइपलाइन्स ले करने के लिए पाइपलाइन्स की स्टडी होनी चाहिए। पाइपलाइन लगाने से पहले पाइपलाइन रूट्स डिजाइड किए जाते हैं। उन्होंने no survey to planned pipeline networks. PNGRB के पास अथॉरिटी है कि हम पाइपलाइन कहां डालें, तो PMGRB हमें निर्णय देती है और हम वहीं पर पाइपलाइन डालते हैं।

कुमार दीपक दास जी ने असम के बारे में बताया और मणि शंकर अय्यर जी ने भी बताया कि बहुत ज्यादा pilferage और sabotage होती है। मैं इस

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हाउस को बताना चाहता हूँ कि हमारे रिकार्ड में है अगर हमने सबसे ज्यादा pilferage कहीं पाया है, तो वह राजस्थान और हरियाणा में पाया है। हम इस कानून की सहायता से यह चाहेंगे कि आज तक यह जो सब होता रहा है, यह आगे न हो। जो आज तक चोरियां हुई हैं, इस कानून के अंतर्गत वे बंद हों और इसमें सुधार हो।

Mr. Mani Shankar Aiyar has been a very dynamic Minister in the Ministry of Petroleum and Natural Gas. His suggestions are well taken. I can assure him that whenever he has time, I will listen to all his suggestions. I can assure the House, through you Mr. Vice-Chairman, Sir, my Ministry will listen to his suggestions and see how we can act upon them. He spoke about the word 'wilfully.' The word 'wilfully' has been clarified. It is something that many hon. Members have missed while speaking. It is the key clause that has been changed.

Sir, he also spoke about Clause 16B. We have to prevent people from doing this kind of damage which otherwise lead to disruption in the energy sector. That is something which we have talked about. The Standing Committee has also gone into it. We will look into that and, definitely, work further on what he has suggested.

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Sir, he also spoke about the new Land Acquisition Bill. The Ministry of Petroleum & Natural Gas is not opposing it. It is mentioned in the Petroleum and Minerals Pipelines Act. Under Schedule 3 of the proposed Bill, there are provisions to extend coverage of the Land Acquisition Bill to the PMP Act by issuing notification by the Central Government.

I hope, Sir, I have answered all the queries raised by the hon. Members. I request you, Mr. Vice-Chairman, Sir, that the Bill may be passed. (Ends)

**SHRI PYARIMOHAN MOHAPATRA (ODISHA):** Sir, he has not replied to my point relating to minerals. So, I will seek a clarification.

First, he has not replied to the issue relating to non-petroleum minerals which is under Clause 15(2). Sir, you are protecting so many others in the name of petroleum products.

The second one is this. I had raised this indirectly and directly by Shri Mani Shankarji. The hon. Minister mentioned about the word 'wilfully.' Members did not miss the word. Sir, you have missed the word 'wilfully' while going with a Cabinet Note. The word 'wilfully' was omitted. It was cleared by the Department of Legal Affairs. Then, the

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Standing Committee made you to include it. So, the word 'wilfully' was not missed by us. If you catch hold of somebody or me doing something or not doing something, how do I prove? You left the onus on me! How do I prove that I did not do it wilfully or I did it wilfully? That is what Mani Shankarji has pointed out. Kindly clarify this.

**SHRI R.P.N. SINGH:** Sir, your suggestion is well taken.

**SHRI PYARIMOHAN MOHAPATRA:** I am talking about the onus.

**SHRI R.P.N. SINGH:** If the onus is not kept on the person who is sabotaging; it is difficult. To make sure that innocent people are not punished, we have also taken the recommendations of the Standing Committee into consideration. And, that is why no innocent person comes into it.

(CONTD. BY USY "2L")

-NBR-USY/2L/2.55

**SHRI R.P.N. SINGH (CONTD.):** That is why the word 'willfully' has been added. (Interruptions)

**SHRI MANI SHANKAR AIYAR:** Please don't use POTA language. You prove that the person is guilty. Don't ask him to prove innocence. That is completely against the law of our land.

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**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Now, the question is :

"That the Bill further to amend the Petroleum and Minerals Pipelines (Acquisition of rights of Users in Land) Act, 1962, as passed by Lok Sabha, be taken into consideration."

*The motion was adopted.*

**THE VICE-CHAIRMAN:** Now, we shall taken up clause-by-clause consideration of the Bill.

*Clause 2 was added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**SHRI R.P.N. SINGH:** Sir, I beg to move :

That the Bill be passed.

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

(Ends)

**THE ACADEMY OF SCIENTIFIC AND INNOVATIVE RESEARCH  
BILL, 2011**

**THE MINISTER OF SCIENCE & TECHNOLOGY (SHRI VILASRAO**

**DESHMUKH):** Sir, I move :

"That the Bill to establish an Academy for furtherance of the advancement of learning and prosecution of research in the field of science and technology in association with

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Council of Scientific and Industrial Research and to declare the institution known as the Academy of scientific and Innovative Research, to be an institution of national importance to provide for its incorporation and matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration."

Sir, the Academy will primarily focus on research and imparting training in such areas that are not ordinarily covered in the universities in India. The knowledge economy of 21<sup>st</sup> century, the leadership in science and technology, will depend on availability of highly skilled scientific and technological human resources in inter-disciplinary and trans-disciplinary science and technology. The Academy of Scientific and Innovative Research will focus on inter-disciplinary and trans-disciplinary areas, not ordinarily taught in regular academic institutions. By setting up the Academy, we are opening the world-class infrastructure of the CSIR in its 37 research institutions across India and its highly talented, internationally recognized faculty, some of whom are the best in the world, to our students.

The Academy is meant to supplement and complement efforts of the Ministry of Human Resource Development in strengthening the higher education in S&T. It will carry out inter-disciplinary teaching

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and research in post-graduate and PhD programme. Our effort is to increase the number of high quality PhDs in these emerging and cutting edge areas of science and technology who can drive innovation in Indian industry and provide a faculty to our education system.

The Academy is governed by the provisions of this Act, so far as reservations are concerned. The Academy will function on self-sustaining mode without direct budgetary support from the Government. So, the vision of our first Prime Minister, Pt. Jawaharlal Nehru, to set up the national laboratories of the CSIR, IITs and such other institutions laid the foundation for India's scientific and technological base. It is, now, time for us to build on this strong foundation to meet the challenges of tomorrow.

(Contd. by 2m – PK)

-USY/PK-AKG/2M/3.00

**SHRI VILASRAO DESHMUKH (CONTD.):**The Academy reflects our commitment to improve the scientific excellence of the Nation to make it a leader in the Knowledge economy.



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With these words, I commend the Bill for considering and passing.

**The question was proposed.**

(Ends)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Now, there are 10 amendments. I would call the names of the hon. Members. If they intend to move, they should stand up and just say, 'I move the amendment.' If they do not, then, they can keep quiet. Shri M. Rama Jois.

**MOTION FOR REFERENCE OF THE BILL TO SELECT COMMITTEE**

**SHRI M. RAMA JOIS (KARNATAKA):** Sir, I move:

That the Bill to establish an Academy for furtherance of the advancement of learning and prosecution of research in the field of science and technology in association with the Council of Scientific and Industrial Research and to declare the institution known as the Academy of Scientific and Innovative Research, to be an institution of national importance to provide for its incorporation and matters connected therewith or incidental thereto, as passed by Lok Sabha, be referred to a Select Committee of the Rajya Sabha consisting of the

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following members, namely, (names to be given at the time of moving the motion).

**DR. V. MAITREYAN (TAMIL NADU):** Sir, I move:

That the Bill to establish an Academy for furtherance of the advancement of learning and prosecution of research in the field of science and technology in association with the Council of Scientific and Industrial Research and to declare the institution known as the Academy of Scientific and Innovative Research, to be an institution of national importance to provide for its incorporation and matters connected therewith or incidental thereto, as passed by Lok Sabha, be referred to a Select Committee of the Rajya Sabha consisting of the following members, namely, (names to be given at the time of moving the motion).

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Shri Mohan Singh; not present. Shri Pramod Kureel.

**SHRI PRAMOD KUREEL (UTTAR PRADESH):** Sir, I move:

That the Bill to establish an Academy for furtherance of the advancement of learning and prosecution of research in the field of science and technology in association with the Council of Scientific

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and Industrial Research and to declare the institution known as the Academy of Scientific and Innovative Research, to be an institution of national importance to provide for its incorporation and matters connected therewith or incidental thereto, as passed by Lok Sabha, be referred to a Select Committee of the Rajya Sabha consisting of the following members, namely, (names to be given at the time of moving the motion).

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Shri D. Raja; not present. Shri Moinul Hassan.

**SHRI MOINUL HASSAN (WEST BENGAL):** Sir, I move:

That the Bill to establish an Academy for furtherance of the advancement of learning and prosecution of research in the field of science and technology in association with the Council of Scientific and Industrial Research and to declare the institution known as the Academy of Scientific and Innovative Research, to be an institution of national importance to provide for its incorporation and matters connected therewith or incidental thereto, as passed by Lok Sabha, be referred to a Select Committee of the Rajya Sabha consisting of the

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following members, namely, (names to be given at the time of moving the motion).

**THE VICE-CHAIRMAN:** Shri Shivanand Tiwari; not present. Shri Birendra Prasad Baishya; not present. Dr. Bharatkumar Raut; not present. Shri Pyarimohan Mohapatra; not present. Now, we will start the discussion. Shri Shreegopal Vyas.

**श्री मोइनुल हसन :** सर, क्या बिल पर discussion होगा? We have given a Motion to send it to the Select Committee.

**उपसभाध्यक्ष (प्रो. पी.जे. कुरियन):** हाँ, discussion होगा। After the discussion, we will take up the amendments. At that time, if the amendment is accepted it will go. Anyway, we will have discussion now.

**श्री श्रीगोपाल व्यास (छत्तीसगढ़) :** धन्यवाद उपसभाध्यक्ष महोदय। आपने मुझे इस महत्वपूर्ण विधेयक पर अपने विचार प्रकट करने के लिए अवसर दिया है, ...(व्यवधान)...

**DR. V. MAITREYAN:** Sir, this Bill is going to the Select Committee.

Why are we discussing it?

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**THE VICE-CHAIRMAN:** I cannot presume what is going to be the decision. At that time, we will know. Now, we have to discuss this. ..(Interruptions)... When we put the amendments to vote, then only we will know what the decision is. Now, we will take up discussion. ..(Interruptions)..

**SHRI P. RAJEEVE:** Sir, Commercial Division of High Court Bill.... ..(Interruptions)..

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** If all of you talk, what can I do? ..(Interruptions).. All of you are talking. ..(Interruptions).. One of you should speak. ..(Interruptions)..

**SHRI P. RAJEEVE:** It is a wastage of time. ..(Interruptions)..

**THE VICE-CHAIRMAN:** Will all of you take your seats? ..(Interruptions)..

**श्री ब्रजेश पाठक :** सर, यह चर्चा के पहले ही जाएगा।

**THE VICE-CHAIRMAN:** Will all of you resume your seats? ..(Interruptions).. आप बैठिए।

**SHRI MOINUL HASSAN:** Sir, we have given a Motion to send this Bill to the Select Committee. If we have decided that it will go to the Select Committee, what is the need to discuss it here?

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**THE VICE-CHAIRMAN:** We have not decided yet.

**SHRI MOINUL HASSAN:** Then, who will decide this?

..(Interruptions)..

(Followed by PB/2N)

-PK/PB-SCH/2n/3.05

**THE VICE-CHAIRMAN :** In that case, the Motion should have come at the time of introduction. That is not there. ...(Interruptions)... Please. ...(Interruptions)... In that case, there should have been a Motion -- before the Minister replies; at that stage -- saying that it should be sent to a Select Committee consisting of so and so names. But such a Motion is not there. ...(Interruptions)... Let me complete. ...(Interruptions)... Let me complete. ...(Interruptions)...

**श्री ब्रजेश पाठक:** सर, जब चर्चा करानी है तो पास करना है ...(व्यवधान) जब सब लोगों ने संशोधन दिए हैं तो इसे स्वीकार करके सिलेक्ट कमेटी को भेज दीजिए ...(व्यवधान) इस पर चर्चा कराने की कोई आवश्यकता नहीं है ...(व्यवधान) इसे सिलेक्ट कमेटी को भेज देना चाहिए ...(व्यवधान)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Please. Such a Motion is not there. What we got is only amendment. So, as far as

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my understanding goes ... ..(Interruptions)... Please let me complete. ... (Interruptions)...

**श्री ब्रजेश पाठक:** सर, इसमें यह नहीं है तभी सब लोगों ने संशोधन के लिए दिया है कि इसे सिलेक्ट कमेटी में भेज दीजिए...(व्यवधान)

**THE VICE-CHAIRMAN:** Please, let me complete. ... (Interruptions)...

There is no Motion. ... (Interruptions)... Where is the Motion?

... (Interruptions)... Where is the Motion? ... (Interruptions)...

**श्री अवतार सिंह करीमपुरी:** यह रिज़र्वेशन पॉलिसी के खिलाफ है ... (व्यवधान)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Where is the Motion?

... (Interruptions)... Please. ... (Interruptions)... Will you please resume your places? ... (Interruptions)... I will explain.

... (Interruptions)...

**श्री अवतार सिंह करीमपुरी:** इसमें दर्ज है कि आप रिज़र्वेशन खत्म करने जा रहे हैं ... (व्यवधान) चर्चा कराने की क्या आवश्यकता है? ... (व्यवधान)

**THE VICE-CHAIRMAN:** I agree that you have a point; but let me explain. ... (Interruptions)... I will explain. ... (Interruptions)...

**श्री ब्रजेश पाठक:** जब हम लोग इसे सिलेक्ट कमेटी में भेजने के लिए सहमत हैं तो चर्चा कराने की क्या आवश्यकता है? ... (व्यवधान)

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**THE VICE-CHAIRMAN:** I got your point. ...(Interruptions)... मैं आपकी बात समझ गया; but there is no Motion. That is the problem. ...(Interruptions)...

**SHRI RUDRA NARAYAN PANY:** It is coming. ...(Interruptions)...  
The Motion is just coming. ...(Interruptions)...

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

**MR. DEPUTY CHAIRMAN:** What is the problem? ...(Interruptions)...  
आप बैठिए न ...(व्यवधान) क्या आप मेरी बात सुनेंगे ...(व्यवधान) आप बैठिए  
...(व्यवधान) नहीं-नहीं, आप बैठिए ...(व्यवधान) We will find out a  
solution. Please sit down. ...(Interruptions)... आप बैठिए न  
....(व्यवधान) करीमपुरी जी, आप बैठिए, मैं सुनूंगा न ..(व्यवधान) मैं सुनूंगा  
...(व्यवधान) आप अपनी जगह बैठ जाइए ...(व्यवधान) Please sit down.  
...(Interruptions)...

**SHRI RAJIV PRATAP RUDY:** Sir, I have a point of order.

**MR. DEPUTY CHAIRMAN:** I will take your point of order.  
...(Interruptions)...

**SHRI RAJIV PRATAP RUDY:** Sir, first establish order and then take  
my point of order.



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**MR. DEPUTY CHAIRMAN:** Yes, I have established that. Now, let one Member speak so that I know what exactly is your point.  
...(Interruptions)...

**श्री ब्रजेश पाठक:** सर यह ...(व्यवधान) पिछली बार आप कर चुके हैं  
...(व्यवधान)

**श्री उपसभापति:** प्लीज़-प्लीज़, मैं आपको सुन रहा हूँ ना। हम बिल की ही बात कर रहे हैं, आपको सुन रहे हैं ....(व्यवधान)

**SHRI MOINUL HASSAN (WEST BENGAL):** Sir, my point is very simple. I have already told that when this Bill came last week, at that time we had demanded that it should go to the Select Committee. Many of our colleagues have given a notice in the form of a Motion demanding that the Bill should go to the Select Committee to consider it clause-by-clause and to discuss its pros and cons, merit and demerit. We have given a notice. More than 15 Members across the House have given it. So that is the point. It is not an amendment. It is a Motion on behalf of all of us. So, I would like to know the fate of that Motion for reference of the Bill to the Select Committee. Nothing came across to us and the discussion was started. So, my point is, send it

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to the Select Committee and take a proper decision in this regard.

...(Interruptions)...

(Followed by 2o/SKC/PSV)

PSV-SKC/20/3.10

**श्री उपसभापति:** इन्होंने बोल दिया। अब आप बैठिए। ...(व्यवधान)...

**श्री ब्रजेश पाठक:** सर, यह दलितों और पिछड़ों के लिए रिजर्वेशन पॉलिसी के खिलाफ है। हमारा सीधा-सीधा मानना है कि हाउस के ज्यादातर मैम्बर्स चाहते हैं कि यह एक गम्भीर मामला है, इसलिए यह सेलेक्ट कमेटी में चला जाए, वहाँ सदस्य इस पर बिन्दुवार अपनी राय दे दें और जब यह बिल स्पष्ट रूप से बन कर आ जाए, रिजर्वेशन पॉलिसी के समर्थन में, तब इसे पास करा लिया जाए। इसलिए, सर, इसको सेलेक्ट कमेटी में भेजना आवश्यक है।

**MR. DEPUTY CHAIRMAN:** Now, Mr. Rudy. (Interruptions) I have heard Mr. Moinul Hassan from your Party.

**SHRI RAJIV PRATAP RUDY:** Sir, we understand that mostly, when the Bill is to be introduced, that is time when the general view of the House is taken and it is referred to the Select Committee. But there have been cases in the past where even if a Bill had been introduced, at a later stage, as in the case of the Commercial Division of High Courts Bill and others, there was a Motion by the Government saying

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that they were referring it to the Select Committee. Here is a similar situation. Now, instead of creating a confrontation with the Members who have expressed this opinion, the Government should accept that it should be referred to the Select Committee, because after holding discussions and bringing it in for a debate and then saying that it would be sent to the Select Committee does not make any sense. This is my submission and the Government should respond and sort it out, instead of wasting the precious time of this House. People of the country don't like this.

**MR. DEPUTY CHAIRMAN:** Now, there are two issues here.

**प्रो. राम गोपाल यादव:** सर, रूडी साहब ने जो कहा, वह बिल्कुल सही है। मैं उनसे सहमत हूँ कि यह गवर्नमेंट की तरफ से आना चाहिए। यह सेलेक्ट कमेटी को भेज दिया जाए, क्योंकि यहाँ डिस्कशन के बाद इसे सेलेक्ट कमेटी को भेजने का कोई मतलब नहीं रह जाता। ...(व्यवधान)...

**श्री उपसभापति:** आपने भी सही कहा। मगर हमारे समक्ष सवाल यह है कि Government consent ...(व्यवधान)... अगर गवर्नमेंट मूव करती है तो यह ...(व्यवधान)... आप ठहरिए। अब जो बात है ...(व्यवधान)...

**श्री अवतार सिंह करीमपुरी:** सर, गवर्नमेंट ...(व्यवधान)... करना चाहती है। ...(व्यवधान)...

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**DR. V. MAITREYAN:** Sir, let the Government decide whether they want confrontation or they want a meaningful discussion. (Interruptions) Let the Government decide. (Interruptions)

**MR. DEPUTY CHAIRMAN:** The Minister has to say something. (Interruptions) ठीक है। आप लोगों ने बोल लिया। ... (व्यवधान)... नहीं, नहीं। आप लोगों ने बोल लिया। ... (व्यवधान)... I have asked the Minister to speak. Can you not... (Interruptions)... बस, अब आप बैठिए।

**THE MINISTER OF SCIENCE AND TECHNOLOGY (SHRI VILASRAO**

**DESHMUKH):** Sir, let me explain, for the information of the Members of the House, that this Bill was sent to the Standing Committee, of which Members from both the Houses are Members, and it was discussed in detail. It was then brought before the Lok Sabha and the Lok Sabha has already passed the Bill. Now, I do not think there is any valid reason... (Interruptions)

**श्री ब्रजेश पाठक:** सर, हम इससे सहमत नहीं हैं। ... (व्यवधान)...

**श्री अवतार सिंह करीमपुरी:** सर, ... (व्यवधान)...

**श्री उपसभापति:** ठहरिए, ठहरिए। ... (व्यवधान)... आप उनको बोलने दीजिए। ... (व्यवधान)... उनको बोलने दीजिए। ... (व्यवधान)...

**DR. V. MAITREYAN:** Sir, we had moved a Motion for referring the Bill to the Select Committee. (Interruptions)

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**श्री उपसभापति:** आप उनको बोलने तो दीजिए। ...(व्यवधान)... आप बैठिए।  
...(व्यवधान)...

**SHRI VILASRAO DESHMUKH:** Sir, a point had been raised regarding reservation at the time of admission and at the time of appointment. (Interruptions) Accordingly, we are also moving amendments for making the reservation ...(Interruptions)

**श्री उपसभापति:** आप क्यों ऐसा कर रहे हैं? ...(व्यवधान)... मैं इनकी बात सुन रहा हूँ। ...(व्यवधान)... इस तरह से ठीक नहीं है। ...(व्यवधान)... The House is adjourned for half an hour.

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

HK/2p/3.40

**The House reassembled at forty-three minutes past three of the clock,  
MR. DEPUTY CHAIRMAN in the Chair.**

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**MR. DEPUTY CHAIRMAN:** There is a motion to refer the Bill to the Select Committee. I will have to put the Motion for vote. ...(Interruptions)...

**DR. V. MAITREYAN:** Sir, I would like to make a submission. The apprehension was that once an institution is made the centre of

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national importance, according to the 2006 Act, the institution loses its reservation character.

(Contd. by 2q/KSK)

KSK/DS/3.45/2Q

**DR. V. MAITREYAN (CONTD):** Now, as per the original Bill, which was circulated, the same thing was applicable. The hon. Minister has moved an amendment that the exemption from reservation will not be applicable to this Bill. I would like the hon. Minister to explicitly mention this particular point so that the House can take a decision.

**MR. DEPUTY CHAIRMAN:** Yes.

**विज्ञान और प्रौद्योगिकी मंत्री तथा पृथ्वी विज्ञान मंत्री (श्री विलासराव देशमुख):** सर, जहाँ तक रिज़र्वेशन का मुद्दा है, उस पर सरकार ने पहले ही विचार किया है और हमने main bill के साथ अमेंडमेंट को मूव किया है।

**श्री उपसभापति:** क्या इस बिल में रिज़र्वेशन है? ..(व्यवधान)..

**श्री विलासराव देशमुख:** हमने इस बिल में रिज़र्वेशन की व्यवस्था पूरी तरह से की है। शेड्यूल्ड कास्ट्स, शेड्यूल्ड ट्राइब्स, ओबीसी ..(व्यवधान)..

**श्री उपसभापति:** आप लोग मिनिस्टर को बोलने दीजिए।

**श्री विलासराव देशमुख:** दूसरी बात मैं यह बताना चाहता हूँ कि रिज़र्वेशन की जो पॉलिसी हमने सेंट्रल यूनिवर्सिटी एक्ट में तय की है, वही पॉलिसी यहाँ पर

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लागू होगी। ..(व्यवधान).. वह पॉलिसी, जिसमें हमने कहा है ..(व्यवधान).. कुछ सदस्यों ने परसेंटेज के बारे में मुद्दा उठाया था। मैं कहना चाहता हूँ कि यह शेड्यूल्ड कास्ट्स के लिए 15 परसेंट, शेड्यूल्ड ट्राइब्स के लिए साढ़े सात परसेंट तथा ओबीसी के लिए 27 परसेंट होगा। ..(व्यवधान).. यह जो रिज़र्वेशन है, इसकी पूरी व्यवस्था हमने इस बिल में की है।..(व्यवधान)..

**MR. DEPUTY CHAIRMAN:** He is giving an assurance on the floor of the House.

**SHRI AMBETH RAJAN:** Sir, it is not in writing.

**श्री उपसभापति:** क्या मिनिस्टर से राइटिंग में लेते हैं? ..(व्यवधान)..

**श्री विलासराव देशमुख:** सर, जहाँ तक रिज़र्वेशन की पॉलिसी है ..(व्यवधान).. रिज़र्वेशन लागू होगा।..(व्यवधान)..

**MR. DEPUTY CHAIRMAN:** It is an assurance.

**श्री विलासराव देशमुख:** मेरी माननीय सदस्य से यही एक विनती है कि उन्होंने जो अपना अमेंडमेंट या मोशन दिया है, उसको वे वापस ले लें।..(व्यवधान)..

**MR. DEPUTY CHAIRMAN:** Probably, the issue was raised because of the impression that this is an institution of national importance. Hence, the provisions of section 4(b) of the Central Educational Institutions (Reservation in Admission) Act, 2006, will be applicable. That was the apprehension, and it was so because it was an

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institution of national importance. Later on, when the issue was raised, the hon. Minister had a discussion. Now, he has moved an amendment. I will read out the amendment. I quote, “2. That at page 7, line 11, *after* the word “citizen”, the following shall be *inserted*, namely:- “and any exemption from making such reservation under the proviso to clause (b) of section 4 of the Central Educational Institutions (Reservation in Admission) Act, 2006, shall not be applicable to this Academy.” That means...(Interruptions). Please, listen. ...(Interruptions)... आप बैठिए। ..(व्यवधान).. आप ज़रा सुनिए। ..(व्यवधान).. अंग्रेज़ी कभी-कभी मुश्किल हो जाती है।..(व्यवधान).. क़ानून की ज़बान बड़ी मुश्किल होती है। इसमें रिज़र्वेशन की जो exemption सेंट्रल एजुकेशन इंस्टिट्यूशंस में दी गयी है, वह यहाँ applicable नहीं होगी, इसलिए यहाँ रिज़र्वेशन बाकी रहेगा। ..(व्यवधान)..

**SHRI TIRUCHI SIVA:** Sir, this amendment has been circulated.

**MR. DEPUTY CHAIRMAN:** We will take up the next issue. But, please, let me first solve this...(Interruptions).

**DR. V. MAITREYAN:** Sir, in view of the amendment moved by the hon. Minister, I will not press for my demand to refer this Bill to the Select Committee.



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**SHRI TIRUCHI SIVA:** Sir, this was circulated three days before, and we have received it. That is why, we did not raise any objection to that. That amendment clearly says that reservation will be given in this institution in the admissions. So, we have no grudges.

**श्री ब्रजेश पाठक:** सर, ..(व्यवधान)..

**श्री उपसभापति:** आपकी पार्टी से आपके लीडर बोल रहे हैं।

**श्री ब्रजेश पाठक:** सर, इस बिल के क्लॉज़ 6 में साफ-साफ यह उल्लेख है कि इसको राष्ट्रीय महत्व की संस्था घोषित किया जा रहा है। सर, राष्ट्रीय महत्व की जो संस्थाएँ हैं, उनमें रिज़र्वेशन पॉलिसी लागू नहीं होती है, लेकिन हमारी आपत्ति यह है कि जो अमेंडमेंट इन लोगों ने सरकार की तरफ से या मंत्री जी की तरफ से मूव किया, उसमें कहीं भी यह उल्लेख नहीं था कि दलितों और पिछड़ों का जो आरक्षण है, उसका कोटा क्या है, बल्कि उसमें गोल-गोल बातें लिखी थीं। इस वजह से हम लोगों की आपत्ति थी और हमें अभी भी यह लगता है कि मंत्री जी की इच्छा साफ नहीं है।..(व्यवधान)..

**श्री उपसभापति:** उन्होंने बता दिया है।..(व्यवधान).. देखिए, यह हाउस है और यहाँ मंत्री जो कुछ भी बोलते हैं वह assurance होता है और उन्होंने assurance दिया है।..(व्यवधान)..

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**श्री ब्रजेश पाठक:** सर, मेरा यह कहना है कि बहुजन समाज पार्टी और हमारे लेफ्ट के साथियों के दबाव में मंत्री जी ने अमेंडमेंट को इस तरह से स्वीकार किया है।

(2आर/एचएमएस पर क्रमशः)

2R/HMS-GSP/3:50

**श्री ब्रजेश पाठक (क्रमागत) :** इस के पहले इन की इच्छा नहीं थी ..(व्यवधान)..

**श्री उपसभापति :** ठीक है, आप के दबाव में ..(व्यवधान).. आप ने बहुत अच्छा काम किया ..(व्यवधान).. आप ने दलितों का इश्यू उठाया है, इसीलिए अमेंडमेंट आ रहा है। इस के लिए क्रेडिट आप को ही जाएगा।

**श्री वीर सिंह :** सर, इस का पैरा 6 निकाल दिया जाए। सर, माननीय मंत्री जी से निवेदन है कि पैरा 6 निकाल दिया जाए।

**श्री उपसभापति :** वैसे नहीं निकल सकता। ..(व्यवधान).. प्लीज बैठिए। आप cooperate कीजिए, प्लीज। प्लीज बैठिए।

**श्री तरुण विजय :** सर, भारतीय जनता पार्टी हमेशा आरक्षण की बात के पक्ष में रही है। खासकर नेता प्रतिपक्ष की आज्ञा पर ..(व्यवधान)

**श्री उपसभापति :** ठीक है, यह हाउस की आज्ञा से हुआ है। ..(व्यवधान).. प्लीज बैठिए। Let us take up the Bill. श्री श्रीगोपाल व्यास।

**श्री श्रीगोपाल व्यास (छत्तीसगढ़) :** धन्यवाद, उपसभापति जी, आप ने मुझे इस महत्वपूर्ण विधेयक पर बोलने का अवसर दिया। मैं स्वयं ही इस विषय पर प्रारंभ

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में ही बोलने वाला था कि हमारे श्रेष्ठ नेताओं ने इसे प्रवर समिति को भेजने के बारे में कहा था, उस पर क्या हुआ? परंतु मेरे बोलने से पहले ही सारे नेतागण खड़े हो गए और उन्होंने इस बात की मांग की। ..(व्यवधान)..

मान्यवर, इसे प्रवर समिति को भेजे जाने के पक्ष में मैं भी था क्योंकि इस में बहुत सी जटिलताएं और बारीकियां हैं। हालांकि यह लोक सभा से पास हुआ, लेकिन उन पर विचार करना आवश्यक था। अब जब कि यह चर्चा शुरू हुई है, मुझे खुशी है, परंतु मुझे आश्चर्य है कि संसद में पारित होने के पहले ही सरकार ने इस के बारे में अधिसूचना क्यों जारी की। यद्यपि कभी-कभी यह होता रहा है, लेकिन फिर भी यह सोचने का विषय है कि संसद का सत्र नजदीक होते हुए भी अधिसूचना जारी कर अंतरिम अकादमी चालू करने के लिए इस विधेयक को लाया गया। यह मेरी समझ से बाहर है।

मान्यवर, मेरा ध्यान इस विषय पर इसलिए गया क्योंकि मैं विज्ञान से जुड़ा हूं और इंजीनियर रहा हूं, इसलिए मेरी इस बारे में रुचि हुई है। हम सभी जानते हैं कि हम हजारों वर्षों से सारी दुनिया को विज्ञान के क्षेत्र में विभिन्न प्रकार से योगदान देते आए हैं। यहां तक कि "शून्य" भी दुनिया को मालूम नहीं था, "दशमलव" भी नहीं मालूम था, उन को "पाई" की value भी नहीं मालूम थी, खगोल शास्त्र की अनेक बातें विश्व को नहीं मालूम थीं। अगर हम ने दशमलव व शून्य दुनिया को नहीं दिया होता तो वह एक "वी" बनाकर और पचासों लाइंस खींचकर संख्याओं को गिन रहे होते। मान्यवर, जिन लोगों की इस विषय में रुचि है, उन को मालूम है कि गणित का हमारा ज्ञान अरब देशों से होकर यूरोप में गया। इसलिए कई लोग उसे

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अरिबयन गणित कहते हैं। लीलावती का बीजगणित यूरोप में सात सौ वर्षों तक पाठ्य पुस्तक के रूप में पढ़ाया जाता था। हमारे आर्यभट्ट जैसे अनेक वैज्ञानिक हैं जिन के बारे में सारी दुनिया सुनती आयी है। परंतु हमारे सर सी०वी० रमन ने जो पुरस्कार प्राप्त किया था, उस के बाद हम अनुसंधान में कितने पिछड़ गए हैं, यह इसी बात से साबित होता है कि "रमन स्कैनर" का शोध किसी और ने किया। सर रमन हमारे यहां हुए, लेकिन रमन स्कैनर का शोध दुनिया में कहीं और हुआ। यही इस बात को बताता है कि विज्ञान में अनुसंधान की ओर हमारी प्रवृत्ति कितनी कम हुई है। मान्यवर, मैंने एक रिपोर्ट पढ़ी है जिस के अनुसार कहा जाता है कि सरकारी शोध संस्थानों की मौजूदगी के बावजूद भारत के विश्वविद्यालयों में वैज्ञानिक शोधक परंपरागत केन्द्र रहे हैं।

(2 एस/केएल जी पर क्रमश)

-HMS/KLG-SK/3.55/2S

**श्री श्रीगोपाल व्यास (क्रमागत):** लेकिन इनकी दिनों-दिन बढ़ती संख्या के बावजूद, पैसे की कमी और कई अन्य कारणों से, हमारे कुछ विश्वविद्यालयों को छोड़कर बाकी सब शोधक मामलों में पिछड़ते जा रहे हैं। दुनिया के ज्यादातर विकसित देश वैज्ञानिक क्षेत्र में शोध को बढ़ावा देने के लिए 30 प्रतिशत तक खर्च करते हैं और हम केवल 6 प्रतिशत पर ही अटके हुए हैं। आज देश में स्थिति यह हो गई है कि हमारे जो वैज्ञानिक हैं, जो उच्च-स्तर पर शोध भी करते हैं, उन्हें जल्दी नौकरी मिले, ज्यादा पैसा मिले, इसके लिए वे अपने देश से दूसरे देशों में चले जा रहे हैं और शोध से किनारा करने लगे हैं।

**Uncorrected/ Not for Publication-21.12.2011**

उपसभापति जी, जब मैंने इसके उद्देश्य पढ़े, तब मुझे समझ में आया कि इस अकेडमी के द्वारा हम ऐसे क्षेत्रों में शोध को बढ़ावा देना चाहते हैं, जो सीएसआईआर में, या दूसरे जो हमारे वैज्ञानिक परिषद हैं, उनमें नहीं हैं। अच्छा होता, मंत्री जी, कि इन उद्देश्यों में उन विषयों का जिक्र होता। इसमें यह इंटर-डिसपिलिनरि सब्जेक्ट का कोई स्पष्ट उल्लेख नहीं है। कैमिकल-फिजिक्स होगा, या फिजिकल-कैमिस्ट्री होगा, या ट्रिगनोमेट्रिकल-मैथमेटिक्स होगा, या मैथमेटिकल-ट्रिगनोमेटरी होगा? भगवान जाने इंटर डिस्पिलिनरि से क्या मतलब होता है? यह कहीं पर स्पष्ट नहीं किया गया है। अच्छा होता कि उन विषयों के बारे कुछ जानकारी आप देते, जिससे समझने में सुविधा होती, अन्यथा ऐसा लगता है कि हमारी जो परिषद है, वैज्ञानिक अनुसंधान परिषद, उसी के आधार पर इस अकेडमी को बनाने का विचार हुआ है। केवल उसी के आधार पर, उसी की संपदा पर, उसी के वैज्ञानिकों के बल पर हम एक नई अकेडमी बनाने जा रहे हैं। मुझे समझ में नहीं आया कि केवल अकेडमी बना देने से कैसे छात्रों की संख्या बढ़ जाएगी? इसमें कहा गया है कि पी.एचडी. आजकल बहुत कम हो रहे हैं, इनकी संख्या बढ़ानी है। जब मैं इसे देख रहा था, तो मेरे मन में अनेक प्रश्न उठे। मैंने स्थाई समिति की रिपोर्ट भी पढ़ी, मैं यहां सदन में अपने डा० स्वामीनाथन जी के प्रति बहुत कृतज्ञता व्यक्त करता हूँ कि उन्होंने हमारे राष्ट्र को ठीक रास्ते पर चलने को प्रेरित किया है। उनका बहुत बड़ा योगदान स्थाई समिति की रिपोर्ट में रहा, परन्तु मेरे मन में एक प्रश्न खड़ा हुआ कि क्या

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सीएसआईआर से हमारी पर्याप्त चर्चा हुई है? यह जो चर्चा हुई है, वह उनके एडमिनिस्ट्रेटिव स्टाफ से हुई है या उनके वैज्ञानिकों से हुई है? मुझे यह पढ़ने पर समझ में नहीं आया। इसमें यह भी कहा गया है कि हमारे यहां जो पी.एचडी. लोगों की शॉर्टेज है, उसको हम दूर करेंगे। इसमें ऐसे कई विपरीत वक्तव्य हैं, जिनके कारण मुझे ऐसा लगा कि वास्तव में इसे सेलेक्ट कमेटी को जाना चाहिए। उदाहरण के लिए आप कह रहे हैं कि पी.एचडी. की शॉर्टेज है और वार्षिक रिपोर्ट 2010-11 के पृष्ठ 79 पर लिखा है कि विगत तीन वर्षों के दौरान विज्ञान और इंजीनियरिंग में भारत के पी.एचडी. निष्पादनों में महत्वपूर्ण वृद्धि की सूचना मिली है। अब क्या माना जाए? आप कारणों में कह रहे हैं कि पी.एचडी. की संख्या कम हो रही है और आपकी वार्षिक रिपोर्ट 2010-11 में पृष्ठ 79 पर यह लिखा है। अब मुझे समझ में नहीं आ रहा है, स्थिति क्या है? आपने स्वयं एक यह नया शुरु किया है, इसलिए एसआईआरसी कहता है कि विज्ञान और इंजीनियरिंग के नए और अंतर्विषयी क्षेत्रों के अनुसंधान और विकास को बढ़ावा देने के लिए अपने कार्यक्रम को जारी रखेगा। इन सब बातों के कारण मन में एक प्रश्न खड़ा हो गया कि अकेडमी की जरूरत क्या है? अभी तो विश्वविद्यालयों से पी.एचडी. मिलते हैं, क्या सरकार इन सारे विश्वविद्यालयों के ऊपर क्या कोई एक और नियंत्रण करने के लिए यह अकेडमी बनाना चाहती है? अकेडमी नाम के पीछे जब मैं शोध करने लगा, तो मुझे पता लगा कि इसकी पृष्ठभूमि क्या है? मैं पढ़ रहा हूँ, उपसभापति जी, अगर आपकी अनुमति हो तो।

Uncorrected/ Not for Publication-21.12.2011

**श्री उपसभापति :** पढ़िए, पढ़िए।

**श्री श्रीगोपाल व्यास:** महोदय, इसमें लिखा है- समिति को यह भी बताया गया कि चीन में पी.एचडी. धारकों की संख्या में कायाकल्प मुख्यतः चाइनीज एकेडमी ऑफ साइंस के कारण हुआ, जिसकी 92 राष्ट्रीय प्रयोगशालाएं हैं और अपने गुप में यह सीएसआईआर के समान है, जिसकी 37 प्रयोगशालाएं हैं। Chinese Academy of Sciences मुख्यतः scientific & academic कार्यकलाप संचालित करती है और University of Science & Technology of China के माध्यम से भारी संख्या में Ph.D धारक तैयार किए गए हैं।

(2टी/एनबी पर क्रमशः)

NB/2T/4.00

**श्री श्रीगोपाल व्यास (क्रमागत) :** यदि दुनिया में कोई Academy अपने नाम से Ph.D धारकों की संख्या बढ़ाती है, इसीलिए हम भी इसका नाम Academy रखना चाहते हैं, तो यह मेरी समझ के बाहर है। इन्हीं कारणों से मुझे लगा कि इस विषय को जरूर विशेषज्ञ समिति को सौंपा जाना चाहिए। इस पर डिस्कशन के लिए अनेक विशेषज्ञों को बुलाया गया था, लेकिन जब स्थायी समिति के सामने हमारी आधारभूत संस्था, CSIR के सचिव को बुलाया गया, तो उन्होंने जो कहा, वह पढ़ने लायक है। इससे पता लगता है कि उन्हें भी शंका थी कि यह सब करना संभव होगा या नहीं। सचिव महोदय ने जो कहा, उसे मैं पढ़ना चाहता हूँ।

**Uncorrected/ Not for Publication-21.12.2011**

सचिव महोदय ने यह कहा कि इतनी प्रकार की अलग-अलग राष्ट्रीय योजनाएं हैं, उदाहरण के लिए डिफेंस है। डिफेंस अपने स्तर पर बहुत सारी डिग्रियां और Ph.D देने का काम करती है। डिफेंस के ऐसे अनेक संस्थान हैं, जो अपने आप बहुत से अनुसंधान करते हैं और डिग्रियां देते हैं ... (व्यवधान) मुझे दुःख है कि मंत्री महोदय का ध्यान इधर नहीं है।

**श्री उपसभापति :** तरुण जी, आपके साथी मेंबर object कर रहे हैं, आप मंत्री जी से बात कर रहे हैं और वे object कर रहे हैं।

**श्री श्रीगोपाल व्यास :** मंत्री जी, मैं आपका ध्यान इस ओर आकर्षित कर रहा था कि जब सचिव महोदय को स्थायी समिति के सामने बुलाया गया, तो उन्होंने बहुत प्रकार की शंकाएं प्रकट की थीं, क्योंकि हमारे अनेक उद्यम हैं, जैसे रक्षा एक महत्वपूर्ण उद्यम है, वे अपने स्तर पर ही Ph.D देने का प्रबंध कर रहे हैं। जब ऐसे अनेक संस्थान Ph.D देने का प्रबंध कर रहे हैं, जब उनके विश्वविद्यालय Ph.D दे रहे हैं, तो मन में यह प्रश्न खड़ा होना स्वाभाविक था कि वर्तमान में जो वैज्ञानिक परिषद है, क्या हम उसके संसाधनों का प्रयोग करके, केवल उसको Academy का नाम देंगे और उसका उपयोग डिग्री देने के लिए करेंगे तथा उसको राष्ट्रीय महत्व की संस्था घोषित करेंगे, क्या उसका उद्देश्य केवल यही है? जब यह सवाल पूछा गया कि क्या वास्तव में अधिक Ph.D निकालने का उद्देश्य है, तो उत्तर में कहा गया कि हम बाहर से अधिक जनशक्ति ले आएंगे। जब बाहर से ही लाना है, तो अपने यहां Ph.D देने में क्या तकलीफ है? मेरा सुझाव है



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कि हमारे जो विश्वविद्यालय हैं, उनके संसाधन बढ़ाए जाने चाहिए। जो लोग विज्ञान के क्षेत्र में प्रगति करना चाहते हैं, जो लोग देश के बाहर जा रहे हैं, उनको यहीं रोककर, अधिक संसाधन देकर, शोध को बढ़ावा देना चाहिए। केवल नाम बदलने से काम नहीं होगा। इसलिए जो काम होना चाहिए, उसके लिए आप अधिक संसाधन दें, वैज्ञानिकों को प्रोत्साहन दें, पुरस्कार दें और जो शोध करने वाले लोग हैं, उनको यहां रोकना तभी संभव होगा, जब हम उनको इस प्रकार का आश्वासन देंगे कि तुम इस क्षेत्र में शोध करो, हम तुम्हारे लिए सारे संसाधन जुटाएंगे।

उपसभापति जी, आप मुझे क्षमा करेंगे, मैं विज्ञान का छात्र हूं, मैं ज्यादा राजनीति नहीं जानता हूं। जब मैंने इस बिल को पढ़ा, तो देखा कि इसका विस्तार जम्मू-कश्मीर के सिवाय संपूर्ण भारत में होगा। ठीक है, वहां धारा 370 लागू है, कहते हैं, उसके कारण इन सब समस्याओं का निर्माण हो रहा है, लेकिन मैं पूछना चाहता हूं कि विज्ञान के क्षेत्र में हम जम्मू-कश्मीर को क्यों छोड़ना चाहते हैं? यह बात मेरी समझ से परे है। आपने वहां एक परामर्श केन्द्र खोला है। आप वार्षिक रिपोर्ट के पृष्ठ 10 पर देखिए, वहां लिखा है कि हम वहां पर एक परामर्शी विकास केन्द्र खोलेंगे, फिर जम्मू-कश्मीर को हम इस विधेयक से बाहर क्यों रख रहे हैं? ... (व्यवधान)

मेरी राय यह है कि विज्ञान और तकनीकी के क्षेत्र में ऐसे सारे बंधनों को मिटाया जाना चाहिए और धारा 370 इस देश के लिए बड़ी समस्या बन गई है।

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कम से कम विज्ञान के मामले में हम जम्मू-कश्मीर को अछूता न छोड़ें। अब मैं आपके विधेयक पर आ रहा हूँ।

(2U/SC पर क्रमशः)

-nb/sc/4.05/2u

**श्री श्रीगोपाल व्यास (क्रमागत) :** आपके विधेयक में अनुच्छेद 4 में लिखा है कि "अंकों या ग्रेडों पर अनन्य रूप से ध्यान देने के बजाय, उन्नत विज्ञान और प्रौद्योगिकी में शिक्षण और छात्रवृत्ति के लिए परिवेश सृजित करना।" इसका अर्थ यह है कि आप मानते हैं कि आज यह परिवेश नहीं है, इसलिए उस परिवेश की आवश्यकता आपने अनुभव की है। सृजन करने के लिए यहां पर्याप्त गुंजाइश है, बाहर से कोई लोग बुलाने की जरूरत नहीं है, ऐसा मेरा मत है। महोदय, अभी रिजर्वेशन के बारे में बात चल रही थी। हमारे बंधुओं की सोच इसलिए ठीक थी कि इसमें जो लिखा है, वह यह लिखा है, "इस धारा की किसी भी बात के बारे में यह नहीं समझा जाएगा कि वह अकादमी को महिलाओं, निःशक्तताग्रस्त व्यक्तियों या समाज के कमजोर वर्गों के व्यक्तियों और विशेष रूप से अनुसूचित जातियों, अनुसूचित जनजातियों और नागरिकों के अन्य सामाजिक और शैक्षिक रूप से पिछड़े व्यक्तियों के नियोजन या प्रवेश के लिए विशेष उपबंध करने से निवारित करती है।" आपने यह नहीं लिखा कि हम प्रावधान करते हैं। यदि यह लिखा जाता कि हम प्रावधान करते हैं तो समस्या खड़ी नहीं होती। मैं यह मानता हूँ, अनुभव से जानता हूँ। हमारे यहां अनेक बंधु हैं, हम अनेक ऐसे संगठनों से

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जुड़े हैं, जहां पर तथाकथित अनुसूचित जाति और जनजाति के लोग विज्ञान तथा अनुसंधान कार्य क्षेत्र में बहुत आगे हैं। इस मान्यता को हटाना पड़ेगा कि वे बंधु हमारे इस क्षेत्र में आगे नहीं बढ़ सकते हैं। वास्तविकता यह है कि हम उनके लिए पर्याप्त अवसर दें, उनको पर्याप्त संसाधन जुटाएं। यदि ऐसा किया गया तो मुझे विश्वास है कि सारे बंधु विज्ञान और तकनीक के क्षेत्र में बहुत आगे बढ़ेंगे। महोदय, मैं देख रहा था कि इसमें लिखा है कि सरकार से कोई अधिक पैसा हम नहीं लेंगे। जो फाइनेंशियल ज्ञापन कहलाता है, उसमें लिखा है कि 15 करोड़ रुपए हम अनुसंधान परिषद् को दे देंगे। आखिर वह परिषद् तो सरकार की है। आप यदि 15 करोड़ उनको दे रहे हैं तो आप यह कैसे कह सकते हैं कि सरकार से किसी सहायता की जरूरत नहीं है? आपने यह भी लिखा है कि जो छात्रों से फीस मिलेगी, जो अर्जन उसके द्वारा होगा, उसका उपयोग हम करेंगे। तब यह कहने की कोई जरूरत नहीं है कि हम सरकार से कोई पैसा नहीं लेंगे। महोदय, मैं अधिक समय नहीं लूंगा। मैं केवल इतना ही कहना चाहता हूं कि इसमें बहुत सारी जटिलताएं हैं। यह योग्य होता कि इसे किसी न किसी प्रवर समिति को भेजा जाता। उसका जो गठन है - कौन, किसका निदेशक बनेगा - उस मामले में मैं अभी नहीं जा रहा हूं। बहुत बार ऐसा होता है कि बहुत से लोग, जिनको कहीं पर काम नहीं है, कोई न कोई माध्यम ढूंढकर, सरकारी माध्यम ढूंढकर कोई न कोई पद प्राप्त करने की कोशिश करते हैं। ऐसा नहीं होना चाहिए। जिसकी योग्यता है, जो उसके लिए क्षमता रखता है, उसको आगे बढ़ने देना चाहिए। मैं

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समझता हूँ कि ऐसा आपका उद्देश्य नहीं होगा। मैं आशा करता हूँ कि मेरी कही हुई बातों पर आप अवश्य ध्यान देंगे। परिषद् का केवलमात्र नाम बदल देने से काम नहीं होगा, केवल अकादमी, चूंकि चाइना में है, इतना कह देने से हमारी अकादमी सक्षम नहीं होगी। हमारी संस्थाओं को योग्य प्रकार से बलवति बनाने के लिए सारे संसाधन देने चाहिए। महोदय, लोग बाहर इसलिए जा रहे हैं क्योंकि उनको यहां रिसर्च करने की सुविधा और साधन उपलब्ध नहीं हैं। यदि आप इतना करेंगे तो मैं समझता हूँ कि यह कदम, चूंकि विज्ञान और अनुसंधान को आगे बढ़ाने वाला है, इसलिए स्वागतेय जरूर है, परन्तु केवल इसका नाम बदल देने से काम नहीं चलेगा। जो संस्था पहले से है, उसको और बलवति करने के लिए केलकर समिति ने कुछ वर्ष पहले रिपोर्ट दी थी। अभी समय की कमी है, इसलिए मैं उसको नहीं पढ़ रहा हूँ। उन्होंने सिफारिश की थी कि आप इस प्रकार की अनुसंधान परिषद् को सब प्रकार के साधन दीजिए। वह साधन नहीं दिए गए इसलिए ये समस्याएं खड़ी हुई हैं। इतना कहकर मैं आपसे केवल एक बात कहना चाहता हूँ, जो किसी कवि ने कही है:

व्यक्ति-व्यक्ति की सृजन शक्ति की अभिव्यक्ति कर,  
मातृ चरणों पर चढ़ा दो।  
भारत का भाग्य पड़ा भू पर,  
गौरी शंकर की ओर बढ़ा दो।

(समाप्त)

(2डब्ल्यू-एमसीएम पर क्रमशः)

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**PROF.P.J. KURIEN (KERALA):** Mr Deputy Chairman, Sir, thank you very much. I rise to support the Academy of Scientific and Innovative research Bill, 2011, of course, in the amended form. There was an apprehension whether reservation was included; and that controversy has been resolved. The hon. Minister was kind enough to explain very clearly that the reservation will be applicable to this institute. I thank the Minister for that.

Sir, as the Minister has said, this institute will be of national importance; and I find it a very important Bill because our country is lacking in research. My predecessor, Vyasji was saying that the number of PhDs in our country is less and in China it is much more. Indeed China is doing much, much better than us in research especially in new, frontier areas, in emerging areas, in interdisciplinary areas and integrated areas. In all these areas we are lacking in research. This is a hard reality. What is the adverse impact of that? It will definitely decelerate our economic development and our employment generation. If the country wants to progress the way we are progressing today, we will have to focus much more on research especially in the new and frontier areas.

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Sir, there was a study by an International Business School regarding ranking in the innovation research by each country in the world. This organization is in France. It is called INSEE. They have published our rank. We need not take that institute seriously. But I take it seriously because they have done it in collaboration with the Confederation of Indian Industries; and also in collaboration with the World Intellectual Property Organization. Therefore, their study has some authenticity. We know where are ranking is. In 2011 our ranking is 62 in the world. Last year were standing at 56th rank; and year before that we were ranked at 41. that means year-after-year we are slipping down whereas China is going up and China's position is much ahead of us. We can have one satisfaction that we are ahead of SAARC countries. That is okay. When we compare ourselves with other countries we are much below in research and even in fundamental research. I admit it is only relative. That doesn't mean that there is no research in this country. We have our research. We are spending money. We have a number of laboratories. Fortunately or unfortunately other countries are moving faster, in a fast moving world. If you are static that means you are lagging behind. Static

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means lagging behind. If you want to keep the same pace, you have to move faster. I have no grudge against China. But I want very good relations with China. But the point is we should learn from China in this. How could they go so fast? That is what needs to be done. One of the reasons is that what we spend on research is much less. It is a paltry sum. When China is spending 1.5 of its GDP we spend less than 0.7 of the GDP. If I am wrong, the hon. Minister may correct me.

**SHRI VILASRAO DESHMUKH:** It is 0.8 per cent.

**PROF.P.J. KURIEN:** The Minister says now it is 0.8 per cent. In other countries, especially in the developed countries, a lot of research is being done by the corporate bodies. In our country the corporate bodies get a lot of concessions from the Government, but they will not spend money on research. That is an unfortunate thing. So, China's position is better.

In the morning, during Question Hour, I had put a supplementary that China was dumping cheap and low quality goods in our country.

(Continued by 2X/MKS)

MKS-ASC/4.15/2X

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**PROF. P.J. KURIEN (CONTD.):** That is a wrong perception, I am telling you. China, instead of being a cheap quality imitator of goods has become an inventor. That should be a lesson for us. What do we lack? Fundamentally, in my view, what we lack today is the basic education. See our education. We have a number of colleges, technical institutions, engineering colleges and IITs. We produce job seekers, not job creators. Our institutions should change. The whole structure should change. They should become job producers. They should produce innovators. They should produce entrepreneurs, not job seekers. How is it possible? That is possible not by one day. That is not possible by this Bill. That is possible if we have a new outlook from the very primary school level. Today, what is our education system? Students learn by heart. It is called 'mugging', cramming, and then they go on. That is not real education. Real education is problem-solving. Students should learn problem-solving; students should ask 'why'; students should question. And if, today, somebody asks 'why' and 'how', then the student will get beating from that teacher. The only place you can ask 'why' is here! We can ask why the Chairman is doing that. That is happening here.



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But this we did not do in schools. This habit of questioning the decision should be transferred to the schools and colleges. You know Sir Isaac Newton, the Father of Modern Science. You know what happened. One day, he was sitting on the bank of a lake. An apple fell on his head. We would have taken the apple and eaten it. But he thought, "Why should the apple come down?" Why not the apple go up? What a question, a foolish question, at that time? At that time, such a foolish question it was! But when he questioned that fundamental on an age-old theory, when he questioned that concept, the entire world changed. He is Father of Science. And he discovered the Newton's Law of Gravitation, which says that mass is nothing. Mass is only the attraction of the earth that brings the bodies down there. That has been proved too. So, this kind of education.....

**SHRI D. RAJA:** He is a giving a lecture on Physics to all of us!

**SHRI P. RAJEEVE:** He is a Professor in Kerala.

**MR. DEPUTY CHAIRMAN:** That is why he is teaching us Physics!

**PROF. P.J. KURIEN:** Okay. ...(Interruptions)... My point is this. This kind of education where students can ask 'why', where students

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can question, we should start. Unfortunately, today, we are not having that.

Another point is, Pandit Jawaharlal Nehru said, we should develop scientific temper, scientific attitude, which is not there. Even after passing MSc, Ph.D, they are living in superstition. So, scientific temper we should develop. That is also not happening in this country. These are needed for changing the approach of our young men so that they could become real inventors, so that they could become real entrepreneurs. But this will take a long time. We cannot wait for all this. We should have some short-term measure. For that, this is the remedy which the hon. Minister has brought, a short-term measure. I am not saying that it is an answer to all our problems. But it is genuinely an attempt, an attempt to have, at least, a partial solution to the problem. What is this problem? It is done very intelligently. Number one; you don't have to spend much money. You don't have to. Without spending much money, in a cost effective manner, we have got a large pool of scientists in CSIR. He is making use of them. Secondly, there is no gestation period also. All those scientists and the infrastructure of CSIR will be used so that we could produce new

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Ph.Ds not only in the old known areas but in the new frontline areas, in the new emerging areas and in the new interdisciplinary areas.

(Contd. by TMV)

-MKS-TMV-LP/2Y/4.20

**PROF. P. J. KURIEN (CONTD.):** This is a welcome measure and an intelligent measure by which we can solve the problem, at least, for the time being. It is very cost effective. I congratulate the Minister for his efforts and for finding such a solution to our problem.

There is one more thing. We have a number of universities. A number of Ph.Ds. are already produced. But what is the number in the field? What is in the university rarely reach the field. Therefore, the linkage between the lab and the field, and the university and the industry is very important. This Bill provides for that also. Therefore, this Bill is a very welcome Bill and I am supporting it fully.

Having said that, I would like to make two or three suggestions regarding some clauses of the Bill and mention one or two doubts which I have. Number one, he has already stated that the CSIR would be affiliated to the new Academy. I have no problem. Clause 5 says that after affiliation to the new Academy, those students who have

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already enrolled in the existing academy and are doing research under various universities can migrate to the new Academy with the consent of the university. If the university does not give the consent, what will happen? You should have a proviso for that.

Number two, clause 5 again says that the Academy can use or shall be provided with all the manpower and infrastructure of the CSIR. I have no problem. Now there is the CSIR and there is the Academy. Who will control the manpower? Who will have control over the infrastructure? If that is not clearly mentioned, there is certainly going to be a problem. That is a grey area. I want the Minister to clarify that.

Then coming to clause 7, it says that any person, who has got a degree immediately before the new Academy is formed, is entitled to a new degree from the new Academy. That means the old degree is invalidated. What is the need for getting a new degree, when he is already having a degree? When he is already having a degree, why should he get a new degree from the new Academy? You say, “immediately before”. What do you mean by “immediately before”?

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Is it one month, two months, three months, six months or one day?

This needs clarification, according to me.

Then, regarding the Board, he says that the Members of the Board can't be re-nominated. I have no problem with that. Then, what is the reason for keeping it as four years? Make it five years.

Coming to clause 18, the constitution of the Senate, as regards the structure, I have no complaint or I have no problem. But the hon. Minister should remember that whatever funds that they are making use of are sanctioned from the Consolidated Fund of India. The funds are given from the Consolidated Fund of India. We, the Parliamentarians, are sanctioning them. We are sanctioning them in the case of all Central institutions, whether it is the IIT or a new Central University. In the Senate there should be one Member from the Rajya Sabha and two Members from the Lok Sabha. That is a must to have a link between the Parliament or the legislature and that body. It is there in all the bodies. But here, in spite of the fact that we are sanctioning the funds from the Consolidated Fund of India, no provision is there for including a Member of Parliament in the body. I want the hon. Minister to consider this and bring in an amendment so

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that two Members from the Lok Sabha and one Member from the Rajya Sabha will be included. The Bill is drafted by the bureaucracy. The bureaucracy, perhaps, may not like the MPs to be there. That is natural. I don't mind. I am not talking about the Ministers who were earlier bureaucrats. They would not say that. So, bureaucracy would not like it. They have drafted it. The Minister, being an astute politician, should accept it and he should move an amendment for the inclusion of two Lok Sabha Members and one Rajya Sabha Member in the Senate.

(Contd. by 2Z/VK)

VK/2Z/4.25

**PROF. P.J. KURIEN (CONTD):** Then clause 31 is a very important clause. I congratulate the hon. Minister for bringing it. This clause is on review of the functioning of the Academy by persons of eminence. Again a small trick; 'persons of eminence'. Here also the bureaucracy has played. Persons of eminence will be so and so, ex-IAS, ex-Secretary, etc. I have nothing against IAS. Don't think like that.

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Here this is a scientific academy; this is an academy of scientists.

Here 'persons of eminence' should mean persons of eminence in the field of science and technology. And also, as they are auditing the functioning, there should be persons of eminence from accountancy also. Therefore, I request the Minister to amend that clause and add a proviso that 'persons of eminence' means persons of eminence in S&T and accountancy.

**DR. PRABHAKAR KORE:** Sir, a Professor is always a research Professor like Prof. Kurien.

**PROF. P.J. KURIEN:** Sir, I have nothing against IAS. I respect them. I have only said that it was made by the bureaucracy. That is all.

Then this provision of 'audit report' is very good. I think this kind of a provision should be there in all the Central Government institutions. This performance audit or social audit clause has been brought here.

**MR. DEPUTY CHAIRMAN:** Mr. Kurien, let me remind you that there are two more Members from your Party. (Interruptions). He is mentioning it in his own way. He is not giving reply.

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**PROF. P.J. KURIEN:** Sir, I will conclude in two minutes.  
(Interruptions).

**MR. DEPUTY CHAIRMAN:** Professors have a habit of speaking continuously for one hour in a classroom.

**PROF. P.J. KURIEN:** Sir, this is a very important point. This clause of conducting an audit is very important. I thank the Minister for having included this provision. I am giving a suggestion that the Act should be amended to bring in such a clause in all Central Government institutions.

Here I have one more suggestion. This report by persons of eminence should also be presented to Parliament. There is no such provision here. So I am requesting the Minister to bring in another amendment to present the report of these persons of eminence to the Parliament so that Members of Parliament can go through it. This will be a very good provision.

I do not want to take more time of the House since the Chair has already directed me. This is a good Bill. I welcome it. I congratulate the Minister for having brought this Bill. I am happy that the apprehension of some of our Members, which was a genuine



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apprehension, that there is no provision for reservation, has been removed. With these words, I support the Bill. Thank you.

(Ends)

(Followed by 3A)

RG/4.30/3A

**SHRI PRAMOD KUREEL (UTTAR PRADESH):** Sir, I stand here to support the Academy of Scientific and Innovative Research Bill, 2011, and I thank you for giving me this opportunity. On this Bill, that we have, before us for consideration, two of my senior colleagues, Shri Shreegopal Vyas and Prof. P.J. Kurien, have spoken at length about the merits and demerits of the Bill.

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

Sir, after going through the Bill, even though I have a lot of things in my mind on this, due to paucity of time, I would try to focus only on a few of them which, I think, are very relevant in the given context.

Sir, our country, until about hundred years ago, was a major scientific power. Vyasji also said about the invention of zero. There are so many other achievements in the field of metallurgy, astronomy and so on. In all the fields, our country was a major power. It was a

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leader in the world in those times. But, over the years, we have fallen down. Sir, you were mentioning about the pace of India in terms of scientific achievements. But, year by year, we are slipping down. We stand 62<sup>nd</sup> in the world, and 62<sup>nd</sup> position is not a very happy kind of a situation. Many times we wonder what is happening. Today, even in the course of the discussion, as has already been mentioned, our state of affairs is not very good or promising. But the question is why it is happening. Sir, we are discussing the symptoms, without trying to understand the disease. And, today, I will try to focus on the disease. Before we started this debate, when the Bill was introduced, our party, in a very big way, tried to draw the attention of the Chair and the hon. Minister towards the lack of provision for reservation in this Bill. And, we are happy that the hon. Minister has agreed to include this provision. But that is not all that we are interested in. Of course, this is a very major thing for us. We cannot allow the interests of the S.C.s, the S.T.s and the OBCs to be overlooked in this Bill or in any other Bill. But, Sir, coming to the main point, why are we lagging behind in our scientific achievements? In one of the surveys done by a leading international magazine, it tabulated a list of 500 Universities

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which are top in the world. And, in that list, our IIT came at a distant position of 350 or 355. So, amongst the top 500 Universities in the world, our IITs rank 350 or something. Nowhere in the top 100, are we having any place, and we claim that India is a major producer of scientific manpower. In the past two or three decades, we have been claiming that India produces the biggest number of scientific manpower. Quantitatively, yes; but in terms of quality, it is only a third-rate scientific manpower, the manpower which is good for nothing. It is not that I am saying this. Where are we standing in terms of research and technology development? I should say, nowhere. Sir, a few days ago, I was going through the Manorama Yearbook. (Continued by 3B)

3b/4:35/ks

**SHRI PRAMOD KUREEL (contd.):** The *Manorma Yearbook* has a list of scientific achievements. I could not find even a single Indian invention or anything Indian worth mention there. The *Yearbook* has listed three to four hundred inventions and scientific achievements but I did not find a mention of even a single Indian scientific achievement. We claim that we have the biggest scientific manpower!

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Sir, I am also a Member of the Department-related Standing Committee on Human Resource Development. They have got a few Bills lined up for enactment, about IITs, and so on. The hon. HRD Minister was here; I think he has left now. When the Standing Committee was trying to push the IIT Bill, she was talking about the brand equity of our IITs and that IIT was the top institution in the world in terms of scientific achievements. I asked her one thing, and I am repeating that question now. She said that they wanted to open new IITs because IITs had established their name all over the world, not only in this country, in terms of scientific achievements. I asked her, "Madam, the IITs have been in existence for the last sixty years, or, fifty years, perhaps. Please tell me of any five inventions or scientific achievements in theoretical science, applied science, chemistry, physics, mathematics, engineering or any field of science which the IITs have been able to achieve in the last fifty-sixty years". She was not able to mention even one. Today, the Government is planning to start ten more IITs, draining the public exchequer of more and more money. I want to tell you, Sir, that the best scientific research in our country has come, not from IITs, but from regional Engineering

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Colleges and these are institutions where students belonging to the SCs, the STs, the OBCs and the middle and lower classes go. They do not go to IITs. IITians, after their graduation, file their Visa applications and leave the country. We are not concerned with whatever they do outside. But what are the achievements of the IITians here in India?

**SHRI RAVI SHANKAR PRASAD:** Mr. Jairam Ramesh is an exception. He has remained in India. (Interruptions)

**SHRI PRAMOD KUREEL:** But he has not contributed anything to science. Politics, maybe, but not for the science. (Interruptions)  
Yes, you can say 'political science'.

So, this is the achievement of our IITians. And this is the scenario here. Our biggest and the best scientific achievements have come from the non-IITians. Our former President, Maulana Abul Kalam Azad, Kalpana Chawla, Chandrasekhar, were all from small colleges and institutions, not from the big institutions. BHU is one example. So, all these examples are there.

**THE VICE-CHAIRMAN (PROF. P. J. KURIEN):** Please conclude.

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**SHRI PRAMOD KUREEL:** Please give me some time, Sir. This is a very important topic. I am going to give a few other important examples about where we are lacking. I will give you just two or three examples of what is wrong.

Now, the Government is proposing to declare this Academy of Scientific and Innovative Research as an institution of national importance. We already have a list of some 30 or 40 institutions which the Government is going to declare as institutes of national importance and in which there is not going to be any SC, ST or OBC. Already, 10-15 Bills are in the pipeline for declaring various institutions as institutions of national importance. Sir, this is a reflection on the mindset of the Government. It is not only about the Bill, which does not provide for any reservation, but also the anti-SC/ST/OBC/minorities mindset of the Government. The Government is trying to create a kind of a caste system in our institutions of higher learning. You have some institutes of excellence which are upper caste institutions and you have lower caste institutions like the RECs and smaller institutions. The ones belonging to upper castes get bulk of

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their funding from the Government, in hundreds and thousands of crores, but the smaller institutions are always deprived of funds.

(cd. by 3c/kgg)

Kgg/3c/4.40

**SHRI PRAMOD KUREEL (contd.):** The students who are going to the smaller institutions are mostly from socially deprived sections because they cannot afford high fees. I will give one example to show why this Bill cannot succeed even if it comes into operation unless you change the mindsets of our people manning the universities. That example is from IIT, Delhi. This example should open the eyes of everybody. There is a Ph.D. student in mechanical engineering belonging to the Scheduled Castes community, studying in IIT, Delhi. His name is Prashant Bhosle. For the last ten years, he is doing his Ph.D. and his professors are deliberately stopping his degree. They are denying it for the last ten years. What is the reason? They are sitting silently on his thesis. This very intelligent boy, a boy from the Scheduled Castes, has done his research on a very important thing which can save thousands of people. It is a research on air bags to be used in two-wheelers, motorcycles. Sir, the IIT people continued to deny him the degree

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even till today. Even then what happened? Three years back, this boy sent his research paper to one of the top universities in America. The American society of mechanical engineering invited this boy to present his paper, in Boston. The IIT people created many obstacles even in that. But, somehow, he managed to go there; he presented his paper there. It was very well appreciated by the American society of mechanical engineers. He came back. Despite that, the IIT, Delhi professors are denying him the degree.

Now, the point is, IIT can bow in front of American Institutes. If the Americans can appreciate this boy who has done a good research, there is no reason why his Ph.D. should be denied. Why is this happening? It is happening because of the dirty minds of the people, who are managing these institutions, like the IIT. I have my fear and I would like to draw the attention of the hon. Minister on this. You cannot do anything for the improvement of science and technology unless this mindset changes. Why are they not growing scientifically? Because, we are trying to exclude 70-80 per cent population of this country belonging to SCs, STs and minorities. If you exclude the people saying that they do not have the merit, that they



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do not have any technical expertise, then where is the future? It is they who have made the Indus Valley Civilization. We should not forget that. They are the people who have contributed a lot to the scientific achievements, in terms of art, architecture and everything. If you deny this opportunity to 70-80 per cent people of the country--to the SCs, STs and minorities—no country can achieve anything in the field of science.

Take the example of China. In China, all sections of the society are being given a fair chance to show and prove their expertise and their excellence. But, here, we are lacking in this kind of a positive mindset by neglecting SCs, STs and minorities. That is why myself and my party are pressing in a very big way to include SCs, STs and OBC people not just in faculty.

Sir, finally, in the Bill which we are having, the hon. Minister graciously agreed on reservation. We have Boards and Senates to look after the welfare of the institutions. In those too, we want a proper representation; we may not call it 'reservation', we may call it 'proper representation' for these people so that at the Senate level, there is no discrimination, which is going on in this country.

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With this, I conclude, Sir. Thank you.

(Ends)

**SHRI P. RAJEEVE (KERALA):** Sir, thank you for the opportunity. We have given a notice to refer this Bill to a Select Committee to ensure reservation in this Academy. My friend, Mr. Kureel, has already mentioned the importance of weaker sections of the society for the development and advancement of our country.

(Contd. by tdb/3d)

TDB/3D/4.45

**SHRI P. RAJEEVE (CONTD.):** Due to the move of the Left and other Opposition Parties, the Minister is compelled to come with an amendment to ensure the reservation. As per the 2007 Act, there is no provision to ensure reservation to SCs and STs in the institutions of national importance. So, this amendment is required. I congratulate the Minister for moving this amendment.

Sir, while participating in the discussion, Prof. P.J. Kurien has made some serious observations and proposals to ensure the accountability of the Academy to the Parliament. It is a very important observation. But, what is the reality, Sir? Now, we are discussing the

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Bill to establish this Academy with all seriousness. But this Academy is already established without taking the consent of the Parliament. As per my knowledge, it is already functioning. As per a gazette notification, it has been established, without taking the consent of Parliament. The Lok Sabha has passed this Bill. Now we are discussing whether it should be sent to the Select Committee or not, and what would be the provisions of this Bill. But the Ministry without taking the consent of Parliament has already established this Institution. This not a good move. This is not a right move in a democratic system. It should be established after passing the Bill in Parliament. This is not a good thing.

Sir, I would like to make some observations and express certain objections to this Bill. The Academy of Scientific and Innovative Research Bill is intending to increase the number of researchers in integrative and inter-disciplinary areas of science and technology. Sir, now, we have made some comparisons with China and other countries. Then, we should also make some comparison of prior-1990 and after-1990, pre-liberalisation and after-liberalisation. Before 1990, India had produced more PhDs than China, Korea and other Asian

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countries. That is the reality. But, post 1990, the scenario started changing with the adoption of new economic policies under the liberalised regime. The change is visible, especially in the academic field, Sir. At present, the position is that despite institutions like IITs — the role of IITs has already been mentioned — India has a severe shortage of PhDs in the field of science and engineering. As per the data made available, India produced around 8420 PhDs in science and engineering compared to 22953 in China, 9961 in U.K., 30452 in USA in 2006. Sir, in engineering section, India produced only 1058 PhDs as against 2130 in China, 2267 in South Korea and (Interruptions) and 2304 in U.K. and 7402 in USA, Sir.

Sir, the attempt to increase the quantity of PhDs is good. It is stated in the Statement of Objects and Reasons that it is expected that the Academy would produce from fifth year onwards 1000 PhDs in science and technology and 120 PhDs in engineering. It is like a factory that they are producing thousands of PhDs. Sir, the ambition is good. But what would be the quality of this research? That is more important. So, I request the hon. Minister to ensure the quality of research. Sir, the CSIR was established in 1942 to achieve self-

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reliance in the area of science and technology. The national laboratories became the major driving force in this endeavour between 1970 and 1990, and did a wonderful job in the strategic sector. The impact of neo-liberal policies is already visible in different sectors of India. Over the past decade, the research culture in the CSIR institutions has been vitiated as they have been forced to tie up with industry to generate resources. Sir, now the CSIR is giving fellowships to research scholars. They are doing their research in universities. This is helping the universities to strengthen their quality of research and to improve their infrastructure.

(Contd. by 3e-kl)

KLS/3E-4.50

**SHRI P. RAJEEVE (CONTD):** Sir, what would be the impact after the establishment of this Academy? I would like to know whether the existing system would continue. Otherwise, it will be brain drain from the universities to the centralized Academy. It is not good in a federal system. The existing pattern should continue. Sir, while going

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through Clause 25 of this Bill on Financial Memorandum, it says that the Academy would function as a self-financing mechanism. Already Prof. P.J. Kurien has mentioned the lack of funding in research sector. It is .8 per cent of the GDP. As per Clause 25, this University is intended to function as a self-financing mechanism depending upon the fee, depending upon the projects and other things. (Time-bell) I request the Minister to revisit this provision and give more funds and increase public funding for research.

Sir, the Board would be a nominated one. According to Clause 11, the Board is a nominated one. My suggestion is that the representatives of the faculty of CSIR should be elected from the faculty and all other Board members are nominated by the Government. This Academy would function as a republic with full autonomy, with no control of Parliament or any other mechanism. There should be some mechanism to ensure the accountability of the Academy to the Parliament. There is one more suggestion, Sir. There is no provision to accommodate the weaker sections and women in the Directors' Board. This Board has a lot of power but there is no representation of women and the SC/ST communities. (Time-bell) I

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am concluding, Sir. There should be sufficient mechanism to address the grievances of the employees of the Academy. The Bill is devoid of social commitment and explicitness. With neo liberal policies, the Bill is favouring big industries and is silent on our own rural industries. (Time-bell) I request the Minister to look into these suggestions. Thank you, Sir.

(Ends)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Hon. Members, there are 12 more speakers. After this Bill we have to take Railway also. Therefore, I request you to please confine yourselves to your parties' time. ...(Interruptions)... Please. ...(Interruptions)... Shri N.K. Singh. ...(Interruptions)...

**SOME HON. MEMBERS:** Railway should be taken tomorrow. ...(Interruptions)...

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** In any case, every Member should confine to his party's time. ...(Interruptions)... You please start. ...(Interruptions)... You please sit down. ...(Interruptions)... That will be informed. ...(Interruptions)... We have no time.

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**SHRI M. RAMA JOIS:** Sir, I have given representation under Rule 125.

**THE VICE-CHAIRMAN:** That will be taken up.

**SHRI M. RAMA JOIS:** When?

**THE VICE-CHAIRMAN:** At an appropriate time.

**SHRI M. RAMA JOIS:** Without hearing me ...(Interruptions)... You should hear my reasons why I have requested for referring it to the Standing Committee.

**THE VICE-CHAIRMAN:** You cannot unnecessarily say it now. At the appropriate time you tell. Now you sit down. ...(Interruptions)... Please. You are talking about your amendments. We will take up this when we take up clause-by-clause consideration.

**SHRI BALAVANAT ALIA BAL APTE:** He has given a representation under Rule 125, therefore, let him say something. You cannot just brush it aside. ...(Interruptions)...

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** I will go by the list, and, if necessary, at the end, he can stand up, and not when I call him. Okay. It is not that when I call him. Okay.

**SHRI N.K. SINGH (BIHAR):** Thank you, Mr. Vice-Chairman. In view of your special directive to confine to the stipulated time, I shall



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endeavour certainly to subscribe to what you say. First of all, I think the Minister needs to be complimented because the promise to bring such a Bill was contained in the President Pratibha Patil's Address to the Joint Session of Parliament where it had been promised that within 100 days efforts will be made to bring about a proposal for fostering India as innovation destination.

(Contd by 3F/SSS)

SSS/3F/4.55

**SHRI N. K. SINGH (CONTD.):** It has taken up nearly two years to be able to do so. Sir, I wish to begin by bringing to the hon. Minister's attention that the origin of this Bill is partly contained in the Report of Vijay Kelkar in 2003 and that is what he had said: "That the CSIR laboratories should inter alia strive towards creating an ambience of nurturing excellence and high quality human resources on a sustainable basis". Now, I put it to you, one of the points, Sir, which was also made by you when you were speaking on this, that this Bill can at best be the beginning of a long effort to create an ambience and to foster a culture in which the society recognizes and society rewards innovation. Sir, I had the privilege of visiting the North

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Carolina University which I am sure many hon. Members have visited. It is the hub of global research. I tried to find out what is so great about North Carolina University and what is great is that researchers from all over the world find that the atmosphere of research quality, what fosters innovation, what prompts people to the frontiers of knowledge is something which is available in North Carolina, which is what makes it a centre of global innovation at the cutting edge of knowledge. Sir, you were very right when you said that we need to change and bring about a societal change in the whole system in which pedagogy is really pursued in this country. How to move away from a rote system of learning to a system which rewards innovation and a system where parents accept failures? If parents do not accept failures from children you will not foster children into pursuing areas which are the uneven path. So, I think, we do require a very fundamental change and this is not a one day job and, I hope that this particular effort would be the beginning of a long sustained effort for this kind of awareness. In view of the shortage of time, Sir, I will confine myself to making just six suggestions for the Minister's long term consideration. First, I think, that the proposed academy must in

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no way weaken the existing university system and the Government should strive that the academy works complementarily with the existing university system. I think, Minister's special efforts need to protect the existing university system and fostering a degree of complementality. Second, I must point out, that I gave you the example, Sir, of what happens in North Carolina. One of the principle things that happen in North Carolina is that there is autonomy. There is freedom and there is creativity. We must admit that what has bedeviled the Indian university system and our research organisation is excessive Governmental interference, excessive bureaucratization and in all the Bills which have been brought by the HRD Ministry, there has been a tendency to overload Committees which excessively bureaucratizes this and cuts away at the kind of autonomy which would bring researchers into play. My third point really, Sir, is that there is need to promote socially relevant innovations for practical usage to help developing small and medium enterprises. Sir, I wish to draw the hon. Minister's attention to the minutes of the second Committee of the Standing Committee which went into this and to just quote one little sentence of what Mr. M. S. Swaminathan, an

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esteemed colleague of ours, had to say, “That the Bill proposed to establish this should not become one more PhD producing machine but it should foster non-degree, diplomas and programmes which would help upgrade a technical capacity or small scale rural industry sector.” In this context he cited the Chinese concept of township and village enterprises. It also emphasized that the academy should not focus only a number of researchers and patents but should ensure that conversion into products and goods for societal benefits. Sir, I have two more points to make, Sir, and I crave your indulgence. I will go through them very quickly.

(Contd. by NBR/3G)

-SSS/NBR-NB/3G/5.00.

**SHRI N.K. SINGH (CONTD.):** The academy should also foster non-degree and other programmes of skill development. This is exceedingly important, Mr. Minister, because they require local solutions, local research which may not be covered by one omnibus arrangement. And, we, therefore, need to make sure how do we promote the culture of this and the formation of skills which can bring about local solutions to problems.

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Finally, Sir, I wish to draw the hon. Minister's attention to something which I find as an informative. I draw his attention to the Financial Memorandum of this Bill, particularly to Article 4. What does this Article 4 say? It says, 'The Bill does not involve any expenditure of recurring and non-recurring nature directly from the Consolidated Fund of India.' At the same time, I find, the Standing Committee had specifically considered this, it certainly wanted to leave the option open for being able to secure Government grants and for programmes of this to be financed through public outlays and through public research, in addition, through public private partnership.

These are some of the suggestions that I wanted to place before the House while supporting the Bill. Thank you.

(Ends)

**SHRIMATI VASANTHI STANLEY (TAMIL NADU):** Thank you Mr. Vice-Chairman, Sir, for giving me this opportunity to speak on the Academy of Scientific and Innovative Research Bill, 2011. I welcome the Bill under discussion. Being an advocate of education for myself, I support any policy that promotes the cause of education and literacy.

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Here, we are expressing our views that India is lagging far behind in research. But, I feel, our country was the pioneer in all the research works. We -- Aryabhata -- have given 'Zero' to Mathematics. We have got so many things at our credit. We have the Nalanda University. All the foreigners used to come here for research work. And, Kanchivaram, in Tamil Nadu, again, speaks the glory of our research work and scholarship. And, I hope, this little step, through this Bill, the hon. Minister would take a step forward to take our nation to the past glory.

It is a fact that there is a shortage of educational institutions that cater to the interests of students who aspire to pursue advanced, integrative and inter-disciplinary courses and Ph.Ds. in science and engineering. India, at the moment, does not seem to be keeping pace with the rest of the world in producing Ph.D. scholars. We are comparing ourselves here with China and saying that China is producing over 20,000 Ph.Ds. per year, but India managed a mere 8,000 Ph.Ds. in 2006. The Academy alone is expected to produce 1,000 Ph.Ds. in science and 120 in engineering annually from its fifth year onwards. It is really heartening to hear this.

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Sir, this Academy will not only increase the number of researchers but will ensure that it functions in a cost-effective manner. Additionally, it will also be recognized as an institute of national importance. I see its potential in becoming a world-class institution.

I welcome this Bill with the following points:

I would like to express my concern over the composition of the various authorities. Mr. Vice-Chairman, Sir, as you said, the Board, the Senate, Director and Boards of Studies that would head the Academy include eminent personalities in the field of science and technology. While welcoming this move, I would like the hon. Minister to see that all our apprehensions about proper representation, backward entry, etc., are properly addressed. I hope the hon. Minister will clarify this.

This Bill will ease the registration procedure for scientists pursuing research in 37 laboratories of the CISR which are currently registering at different universities. It is a welcome move. In a way, it is channelizing all the students to a one particular place. But, my concern is: this academy should complement to the functioning of the universities and I hope it will not stand in between and become

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'disadvantage' to other universities in their functioning. I would also like to express my concern here. Will it not overburden the CSIR? What are you going to do to strengthen the CSIR? All the currently functioning universities are channels to the CSIR. Have you done anything to strengthen the CSIR?

(CONTD. BY USY "3H")

-NBR-USY/3H/5.05

**SHRIMATI VASANTHI STANLEY (CONTD.):** I would like to know this. Otherwise, this will overburden the CSIR and, in turn, it will not help the research people. This is my concern over it.

My next point is that it would not require significant gestation periods and the Central Government's funds. It will generate its own resources through funds received through grants, donations, investments made by the Academy itself, etc. It will function on a self-sustaining mode. This is a very, very encouraging thing. (Time-Bell) But I would like to ask whether it will not, when it is generating funds on its own, encourage partiality or bias while selecting students. If it is funded by the Government, we will naturally have reservations and all other things. But when we say that it is going to function on its



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own, not depending entirely on the Government's funds, I hope the hon. Minister will take proper steps to ensure that there is no partiality and there are no biased views. It will be requiring infrastructure and academic potential in terms of research and curriculum designing, in addition to conferring appropriate degrees. Here also, I would like to know whether the infrastructure of the CSIR is more than enough. (Time-Bell) Have you done anything to improve it? (Time-Bell)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Conclude please.

**SHRIMATI VASANTHI STANLEY:** It will impart training in those academic areas which are not regularly taught in other universities. I welcome this move. Of the 4500 scientists, present at the CSIR, 2500 may even be used in promoting the proposed Academy. That is your main wish. But I would just wonder whether those 2500 scientists will come forward to take up your burden. If at all it happens, in establishing programmes with industries in India and abroad, it would surely make a headway in promoting the science and technology. (Time-Bell)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Please conclude.  
(Interruptions)

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**SHRIMATI VASANTHI STANLEY:** I am particularly glad that there are special provisions for the employment/ admission of women, differently abled citizens, people belonging to weaker sections of society specifically the Scheduled Castes, the Scheduled Tribes and other socially and educationally backward classes of citizens. (Time-Bell) Just two more minutes, Sir.

**THE VICE-CHAIRMAN:** No; no. (Interruptions)

**SHRIMATI VASANTHI STANLEY:** Sir, this is a very important Bill. Please give me two more minutes. It is also noteworthy that the Academy will have a flexible compensation system in place that will judge according to performance. I support the Bill for taking into consideration the recommendations of the Standing Committee about adequately including women scientists and technologists in the Board of the Academy. (Time-Bell) Just one more point, Sir. (Interruptions)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** No; no. (Interruptions)

**SHRIMATI VASANTHI STANLEY:** Sir, I also support the Committee's proposal to include other well-established institutions

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within the purview of the Academy to be more broad-based. (Time-Bell)

With these observations, Sir, I welcome this Bill. Thank you very much.

(Ends)

**DR. JANARDHAN WAGHMARE (MAHARASHTRA):** Thank you, Sir, for giving me an opportunity to talk on this Bill. At the very outset, I would like to congratulate the hon. Minister for moving this Bill. The title of the Bill suggests that this is a unique institution. The main focus of the Academy of Scientific and Innovative Research Bill is on research. But, at the same time, this is going to be a teaching institution also. Teaching and research have been the two most important objectives of any university. But, this institution should rather be different from traditional universities. The word 'academy' is associated with the name of Plato, who had established an academy at Athens in ancient times.

(Contd. by 3j — PK)

-USY/PK-MCM/5.10/3J

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**DR. JANARDHAN WAGHMARE (CONTD.):** Therefore, the spirit of this Institution should be the spirit of renaissance- revival of learning and discovering new things in the world. Sir, from the very objective, it seems that the Academy aims at research. But, whether it is going to tread the same beaten path; that is the main problem. Universities in our country have been very traditional. They have not made a very, very significant mark on the history of education. They lack in research, in fact. But this Institution is not going to do research only; it is going to do innovative research. The word 'innovative' is very important. What is 'innovation'? 'Innovation' is the spirit of going to the roots of things, finding the truth and getting inventions in this world. If this is the spirit, then, the University will have its own aims fulfilled. The word 'Academy' need not be only a novel name. This is not a novelty. We do not want novelties in the field of education; we want innovations. Our Prime Minister has declared this decade as the Decade of Inventions; therefore, this is very important. As Nehru had said somewhere, "A university stands for humanism, for tolerance, for reason, for adventure of ideas and for the search of truth. It stands for the onward march of the human race towards even higher objectives."

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If this Academy keeps this aim in that, perhaps, it is going to be a national university in the real sense. Sir, what is the main problem? The main problem is the faculty. From where are you going to get faculty? In Maharashtra alone, there are 17,000 posts which are vacant. In our Central Universities, State Universities and in most of the Centres of Higher Learning, there are no teachers at all. Faculty position is really very crucial. So, I would like to bring to the notice of the hon. Minister that this problem is going to be a very crucial problem in future. (Time-bell) That is why, the spirit of Richards has to be kept in mind. The scientific temper is also very important. This Institution should not produce only Ph.Ds; let me be very frank about it. Let us go beyond Ph.Ds. There should be a thrust. You will have to explore new areas of research. Therefore, I request our hon. Minister to give his mind to all these things. In any way, this Institution should not be a copy of other Universities. This should be a completely new, very innovative. Thank you very much, Sir.

(Ends)

**प्रो० राम गोपाल यादव** : थैंक्यू सर। माननीय मंत्री जी, एकाडमी ऑफ साइंटिफिक एंड इन्नोवेटिव रिसर्च की स्थापना करने जा रहे हैं, यह एक बहुत

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अच्छी चीज है। लेकिन प्रश्न यह है कि केवल एकाडमी को स्थापित करने से ही बहुत अच्छे ब्रेन आपको नहीं मिल सकते, जब तक उसमें जाने वाले ब्रिलिएंट स्कॉलर्स न हों। देश की स्थिति यह है कि जो सबसे काबिल लोग हैं, लड़के हैं वे सबसे पहले आई0ए0एस0 बनना चाहते हैं। अगर वे आई0ए0एस0 नहीं बन पाते हैं तो वे आई0आई0एम0 में जाना चाहेंगे या बिजनेस मेनेजमेंट का कोर्स करना चाहेंगे। उनका एक टेस्ट होता है कि कहीं बढ़िया पैकेज मिले किसी मल्टी नेशनल कम्पनी में और अन्ततोगत्वा उनका लक्ष्य होता है कि वे अमेरिका में जाकर स्थापित हो जाएं। यह स्थिति है।

(3K/ASC पर क्रमशः)

-PK/PB-ASC/3k/5.15

**प्रो. राम गोपाल यादव (क्रमागत) :** हमें बेसिक चीजों पर जाना पड़ेगा कि जो हमारे पोल.साइंस के स्टूडेंट्स हैं, जो M.Sc., Physics और Mathematics पास किए हुए हैं, वे आज मारे-मारे घूम रहे हैं। उनको कहीं बैठने की जगह नहीं मिलती है, वे कहां जाएं? उनके लिए कोई न्यू क्रिएटिव जॉब्स भी नहीं हैं। जो आप जूनियर फैलोशिप देते हैं, वह इतनी कम देते हैं, उनकी फंडामेंटल रिसर्च की ओर जाने में कोई रुचि नहीं रहती है। वे इस ओर मजबूरी में जाते हैं। जब तक उनको इस तरह की कोई मदद नहीं मिलेगी तब तक आप चाहे कितनी भी innovative academies खोलिए, कुछ नहीं होगा।

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दूसरी बात यह है कि आप केवल एक ही क्षेत्र में रिसर्च करने की कोशिश कर रहे हैं। आज veterinary के क्षेत्र में कोई रिसर्च हो ही नहीं रही है और यदि हो भी रही है, तो वह केवल नाम मात्र की रिसर्च हो रही है। इस क्षेत्र में रिसर्च होने से देश का बहुत कल्याण हो सकता है। एग्रीकल्चर कमेटी की रिक्मेंडेशन हैं और लगातार कई बार सिफारिश भी गई हैं। CPM के एक लोक सभा के MP थे, अब उनकी death हो गई है, उन्होंने कई बार सिफारिश की थी कि इंडियन काउंसिल ऑफ़ वेटरनरी रिसर्च, ICVR को CSIR के पैटर्न पर खोला जाए। उसमें भी रिसर्च की ज्यादा संभावनाएं हैं और बहुत ज्यादा काम हो सकता है। यदि आप केवल एक ही हिस्से को लें और एक हिस्से को छोड़ दें, तो इससे असंतुलन पैदा होता है। आपको इस क्षेत्र से बहुत कुछ मिल सकता है, आज इस क्षेत्र की उपेक्षा हो रही है, veterinary क्षेत्र में भी रिसर्च हो, इस तरह की आपकी कोई व्यवस्था होनी चाहिए।

मेरी तीसरी बात यह है कि जो आपने स्पष्टीकरण दिया था कि जब कोई संस्था national eminence की हो जाती है, तो उसमें रिजर्वेशन की बात नहीं रहती। हम लोगों को और हमारे सब साथियों को आशंका थी, आपने उस आशंका का निराकरण कर दिया। आपने कहा है कि SC/ST, OBC का रिजर्वेशन साढ़े बाईस परसेंट और सत्ताईस परसेंट रहेगा। आपने यह बात फ्लोर ऑफ़ दि हाऊस में कही और आप इसके लिए संशोधन भी लाए। इसके लिए आपको बहुत-बहुत धन्यवाद। मैं ज्यादा कुछ इसलिए नहीं कहना चाहता हूं कि

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हमारे साथी बहुत brilliant हैं और आप स्वयं फिज़िक्स के प्रोफेसर रहे हैं, आपने बहुत अच्छी बात कही है। प्रो. प्रमोद कुरील साहब और व्यास जी ने भी बहुत अच्छी-अच्छी बातें कही हैं। मैं अधिक समय नहीं लेना चाहता हूँ और मुझे BAC की मीटिंग में भी जाना है। बहुत-बहुत धन्यवाद।

(समाप्त)

**THE VICE-CHAIRMAN (P.J. KURIEN):** Thank you, Yadavji. Thank you, Yadavji. Now, Shri Baishnab Parida.

**SHRI BAISHNAB PARIDA (ODISHA):** Sir, at the very outset, let me express my thanks for allowing me to speak on this important Bill.

I rise to support the Bill with his amendments to establish a World Class Academy of Scientific and Innovative Research in association with Council of Scientific and Industrial Research. If this Academy of Scientific and Innovative Research functions properly, it will meet the growing requirements of research and innovation by conducting courses in inter-disciplinary and multi-disciplinary areas covering natural sciences, life sciences, mathematical and medical sciences, engineering, applied arts, humanities and social sciences.

Sir, we are passing through an era of explosion of knowledge. Knowledge is considered as economy, and prosperity of a nation is



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now measured by the number of scientists and engineering PhDs that it produces.

(Contd. by 3I/SKC)

3I/5.20/skc

**SHRI BAISHNAB PARIDA (contd.):** Once, the leading universities of India such as those at Kolkata, Mumbai, Chennai, Delhi along with numerous other research institutes provided fertile ground for nourishing and developing Science in India when India wanted to achieve self-reliance in the field of Science and Technology. Our national laboratories became a major driving force to perform worthwhile jobs in the strategic sectors between the 1970s and 1990s. At that time, India was producing more Ph.D. scholars than China, Korea and other Asian countries. After the 1990s, we started with the policy of liberalization and globalization, but in the field of Science and scientific developments we lagged behind. The scenario changed after the 1990s. India lagged behind with a severe shortage of Ph.D.s in the field of Science and Engineering. I do not wish to provide any data here. Some of my friends have already mentioned how in 1996, India was producing only 2006 Ph.D. scholars whereas China, South

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Korea, UK and USA were far ahead of India in this field. If this shortage continues, it would seriously affect our global competitiveness and economic growth in the long run. Unless opportunities are created indigenously, there is a possibility of losing a large number of brilliant students of inter-disciplinary subjects in Science and Technology to other countries.

Sir, arguments were made by some of our learned friends that it would be more prudent to strengthen the existing infrastructure of our universities to produce a greater number of Ph.Ds. by increasing the quality of research rather than setting up a new academy for the same purpose. Sir, I would like to say that there are more than 500 universities in our country and the Central Government has already started establishing Central universities in India, but our universities are carrying out basic and curiosity-driven researches. No university offers training programmes in technology transfer from its laboratories to the market places and to industrial processes or other productive processes.

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Please conclude.

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**SHRI BAISHNAB PARIDA:** Moreover, our present educational system is job-oriented. My friend here was talking about why we were lagging behind; it is because our education is job-oriented. It is not research-oriented. No university in India finds a place in the top hundred universities of the world. Even IIT, Mumbai, which is considered the topmost research institute in India, does not find a place in the top 350 universities of the world.

**THE VICE-CHAIRMAN:** Please, conclude. You have taken a lot of time.

**SHRI BAISHNAB PARIDA:** Yes, Sir. I would conclude now.

There is a serious shortage of workforce in knowledge-based wealth generation in India. If the Academy of Scientific and Innovative Research could be a world-class institute, it would be a great institution producing scientific manpower for India to compete with the other world powers.

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Please conclude.

**SHRI BAISHNAB PARIDA:** Then, Sir, about the establishment of the universities, there is a tendency to establish national institutes in big

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cities. There is a tendency to have urban-based institutes.

(Interruptions)

**THE VICE-CHAIRMAN:** Please, conclude. You have taken up a lot of time. You have taken three minutes more than the time allotted to you. (Interruptions) We have to finish the discussion.

**SHRI BAISHNAB PARIDA:** Sir, I must thank the hon. Minister for including the provision for reservation in the Bill. Also, I feel that the educational system should not grow vertically alone, it should be horizontal, educating a number of students including those from the deprived areas lagging behind in education.

(Ends)

**THE VICE-CHAIRMAN:** You have taken six minutes instead of three minutes. Now, Mr. Bandyopadhyay. Only three minutes, please.

(fd. on 3m/hk)

HK/3m/5.25

**SHRI D. BANDYOPADHYAY (WEST BENGAL):** Sir, I rise to support the Bill but I have some apprehensions. The Bill clearly says that its objective is to produce more PhDs. We are already producing 8000-odd PhDs a year. But the quality of Ph. Ds that we are producing is

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very, very poor. I have been told by some people, very knowledgeable people, that not more than 3 to 4 per cent of PhD dissertations that come out of Indian Universities are of international standards and 97 per cent are all washout. Mainly because of computer revolution and internet, they can get things from different areas, categorise them and produce a document which is found out by somebody else under the copyright and as a result a suit is filed. So, this is the quality of Ph. D. If we are going to have another institute producing PhDs in the name of Advanced Academy of Science and Research, that will not add to our knowledge. My point is very simple and I will not take much of your time. How do we increase the fundamental research? Most of the PhDs that come out are on Applied Science. Mathematics, pure Physics, pure Chemistry, etc., are not being looked at at all. If we don't go for fundamental research and fundamental sciences, it will not take you far. This is a very important point. This Academy should try to give support to fundamental research in all disciplines, not to the applied science only. There is another apprehension that I have got. My hon. friend already mentioned that Financial Memorandum, Clause 4, of the Bill

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does not involve any expenditure of recurring or non-recurring nature directly from the Consolidated Fund of India. It is supposed to generate fund. Who will give you fund? Will it take sponsored stream from the private sector? In that case, the PhDs that will come out will be biased and misdirected. If you are really establishing a fundamental institute, we must fund it. I must end by saying that our universities are lagging behind. Sir, C.V. Raman's Raman Effect came out of the College of Science in Calcutta; J.C. Bose' Radio Telephony -- though he did not get it, Marconi got it and became a billionaire -- came out of the College of Science in Calcutta. So, our universities are to produce fundamental sciences. Today, except Saha Institute of Science in Kolkata and Bangalore Institute of Science, no other university and institution are coming up with any fundamental research. So, I would request the hon. Minister, through you, to not to give so much importance to quantity but give importance to quality.  $E=mc^2$  is something which revolutionised the whole India. That  $E=mc^2$  is never coming out from any university. I would request the Government to give importance to fundamental research and quality while working on producing PhDs.

(Ends)

**DR. ASHOK S. GANGULY (NOMINATED):** Hon. Deputy Chairman, Sir, first of all, I wish to support this Bill whole-heartedly. I have just got a few suggestions. I know that when you are in the Chair, you always look at the clock. First of all, I would like to suggest to the hon. Minister, through you, to consider the name of the Bill as the CSIR Academy of Advanced Scientific Research Bill, 2010 rather than using terms like 'Innovation' and other things which are getting a bit redundant.

(Contd. by 3n/KSK)

KSK/5.30/3N

**DR. ASHOK S. GANGULY (CONTD):** Sir, everybody has spoken, including you, that there is a challenge to India's higher education. India's higher education is in great and deep trouble. I think, the quality of our post-graduate work, as Mr. Bandyopadhyay and many other eminent speakers have said, Mr. Kureel has said ...(Interruptions). The point is that deterioration of quality is so bad...(Interruptions). Mr. Vice-Chairman, may I continue to address you?

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**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Yes, please continue.

**DR. ASHOK S. GANGULY:** Sir, I was associated with the CSIR for many years, both in the society as well as in the Council. So, I have got an intimate knowledge and great respect for this institution. It has a long and distinguished history from pre-independent India till today. It served a very-very important national need during severe crisis of foreign exchange during the 1960s. We should not forget this. It has a distinguished history. And, in the area of import substitution, when we ran out of foreign exchange, the CSIR played a very important role. Therefore, when it is suggesting that it wishes to set up an Academy, it has to be taken very-very seriously because it has to graduate out from the role it has played in the 20<sup>th</sup> century in the role that the nation expects it to play in the 21<sup>st</sup> century. It was one of the major supports for Indian industry and for the small and medium enterprises in this country. That role must continue. Please, do not forget that role in the pursuit of academic research only. However, the hon. Minister and the Director General of the CSIR, who is in the gallery today, must ensure the quality of the CSIR Academy that they are planning to set up. It must not be just another institution of higher



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learning, but must be an exceptional institute of higher learning so that we can start reviving. We are falling into a depth. You yourself defined it while you were speaking. So, we have to come out of that depth. I agree with you that every section of Indian society has to contribute to that effort. Therefore, it was unfortunate that we had this debate whether there should be reservation or no reservation. I think, it is a redundant debate. Every Indian must have an opportunity to get into every institution without any hindrance of caste or community. Now, that is given. But, every Indian must take the oath that we have to raise the quality and we must not bring the quality down. And, that is my request to the hon. Minister. I particularly believe that this institution, if it comes out as per the debate, as per the proposition, as per the Bill that is being proposed, it is going to add lustre. It will start the revival of Indian academic decline. I sincerely hope so. I wish it all the best. I know that you are running out of time. I do not wish to add much because many distinguished people, including you, Sir, have spoken with such erudition and passion that I am insignificant in this debate. But, I thank you for

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giving me this opportunity and I wish the institution all the best. Thank you very much.

(Ends)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Thank you, Gangulyji. You always make good points and stick to the time limit. Now, Dr. Barun Mukherjee; you have five minutes.

**DR. BARUN MUKHERJI (WEST BENGAL):** Sir, I rise to support this Bill with some of my comments on it. First, this Academy is going to be an institute with its own special character. In fact, it has all the scope and potential to become one important institution of national importance for scientific and innovative research. We may reasonably have good expectations from this Academy, as it is stated in the Statement of Objects and Reasons, “primarily focus on research and imparting instruction in such areas as are not ordinarily taught in regular academic universities in India.” (continued by 30 — gsp)

GSP-PSV-30-5.35

**DR. BARUN MUKHERJI (CONTD.):** I hope the proposed Academy would be able to achieve this objective in its future activities. Secondly, the proposed Academy, in its initial draft had set its

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objective of producing more PhDs “to keep pace with other countries”. But the Standing Committee on Science and Technology, Environment and Forests, of which I am a Member, and, to which the earlier draft was referred for examination, was of the opinion that the proposed Academy should not become one more PhD producing machine. Moreover, I wonder whether the scientific progress of a country is dependent on the number of PhDs being produced, and, whether the sponsoring department of CSIR is maintaining a track record of how these PhD holders are being engaged for the industrial growth of the country. In fact, the essence of the issue lies in successful implementation of PhD dissertations. I am happy that the Bill is now revised eliminating all these lapses. I hope the proposed Academy will devote its energy and activities to this aspect.

One very encouraging aspect of the proposed Academy is that it “shall be provided or allowed to use the infrastructure and scientific manpower of the Council of Scientific and Industrial Research for teaching and research purposes for mutual benefit”. The CSIR is having its goodwill and reputation since the pre-Independence days and is presently having a large number of scientific laboratories spread

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over the whole country as well as very strong team of devoted experts, well recognized in their respective research areas. I welcome this type of relationship of the Academy with the CSIR.

On another controversial point regarding reservation, I am happy with the revised Bill, with the official amendment along with the hon. Minister's announcement and assurance in the House for full reservation for the SC/ST/OBC and minorities to be provided in the proposed Academy. Moreover, the Academy is not looking for strictly any Government's Budgetary support, rather it is relying on its receivable fees of all types; moneys by way of grants, gifts, donations, etc.; and, funds from the Council of Scientific and Industrial Research, by way of loan or otherwise. It is definitely a new way or approach to run such an Academy. But we are having some reservations. When it is stated that the Academy would also depend on "moneys received by the Academy in any other manner or from any other source", I would like these 'other sources' to be well-defined and clearly stated. With these words of caution, some suggestions and compliments, I welcome the proposed Academy and support the Bill. Thank you.

(Ends)

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**SHRI BALAVANT alias BAL APTE (MAHARASHTRA):** Sir, this Academy of Scientific and Innovative Research Bill, 2010 is a welcome addition to what we are trying to do with education. Sir, let me first mention my lament that our view of education in this country continues to be fractured.

(Contd. by sk-3p)

SK/5.40/3P

**SHRI BALAVANT ALIAS BAL APTE (CONTD.):** We condensed education to be only a resource development, and, therefore, we stop talking about education in terms of education. Several Bills are brought in this House for raising the standards of education, but their source is not one. If it is education regarding social welfare, the Social Welfare Ministry will pilot the Bill; if it is regarding an international university, the External Affairs Ministry will pilot the Bill; if it is regarding science and technology, the Science and Technology Ministry will pilot the Bill. We don't have an integrated approach to higher education in this country and that is why we are suffering. That is the basic reason.

Secondly, Sir, I would like to welcome this Bill because, for the first time, it is aiming at research with inter-disciplinary and multi-

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disciplinary approach. Our research and our education has been always single-faculty approach and, therefore, a student in one discipline cannot touch the other discipline. That is how the courses are arranged. Therefore, it is a welcome sign that we will now be having in this academy an inter-disciplinary and multi-disciplinary approach.

Sir, in so far as the relationship between the CSIR and this academy is concerned, a person very involved in the CSIR says that this is a CSIR academy. I believe that Council is doing some good work, but it is necessary for the health of this academy to wheel it away from the CSIR as early as possible. Today, you are not asking for any money because whatever money is given to the CSIR has to be diverted to this academy to survive. Therefore, provide for money for this academy independently in your budget head. Don't make it dependent on the CSIR and don't burden the CSIR with the conduct of this academy so that CSIR does not suffer in its work. Therefore, my urgent request is to wheel it away as early as possible and provide for money for it.

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There is a reference in the legislation to industry and there has to be an interaction between the industry and the academy. Industry needs a particular kind of research. Industry provides for some R&D for purposes of satisfying the auditors, but industry is not doing that work which this academy should do and then get support from the industry. It can be *quid pro quo*. The industry gets the benefit of education and then the industry must spend for it. And if that relationship between the academy and industry is established by a continuous dialogue, the academy will have enough funds for purposes of research.

There was one more thing in so far as running of this institute is concerned. The law provides for running several kinds of courses and enrolling students. The academy should not fall to a situation where it will also be producing meaningless degree-holders. The academy must confine itself to the higher education in so far as research is concerned. We have a proliferation of universities that are producing graduates in all categories of disciplines. But all these universities are lacking in research. In fact, research is almost absent in most of the universities. If that is so, then this academy should concentrate on

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research. Entry to this academy should begin with post-graduate people. Their areas of research can be varied. Their areas of research can be having a direct link with the industry which needs research.

(Contd. by yrsr/3Q)

-SK/YSR-DS/05.45/3Q

**SHRI BALAVANT *alias* BAL APTE (CONTD.):** Then we can be having a real academy of scientific and innovative research.

There is always a reference to China. It is said that thousands of PhDs are produced by China. I do not know the worth of that. But any reference to China in this country and comparison with China is a little anomalous, because this country, according to others, or, according to China, has the handicap of democracy. According to us, that is the strength of this country. Therefore, comparison with China is comparison of democracy with dictatorship. Democracy has to be real. We will go by our own way and at our own speed which is possible in a vibrant democracy like ours. Therefore, let us not compare ourselves with China. With our strengths, with our capacity,



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and with our talent, we will go ahead of China in the near future.

Therefore, let us not compare ourselves with China.

Lastly, in so far as research is concerned, in this country it is necessary that research is remunerative. The time has gone when people used to go in for research only with a pittance. Now research must be remunerative. Why students are not going in for research? Because they are getting remunerative jobs at other places. Students of science and technology get remuneration in lakhs of rupees in industries. Therefore, they are not going in for research. Research must be remunerative and, for that, this academy will need money, which you should provide. This academy is not only an appendage of the CSIR. If it is going to produce really good innovative research, then the researcher must be provided with that. Make research remunerative, make admission competitive and wait, because it will not produce immediate results. The researcher has to be paid well for years, so that he brings out innovation which will be the pride of this country. Have no doubt in mind. There is no dearth of talent. Even with everybody going to industry, there is enough talent. There are people who really want to do research but they cannot do it because

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they have no opportunity. Please give advantage to that talent through this academy, so that this academy will be successful.

(Ends)

**डा. प्रभा ठाकुर (राजस्थान):** उपसभाध्यक्ष जी, हालांकि मैं विज्ञान की छात्रा कभी नहीं रही और मैंने हिन्दी साहित्य से एम.ए., पी.एच.डी. किया, लेकिन अपने अनुभव से मैंने यह जाना कि दरअसल जो विज्ञान है और जो वैज्ञानिक प्रक्रिया है, उस प्रक्रिया के अधीन ही पूरी प्रकृति चलती है। चाहे वह धरती का संचालन हो, समुद्र की लहरों का संचालन हो या चांद, तारों व सूरज की गति हो, वे सब कहीं न कहीं एक वैज्ञानिक तकनीक से बँध कर चलते हैं, इसीलिए यह सृष्टि कायम है और इसीलिए यह ग्लोब, यह ब्रह्मांड कायम है। इस प्रकार, प्रकृति के अपने मिजाज में ही एक वैज्ञानिक अंदाज है, जो कि परिष्कृत होकर हमारे पास आया है और उसी को आज हमारे वैज्ञानिकों ने प्रकृति से पाया है।

यह केवल आज से नहीं बल्कि बहुत प्राचीन काल से है, वैदिक काल से है। ऋषि-मुनियों का शोध और ज्ञान संस्कृत के अनेक पुस्तकों में भरा पड़ा है, जिसे वहाँ से विदेशों में जर्मनी और दूरदराज के देशों के विद्वानों ने उठाया है। उनमें ये तमाम शोध हैं कि किस प्रकार प्राकृतिक चिकित्सा की जा सकती है और प्रकृति के अनुसंधान करके कैसे विभिन्न प्रकार की चिकित्सा की जाती हैं। विभिन्न शोध कार्य, जो मानव के कल्याण के लिए थे, वे पहले से होते आये हैं।

(3आर/एचएमएस पर क्रमशः)

3R/HMS/5:50

**डा0 प्रभा ठाकुर (क्रमागत) :** महोदय, मैं माननीय मंत्री श्री विलासराव देशमुख जी को बधाई देना चाहूंगी कि वह बहुत ही अच्छा, बहुत ही उपयोगी और जन-हितकारी विधेयक, The Academy of Scientific and Innovative Research Bill, 2011 लाए हैं।

मैं विधेयक और उस के उद्देश्यों का स्वागत करती हूँ। सर, हम कई बार देखते हैं कि हमारे कई भारतीय छात्र और युवा विदेशों में विज्ञान और तकनीक के क्षेत्र में कार्य करने के लिए जाते हैं और अपना नाम कमाते हैं, अपनी पहचान बनाते हैं। इस का कारण क्या है? सर, उन में योग्यता और प्रतिभा तो यहां भी उतनी ही है, लेकिन कमी इसी बात की है कि यहां उतने संसाधन संपन्न शिक्षण संस्थान नहीं हैं, उतनी सुविधाएं नहीं हैं, उतनी आमदनी नहीं है और कहीं कमियां भी हैं। इसलिए वे विदेश जाते हैं। जब यहीं ऐसी अकेडमीज की स्थापना होगी तो मैं निश्चित रूप से कह सकती हूँ कि हमारे विद्यार्थियों को इस का पूरा लाभ इस देश में मिल सकेगा। सर, हमारे देश में ही हमारे पूर्व राष्ट्रपति डा0 कलाम साहब स्वयं एक बड़े वैज्ञानिक थे। अभी श्री बसु की बात हुई जिन्होंने रेडियो का आविष्कार किया, श्री चितरंजन जिन्होंने जब रेलवे का इंजन बनाया तो लोगों में बड़ा भय व्याप्त हुआ। सर, अक्सर कई बार अनुसंधान को कई चुनौतियों का भी सामना करना पड़ता है, लेकिन मैं इस विधेयक के संबंध में कुछ सुझाव देना चाहूंगी।

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सर, क्लॉज 4 के (ग) में जहां लिखा है, प्राकृतिक विज्ञान, प्राणी विज्ञान, गणितीय विज्ञान, आयुर्विज्ञान, इंजीनियरी आदि, इस में कृषि विज्ञान, अंतरिक्ष विज्ञान और सामुद्रिक विज्ञान को भी जगह दी जानी चाहिए क्योंकि ये विज्ञान के बहुत ही महत्वपूर्ण क्षेत्र हैं जिन में कि वैज्ञानिक शोध की ज्यादा-से-ज्यादा जरूरत है। सर, इसके अलावा शिक्षण हेतु इस शिक्षण संस्थान में कम-से-कम छात्राओं का भी एक अनुपात होना चाहिए। इस में 25-30 फीसदी छात्राओं को मौका दिया जाए। साथ ही समाज के कमजोर वर्ग के छात्रों को भी मौका मिले, लेकिन उस में यह जरूर देखा जाए कि जो प्रतिभाशाली छात्र हैं, उन्हें छात्रवृत्ति देकर कार्य करने का पूरा मौका मिले।

सर, मैं मंत्री जी का ध्यान पेज 8 की ओर आकर्षित करना चाहूंगी। इस में (झ) में लिखा है कि विश्वविख्यात चार पारंगत वैज्ञानिक या शिक्षाविद, जिन में से दो भारत से बाहर की प्रसिद्ध संस्थाओं से होने चाहिए, मैं कहना चाहूंगी कि इन में दो प्रसिद्ध वैज्ञानिक और दो तकनीकी शिक्षाविद हों। इस के अलावा तीन सुप्रसिद्ध उद्योगपति या प्रौद्योगिकीविद का भी जिक्र है, मैं कहना चाहूंगी कि अगर उद्योगपति हों तो ये उन्हीं में से लिए जाएं जिन की कंपनियों में कोई इस तरह के शोध संबंधी कार्य किए गए हों। इस के अलावा चार पारंगत वैज्ञानिक या उत्कृष्ट वैज्ञानिक या वैज्ञानिक और औद्योगिक अनुसंधान परिषद् की प्रयोगशालाओं के निदेशकों का जिक्र है। मेरा निवेदन इस में यह है कि दो तो उत्कृष्ट वैज्ञानिक हों और दो औद्योगिक अनुसंधान परिषद् की प्रयोगशालाओं के

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निदेशक हों ताकि एक संतुलन बने। साथ ही उन सब में चार में से एक महिला हो। इसी तरह चयन समिति में भी एक महिला होनी चाहिए। सर, इस में जहां 12(4)(ख) में लिखा है कि चयन समिति पदधारी अध्यक्ष के कार्यकाल की समाप्ति से कम से कम तीन मास पूर्व अपनी सिफारिश प्रस्तुत करेगी, उस में लिखा जाए कि उसे स्वीकृत समझा जाएगा ताकि वह पद खाली न रहे।

महोदय, आप बहुत उदार हैं। मुझे अंत में एक और बात कहने दें कि विशेष रूप से अनुसंधान के कुछ क्षेत्रों को प्राथमिकता दी जाए जैसे दवाओं का क्षेत्र। उस में सस्ती, जीवनरक्षक दवाओं पर शोधक कार्य हो। दूसरे पर्यावरण को शुद्ध व स्वच्छ रखने के लिए शोध कार्य अधिक-से-अधिक हो कि कैसे हमारा भोजन, पानी, वायु और जलवायु सुरक्षित हो।

(3 एस/केएलजी पर क्रमशः)

-HMS/KLG-MKS/5.55/3S

**डा० प्रभा ठाकुर (क्रमागत):** यह जो ओजोन लेयर जैसे खतरे बढ़ गए हैं, इनकी तरफ भी हम ध्यान दें, ताकि मानव-जीवन सुरक्षित रह सके। इसी तरह प्रदूषण से हमें मुक्ति मिले और वर्षा का जल हमें कैसे उपलब्ध हो, इस पर शोध-कार्य हों। इसके अलावा जो समुद्र है, समुद्र का जल अगर वैज्ञानिक तरीके से मीठा किया जा सकता है, इसे पीने के योग्य बनाया जा सकता है, तो इस पर विशेष ध्यान दिया जाए, ताकि शुद्ध, स्वच्छ और मीठा पेयजल मिल सके और उसे पीने से हमारे लोग स्वस्थ रहें।

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अंत में, मैं इस विधेयक को लाने के लिए बहुत आभार व्यक्त करती

हूँ। धन्यवाद।

(समाप्त)

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Thank you very much, Dr. Prabha Thakur. Now, Shri D. Raja.

**SHRI D. RAJA (TAMIL NADU):** Sir, I am one of those Members who wanted this Bill to be referred to a Select Committee. Since the Minister has assured us that there will be reservation for OBCs, SCs, STs and all other categories, I rise to support this Bill. I urge upon the Minister to see to it that whatever he has assured us on the Floor of the House must become part of this legislation. We have been witnessing a distressing trend in our country. Whenever we create institutions of national importance, there is a tendency to get rid of reservation. Even the approach to Twelfth Five Year Plan talks about the PPP model in education, in health. Even the Government allows PPP model institutions. I insist, there should be reservation in all these institutions. Even though this Institution is supposed to be a self-financed one, it draws huge grants and other monies from various Departments of the Government. I think, there is a justification for

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demanding reservation, and it should be ensured. And whatever you have promised should become part of this legislation. This is number one, Sir.

Secondly, it is a fact that Academy of Scientific and Innovative Research has been functioning with the resolution of Cabinet even when the Bill for its setting up is yet to be passed by the Parliament. If I am wrong, the Minister can correct me. Sir, the Institution has been functioning, but there is urgency to get this Bill passed. Here, I would like to point out that the Director General, CSIR, and the Secretary, DSIR, should have exercised restraint in fully making the Academy operationalised, and also in registering the candidates for the award M.Tech, Ph.D certificates before finally absorbing them in CSIR Lab. In utter disregard to recruitment rules in vogue for such appointments, and also in violation of Constitutional obligations for reservations, as many as 52 candidates have been absorbed. This is my figure; I may stand corrected. Sir, 52 candidates have been absorbed, and out of these 52 candidates, the total number of reserved candidates is a meagre 13; 12 OBCs and one ST. Only 12 OBCs and one ST! No SC at all! In all the laboratories, not a single candidate belonging to SC

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has been appointed, which is a serious matter inviting immediate attention and remedial measures. The Minister will have to look into it.

Sir, the Statement of Objects & Reasons says, “The establishment of proposed Academy of Scientific and Innovative Research would substantially increase research in interdisciplinary, transdisciplinary areas.”

(Contd. by TMV/3T )

-MKS-TMV-NB/3T/6.00

**SHRI D. RAJA (CONTD.):** “It is expected that Academy would produce from 5<sup>th</sup> year onwards 1,000 PhDs in science and technology and 120 PhDs in engineering every year”. The same Statements of Objects and Reasons says that the proposed Academy will “conduct courses in inter-disciplinary and multi-disciplinary areas covering natural sciences, life sciences, mathematical and computational sciences, engineering, etc., and create an ambience for learning and scholarship in advanced science and technology”. Here, I agree with many of our colleagues who have said that we should concentrate on basic research in the mining and mineral sector. That is one area which requires serious attention. Then we will have to concentrate on



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our research in the agricultural sector. Of late, we have only one agricultural scientist, Dr. Swaminathan. Wherever we go we have to refer to only Dr. Swaminathan. Where are the other scientists in the agricultural sector? (Time-bell).

**THE VICE-CHAIRMAN (PROF. P.J. KURIEN):** Yes, Rajaji, please conclude.

**SHRI D. RAJA:** Then there is the national safety and security areas. These are the areas we need to concentrate. I agree with one of my colleagues, Prof. Kurien, when he said that brain-drain was going on. Many of those who complete their studies in the IITs leave the country and it is a loss for the country. If we can provide good conditions, these IITians would stay back and work for the country.

Sir, our country is not in dearth of scientific personnel. In fact, the Indian society is emerging as a modern society, a society based on knowledge. We have a proud legacy. As many Members have pointed out, 'Zero' is our pride. It is India's contribution to the world. We hear about Raman Effect, Saha Equation and so on. These are things of pride. (Interruptions)...

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**THE VICE-CHAIRMAN (PROF. P. J. KURIEN):** Please, less noise.

(Interruptions)... What is this? Please.

**SHRI D. RAJA:** When I was a student I was overwhelmed by the personality of Homi Bhabha.

**THE VICE-CHAIRMAN:** Rajaji, please conclude.

**SHRI D. RAJA:** When Homi Bhabha died in a tragic accident, that was the saddest day of my life. We lost such an eminent scientist. What I am trying to say is that India has the potential to produce scientists and more researchers. But India lacks the will and the Government in its pursuit of the neo liberal policies, somewhere down the line, undermines our own potential and fails to promote our own talent and skill. If this Institute fills up that gap, it can serve the nation in a better way. I hope that the Minister would keep that perspective in mind when he gets the Bill passed. Thank you very much.

(Ends)

**THE VICE-CHAIRMAN :** Thank you, Mr. Raja. Mr. Minister.

**THE MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF EARTH SCIENCES (SHRI VILASRAO DESHMUKH):** Sir, I thank all the Members who have participated in the debate, Shri Shreegopal

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Vyas, Shri P. Rajeeve, Shri N. K. Singh, Shrimati Vasanthi Stanley, Dr. Janardhan Waghmare, Shri Baishnab Parida, Dr. Ganguly, Dr. Barun Mukherji, Shri Bal Apte, Shri Ram Gopal Yadav, Shri Bandopadhyay, Dr. Prabha Thakur, Shri Raja and, of course, Prof. P. J. Kurien.

Sir, the discussion on this particular Academy Bill was very excellent and, by and large, the consensus of the House, which I could gather, is that they are all in favour of this Bill. But there are certain apprehensions. The basic apprehension raised by many of the Members is regarding reservation.

(Contd. by 3U/VK)

VK/3U/6.05

**SHRI VILASRAO DESHMUKH (CONTD):** When this was brought to my notice, immediately, we moved a Government amendment to make it very clear that this institution will have reservation as per the Universities Act. There should not be any confusion about it. The UPA Government works for the *aam admi*. We are committed to the weaker sections of the society.

**श्री रुद्रनारायण पाणि :** फिर अमेंडमेंट की आवश्यकता क्यों हुई?

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**SHRI VILASRAO DESHMUKH:** This amendment has been brought to make it more clear. There was a provision. But some people apprehended that we may take advantage of Section 4 of the Universities Act. Just to make it more clear and more concrete, we have already moved a Government amendment. So far as reservation is concerned, your sentiments and our sentiments are one. So, please do not have any apprehension in your mind. This is the commitment of the UPA Government. We will see that this Academy observes each and every rule which is applicable to the weaker sections of the society. This is one very important point which I want to clarify. I hope I have addressed the doubts raised by many of the hon. Members.

So far as this Academy is concerned, many questions have been asked. It is very difficult for me, in this short span of time, to reply to each and every hon. Member's point. They have made very valuable suggestions. It will be very difficult for me to refer to each and every hon. Member. The hon. Member, Shri Shreegopal Vyas, who has initiated the debate, was having an apprehension that why this particular Academy was needed and whether this will have any

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adverse impact on the universities which are already doing research. I can assure this House that there would not be any adverse impact on the universities where research is on.

**(MR. DEPUTY CHAIRMAN in the Chair)**

We will have only those subjects which are not taught in academic universities. I would like to give this assurance to this House. This is only for innovation. As Shri N.K. Singh has already said, this promise was made in the President's Address also. So keeping that promise in mind, we have already started this Academy, as you have rightly said, with the approval of the Cabinet and students have been admitted to it. Then immediately, we had moved the Bill in Parliament which went to the Standing Committee. That is why it has taken some time. It is not in our hands. We have again brought it for the final approval of Rajya Sabha. We have the CSIR...(Interruptions).

**SHRI M. RAMA JOIS:** Sir, my name has not been called.

**MR. DEPUTY CHAIRMAN:** Do you want to seek clarification?

**SHRI M. RAMA JOIS:** Sir, I have to move an amendment.

**MR. DEPUTY CHAIRMAN:** You can do it after that. I will call you. I have not put it to vote.

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**SHRI VILASRAO DESHMUKH:** Sir, we have 37 different labs spread over the whole country. We are using the infrastructure which is available in those laboratories. The best scientists are working in those labs. It is not that the Academy will function at one single point. Students will be admitted in 37 different labs which are spread over the whole country. Every corner of the country will have access to this Academy and the students will be able to avail of the facilities available over there. We will have a national examination because we want the best talent. Many hon. Members have said in their speeches that nobody would like to come for research; all the talented students will go in for Medical, Engineering, IITs, IAS, IPS; and very few students would be attracted to research. As you rightly said, the main idea of having this Academy is to stop brain-drain. Why are people going to foreign universities? It is because they have got world-class facilities over there. We are going to create that kind of a situation and those kinds of facilities in this Academy so that the brain-drain stops and the best talent of Indian students can be attracted to do research. The country is growing at seven to eight per cent of GDP.

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If you want to grow more, we have to have more scientists with us.

We are also introducing the Food Security Bill.

(Contd. By 3W)

RG/MCM/6.10/3W

**SHRI VILASRAO DESHMUKH (contd.):** If you want to have more foodgrains to be produced in the country, we should have research in that particular area...(Interruptions)

**श्री रुद्रनारायण पाणि :** माननीय मंत्री जी, यह फूड सिक्योरिटी बिल कब इंटरोज्यूस होने वाला है?

**श्री विलासराव देशमुख :** हो जाएगा।

**श्री रुद्रनारायण पाणि :** कब होने वाला है?

**श्री उपसभापति :** आप इसको और उसको यहां क्यों उलझाते हो।.....(व्यवधान)

**श्री विलासराव देशमुख :** यह बहुत जल्द इंटरोज्यूस होगा। अब हम साइंस एंड टेक्नॉलोजी की बात कर रहे हैं। अगर एग्रीकल्चर को बढ़ाना है तो हमें एक अच्छे साइंटिस्ट की और रिसर्च की आवश्यकता है, यह मैं यहां पर कहना चाहता हूँ। All these particular issues have been taken into consideration, and that is why, this Academy has been established.

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Sir, it is difficult for me to go into the suggestions of each and every hon. Member right now. I will try my best to give my reply in writing to each Member so that they will be happy that the Government has considered their suggestions, and whatever is possible, we will try to implement during the course of time. I once again thank all the hon. Members, and I appeal to the House to kindly pass this Bill.

**MR. DEPUTY CHAIRMAN:** Now, Shri M. Rama Jois, Dr. V. Maitreyan, Shri Pramod Kureel and Shri Moinul Hassan have moved an Amendment. Mr. Jois, are you pressing for it?

**SHRI M. RAMA JOIS (KARNATAKA):** Sir, I have given an amendment. In terms of rule 125, "Any member may, if the Bill has not already been referred to a Joint Committee of the Houses, but not otherwise, move as an amendment that the Bill be referred to a Select Committee and, if such motion is carried, the Bill shall be referred to a Select Committee, and the rules regarding Select Committees on Bills originating in the Council shall then apply." Now, this is the second such occasion, the first one was when the Commercial Division of High Courts Bill was referred to the Select Committee under the same



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rule, and no discussion took place on the Bill itself. Now, we are putting the cart before the horse. What is the reason why we want that this should be done? In fact, I have not had an opportunity to explain why we are pressing for it...

**MR. DEPUTY CHAIRMAN:** Now you can go ahead.

**SHRI M. RAMA JOIS:** As far as this Bill is concerned, though it is called an Academy, the President of the Council of Scientific and Industrial Research will nominate the Chancellor of this Academy. The head of the Academy is called the Chancellor. So, the Chancellor of a statutory university is to be appointed by the head of a Society registered under the Societies Registration Act, 1860, which is peculiar. The second thing is that if we look into the functions of the Academy, it includes conferment of degrees, and conducting research is also a part of the functions of the Academy. Now there are already so many universities in this field, and this Academy is to be brought over-and-above all of them, in which case there will be a conflict between the working of the Universities and the Academy. This is merely duplication, and therefore, it is, virtually, a hybrid law. It

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will be difficult to make out whether a particular institution is a university or an academy.

Sir, as far as Universities are concerned, I shall refer to Entry 44 of the Union List which says, “Incorporation, regulation and winding up of corporations, whether trading or not, with objects not confined to one State, but not including universities.” So, universities have been expressly excluded in the Union List. Then, Entry 32 in the State List states, “Incorporation, regulating and winding up of corporations, other than those specified in List I”, which means that they are specially included in the Union List. Further, I would invite the attention of the House to certain other provisions of the Bill. Clause 20 says that the Chairperson of the Board shall be the Chancellor of the Academy. The Chancellor is an expression generally used only in the context of a university. And, clause 12 states, “The Chairperson shall be appointed by the President of the Council of Scientific and Industrial Research.” Now, the Council of Scientific and Industrial Research is a society registered under the Societies Registration Act of 1860. Now, the head of a non-statutory body is going to appoint

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the Chancellor of the Academy! Now, let us look at clauses 28 and 29.

(Continued by 3X)

3x/6:15/ks

**SHRI M. RAMA JOIS** (contd.): Normally, expressions like 'Statutes', 'Ordinances', etc. are used only in the case of universities. But Section 28 says, "(1)The Statutes of the "Academy shall be enacted by the Board. (2) Without prejudice to the provisions contained in sub-section (1), the Senate may make recommendations for enactment of Statutes to the Board" and so on. Then, come to Section 29 which says, "Subject to the provisions of this Act, the Statutes may provide for all or any of the matters considered necessary by the Board for functioning of the Academy within the framework of this Act, including the following matters, namely:- (a) the conferment of degrees and diplomas; (b) the constitution, powers and functions of the Board of Studies; (c) the tuition fee and other fees to be charged; (d) the institution of fellowships, scholarships, medals and prizes; (e) the term of office and the method of appointment of officers of the Academy", and so on. Then, I come to

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Section 30 which says, "(1) Subject to the provisions of this Act and the Statutes, the Ordinances of the Academy may provide for all or any of the following matters, namely:- (a) the admission of the students; (b) the courses of study; (c) the conditions under which students shall be admitted; (d) conditions of award of the fellowships, scholarships, medals and prizes; (e) condition and mode of appointment and duties of examining bodies, examiners and moderators; (f) the conduct of examinations; appointment of Professors, all these things are there. In the Statement of Objects and Reasons, it is said that the object of the Academy is to produce 1000 Ph.Ds. Then, what is it that universities are doing? It is the job of the universities to grant Ph.Ds. That function is being given to the Academy. The pith and substance of this is, the law which relates to university, is completely outside Entry 44 of the Union List. I am not raising a very serious objection; I am talking only of the merits. I am raising an objection in the beginning itself so that if the matter goes to the Select Committee, they consider whether there should be another Academy that takes over the functions of all the universities in the country. Even the Supreme Court, in the Chhattisgarh case relating to

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the Aligarh Muslim University said that the function of conferring degrees is that of the universities under the scheme of law in our country and that function is being given to an academy and the Chancellor of that academy is being appointed by the President of a society. There are so many anomalies here. Therefore, the matter must be considered very coolly. Otherwise, what would happen is, we would act in haste and in varying measures. That is what is going to happen. My humble submission is that, having regard to the pith and substance, the function of the universities has been handed over to this Academy and 'university' is State subject and it is completely excluded under Entry 44 of the Union List. This being the position, this matter should be heard first. When a preliminary objection is raised, that should be heard first. So, my humble submission is this. Let the matter go to the Select Committee. Let the Select Committee consider it and suggest any modifications, if they want to. Harmonisation between this Academy and the Universities is a serious matter and it should be considered seriously.

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**MR. DEPUTY CHAIRMAN:** Well, the discussion is over. We are considering the amendments now. Yes, the Minister of Parliamentary Affairs wants to say something.

**SHRI M. RAMA JOIS:** For the purpose of appointment of Professors, Readers...

**MR. DEPUTY CHAIRMAN:** Let the Minister reply to it.

**THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI PAWAN KUMAR BANSAL):** Sir, I would like to submit that this Bill went to the Department-related Parliamentary Standing Committee. Since 1991, we have the system that all the Bills which are introduced in any of the two Houses go to the subject-related Standing Committee. This Bill went to the Standing Committee. The Standing Committee has Members from both the Houses. The Standing Committee discussed the Bill and the Report of the Standing Committee was considered by the Government. Thereafter, this Bill was brought. I may be permitted to say that there was only one objection raised in the other House.

(cd. by 3y/kgg)

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Kgg-lt/3y/6.20

**SHRI PAWAN KUMAR BANSAL (Contd.):** Sir, when I happened to somehow pilot this Bill, I allayed the fear that there could be some attrition of researchers from universities. That fear was allayed. The fears expressed by hon. Members from the other side were allayed by the very senior hon. Member from the other side. Then, after consideration of that, this Bill was passed.

Sir, the hon. Member is very learned with a very vast experience. He also knows that we have institutions called the Indian Institute of Technology. This Academy is also on the same lines. I agree with the Constitutional provisions which he read; there is no doubt about that. Nobody can dispute on that. But, the fact remains, Sir, that the IITs are already there and more and more IITs are being created. This Parliament is accepting those. This Academy would work on the hub and spokes of that. The CSIR, which is a world-renowned institution, has different laboratories all over the country; they are also working. It is nothing very big that is being created; it is actually to bring about a synergy among various laboratories where scientists are working; those and at the CSIR headquarters would

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work, as I said, as the hub and spokes; this is something which I feel was welcomed by the entire House. I would appeal to the hon. Member to withdraw his amendment. His very valid points are taken note of. We have the system; it is something for the larger interest of the scientific community so that they have a greater space to carry out their research, carry out front end research. Therefore, I would appeal to the hon. Member to withdraw his amendment. The Bill has been thoroughly considered at the Standing Committee, which has Members from the other House and this House.

Sir, the Select Committee process was actually an earlier one. He was referring to the Commercial Divisions in the High Courts. In a particular case, you may some times take it. But, that is not the practice. That is not the routine. In two cases, this House has done that.

Since a large amount of business is pending before the Standing Committees, before the two Houses, I would urge the hon. Member to withdraw his amendment. I would also appeal to the House to consider this Bill and pass it.

**SHRI M. RAMA JOIS:** I have quoted rule 125 light-heartedly...



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**MR. DEPUTY CHAIRMAN:** He has not said on that. He appreciated your points.

**SHRI M. RAMA JOIS:** See the reasons. That should be considered by the Select Committee. It is a serious matter because you have created... (Interruption)

**MR. DEPUTY CHAIRMAN:** He has not said what you have said is not relevant. He said that it is relevant; since there are IITs that are functioning on the same lines... (Interruption)

**श्री रुद्रनारायण पाणि :** क्या आई.आई.टी. में चॉसलर नाम की कोई पोस्ट नहीं है?

**MR. DEPUTY CHAIRMAN:** They also confer degrees.

**SHRI PAWAN KUMAR BANSAL:** There is the Board of Directors there, they confer degrees...

**SHRI TARUN VIJAY (UTTARAKHAND):** Sir, while I congratulate the Minister for bringing the Bill which strives for excellence in the area of science and technology, my humble suggestion is to name it after Aryabhata. Aryabhata was one of the greatest innovators that India has ever produced. This was recognized by Smt. Indira Gandhi also and a satellite was named after Aryabhata. Can the hon. Minister

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name this Academy after Aryabhata—the Aryabhata Academy of Science and Technology? Thank you.

**श्री म.रामा जोयिस** : मैंने यह सोच-समझकर दिया है।

**श्री उपसभापति** : आपने सोच-समझकर दिया है लेकिन...(व्यवधान)..

**SHRI M. RAMA JOIS**: Let it be rejected, but I move my amendment.

I move:

“That the Bill to establish an Academy for furtherance of the advancement of learning and prosecution of research in the field of science and technology in association with Council of Scientific and Industrial Research and to declare the institution known as the Academy of Scientific and Innovative Research, to be an institution of national importance to provide for its incorporation and matters connected therewith or incidental thereto, as passed by Lok Sabha, to be referred to a Select Committee of the Rajya Sabha consisting of the following members, namely (names to be given at the time of moving the motion):-

with instructions to report by the last day of the first week of the next Session of the Rajya Sabha.”

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

**MR. DEPUTY CHAIRMAN** : I shall now put the motion to vote.

The question is:

“That the Bill to establish an Academy for furtherance of

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the advancement of learning and prosecution of research in the field of science and technology in association with Council of Scientific and Industrial Research and to declare the institution known as the Academy of Scientific and Innovative Research, to be an institution of national importance to provide for its incorporation and matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

**The motion was adopted.**

**MR. DEPUTY CHAIRMAN:** I shall now take up the clause-by-clause consideration of the Bill.

**Clauses 2 to 6 were added to the Bill.**

(Followed by tdb/3z)

TDB-AKG/3Z/6.25

**MR. DEPUTY CHAIRMAN:** In Clause 7, there are two amendments by Shri S.S. Ahluwalia and Shri Pramod Kureel. Mr. Kureel, are you moving your amendments?

**SHRI PRAMOD KUREEL:** No, Sir.

**Clause 7 was added to the Bill.**

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**MR. DEPUTY CHAIRMAN:** In Clause 8, there are two amendments by Shri S.S. Ahluwalia and Shri Pramod Kureel. Mr. Kureel, are you moving your amendments?

**SHRI PRAMOD KUREEL:** No, Sir.

**Clause 8 was added to the Bill.**

**MR. DEPUTY CHAIRMAN:** In Clause 9, there are two amendments (No. 1 and 2) by the hon. Minister.

**CLAUSE 9 -Academy open to all castes, creed, race or class.**

**THE MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF EARTH SCIENCES (SHRI VILASRAO DESHMUKH):** Sir, I move:

That at page 7, *for* line 7, the following shall be *substituted*, namely:-

“(2) The Academy shall make”

That at page 7, line 11, *after* the word “citizens” the following shall be *inserted*, namely:-

“and any exemption from making such reservation under the proviso to clause (b) of section 4 of the Central Educational Institutions (Reservation in

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Admission) Act, 2006 shall not be applicable to this Academy.”

**The questions were put and the motions were adopted.**

**Clause 9, as amended, was added to the Bill.**

**Clauses 10 and 11 were added to the Bill.**

**MR. DEPUTY CHAIRMAN:** In Clause 12, there are two amendments by Shri S.S. Ahluwalia and Shri Pramod Kureel. Mr. Kureel, are you moving your amendments?

**SHRI PRAMOD KUREEL:** No, Sir.

**Clause 12 was added to the Bill.**

**Clauses 13 to 33 were added to the Bill.**

**MR. DEPUTY CHAIRMAN:** In Clause 34, there are two amendments by Shri S.S. Ahluwalia and Shri Pramod Kureel. Mr. Kureel, are you moving your amendments?

**SHRI PRAMOD KUREEL:** No, Sir.

**Clause 34 was added to the Bill.**

**Clauses 35 to 38 were added to the Bill.**

**Clause 1, the Enacting Formula and the Title were added to the Bill.**

**SHRI VILASRAO DESHMUKH:** Sir, I move:

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That the Bill, as amended, be passed.

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

(Ends)

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Pp 768 onwards will be issued as supplement.

**MR. DEPUTY CHAIRMAN:** Now, there is message from the Lok Sabha.

**MESSAGE FROM THE LOK SABHA**

**MOTION RE. CONSTITUTION OF COMMITTEE ON WELFARE OF  
OTHER BACKWARD CLASSES**

**SECRETARY-GENERAL:** Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:-

“Sir,

I am directed to inform you that Lok Sabha, at its sitting held on Wednesday, the 21st December, 2011, adopted the annexed motion regarding constitution of Committee on Welfare of Other Backward Classes (OBCs).

2. I am to request that the concurrence of Rajya Sabha in the said motion, and also the names of the members of Rajya Sabha appointed to the Committee, may be communicated to this House.

**MOTION**

“(1) (a) That a Committee of both the Houses, to be called the Committee for Welfare of Other Backward Classes (OBCs) be constituted, consisting of thirty members, twenty from Lok Sabha

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and ten from Rajya Sabha, to be elected in accordance with the system of proportional representation by means of the single transferable vote;

(b) That a Minister shall not be eligible for election as a Member of the Committee and that if a Member after his election to the Committee is appointed a Minister, he shall cease to be a Member thereof from the date of such appointment;

(c) That the Chairman of the Committee shall be appointed by the Speaker from amongst the Members of the Committee;

(2) That the functions of the Committee shall be :-

(i) To consider the reports submitted by the National Commission for Backward Classes set up under the National Commission for Backward Classes Act, 1993 and to report to both the Houses as to the measures that should be taken by the Union Government in respect of matters within the purview of the Union Government including the Administrations of the Union Territories;

(ii) To report to both the Houses on the action taken by the Union Government and the Administrations of the Union Territories on the measures proposed by the Committee;

(iii) To examine the measures taken by the Union Government to secure due representation of the Other Backward Classes, particularly the Most Backward Classes, in services and posts under its control (including appointments in the public sector undertakings, statutory and semi-Government Bodies and in the Union Territories) having regard to the provisions of the Constitution;



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(iv) To report to both the Houses on the working of the welfare programmes for the Other Backward Classes in the Union Territories;

(v) To consider generally and to report to both the Houses on all matters concerning the welfare of the Other Backward Classes which fall within the purview of Union Government including the Administrations of Union Territories; and

(vi) To examine such of matters as may deem fit to the Committee or are specifically referred to it by the House or the Speaker.

(3) That the members of the Committee shall hold office for a period of one year from the date of the first meeting of the Committee which shall be reconstituted thereafter for one year at a time according to the procedure described in para (1) above;

(4) That in order to constitute a sitting of the Committee the quorum shall be ten;

(5) That in all other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

(6) That this House do recommend to the Rajya Sabha that the Rajya Sabha do join in the Committee and communicate to this House the names of Members elected from amongst the Members of the Rajya Sabha to the Committee as mentioned above."

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The above motion was adopted by Lok Sabha at its sitting held on Wednesday, the 21st December, 2011.

(Ends)

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**ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT  
BUSINESS  
AND  
EXTENSION OF SITTINGS OF THE HOUSE**

**MR. DEPUTY CHAIRMAN:** I have to inform the hon. Members that the Business Advisory Committee in its meeting held on Wednesday, the 21<sup>st</sup> December, 2011 allotted time for the Government Legislative Business as follows :

<u>Business</u>	<u>Time allotted</u>
Consideration and passing of the Constitution (Scheduled Tribes) Order (Amendment) Bill, 2011, as passed by Lok Sabha.	1 hour
Consideration and passing of following Bills, after they are passed by Lok Sabha:	
The Regulation of Factor (Assignment of Receivable) Bill, 2011.	2 hours
The Export-Import Bank of India (Exim Bank) Amendment, 2011.	2 hours
(iii) The Lokpal Bill, 2011.	8 hours
The Public Interest Disclosure and Protection	

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to Persons Making the Disclosures Bill, 2010. 4 hours

The Judicial Standards and Accountability

Bill, 2010.

4 hours

The Committee recommended that the sitting of the Rajya Sabha may be extended by 3 days, and accordingly, the House will sit on Tuesday, the 27<sup>th</sup>, Wednesday, the 28<sup>th</sup> and Thursday, the 29<sup>th</sup> December, 2011 for transaction of the Government Legislative Business and that there will be no Question Hour on those days.

(Ends)

Now, we take up the Special Mentions. Shrimati Maya Singh.

(Followed by 4a-cls)

SCH-KLS/6.30/4A

### SPECIAL MENTIONS

#### DEMAND TO TAKE EFFECTIVE STEPS TO REMOVE THE DISPARITY OF GENDER RATIO AND CHECK THE INCIDENTS OF FOETICIDE IN THE COUNTRY

**श्रीमती माया सिंह (मध्य प्रदेश):** महोदय, वर्ष 2011 की जनगणना की प्राथमिक रिपोर्टों के आकलन में कई तथ्य चौकाने वाले सामने आए हैं, जिनमें कन्या भ्रूण हत्या के संबंध में जो जानकारी मिली है, वह विचलित करने वाली है। पिछले छः

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वर्षों में 46 लाख 26 हजार कन्या भ्रूण हत्या देश में हुई है। यह अत्यंत डरावना आंकड़ा है और यदि इसमें सुधार नहीं हुआ तो देश में लिंगानुपात में भयंकर अंतर के चलते समाज में अनेक कुरीतियां जन्म लेंगी, जिसका परिणाम घातक होगा। 900 से कम लिंगानुपात वाले राज्यों में चंडीगढ़ 818, दिल्ली 866, हरियाणा 877, जम्मू-कश्मीर 883, सिक्किम 889, पंजाब 893, अंडमान निकोबार द्वीप, दादर नगर हवेली एवं दमन और दीव हैं।

जनगणना 2011 के अनुसार 0-6 आयु वर्ग के बच्चों में जनगणना 2001 के मुकाबले 927 से घटकर 914 आ गया है। ताजा जनगणना में बच्चों का घटता लिंगानुपात विकास और आधुनिकता की परम्परागत अवधारणाओं को चुनौती देता है, वहीं दूसरी ओर प्रकृति के अधिक करीब वाले राज्यों की बात करें तो छत्तीसगढ़, झारखंड और ओडिशा जैसे राज्यों में लिंगानुपात क्रमशः 991, 947 एवं 978 है।

महोदय, यह अत्यंत दुःख की बात है कि देश में लिंगानुपात का अंतर बढ़ रहा है। सरकार द्वारा लिंगानुपात के अंतर को कम करने के लिए विभिन्न योजनाएं चलाई जा रही हैं। लाखों-करोड़ों रुपये खर्च किए जा रहे हैं, पर उसके नतीजे संतोषजनक नहीं हैं।

मेरी मांग है कि सरकार लिंगानुपात के अंतर को कम करने में और मुस्तैदी से कदम उठाए और समाज से भ्रूण हत्या जैसी धिनौनी कुरीति को समाप्त करने के लिए हर संभव कदम अविलम्ब उठाए।

(समाप्त)

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**श्री रुद्रनारायण पाणि (ओडिशा):** सर, मैं इनके विशेष उल्लेख का समर्थन करता हूँ।

**श्री श्रीगोपाल व्यास (छत्तीसगढ़):** महोदय, मैं भी इनके विशेष उल्लेख का समर्थन करता हूँ।

(समाप्त)

### **CONCERN OVER INDIAN FISHERMEN CAPTURED BY PAKISTAN**

**SHRIMATI SMRITI ZUBIN IRANI (GUJARAT):** Sir, amongst all the States in India, Gujarat has the longest coastline which stretches up to 1600 km and is dotted with fishing villages. A large population of the State relies on fishing for sustenance. Most of these fishermen are poor and uneducated. Due to lack of proper demarcation of territorial waters and no navigational tools, these Indian fishermen often stray into territorial waters under the control of Pakistan and are captured by the Pakistani authorities. As per the information available with the Government of Gujarat, 479 boats and 229 fishermen have been captured by Pakistan and are still in its custody. The Government of Gujarat has made 94 representations to the Ministry of External Affairs since 2005 seeking action to ensure release of fishermen detained in Pakistan. Many such fishermen have not been released. The long

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standing dispute of Sir Creek and the standoff on the issue of demarcation of an exclusive economic zone have made matters worse for these innocent fishermen and especially their families who find it hard to survive in the absence of the sole bread earners. In view of the above, I urge the Government to intervene in the matter to resolve this problem which threatens the survival of hundreds of fishermen, their families and thousands of other people who depend on these fishermen for their survival. Thank you.

**श्री रुद्रनारायण पाणि (ओडिशा):** सर, मैं इनके विशेष उल्लेख का समर्थन करता हूँ।

**श्री तरुण विजय (उत्तराखंड):** सर, मैं इनके विशेष उल्लेख का समर्थन करता हूँ।

**SOME HON. MEMBERS:** Sir, we also associate ourselves with the sentiments expressed by the hon. Member.

(Ends)

**DEMAND TO PROVIDE CONCRETE HOUSES TO THE HOMELESS PEOPLE ESPECIALLY THE JHUGGI DWELLERS TO PROTECT THEM FROM THE COLD WAVES OF WINTER SEASON.**

**श्री नरेन्द्र कुमार कश्यप (उत्तर प्रदेश):** महोदय, भारत वर्ष में करोड़ों गरीब बेघर होने के कारण नीले आसमान के नीचे अपना जीवन व्यतीत करने को मजबूर हैं, जिनमें से बहुत से लोग सड़कों के किनारे व बहुत से लोग जंगलों व वनों में रह

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रहे हैं। झुग्गी-झोंपड़ियों में रहने वालों की संख्या भी करोड़ों में है। भारतीय जलवायु विभिन्न मौसम से बनती है, जिनमें जाड़ा एक सर्दी का बहुत ही ठंडा मौसम है। ठंडी के मौसम में पारा जीरो डिग्री से भी नीचे चला जाता है, जिसके कारण आम जीवन अस्त-व्यस्त होने के साथ-साथ बेघर व झुग्गी-झोंपड़ी में रहने वाले करोड़ों लोगों के सामने तो जीवन का संकट ही पैदा हो जाता है। यही वजह है कि कड़ाके की ठंड में हजारों बेघर व झुग्गी-झोंपड़ी में रहने वाले गरीब लोग मौत के आगोश में समा जाते हैं। आज देश की सरकार को इस स्थायी व गंभीर समस्या पर अपनी ठोस योजना बनानी होगी।

4b-psv पर जारी

-SCH/PSV-SSS/4B/6.35

**श्री नरेन्द्र कुमार कश्यप (क्रमागत):** हम जानते हैं कि मौसम को बदलना तो सरकार के हाथ में नहीं है, क्योंकि यह प्रकृति की व्यवस्था है, लेकिन देश के करोड़ों गरीब लोगों को ठंड से बचाने के लिए पक्के मकान बनवाने की व्यवस्था तो सरकार के हाथ में है, तो फिर, इस हेतु आज तक कोई कारगर योजना क्यों नहीं बनी? सरकार के पास जब संसाधन हैं, तो गरीबों की जान की सुरक्षा हेतु खर्च करना क्या उसकी नीति में शामिल नहीं है? सर्वविदित है कि भारतीय जाड़े का मौसम हजारों वर्षों से आता रहा है और आगे भी हमेशा आता रहेगा।

अतः भारत के इस ठंड के मौसम से करोड़ों गरीबों की जान बचाने हेतु मैं आपके माध्यम से सरकार से माँग करता हूँ कि सरकार विशेष योजना बनाकर

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भारत में रहने वाले सभी बेघर लोगों को पक्के मकान बनवाकर देने की कृपा करे। धन्यवाद।

(समाप्त)

**श्री रुद्रनारायण पाणि (ओडिशा):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री जय प्रकाश नारायण सिंह (झारखंड):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री प्रमोद कुरील (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री वीर सिंह (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

(समाप्त)

**DEMAND TO INSTITUTE AN ENQUIRY INTO ALLEGED LAND  
SCAM OF ARMY CANTONMENT AREA IN AGRA**

**श्री प्रभात झा (मध्य प्रदेश):** महोदय, पिछले दिनों देश में सेना की भूमि का बिल्डरों और सैन्य अधिकारियों द्वारा नियमों की अनदेखी कर भूमि घोटाले के कई मामले सामने आए हैं, जैसे- आदर्श और सुकना भूमि घोटाला। इन घोटालों



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में करोड़ों रुपए की कीमत वाली जमीन को औने-पौने दामों में बिल्डरों को बेचा गया। ऐसा ही मामला आगरा छावनी में सैन्य प्रतिष्ठानों से घिरी रक्षा मंत्रालय की सम्पत्ति (बंगला नं. 104ए, सर्वे नं. 260 एवं 321 बी) को निजी बताकर एक कागजी ट्रस्ट द्वारा मामूली दर से एक बिल्डर को बेचा गया। इस सैन्य भूमि पर छावनी परिषद्, आगरा द्वारा स्टार होटल का नक्शा स्वीकृत कर एवं स्थानीय सैन्य मुख्यालय द्वारा अनापत्ति प्रमाण पत्र जारी किया गया। मीडिया में इस संवेदनशील जगह पर होटल निर्माण को सुरक्षा की दृष्टि से खतरनाक करार दिए जाने पर स्थानीय सैन्य मुख्यालय के स्टेशन कमांडर ने बिल्डर को पत्र लिखा कि उपरोक्त भूमि पर आठ मंजिला रिहायशी इमारत बनाएँ तथा इसके लिए उच्च अधिकारियों से मंजूरी भी ली जा चुकी है। इस संबंध में शिकायत रक्षा मंत्री से लेकर सभी संबंधित अधिकारियों से की गई। वहीं रक्षा संपदा अधिकारी, आगरा ने उपरोक्त भूमि को रक्षा मंत्रालय की भूमि बताया। मुख्य सतर्कता आयुक्त को इस संबंध में शिकायत की गई और उन्होंने रक्षा मंत्रालय को मामले की जांच करने एवं रिपोर्ट के लिए लिखा है।

अतः सरकार से मांग है कि इस मामले की जाँच कर आगरा छावनी की भूमि सेना को लौटाने एवं दोषियों को सजा देने के लिए कार्रवाई करें।

(समाप्त)

Uncorrected/ Not for Publication-21.12.2011

**DEMAND FOR PRINTING THE PHOTO OF BABA SAHEB DR. B. R.  
AMBEDKAR ON CURRENCY NOTES**

**SHRI PRAMOD KUREEL (UTTAR PRADESH):** Sir, in our country, we have currency notes of various denomination printed by our Government. I have seen that in all such notes, photograph of Mahatma Gandhi is there. In other countries, we have seen that photographs or sketches or diagrams of many of their leaders are found. In our country, we have had many illustrious leaders who have contributed towards making our country what it is today. Baba Saheb Dr. Ambedkar is one such great leader of our country who wrote the Constitution of our country. It would be very appropriate if the Government of India seriously considers printing of photograph of Dr. Ambedkar on one of the currency notes, preferably Rs. 100 and/or Rs. 500 note. I appeal to Government of India to consider this and take a positive decision in this regard.

**SHRI TARUN VIJAY (UTTARAKHAND):** Sir, I associate myself with the Special Mention made by Shri Pramod Kureel.

**SHRI RUDRA NARAYAN PANY (ODISHA):** Sir, I associate myself with the Special Mention made by Shri Pramod Kureel.

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**श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री वीर सिंह (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री अम्बेथ राजन (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री बृजलाल खाबरी (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

(समाप्त)

**DEMAND TO APPOINT *GRAMIN DAK SEVAKS* OF POSTAL  
DEPARTMENT ON PERMANENT BASIS**

**श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश):** महोदय, हमारे देश में भारतीय डाक सेवा कर्मी के रूप में करीब साढ़े पाँच लाख कर्मी हैं, जिनमें से करीब एक लाख नब्बे हजार कर्मी अस्थायी हैं, जो घर-घर जाकर डाक बाँट कर अपने दायित्व का निर्वाह बड़ी ही ईमानदारी से करते हैं। परन्तु, इन्हें अभी तक सरकार द्वारा एक्स्ट्रा डिपार्टमेंटल कर्मी के रूप में ही माना जाता है, जिसके कारण इन्हें स्थायी कर्मी की सुविधाएँ नहीं मिल पाती हैं। महिला कर्मियों के सामने तो दाम्पत्य जीवन निर्वाह करने में भी भारी कठिनाइयों का सामना करना पड़ता है, विशेषकर प्रसूती के समय छुट्टी की व्यवस्था न होने से बच्चे जनने में उन्हें

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असुविधा होती है। इन सारी असुविधाओं से स्थायी व अस्थायी कर्मचारियों के बीच बड़ा असंतुलन पैदा हो गया है। अस्थायी कर्मचारियों में रोष के कारण आन्दोलन का सिलसिला पूरे देश में चल रहा है। अतः आपके माध्यम से सरकार से मैं माँग करता हूँ कि भारतीय डाक विभाग के 1,90,000 अस्थायी कर्मियों को स्थायी करने का कष्ट करे, ताकि इन्हें स्थायी कर्मी की सुविधाएँ प्राप्त हो सकें।  
धन्यवाद।

(समाप्त)

**श्री वीर सिंह (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री रुद्रनारायण पाणि (ओडिशा):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री तरुण विजय (उत्तराखण्ड):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्रीमती स्मृति जुबिन ईरानी (गुजरात):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करती हूँ।

**श्री अम्बेथ राजन (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

**श्री बृजलाल खाबरी (उत्तर प्रदेश):** महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

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श्री नरेन्द्र कुमार कश्यप (उत्तर प्रदेश): महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

श्री प्रमोद कुरील (उत्तर प्रदेश): महोदय, मैं स्वयं को इस विशेष उल्लेख से सम्बद्ध करता हूँ।

(समाप्त)

(4सी/एन.बी.आर. पर आगे)

-SSS/NBR-VNK/4C/6.40.

#### **DEMAND TO TAKE STEPS FOR DEVELOPMENT OF NATIONAL HIGHWAYS IN ODISHA**

**SHRI RUDRA NARAYAN PANY (ODISHA):** Sir, there are sixteen national highways measuring 3,594.162 kms. in length traversed through the State of Odisha. Out of which, 2,523.963 kms. is under the control of National Highways Wing of the State and the remaining 1,070.299 kms. have been entrusted to the National Highway Authority of India for improvement under the Golden Quadrilateral, Port Connectivity and the National Highway Development Programme Phase-III. During NDA period, a good number of roads were declared as national highways by Dr. Devendra Pradhan, the then Minister of State for Surface Transport. After that, 399 kms. of State roads were

**Uncorrected/ Not for Publication-21.12.2011**

declared as new national highways during 2004. Since then no State road has been considered for declaring as national highway. It is learnt that the Government of India has declared State roads as new national highways in other States during the last seven years. I, therefore, hereby demand for declaration of the following roads as new national highways:

1. Berhampur-Koraput 313 kms.
2. Madhapur-Rayagada 292.6 kms.
3. Phulanakhara-Konarka 104 kms.
4. Kuakhia-Aradi-Bhadrak 96 kms.

Sir, the following stretches of national highways in Odisha have been entrusted with the National Highway Authority of India for upgradation to four-lane:

1. Luhurachati to Sambalpur 88 kms.
2. Bhubaneswar to Puri 59 kms.
3. Talcher to Chandikhol 134 kms.
4. Panikoili to Remuli 163 kms.
5. Remuli to Rajamunda 106 kms.

**Uncorrected/ Not for Publication-21.12.2011**

I, hereby, demand for speedy action and completion of these projects.

Sir, the other points to which I wanted to draw the attention of the hon. Minister are:

The high level bridge existing on Mumbai-Kolkata highway near Bargarh in my State across the river Jeera has been damaged severely. Its repair work should be completed on a war-footing.

Talcher-Gopalpur via Hindoli shall be declared as national highway. Thank you.

(Ends)

**SHRI PRAMOD KUREEL (UTTAR PRADESH):** Sir, I associate myself with the Special Mention made by Shri Pany. Thank you.

(Ends)

**NEED FOR GUIDANCE TO GOVERNMENT OF BIHAR IN  
CONNECTION WITH MPLAD SCHEME**

**श्री राजनीति प्रसाद (बिहार):** महोदय, हाल ही में बिहार सरकार ने सांसद स्थानीय क्षेत्र विकास योजना को लागू करने के बारे में दिशा-निर्देश दिए हैं। जो दिशा-निर्देश जारी किए गए हैं, यदि उनका अध्ययन किया जाए, तो यह प्रतीत

**Uncorrected/ Not for Publication-21.12.2011**

होता है कि बिहार में सांसद निधि के तहत संस्तुत योजनाएं जटिल प्रशासनिक प्रक्रिया के संजाल में उलझ जाएंगी। कोई राज्य सरकार किस प्रकार और किस अधिकार के तहत समग्र भारत में क्रियान्वित की जा रही केन्द्र सरकार की किसी योजना के क्रियान्वयन के बारे में दिशा-निर्देश तैयार कर सकती है? और वह भी तब, जब कि वह केन्द्र सरकार द्वारा नियत दिशा-निर्देश के विपरीत हो? यह अत्यंत आपत्तिजनक है। मुझे यह भी ज्ञात हुआ है कि इन दिशा-निर्देशों को जारी करने से पूर्व भारत सरकार के संबंधित मंत्रालय से सहमति नहीं ली गई।

राज्य सरकार ने विकास निधि के तहत संस्तुत योजनाओं के क्रियान्वयन, सत्यापन एवं निगरानी के लिए जिलाधिकारी के बजाय जिला योजना पदाधिकारी को नामित किया है। जिला योजना पदाधिकारी सांसद द्वारा संस्तुत योजनाओं को क्रियान्वयन हेतु संबंधित विभागों को प्रेषित करेगा। पुनः वे विभाग योजना की व्यवहारिकता का अध्ययन करेंगे और यदि उन्हें यह प्रतीत होता है कि योजना व्यवहारिक नहीं है, तो वे उसे अस्वीकृत कर देंगे। यह घोर आपत्तिजनक है। सांसद द्वारा अनुशंसित योजना के बारे में अंतिम निर्णय का अधिकार बिहार सरकार के विभाग के पास रहेगा, तो सांसद की भूमिका क्या रहेगी?

श्रीमन्, मैं इस विशेष उल्लेख के माध्यम से केन्द्र सरकार से अनुरोध करता हूँ कि वह इसमें हस्तक्षेप करे, ताकि इस लोक महत्वकारी योजना के सुचारू



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क्रियान्वयन में आ रही बाधाओं को दूर किया जा सके तथा इस योजना में सांसदों की भूमिका और उनके अधिकार का संरक्षण हो सके। धन्यवाद।

(समाप्त)

**SHRI PRAMOD KUREEL (UTTAR PRADESH):** Sir, I associate myself with the Special Mention made by Shri Rajniti Prasad. Thank you.

(Ends)

**SHRI SYED AZEEZ PASHA (ANDHRA PRADESH):** Sir, I also associate myself with the Special Mention made by Shri Rajniti Prasad. Thank you.

(Ends)

(FOLLOWED BY USY "4D")

-NBR-USY/DS/4D/6.45

**CONCERN OVER CHINA'S ENCROACHMENT OF BORDERS AND  
NEED TO STRENGTHEN THE COUNTRY'S DEFENCE SYSTEM**

**श्री जय प्रकाश नारायण सिंह (झारखंड):** महोदय, चीन भारत को कुछ न कुछ धमकी देता ही रहा है। चीन की वायु सेना और पैदल सैनिकों द्वारा सीमाओं का अतिक्रमण होता ही रहता है। अंतर्राष्ट्रीय मामलों में जहाँ कहीं भारत का कोई हित हुआ, चीन उसमें रोड़ा अटकाता रहता है। वायु सेना और थल सेना, दोनों के अध्यक्षों ने अलग-अलग तरीके से कई बार चीन को इस ओर ध्यान दिलाया

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है, पर इसका चीन पर कोई असर नहीं हुआ है। एशिया में सुरक्षा का वातावरण बना रहे, इसलिए भारत अन्य पड़ोसी देशों से शांतिपूर्ण संबंध रखना चाहता है और वह हमारे आर्थिक विकास के लिए भी जरूरी है। वास्तविकता यह है कि चीन भारत को हर दिशा से घेर रहा है। पाकिस्तान, नेपाल, म्यांमार, श्रीलंका आदि में उसकी गतिविधियाँ और कार्यक्रम इस बात के प्रमाण हैं। कहीं फिर 1962 जैसी स्थिति न बन जाए और भारत को बहुत बड़ी कीमत न चुकानी पड़े, इसलिए मैं गृह मंत्री और रक्षा मंत्री जी से अनुरोध करूँगा कि हमें सुरक्षा अधिक मजबूत बनानी चाहिए ताकि चीन के अतिक्रमण से भारत को 1962 जैसी कीमत न चुकानी पड़े। धन्यवाद।

(समाप्त)

**श्री रुद्रनारायण पाणि (ओडिशा):** सर, मैं इस विषय के साथ स्वयं को संबद्ध करता हूँ।

**श्रीमती स्मृति जुबिन ईरानी (गुजरात):** सर, मैं इस विषय के साथ स्वयं को संबद्ध करती हूँ।

**श्री तरुण विजय (उत्तराखंड):** सर, मैं इस विषय के साथ स्वयं को संबद्ध करता हूँ।

**श्री कांजीभाई पटेल (गुजरात):** सर, मैं इस विषय के साथ स्वयं को संबद्ध करता हूँ।

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**श्री नतुजी हालाजी ठाकोर (गुजरात):** सर, मैं इस विषय के साथ स्वयं को संबद्ध करता हूँ।

**श्री भरतसिंह प्रभातसिंह परमार (गुजरात):** सर, मैं इस विषय के साथ स्वयं को संबद्ध करता हूँ।

(समाप्त)

**DEMAND TO REGULATE THE PRICES OF SEEDS BY WAY OF  
INCORPORATING APPROPRIATE PROVISIONS IN THE  
PROPOSED SEED BILL**

**SHRI SYED AZEEZ PASHA (ANDHRA PRADESH):** Sir, there is grave anxiety amongst the farming community all over India that the prices of seeds have become so high that farmers might have to declare a 'crop holiday', simply because they are unable to afford the high prices of seeds.

Therefore, apart from the necessity of strict regulation for quality, supply, the time is, now, ripe to have regulation on sale price of seeds also. Although cotton and other seeds have been incorporated in the Essential Commodities Act, there is only one Control Order, called, the Seed Control Order, 1983, under the said Act. Consequently, there is no law in force to regulate the prices of

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seeds. The resultant effect of this is that seed companies can have their own astronomical prices of the seeds, causing grave unjustified burden on the farming community. Hence, it is necessary to amend the 'Objects' of the Seed Bill, 2004, to incorporate after the words supply 'the sale price of seed', so that it enables to incorporate appropriate clauses in the body of the Bill.

If the Government does not take steps to regulate the prices and MNCs like the Monsanto are left free to price their products at unreasonably high and unaffordable levels, there can be hazardous consequences in the areas of agriculture, healthcare and food impacting entire population.

Hence, I demand the Government to regulate the prices of the seeds by way of incorporating the additional clauses in the proposed Seed Bill.

(Ends)

**श्री राजनीति प्रसाद (बिहार):** सर, मैं इस विषय के साथ स्वयं को संबद्ध करता हूँ।

**श्री आर.सी. सिंह (पश्चिमी बंगाल):** सर, मैं इस विषय के साथ स्वयं को संबद्ध करता हूँ।

(समाप्त)

(4E/HMS पर आगे)

4E/HMS-PK/6:50

**DEMAND TO INSTITUTE AN INQUIRY AND PUNISH THE  
CULPRITS INVOLVED IN SETTING UP FAKE SECURITY  
AGENCIES FOR PROVIDING SECURITY TO THE COAL MINES IN  
THE COUNTRY**

**श्री आर०सी० सिंह (पश्चिमी बंगाल) :** सर, बड़े दुख की बात है कि कोल माइन्स की सुरक्षा करने वाले लोग अप्रशिक्षित, अव्यावसायिक और अनधिकृत हैं। इसी का परिणाम है - गैरकानूनी माइनिंग और स्टॉकयार्ड से कोयले की चोरी। कोल कम्पनियां प्राइवेट सिक्योरिटी सर्विसेज को इस काम में लगाती हैं। ये कम्पनियां डी०जी०आर० से एक्स-सर्विसमेन को स्पॉन्सर करने के लिए आग्रह करती हैं। इस की आड़ में कोल कंपनियां इन के साथ समझौता करती हैं। कुछ एजेंसीज जाली स्पॉन्सरशिप लेटर्स के साथ इन के साथ समझौता कर रही हैं। ऐसी ही एक घटना अभी प्रकाश में आई है। टोपाज सिक्योरिटी एजेंसी, इंडस्ट्रियल प्रोडक्शन एंड सिक्योरिटी सर्विस, असेम्बली ऑफ एलिट guards, सारा सिक्योरिटीज, आग्नेय सिक्योरिटी सर्विस, सुरक्षा कवच सिक्योरिटी & एलाइड सर्विसेज, लोकनाथ सिक्योरिटी जैसी एजेंसियों ने ई०सी०एल० में 1970 सेक्योरिटी guards नियुक्त करने के लिए अनुबंध किया, लेकिन ई०सी०एल० के चीफ ऑफ

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सिक्वोरिटी की एक इंक्वायरी के जवाब में डी0जी0आर0 ने यह स्पष्ट किया कि ये लेटर्स जाली हैं।

यह भी सूचना है कि ये एजेंसीज 12 प्रतिशत मेंटेनेंस चार्ज ले रही हैं जिस की अनुमति नहीं है। एक तथ्य यह भी है कि ये एजेंसीज सिक्वोरिटी guards को कोल वेज एग्रीमेंट के अनुसार वेतन नहीं दे रही हैं। उन्हें केवल 2500 से 3500 रुपए महीने का वेतन दिया जाता है। उन्हें कोई सामाजिक सुरक्षा कवच हासिल नहीं है। उन्हें नियुक्ति पत्र, पहचान पत्र और पोस्ट-रिटायमेंट लाभ नहीं दिया जाता है।

अतः मैं भारत सरकार से अनुरोध करता हूँ कि इन सारे मुद्दों की गहराई से जांच की जाए और ऐसे गलत काम करने वालों के खिलाफ सख्त कार्यवाही की जाए।

(समाप्त)

**श्री सैयद अजीज पाशा (आन्ध्र प्रदेश) :** सर, मैं श्री आर0सी0 सिंह के विशेष उल्लेख से स्वयं को सम्बद्ध करता हूँ।

(समाप्त)

**DEMAND TO MAKE AN IMPARTIAL INQUIRY INTO THE SUICIDE  
CASE OF THE FIRST WOMAN PILOT OF INDIAN AIR FORCE.**

**डा0 प्रभा ठाकुर (राजस्थान) :** महोदय, इंडियन एयर फोर्स की पहली महिला पायलट सुश्री अंजलि गुप्ता के विषय में यह विशेष उल्लेख प्रस्तुत है। पिछले

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दिनों समाचार पत्रों में सुश्री अंजलि गुप्ता का कोर्ट मार्शल किए जाने के कुछ समय बाद उस की आत्महत्या का दुःखद समाचार पढ़ने को मिला। एक महिला ने कई वर्षों बाद हौसला कर के वायु सेना में पायलट की सेवाएं देने का साहस दिखाया तथा कुछ उच्च पदों पर आसीन वायु सेना के सेनाधिकारियों द्वारा यौन उत्पीड़न संबंधी शिकायत करने पर वायु सेना के कोर्ट ने उस की शिकायतों को गलत ठहराते हुए, आरोपियों को निर्दोष करार दिया तथा अंजलि गुप्ता को कोर्ट मार्शल की सजा सुनायी जिस से दुःखी होकर अंजलि गुप्ता ने आत्महत्या कर ली।

महोदय, मेरा आग्रह है कि इस विषय में सरकार विशेष रुचि लेते हुए इस मामले की प्रभावी एवं निष्पक्ष जांच कराने की कार्यवाही करने का कष्ट करे ताकि सही तथ्य सामने आ सकें कि आखिर किस कारण से एक बहादुर महिला को अपमानित होकर आत्महत्या करनी पड़ी? महोदय, यह पुरुष प्रधान समाज है तथा अंजलि गुप्ता के विषय में कई प्रकार की कहानियां भी बनायी या बनवायी जा रही हैं। यदि मरने के बाद भी उसे न्याय नहीं मिला तो भविष्य में कौन महिलाएं फौज में जाने का साहस करेंगीं? कृपया इस विषय में शीघ्र कार्यवाही करें तथा देश को सही जानकारी दें।

(समाप्त)

**श्रीमती माया सिंह (मध्य प्रदेश) :** महोदय, मैं इस विशेष उल्लेख से स्वयं को सम्बद्ध करती हूँ।

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**श्रीमती स्मृति जुबिन ईरानी (गुजरात) :** महोदय, मैं इस विशेष उल्लेख से स्वयं को सम्बद्ध करती हूँ।

**श्री विजय तरुण (उत्तराखंड) :** महोदय, मैं इस विशेष उल्लेख से स्वयं को सम्बद्ध करता हूँ।

**श्री जय प्रकाश नारायण सिंह (झारखंड) :** महोदय, मैं इस विशेष उल्लेख से स्वयं को सम्बद्ध करता हूँ।

**श्री भरतसिंह प्रभातसिंह परमार (गुजरात) :** महोदय, मैं इस विशेष उल्लेख से स्वयं को सम्बद्ध करता हूँ।

(समाप्त)

**DEMAND TO ERECT A MEMORIAL IN DELHI TO CELEBRATE THE VICTORY OF INDIAN ARMED FORCES DURING THE WAR OF 1971**

**SHRI TARUN VIJAY (UTTARAKHAND):** 16<sup>th</sup> December is a day of great glory and victory for the Indian Armed Forces when nine-month long Bangladesh liberation war was won in 1971 and General A.A.K. Niazi, the Commanding Officer of the Pakistan Armed Forces surrendered his Forces to Lt. General Jagjit Singh Aurora, the Allied Forces Commander with 90,000 troops. This victory led to the formation of Peoples' Republic of Bangladesh. This was also India's finest hour under the Prime Ministership of Mrs. Indira Gandhi and the



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wonderful military leadership, provided by Field Marshal S.H.F.J. Manekshaw, Lt. General Jacob, Lt. General Jagjit Singh Aurora, Vice-Admiral Krishnan and scores of other patriotic officers and jawans. The whole nation stood as one people, solidly supporting the political and military leadership and the Parliament had reverberated with great emotions of solidarity so eloquently represented by Shri Atal Bihari Vajpayee. Ironically, the Nation has failed to erect a single memorial to the victorious Indian Forces in the nation Capital. The sacrifices and incredible saga of valour, courage, grit and supreme dedication to the motherland remain unsung and gradually Bharat Vijay Diwas is relegated to small observances.

(Contd. by PB/4F)

4F/KLG-PB/6.55

**SHRI TARUN VIJAY (CONTD.):** I demand that the Government of India should erect a Bharat Vijay Dwar in New Delhi, more impressive in its grandeur and splendor than any existing memorials built by the British. Government must also declare 16<sup>th</sup> December as an official victory day to be observed in all schools, colleges, and Government

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offices, with an Armed Forces parade in the National Capital. Thank you.

(Ends)

**श्रीमती माया सिंह (मध्यप्रदेश):** सर, मैं इससे एसोसिएट करती हूँ।

**श्री भरतसिंह प्रभातसिंह परमार (गुजरात):** सर, मैं एसोसिएट करता हूँ।

**श्री रुद्रनारायण पाणि (उड़ीसा):** सर, मैं एसोसिएट करता हूँ।

**श्री जय प्रकाश नारायण सिंह (झारखंड):** सर, मैं एसोसिएट करता हूँ।

**MR. DEPUTY CHAIRMAN:** Shri O.T. Lepcha; not present. Shri Saman Pathak; not present. The House is adjourned to meet tomorrow at 11.00 a.m.

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**The House then adjourned at fifty-six minutes past six of the clock till eleven of the clock on Thursday, the 22<sup>nd</sup> December, 2011.**