

Uncorrected/Not for publication - 12.08.2010

PK-LP/1A/11.00

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

-----

**SHRI SITARAM YECHURY:** Sir, congratulations for completing three years.

**MR. CHAIRMAN:** Thank you. Question No. 261.









Uncorrected/Not for publication - 12.08.2010

Q. No. 261

**DR. K.V.P. RAMACHANDRA RAO:** Sir, the hon. Minister has stated that in a number of cases, passports are not issued within the target of 30 days for fresh passport and 15 days for re-issue of passport. If the citizens are not getting passports within the stipulated time and in some cases, it takes more than six months, what is the alternative available to the citizens? As a matter of fact, it is a right of the citizen to get a passport. What steps are being proposed by the Minister to ensure that the passports are issued invariably in time?

**SHRIMATI PRENEET KAUR:** Sir, delay in the issuing of passport is because of many reasons. It is mainly due to the police verification not coming in time, incomplete forms, etc. We are trying very hard that they are given in the stipulated time, that is, 30 days and 15 days for *Tatkal*. Now, in the new scheme, passports are being outsourced to the TCS. It is mandatory for them to give it within three days, that is, after not counting the day they admitted and also after the police verification. The *Tatkal* ones will be given in one day. Taking all this into consideration, a new scheme has been set up. Four centres in Karnataka are operational and one in Chandigarh is going to be operational. I think this would help the people getting their passports in a cordial atmosphere and with quick delivery.

**DR. K.V.P. RAMACHANDRA RAO:** Sir, the hon. Minister has stated that the passport seva project has been implemented at four centres in Karnataka and is on a trial run at Chandigarh. I would like to know from the hon. Minister as to whether the project has been successful in the four centres in Karnataka. What is

**Uncorrected/Not for publication - 12.08.2010****Q. No. 261 (Contd.)**

the success they achieved and by when it is likely to be implemented in Andhra Pradesh?

**SHRIMATI PRENEET KAUR:** Sir, the project has been successful in four States. I will just give the list of the centres where it has already been done. About 53,935 applications have been processed in the new system and 25,135 passports have been dispatched from Bangalore and Chandigarh. These four States have met the obligation of 30 days in Tiruchi, Cochin, Ahmedabad, Kozhikode and Surat. The pending ones are Delhi, Hyderabad, Patna Kolkata, Lucknow. At Chandigarh, it is going to start on a trial run. It is starting on the 20<sup>th</sup> August and after the mandatory three months trial period we will start it properly.

**श्री अविनाश राय खन्ना :** माननीय सभापति जी, मैं आपके माध्यम से कहना चाहता हूँ, यह ठीक है कि तत्काल में और ढंग से जल्दी पासपोर्ट मिलने लगे हैं, लेकिन जो एक बहुत बड़ी प्रॉब्लम, खास तौर से पंजाब में फेस की जा रही है, वह यह है कि जब लोग deport होते हैं, अपने पंजाब में वापस आते हैं और नये पासपोर्ट के लिए अप्लाई करते हैं, तो पासपोर्ट ऑफिसर वहां की एम्बेसी से एक deportation सर्टिफिकेट या इमरजेंसी सर्टिफिकेट मांगता है।

(AKG/1B पर जारी)

Uncorrected/Not for publication - 12.08.2010

1b/11.05/akg-sk

**Q. No. 261 (Contd.)**

**श्री अविनाश राय खन्ना (क्रमागत) :** लेकिन दो-दो, तीन-तीन, चार-चार साल बीत जाने के बाद भी Embassy वह सर्टिफिकेट RPO को नहीं भेजती। सर, मेरा मंत्री जी से यह आग्रह है और मैं यह पूछना चाहता हूँ कि Embassy कोई time bound manner, 6 महीने, 7 महीने में information RPO को भेजे, क्या ऐसा कोई रूल बनाया जा सकता है?

**SHRIMATI PRENEET KAUR:** Sir, the suggestion given by the hon. Member, Shri Avinash Khanna, is appreciated. मैं आपकी दरखास्त जरूर कृष्णा जी के पास पहुँचा दूँगी कि इनकी रिपोर्ट time-bound manner में आए।

**श्री मोहम्मद अदीब :** सर, इस साल हाजियों के लिए international passport compulsory किया गया है। 1.5 लाख से ज्यादा हाजी हज पर जाते हैं और उन्हें international passport की जरूरत है। वे हाजी ज्यादातर देहातों के, गाँवों के लोग हैं, जो पढ़े-लिखे नहीं हैं। उनका नाम लिस्ट में भी आ गया है, लेकिन अभी तक उनको पासपोर्ट नहीं मिला है। उनके लिए सरकार क्या सुविधा कर रही है, ताकि हाजियों को हज पर जाने में पासपोर्ट की दिक्कत नहीं हो?

**श्रीमती परनीत कौर :** 2009 में सरूदी गवर्नमेंट ने यह रूल बनाया था कि सबको international passport पर जाना चाहिए। इसके लिए सबने normal passport course में apply किया है। तकरीबन सब तैयार हो चुके हैं। मेरे ख्याल में इनमें से 70 हजार पासपोर्ट उनकी Embassy में जाने के लिए तैयार हैं। इसके लिए काफी steps लिए गए हैं कि ये पासपोर्ट जल्द तैयार हों। Of these, there are special counters for submission of applications by Haj pilgrims; police authorities have been requested by passport offices to send police reports in respect of Haj pilgrims on priority; instructions have been issued to passport offices to give them on priority to those who submit

**Uncorrected/Not for publication - 12.08.2010****Q. No. 261 (Contd.)**

Haj cover number and Haj Committee recommendation; time deadline for issue of passports to Haj pilgrims has been prescribed; normal passports, where police reports were received by 31<sup>st</sup> July, and short validity passports, where police reports were not received, are required to be issued by passport offices latest by 13<sup>th</sup> August; State Haj Committees were asked to provide lists of applicants who had not received the passports yet directly to passport offices with a copy to the Ministry; daily wage employees were allowed to be recruited in select passport offices to assist in issue of passports on time; nodal officers have been appointed in passport offices to handle Haj-related issues of passport and the Ministry has constantly monitored the progress of issue of passports to the Haj pilgrims.

**DR. MANOHAR JOSHI:** Sir, I am only suggesting to the hon. Minister a change in the passport rules of 1980.

Sir, a case happened in the city of Mumbai where a person came to me and requested for early issuance of passport. I told him that the passport can and must be issued to him as his mother was sick abroad. The mother, unfortunately, died but he did not get the passport even in a week's time. I would like to know whether in such cases priority would be given and necessary changes made in the rules.

**SHRIMATI PRENEET KAUR:** Sir, what the hon. Member has said will certainly be looked into. I think, when there is a compassionate case, the officer concerned does normally take a view of helping him out. (Ends)

(Followed at 1c/hk)









## प्रश्न संख्या - 262

**श्री मोहन सिंह:** सभापति महोदय, जब कभी भारत और पाकिस्तान के बीच राजनैतिक मुलाकात होती है, तो उसका दंड जम्मू-कश्मीर के लोगों को भुगतना पड़ता है। उधर से कहा जाता है कि कश्मीर कोर इश्यू है और इधर से कहा जाता है कि आतंकवाद कोर इश्यू है। इन झंझटों में जो अन्य बुनियादी मुद्दे हैं, जिन पर सहमति है, वे भी पिछड़ जाते हैं और फिर वातावरण ऐसा बनता है कि दोनों के बीच में किसी भी मुद्दे पर सहमति नहीं हो पाती।

मैं माननीय मंत्री जी से जानना चाहता हूँ कि पारस्परिक संबंधों को बढ़ाने की दृष्टि से, जैसे व्यापारिक संबंध है, आवाजाही का संबंध है, पूंजी निवेश का संबंध है, इनको विकसित करने के सवाल पर पहले पूर्ण अनुबंध हो, उसके बाद ही राजनैतिक वार्ता करने का दरवाजा खोला जाए। क्या भारत सरकार इसमें पहल करने के लिए तैयार है?

**SHRI S.M. KRISHNA:** Sir, I entirely agree with the hon. Member's approach to this very complex problem. As far as India is concerned, terrorism is our core concern when we have talks with our counterparts in Pakistan. So, it will be the endeavour of Government of India that the biggest confidence building measure that Pakistan could offer to India was to prevent any further terrorist attacks and the provocative speeches that are being made against India day in and day out by *Jehadi* forces led by ISI and others. So, it is India's desire that we would like to have friendly cooperative relations with Pakistan. We want to stay with Pakistan and we want to progress with Pakistan because that would ensure the peace and tranquility in the entire region.

**श्री मोहन सिंह:** सभापति जी, इस प्रश्न के उत्तर में कहा गया है, "इस यात्रा के दौरान हुई व्यापक और स्पष्ट चर्चा से दोनों देशों को विभिन्न मुद्दों पर एक-दूसरे देश की स्थिति और दृष्टिकोण के प्रति बेहतर समझ विकसित करने में मदद मिली"। मैं ऐसा समझता हूँ, "बेहतर

Uncorrected/Not for publication - 12.08.2010

Q. No. 262 (Contd.)

समझ" यह बात हमारी समझ में कम आई। "बेहतर समझ" विकसित करने के वे कौन-कौन से मुद्दे थे, जो दोनों देशों ने एक-दूसरे के प्रति इस तरह विकसित कर लिए?

**SHRI S.M. KRISHNA:** Sir, in the diplomatic parley this is the way we put across things. We try to understand Pakistan's concerns with the issues that create the kind of distrust. As was decided at Thimpu, where the two hon. Prime Ministers had a meeting, they identified that there was a trust deficit between our two countries. So, it was necessary to bridge the trust deficit and one of the ways that evolved at that meeting was that trust deficit could be lessened by a meeting of Foreign Secretaries and Foreign Ministers and they could work out a strategy and our effort has been to fulfil that mandate given to us by the Prime Minister.

**SHRI MANI SHANKAR AIYAR:** Sir, the hon. Minister has referred to "...step-by-step, graduated and forward looking approach to expanding dialogue to cover all issues of mutual interest and concern.." However, the word 'sustained' is missing, although both the Indian and Pakistani Foreign Ministers used this adjective 'sustained' at their Press conference. Therefore, would the hon. Minister please confirm that the eventual objective is to so structure the dialogue as to make it uninterrupted and uninteruptible, and if not, why not?

(Followed by 2d/KSK)

KSK/PSV/1D/11.15

**SHRI S.M. KRISHNA:** Sir, it all depends upon the situations. For example, there was an uninterrupted dialogue between India and Pakistan from 2004 till the Mumbai attacks. The terrorist attack on Mumbai was a point where we had to

Uncorrected/Not for publication - 12.08.2010

Q. No. 262 (Contd.)

discontinue the composite dialogue that we were carrying on with Pakistan. But, if there is goodwill from Pakistan and if there is assurance that their soil is not going to be directed by terrorist instrumentalities to attack India or to foment anti-India feelings, then, India certainly would be willing for a sustained dialogue with Pakistan. As hon. Prime Minister has repeatedly pointed out, this is the only way forward.

**श्री प्रकाश जावडेकर:** सर, यह मुद्दा दोनों देशों के दरम्यान जो बेहतर रिश्ते हम चाहते हैं, लेकिन पाकिस्तान क्या कर रहा है, इससे जुड़ा है। कल भी पाकिस्तान ने यह कहा है कि सईद के बारे में अगर हम सचमुच कोई सबूत देंगे तब वह उस पर कार्रवाई करेगा। यानी आज तक जितने भी dossiers आपने दिए, इतनी मेहनत के बाद और सारे global evidences उसको देने के बाद भी वह कह रहा है कि यह कोई सबूत है ही नहीं। This shows their attitude. That is why, my question is exactly opposite to Shri Mani Shankar Aiyar's. What is there that we are continuing, from our side, dialogue which has become meaningless? So, what are we doing? How will we change their attitude regarding this action on Saeed? Then, what is the utility of continuing such meaningless dialogue?

**SHRI S.M. KRISHNA:** If my esteemed friend comes out with a viable alternative other than carrying on a dialogue with Pakistan, I would welcome that. We do realise this. As far as the chief of Jamaat-ud-Dawah, Hafiz Saeed, is concerned, whenever we mention about his role in the Mumbai attack, we consider that he was the mastermind of Mumbai attack, but, unfortunately, Pakistan becomes subjective whenever we take the name of Hafiz Saeed and others into these

**Uncorrected/Not for publication - 12.08.2010**

**Q. No. 262 (Contd.)**

discussions. So, we certainly would like Pakistan to be helpful, to be co-operative with India so that we can live in peace with each other.

**SHRI MOINUL HASSAN:** Thank you, Sir. I would just quote one sentence from the last para of hon. Minister's reply, "Despite differences of opinion on the way forward on a few issues, there was a broad understanding on a number of other issues." May I know from the hon. Minister, through you, the catalogue of issues where we arrived at 'broad understanding' with Pakistan in these talks?

**SHRI S.M. KRISHNA:** Sir, this was basically on humanitarian issues. There are about 582 fishermen who are in Pakistani jails, and there are about 412 fishermen who are in Indian jails. There are other prisoners also. So, we thought that we could dispose of these issues keeping in mind the broader parameters of trying towards sharing good relationship between the two countries.

(continued by 1e - sk)

-ksk/sk-ds/11.20/1E

**SHRI S.M. KRISHNA (CONTD.):** People to people exchanges, exchange of Vice-Chancellors, exchange of youth leaders, exchange of teachers, exchange of sports persons, these were some of the issues on which there was broad agreement between the Foreign Minister of Pakistan and me.

(Ends)





**श्रीमती माया सिंह:** सर, माननीय मंत्री जी ने मेरे सवाल का जो जवाब दिया है, उसे पहले में पढ़कर सुनाना चाहती हूँ कि भारतीय कुश्ती परिसंघ ने वर्ष 2000 के दौरान कुश्ती स्पर्धा के लिए किसी भी टीम को मॉस्को नहीं भेजा। सर, मेरे सवाल का जवाब मंत्री जी ने गलत दिया है। माननीय मंत्री जी, देश में खिलाड़ियों के साथ किस प्रकार की उपेक्षा हो रही है, इसका जीता-जागता उदाहरण सन्दीप का है, जिन्होंने वर्ष 2000 में मॉस्को में आयोजित अंतर्राष्ट्रीय प्रतियोगिता में भारत की झोली में स्वर्ण पदक जीत कर डाला। सरकार की उपेक्षा के कारण सन्दीप आर्थिक तंगी से ऑस्ट्रेलिया चले गये। वहाँ जाकर वे टैक्सी ड्राइवर बने और वहाँ टैक्सी चलाने लगे, लेकिन धुन का पक्का और कुश्ती से प्यार होने के कारण उसे वे भुला नहीं पाये और उन्होंने वहीं पर खेलना शुरू कर दिया तथा आज वे राष्ट्रमंडल खेलों के लिए ऑस्ट्रेलिया की तरफ से चुने गये हैं। हमारे देश का खिलाड़ी ऑस्ट्रेलिया की तरफ से चुना गया है। ..(व्यवधान)..

**श्री सभापति:** आप सवाल पूछिए।

**श्रीमती माया सिंह:** सर, मैं सवाल ही पूछ रही हूँ। यदि सन्दीप भारत में आकर ऑस्ट्रेलिया के लिए कोई पदक जीतते हैं तो वह हमारे लिए कितना शर्मनाक होगा, इसका हम अन्दाजा लगा सकते हैं। मैं मंत्री महोदय से जानना चाहती हूँ कि क्रिकेट खिलाड़ियों को छोड़ कर बाकी खेलों के खिलाड़ियों को, जो देश के लिए कोई पदक जीतकर लाये हों, उन्हें क्या-क्या सुविधाएँ मुहैया करायी जाती हैं?

**डा. एम.एस. गिल:** सभापति महोदय, मैं आपके माध्यम से आदरणीय सदस्या से अर्ज करना चाहता हूँ, उनका सवाल था कि कोई रेसलर, उनके पास नाम नहीं था या उन्होंने हमें नहीं दिया। She asked, "Whether a wrestler who represented India and won a gold medal in a competition organized in Moscow in 2000, is not representing India in Commonwealth Games; whether he would represent Australia in this event

**Uncorrected/Not for publication - 12.08.2010****Q. No. 263 (Contd.)**

instead of India"? Now, she said 'a wrestler'. Sir, we take our information from the Wrestling Federation of India. I also quizzed my officers this morning when I was going over it, and our answer is that the Wrestling Federation of India, on their authority, had not sent any team to Moscow for wrestling event during the year 2000, which is the year mentioned in the question. Further information we have got is this. The Wrestling Federation has informed us that the following wrestlers obtained Australian citizenship and represented Australia in various competitions. Sandeep Kumar is mentioned in my information here, but it is not the allusion in the question. Sandeep Kumar represented Australia in Beijing Olympics 2008; and perhaps he would be coming to India in this one, and he will be welcome. Then, there are three others -- another Sandeep Kumar, Harmeet Singh Bassi and Gurinder Singh -- who have also represented Australia. Sir, if I can, with respect, explain, we all are aware, and the Pravasi Minister is sitting here to my left and I am from Punjab, that lots of people (Interruptions) lots of people from various parts of India, particularly from this northern region, Punjab, are migrating for various economic reasons and trying to be in Australia. You know the problem is there. Sandeep Kumar, for whatever reasons, migrated to Australia and has been selected there. Three others have been selected, and I look to having more Indians selected not only in Australia but elsewhere also. (Interruptions) Sir, there is an Indian Patel and more Patels playing for New Zealand in cricket. I am happy if they come here. But this is the true answer.

(Followed by yrsr - 1F)

**Q. No. 263 (Contd.)**

**श्रीमती माया सिंह :** सभापति जी, किसी और वजह से नहीं है, बल्कि भूख की वजह से और पेट भरने के लिए नौकरी की तलाश में वह वहां गया। जब यहां हमने उसकी चिंता नहीं की तो वहां जाकर वह टैक्सी चलाने लगा और वहां उसको तवज्जह दी गई है .... (व्यवधान)

**श्री सत्यव्रत चतुर्वेदी :** \*

**श्रीमती माया सिंह :** सर, यह जवाब है ... (व्यवधान) सर, यह जवाब है ... (व्यवधान)

**श्री सभापति :** प्लीज़, आप सवाल पूछिए ... (व्यवधान) पाणि जी, बैठिए ... (व्यवधान)

**श्रीमती माया सिंह :** सभापति जी, जिस व्यक्ति ने हमारे देश को स्वर्ण पदक जीतकर दिया हो, आज अगर वह टैक्सी चला रहा हो, तो ... (व्यवधान)

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

**श्री शिवानन्द तिवारी :** हमारे माननीय मंत्री को ऐसा तो नहीं बोलना चाहिए ... (व्यवधान)

**श्री रवि शंकर प्रसाद :** सभापति जी, सत्यव्रत चतुर्वेदी जी ने जो कहा है, this should not go on record. (Interruptions)

**MR. CHAIRMAN:** I will look at the record and take appropriate action. आप अपना सप्लीमेंटरी पूछिए।

**श्रीमती माया सिंह :** सभापति जी, मैं मंत्री जी से यह जानना चाहती हूँ कि विभिन्न मंत्रालयों द्वारा कितने खिलाड़ियों को नौकरी दिए जाने और अन्य मांगों पर तवज्जह दी गई और कोर्ट के अंतर्गत विभिन्न मंत्रालयों में नौकरी के लिए कितने खिलाड़ियों के आवेदन लंबित पड़े हैं? साथ ही मैं यह भी जानना चाहती हूँ कि ओलंपिक काउंसिल ऑफ एशिया में भारत की स्थिति क्या है? क्या हम पाकिस्तान और नेपाल जैसे देशों से कमजोर हैं? 17 स्थायी समितियों में से भारत एक भी समिति का अध्यक्ष नहीं है, जब कि पाकिस्तान 4 समितियों का अध्यक्ष है, नेपाल

-----  
\* Expunged as ordered by the Chair.

Uncorrected/Not for publication - 12.08.2010

Q. No. 263 (Contd.)

3 समितियों का अध्यक्ष है तथा श्रीलंका एक समिति का अध्यक्ष है। मैं जानना चाहती हूँ कि एशिया में खेलों में भारत की स्थिति क्या है?

**डा. एम.एस. गिल :** सभापति जी, माया जी खुद ही मानेंगी कि इनके ये जो सवाल हैं, इनका इस सवाल से कोई संबंध नहीं है ... (व्यवधान)

**एक माननीय सदस्य :** खेलों से तो है ... (व्यवधान)

**श्री रवि शंकर प्रसाद :** RTI लगाएं क्या ... (व्यवधान)

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

**श्री सीताराम येचुरी :** शुक्र है मंत्री महोदय ने यह नहीं कहा कि दुनिया ही माया है ... (व्यवधान)

**SHRI RAVI SHANKAR PRASAD:** This is objectionable. इन्होंने उस सदन में कहा था कि RTI लगाओ .... (व्यवधान)

**MR. CHAIRMAN:** Please don't refer to other matters extraneous to this discussion. (Interruptions)

**DR. M.S. GILL:** Sir, I may be allowed to answer. (Interruptions)

**MR. CHAIRMAN:** Silence please. (Interruptions) Please reply to the supplementary. (Interruptions) रवि शंकर जी, आप बैठ जाइए ... (व्यवधान)

**SHRI RAVI SHANKAR PRASAD:** \*

**MR. CHAIRMAN:** You are taking precious time. None of this is going on record. (Interruptions) Please answer the supplementary. (Interruptions)

**श्री रुद्रनारायण पाणि :** \*

-----  
\*Not recorded

Uncorrected/Not for publication - 12.08.2010

Q. No. 263 (Contd.)

**श्री सभापति :** पाणि जी, आप बैठ जाइए ... (व्यवधान) No purpose is being served by this cross-talk.

**DR. M.S. GILL:** May I finish the reply? (Interruptions) You must give me the right to finish the reply. (Interruptions)

**MR. CHAIRMAN:** Please answer the supplementary. (Interruptions) Please. (Interruptions)

**DR. M.S. GILL:** Sir, I need notice to try and find out how many athletes have received employment and where and in which year in this country. (Interruptions)

**श्रीमती माया सिंह :** सर, मेरे सवाल का जवाब ही नहीं आया। न मेरे पहले सप्लीमेंटरी सवाल का सवाल आया, न मेरे दूसरे सप्लीमेंटरी सवाल का जवाब आया ... (व्यवधान) मैंने यह पूछा है कि विभिन्न मंत्रालयों में हमारे खिलाड़ियों द्वारा नौकरी के आवेदनों के कितने मामले लंबित हैं?

**MR. CHAIRMAN:** Will that information be made available? (Interruptions) Will that information be made available? (Interruptions)

**DR. M.S. GILL:** Sir, information on what? She must tell me. I have to know. (Interruptions)

**MR. CHAIRMAN:** To the extent it is available.

**DR. M.S. GILL:** Please look into the record. She has asked for a wide-ranging set of things on sports in general, including employment. If she wants it and if you order it, I will try to get it from all the Departments of the country. (Interruptions)

**श्री सीताराम येचुरी :** सर, मंत्री जी का कहना है कि दुनिया ही माया है, इसलिए जवाब नहीं मिलेगा।

Uncorrected/Not for publication - 12.08.2010

Q. No. 263 (Contd.)

**श्री भगत सिंह कोश्यारी :** अगर दुनिया माया है, तो "सीताराम-सीताराम" बोलते रहें क्या ..  
(व्यवधान)

**श्रीमती माया सिंह :** मंत्री जी यही बता दें कि संदीप कुमार ने मास्को में हिंदुस्तान की तरफ से खेला या नहीं खेला?

**DR. M.S. GILL:** May I read the question again? Part (a) of the question says 'whether a wrestler,' ये जलसे से पहले मुझसे बात कर चुकी हैं कि संदीप कुमार है, यहां सवाल है कि 'whether a wrestler, who represented India and won a gold medal in a competition organized in Moscow in 2000 (ten years ago) is not representing India.' The Wrestling Federation says, "We never participated." What can I say?

(Followed by VNK/1G)

-NB/VNK-VKK/1g/11:30

**श्री शिवानन्द तिवारी:** सभापति महोदय, माया जी का जो सवाल है ...(व्यवधान)...

**श्रीमती माया सिंह :** सभापति महोदय, ...(व्यवधान)...

**श्री सभापति:** शिवानन्द जी, आप अपना सवाल पूछिए।

**श्री शिवानन्द तिवारी:** सभापति महोदय, माया जी का जो सवाल है, वह हमारे देश के खेल प्रशासन का खिलाड़ियों के प्रति और खेलों के प्रति क्या रुख है, वही बताता है। पिछला जो ओलंपिक हुआ था, उसमें rifle shooting में जिन्होंने गोल्ड मेडल हासिल किया, उनको आपने फाइव स्टार होटल में ठहराया और जो मुक्केबाज थे, जिन्होंने सिल्वर या तांबा मेडल हासिल किया, उनको आपने एक साधारण होटल में ठहराया था। इसको इलेक्ट्रॉनिक मीडिया के लोगों ने दिखाया था। उन खिलाड़ियों ने प्रेस कांफ्रेंस करके कहा। यही नहीं, बल्कि ये भी खबरें आती हैं कि हमारे यहां जो क्लास-वन खिलाड़ी हैं, उनसे चाय सर्व करवायी जाती है, उनसे फर्श पोछवाया जाता है। अभी एक खबर आई ...(व्यवधान)...

Uncorrected/Not for publication - 12.08.2010

Q. No. 263 (Contd.)

**MR. CHAIRMAN:** Supplementaries must relate to the question. (Interruptions)

**श्री शिवानन्द तिवारी:** महोदय, मैं यह कह रहा हूँ कि खेलों के प्रति और खिलाड़ियों के प्रति खेल प्रशासन का जो दृष्टिकोण है, वही हमारे यहां खेलों को बढ़ावा नहीं दे पा रहा है।  
..(व्यवधान)...

**MR. CHAIRMAN:** Please. (Interruptions) This is not related to it. (Interruptions)

**श्री शिवानन्द तिवारी:** महोदय, मैं आपके माध्यम से माननीय मंत्री जी से यह पूछना चाहता हूँ कि खेल प्रशासन का यह जो दृष्टिकोण है, इसको बदलने के लिए वे क्या कर्वाइ कर रहे हैं? इनकी खेल नीति क्या है?

**MR. CHAIRMAN:** Please. (Interruptions) This is not related to it. (Interruptions)

**श्री वी. हनुमंत राव:** सर, मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूँ कि जितनी भी Federations हैं, वे वार्षिक रिपोर्ट केन्द्र सरकार को देते हैं या नहीं देते हैं? प्रत्येक साल जितने भी programmes होते हैं या World Cup खेलने जाते हैं या कहीं भी खेलने जाते हैं, उनसे संबंधित रिपोर्ट केन्द्र सरकार के पास आती है या नहीं आती है? केन्द्र सरकार और Federations के बीच कोई तालमेल है या नहीं है? कहीं ऐसा तो नहीं है कि Federations अपनी चला रही हैं और मंत्री अपनी चला रहे हैं?

**श्री सभापति:** आपका सवाल क्या है? ...(व्यवधान)...

**श्री वी. हनुमंत राव:** सर, मैं यह पूछना चाहता हूँ कि Federations हर साल अपनी रिपोर्ट भेजती हैं या नहीं भेजती हैं? That is the main point.

**DR. M.S. GILL:** Sir, I will make a remark. इसका इस सवाल से कोई ताल्लुक नहीं है।

**श्री सभापति:** अगर इसका सवाल से कोई ताल्लुक नहीं है, तो आप इसका जवाब मत दीजिए।  
...(व्यवधान)...

Uncorrected/Not for publication - 12.08.2010

Q. No. 263 (Contd.)

**श्री वी. हनुमंत राव:** सर, इसका इस सवाल से ताल्लुक है ...(व्यवधान)... Federations अपनी चला रहे हैं और सरकार अपनी चला रही है ...(व्यवधान)...

**MR. CHAIRMAN:** Just one minute please. (Interruptions) I would request the hon. Members to read questions carefully and raise questions relating to the main question and the answer given. Please do not go on a general fishing expedition. (Interruptions)

**श्री रुद्रनारायण पाणि:** महोदय, ...(व्यवधान)...

**श्री प्रकाश जावडेकर:** महोदय, ...(व्यवधान)... आप RTI की बात कर रहे हैं ...(व्यवधान)...

**श्री सभापति:** देखिए, वह अलग बात है ...(व्यवधान)... श्री अवतार सिंह करीमपुरी।

**श्री रुद्रनारायण पाणि:** महोदय, यह उनके मैम्बर बोल रहे हैं कि Federations और सरकार में कोई तालमेल नहीं है...(व्यवधान)...

**श्री सभापति:** देखिए, उनको supplementary पूछने दीजिए। ...(व्यवधान)...

**श्री अवतार सिंह करीमपुरी:** सर, हमारे खेल मंत्री बहुत ही काबिल मिनिस्टर हैं और बहुत मेहनती हैं। मैं आपके माध्यम से उनसे यह जानकारी चाहता हूँ कि यह जो हमारे देश के प्लेयर हमारे देश को छोड़ कर जा रहे हैं, इसके पीछे एक कारण यह है कि हम talent और potential ...(व्यवधान)...

**श्री सभापति:** आपका सवाल क्या है?

**श्री अवतार सिंह करीमपुरी:** सर, मैं सवाल ही पूछ रहा हूँ। Sports में जो talent और potential है, उसके प्रति encouragement की जो नीति हम बनाते हैं, उसको कहीं न कहीं review करने की जरूरत है। मैं मंत्री जी से यह जानना चाहता हूँ कि क्या देश के बड़े interest को ध्यान में रख कर players के प्रति आपकी जो नीति है, उसको review करके,

Uncorrected/Not for publication - 12.08.2010

Q. No. 263 (Contd.)

जिन players के पास सुविधा की कमी है, उनके प्रति और गंभीर नीति तैयार करेंगे?  
...(व्यवधान)... हमारे देश के player देश छोड़ कर जा रहे हैं ...(व्यवधान)...

**श्री सभापति:** देखिए, यह सवाल नहीं है ..(व्यवधान)... आप question पढ़िए  
...(व्यवधान)...

**श्री अवतार सिंह करीमपुरी:** सर, खेल नीति की review की जरूरत है ...(व्यवधान)...

**श्री कलराज मिश्र:** महोदय, ...(व्यवधान)...

**श्री प्रकाश जावडेकर:** महोदय, ... (व्यवधान)...

**श्री शिवानन्द तिवारी:** महोदय, यह देश का प्रश्न है ... (व्यवधान)...

**MR. CHAIRMAN:** Please. (Interruptions) Will you please take your seat?  
(Interruptions)

(1h/TMV-MP पर आगे)

MP-TMV/1H/11.35

**श्री शिवानन्द तिवारी :** यह बेसिक सवाल है और इसके लिए अगर मंत्री जी तैयार नहीं हैं, तो फिर वे मंत्री क्या हुए? ...(व्यवधान)... महोदय, यह एक बेसिक सवाल है, क्या इसके लिए मंत्री जी तैयार नहीं हैं? ....(व्यवधान)....

**MR. CHAIRMAN:** What is the point? (Interruptions)... Do you wish to say something? (Interruptions)... बैठ जाइए....प्लीज़ ...(व्यवधान)...

**श्री रवि शंकर प्रसाद :** खिलाड़ी कितने उपेक्षित हैं, खिलाड़ी कितने परेशान हैं और पूरा सदन इस विषय पर खड़ा है। ....(व्यवधान)...

**श्री सभापति :** प्लीज़.... प्लीज़....

**डा. एम.एस. गिल :** सर, सवाल तो बहुत specific point पर था, आपने भी निर्णय लिया है। करीमपुरी जी जो पूछ रहे हैं, वह है - general policy, general attitude and general effort

Uncorrected/Not for publication - 12.08.2010

Q. No. 263 (Contd.)

to promote sports and encourage sportsmen. (Interruptions)... Please let me answer. On any occasion that is given to me I will take you over the whole policy and what we have done in two years is to do exactly this. We are providing more money for sports and giving better pensions. We have doubled and trebled the awards and we are doing everything possible. But this is not the question. If you want suddenly, in Question Hour, a debate, I can take part.

**MR. CHAIRMAN:** Thank you. Q. No.264. (Interruptions)...

**श्री ब्रजेश पाठक :** सर, करीमपुरी जी का सवाल था....(व्यवधान)... करीमपुरी जी का सवाल था कि क्या वे खिलाड़ियों के लिए कोई गंभीर नीति बना रहे हैं?

**श्री सभापति :** देखिए, आप उनके सवाल को interpret नहीं करेंगे। ....(व्यवधान)... प्लीज़.... Your supplementary has to relate to the main question. It can't be beyond that.

(Ends)









Uncorrected/Not for publication - 12.08.2010

प्रश्न संख्या 264

**श्री परवेज़ हाशमी :** सर, मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूँ कि उन्होंने जो जवाब दिया है कि 2001 के census के आधार पर different states का हज का quota allocate किया जाता है, तो 2001 के census के आधार पर कितना quota था, कितने applicants थे और आज कितने applicants हैं? और जो applicants हैं, क्या उनके नाम 2001 के census में नहीं थे? जब 65 years की age limit है, तो census में उनके नाम होंगे और उनमें से कितने pending रह गए और आज उस census के आधार पर different states में कितने pending हैं, यह मैं सबसे पहले जानना चाहता हूँ।

**SHRI S. M. KRISHNA:** Sir, the question that has been posed to the Ministry is that how the Haj quota is distributed among the States. So, I have broadly given out the guidelines under which the quota has been fixed. The quota allocated to the Haj Committee of India is distributed among various States on *pro rata* basis according to the Muslim population of each State based on 2001 Census. We go by that Census.

**MR. CHAIRMAN:** Thank you. Second supplementary.

**श्री परवेज़ हाशमी :** सर, मैं मंत्री जी से यह जानना चाहता हूँ कि अभी सेंट्रल हज कमेटी का constitution नहीं हुआ है। हाजियों को जाना है, रमज़ान का महीना आज से शुरू हो गया है, तो कितने हाजी जा रहे हैं, उनके लिए कितने accommodation का arrangement अब तक गवर्नमेंट ने किया है?

**श्री सभापति :** आपका सवाल main question से related होना चाहिए।

**श्री परवेज़ हाशमी :** सर, main question में यही है कि कितने हाजियों को जाना है, कितने हाजियों के लिए arrangement हो चुका है, उनके transport और accommodation का

Uncorrected/Not for publication - 12.08.2010

Q. No. 264 (Contd.)

क्या arrangement है, क्योंकि सेंट्रल हज कमेटी अभी irrelevant है, उसको अभी constitute नहीं किया गया है और यह matter *sub judice* है।

**श्री सभापति :** देखिए, सवाल हज quota पर है, हज arrangements पर नहीं है।

**श्री परवेज़ हाशमी :** सर, हज quota होगा, तभी तो arrangement होगा। जितना quota allocate हुआ है, उसमें से कितने हाजी जा रहे हैं, उनके लिए कितने accommodation का arrangement हुआ है और कितने transport का arrangement हुआ है? ...(व्यवधान)...

**MR. CHAIRMAN:** I am afraid ...(Interruptions)..

**SHRI PARVEZ HASHMI:** It is related to the question. (Interruptions)...

**MR. CHAIRMAN:** ... we are violating every known rule in the book relating to supplementary questions. (Interruptions)...

**SHRI PARVEZ HASHMI:** It is related to the question. (Interruptions)... How many Hajis are leaving?... (Interruptions)...

**श्री सभापति :** बैठ जाइए..... प्लीज़ ....(व्यवधान)....

**श्री परवेज़ हाशमी :** सर, मेरा सिम्पल क्वेश्चन है.... मेरा सिम्पल क्वेश्चन यह है कि as per the Census of 2001, quota allot हुआ।

(1J/SC पर क्रमशः)

-mp/sc-vk/11.40/1j

**श्री परवेज़ हाशमी (क्रमागत) :** कितने हाजी जा रहे हैं, उनके लिए कितना accommodation का अब तक अरेंजमेंट हुआ और transportation का क्या अरेंजमेंट है? That is all. It is a very simple question.

**श्री सभापति :** आप अपना सवाल खुद पढ़िए।

**श्री परवेज़ हाशमी :** सर, मैंने सवाल पढ़ा है। मैं यही जानना चाह रहा हूँ ..(व्यवधान)..

**Uncorrected/Not for publication - 12.08.2010**

**Q. No. 264 (Contd.)**

**MR. CHAIRMAN:** Mr. Minister, do you wish to reply to this expanded question?

**SHRI PARVEZ HASHMI:** I want to know the details about what is happening?

**SHRI S.M. KRISHNA:** Sir, there are 3,00,000 applications that have been received by the Committee. The quota allotted to India by the Saudi Arabian authorities is around 1.60. So a lottery is drawn by every State Haj Committee and on the basis of that a majority of the Haj pilgrims are selected. With reference to the facilities that the Government of India is creating to make the Haj pilgrims comfortable, we have already hired about 80,000 units in Jeddha and other places and right now, a senior level officer, a Secretary in the Ministry, is in Saudi Arabia overseeing all the arrangements that are being made and will submit a report to me when he comes back in the next two or three days. In 2010, the number of Hajjis, who will be going to Saudi Arabia, is 1,60,491 and we have already secured accommodation for 80,000; and accommodation through private tour operators would be around 45,000. So, transportation for all the pilgrims is also financed.

**श्री मुख्तार अब्बास नक़वी :** सभापति महोदय, मेरा क्वेश्चन शुद्ध रूप से जो मुख्य सवाल है, उससे ही जुड़ा हुआ है। अभी माननीय मंत्री जी ने अपने जवाब में कहा है कि कोटे को increase करने की डिमांड की गयी है। आपने उसको स्वीकार किया है और आपने कई राज्यों के नाम दिए हैं जैसे आंध्र प्रदेश, छत्तीसगढ़, दिल्ली, गुजरात, हरियाणा, जम्मू-कश्मीर, कर्नाटक, केरल, लक्षद्वीप, मध्य प्रदेश, महाराष्ट्र, उड़ीसा, पंजाब आदि इन सभी राज्यों से excess applications आयी हैं, ज्यादा applications आयी हैं और केन्द्र सरकार से मांग की गयी है कि उस कोटे को बढ़ाया जाए। सभापति महोदय, जो पूरक प्रश्न था, उसका माननीय मंत्री जी ने जो जवाब दिया, मेरा प्रश्न उससे related है कि जो सुविधाओं की बात है,

Uncorrected/Not for publication - 12.08.2010

Q. No. 264 (Contd.)

जिसे हज सब्सिडी कहते हैं, उस हज सब्सिडी को माननीय मंत्री जी क्या एयर इंडिया के घाटे को पूरा करने के लिए यूज करते हैं या हाजियों की सुविधा के लिए? सर, मैं हज कमेटी का मेंबर रहा हूँ और एयर चार्टर कमेटी का भी चेयरमैन रहा हूँ। माननीय मंत्री जी को मैं आपके माध्यम से इस बात की जानकारी देना चाहता हूँ कि हज सब्सिडी का इस्तेमाल मात्र एयर इंडिया के घाटे को पूरा करने के लिए किया जाता है न कि हज यात्रियों की सुविधा के लिए।

**MR. CHAIRMAN:** Does it relate to this question?

**श्री मुख्तार अब्बास नकवी :** इसलिए मेरा माननीय मंत्री जी से अनुरोध है कि जैसा उन्होंने कहा कि उन्होंने वहां पर तैयारियां पूरी कर ली हैं, वहां पर उन्होंने हाजियों के लिए मकान देखने के लिए अधिकारियों को भेजा है, आज की तारीख में किसी तरह की तैयारी की शुरुआत भी नहीं हुई है। क्या माननीय मंत्री जी बताएंगे कि अभी तक जो हाजियों के लिए तैयारियों की शुरुआत है, वह कहां तक पहुंची है?

**MR. CHAIRMAN:** This does not relate to the question. I am sorry we will have to ....(Interruptions).

**श्री मुख्तार अब्बास नकवी :** सर, यह क्वेश्चन बिल्कुल related है, मूल प्रश्न से related है। माननीय मंत्री जी ने अगर तैयारी नहीं की है तो जवाब न दें, लेकिन यह बिल्कुल उससे related है। अगर माननीय मंत्री जी तैयार हैं तो इसका जवाब दें। अगर उनकी तैयारी नहीं है तो I am sorry...(व्यवधान)..

(1के-एमसीएम पर आगे)

Q. No. 264 (Contd.)

श्री वी०हनुमंत राव : \*

श्री रुद्रनारायण पाणि : देखिए, सर, ये क्या कह रहे हैं।.....\*

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

श्री मुख्तार अब्बास नकवी : सर, इसको निकाला जाए, यह बहुत ही ऑब्जेक्शनेबल चीज है।.....\*

श्री सभापति : प्लीज, प्लीज।

**SHRI S.S. AHLUWALIA:** The BJP is the principal Opposition Party, and it puts stamp on the Budget passed by this House. Do they want that the BJP should delete these subjects from their curriculum?(Interruptions) यह क्या बोल रहे हैं?.....(व्यवधान)

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

**SHRI S.S. AHLUWALIA:** \*

**MR. CHAIRMAN:** This has nothing to do...(Interruptions) This is all irrelevant...(Interruptions) None of these will go on record...(Interruptions) Ahluwalia Saheb, please....(Interruptions)

श्री एस० एस० अहलुवालिया : यह गलत बात है, वे अपने शब्दों को वापिस लें।.....(व्यवधान)

Uncorrected/Not for publication - 12.08.2010

Q. No. 264 (Contd.)

**श्री राजीव प्रताप रूडी :** सर, मेरे साथ भी ऐसे ही हुआ था। मैं भी समर्थन कर रहा था लेकिन सदस्य गलत समझ गए थे। वे भी समर्थन कर रहे थे, मैं भी उस दिन समर्थन कर रहा था और यही गड़बड़ी आज भी हो रही है .....(व्यवधान)

**MR. CHAIRMAN:** We are wasting precious minutes. Please,...(Interruptions)  
Silence, please.

**SHRI S.M. KRISHNA:** Sir, the hon. Member has made a very uncharitable remark saying that I am not prepared. This is one of the most complex organizational tasks undertaken by the Government of India and the Ministry of External Affairs. We are fully prepared; we are fully geared. And, I have conveyed, in reply to an earlier supplementary, that all the arrangements are being made and are being overseen. A senior level officer, of the rank of Secretary, of the Ministry of External Affairs, is right now in that country overseeing the preparations that have been made. I conveyed that 80,000 units of accommodation have already been booked, and Air Charter Agreements have already been finalized. Yes, it is a fact that till now, we were entirely depending upon the Air India for transportation of these refugees. But, from this year onwards, we have gone in for competitive bidding. So, we have the Saudi Arabian Airlines also, who will be carrying the Haj pilgrims. So, I would like to assure this hon. House and through this House...(Interruptions)

**श्री मुख्तार अब्बास नकवी :** सॉरी, सऊदी अरब एयर लाइंस भी इसमें जुड़ी हुई है।

**MR. CHAIRMAN:** Please do not interrupt...(Interruptions)

Uncorrected/Not for publication - 12.08.2010

Q. No. 264 (Contd.)

**श्री मुख्तार अब्बास नकवी :** ये ही, दो एयर लाइंस ही लेकर जाती हैं।.....(व्यवधान)

**MR. CHAIRMAN:** Naqvi Saheb, please do not interrupt.

**SHRI S.M. KRISHNA:** You kindly hear me fully. If you are still not satisfied, then, there are other methods where you can raise this issue again. You have asked about State-wise distribution. I have the information; I will pass it on to you. This will give you an idea of the population of Muslims in every State and then the quota that has been allotted on the basis of their population. So, this would satisfy you that the Government has been judicious in its approach and has been practical in its approach. We will also see to it that just like in previous years, this year also, the Haj pilgrims will comfortably go, offer their prayers and come back.

**SHRI M.V.MYSURA REDDY:** Sir, the Government is allocating quota, extending to about 40,000, to private tour operators, as per the bilateral agreements.

(Continued by 1L)

MKS-ASC/11.50/1L

**SHRI M.V. MYSURA REDDY (CONTD.):** But are the private tour operators misusing the quota, collecting a huge amount from the Hajjis, and also claiming transport subsidy, just like you told us, from the Committee or from the Government? If yes, is there any supervision over the activities of these private tour operators?

**SHRI S.M. KRISHNA:** Sir, the private tour operators have been involved in this Haj pilgrimage, and overnight, we cannot wish them away. So, we will have to take them on board and bring certain transparency in their dealings. And, Sir, I

Uncorrected/Not for publication - 12.08.2010

Q. No. 264 (Contd.)

cannot go into greater details because certain cases are pending in various High Courts. There are about 28 petitions which are pending in various High Courts of this country and many relate to exactly the question which the hon. Member has raised.

**MR. CHAIRMAN:** Shri P. Rajeeve. ...(Interruptions)...

**SHRI RAJIV PRATAP RUDY:** Sir, there is an anomaly in the answer.

**MR. CHAIRMAN:** Have you been called? ...(Interruptions)...

**SHRI RAJIV PRATAP RUDY:** Sir, this question relates to the quota, but in the answer there is no mention of quota. Instead, the number of applicants is.....(Interruptions)...

**SHRI PAWAN KUMAR BANSAL:** Please read the question. ...(Interruptions)...

**MR. CHAIRMAN:** Mr. Rudy, please.

**SHRI RAJIV PRATAP RUDY:** Sir, the question is about quota. ...(Interruptions)... Sir, every time, we are finding in the House that the Government is not concerned itself ...(Interruptions)...

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

**SHRI PAWAN KUMAR BANSAL:** Please read the question. ...(Interruptions)... You have to read the question and you have to read the answer. ...(Interruptions)...

**SHRI S.M. KRISHNA:** Read the question. ...(Interruptions)...

Uncorrected/Not for publication - 12.08.2010

Q. No. 264 (Contd.)

**MR. CHAIRMAN:** You have not been given the floor. I am sorry, you cannot interfere like this. ...(Interruptions)... Mr. Rajeeve, please. ...(Interruptions)...  
Mr. Rajeeve.

**SHRI P. RAJEEVE:** Thank you, Mr. Chairman. ...(Interruptions)...

**श्री पवन कुमार बंसल:** आप क्वेश्चन पढ़िए, क्या है? ...(व्यवधान)...आप क्वेश्चन पढ़िए, क्या है? ..(व्यवधान)..

**MR. CHAIRMAN:** Mr. Rajeeve, please.

**SHRI P. RAJEEVE:** Thank you, Sir. ...(Interruptions)...

**MR. CHAIRMAN:** Mr. Rajeeve, please. ...(Interruptions)... Mr. Rudy, please sit down. ...(Interruptions)... Mr. Rajeeve, please. ...(Interruptions)...

**श्री पवन कुमार बंसल:** आप क्वेश्चन पढ़िए, क्या है? ..(व्यवधान)..आपने सप्लीमेंट्री क्वेश्चन किया है, उसका जवाब दे दिया है ..(व्यवधान)..

**SHRI TIRUCHI SIVA:** Sir, you have not called him. ...(Interruptions)...

**MR. CHAIRMAN:** Mr. Rajeeve, please. ...(Interruptions)... Mr. Rudy, please. ...(Interruptions)... Mr. Rajeeve, please.

**SHRIMATI JAYANTHI NATARAJAN:** Sir, the House needs protection from him.

**MR. CHAIRMAN:** Thank you. ...(Interruptions)...

**SHRI RAJIV PRATAP RUDY:** \*

**MR. CHAIRMAN:** None of these go on record. ...(Interruptions)...

Mr. Rajeeve, please. ...(Interruptions)...

---

\*Not recorded.

Uncorrected/Not for publication - 12.08.2010

Q. No. 264 (Contd.)

**श्री पवन कुमार बंसल :** हाउस में बहस करने का ही काम हो गया है।...(व्यवधान)..

**MR. CHAIRMAN:** Mr. Rajeeve, please. ...(Interruptions)...

**श्री भरतसिंह प्रभातसिंह परमार :** सबसे ज्यादा गुजरात से है।...(व्यवधान).. सबसे बढ़िया है। ..(व्यवधान)...

**श्री सभापति :** आप बैठ जाइए, प्लीज़। (व्यवधान).. Mr. Pany. ...(Interruptions)...

Mr. Pany. ...(Interruptions).... Mr. Rajeeve, please. Will you, please, resume your place? ...(Interruptions).... What is this going on? ...(Interruptions)...

**SHRI P. RAJEEVE:** Sir, some States could not... ...(Interruptions).... Please don't interrupt. ...(Interruptions)...

**SHRI TIRUCHI SIVA:** Sir, what is this? ...(Interruptions)...

**MR. CHAIRMAN:** I am afraid, this behaviour does not befit the Members of this House. ...(Interruptions).... Mr. Rudy. ...(Interruptions).... Mr. Rajeeve, please ask your question. ...(Interruptions)...

**SHRI TIRUCHI SIVA:** Sir, what are they trying to do? ...(Interruptions).... What are they trying to do? ...(Interruptions)...

**MR. CHAIRMAN:** Mr. Rajeeve, please ask your question.

**SHRI P. RAJEEVE:** Sir, some States could not use the allotment quota because of lack of applicants and in some States like Kerala, the allotment is less and the number of applicants is very high. The Central Government has taken the quota of Central quota and utilized it in another manner.

(Contd. by KS/1M)

**Uncorrected/Not for publication - 12.08.2010**1m/11.55/ks-lp**Q. No. 264 (Contd.)**

**SHRI P. RAJEEVE (Contd.):** I would like to know the rationale behind issuing, approximately, one-fourth of our Haj quota to tour operators in Kerala, especially, to one tour operator called Elegant Tours & Travels. Has the Government conducted any specific inquiry into this? If so, what are the findings on this?

**SHRI S.M. KRISHNA:** Sir, I have already answered the question stating that the quota is decided on the basis of the population of Muslims in every State and...

**श्री भरतसिंह प्रभातसिंह परमार :** सभापति जी, गुजरात से सबसे ज्यादा एप्लीकेन्ट्स हैं.  
..(व्यवधान).. सर, पॉप्युलेशन के आधार पर ...(व्यवधान)..

**MR. CHAIRMAN:** Will you please sit down and stop interrupting? (Interruptions)

**श्री पवन कुमार बंसल :** यह तो वृद्धि है..(व्यवधान)..आप कह रहे हैं हैं..(व्यवधान)..होंगे नहीं ..(व्यवधान)..

**श्री भरतसिंह प्रभातसिंह परमार :** मैं एप्लीकेशन्स के आधार पर कोटे की बात करता हूँ..(व्यवधान)..

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

**श्री प्रवीण राष्ट्रपाल :** उनको भेजो गुजरात में..(व्यवधान)..

**SHRI S.M. KRISHNA:** Sir, the hon. Member asked me if there were not enough applicants pilgrims from a particular State, how we would be allocating that quota. It reverts to the State and the Haj Committee distributes it again on the same basis as we decided earlier. (Interruptions)

**SHRI P. RAJEEVE:** With reference to PTU, I want to know whether you are considering the number of applications...

Uncorrected/Not for publication - 12.08.2010

Q. No. 264 (Contd.)

**SHRI S. M. KRISHNA:** I am afraid, it is all stuck up in the court. I cannot answer.

It is *sub judice*.

**MR. CHAIRMAN:** Question 265.

**SHRI P. RAJEEVE:** Sir, my question is whether the Government has conducted an inquiry. It is not *sub judice*.

**MR. CHAIRMAN:** He has answered the question.

**SHRI P. RAJEEVE:** I had asked whether the Government has conducted an inquiry. It is not *sub judice*.

**SHRI S.M. KRISHNA:** The answer has been provided.

(Ends)









Uncorrected/Not for publication - 12.08.2010

प्रश्न संख्या 265

**श्री श्रीगोपाल व्यास :** सभापति जी, मैं आपके माध्यम से माननीय मंत्री जी से जो जानना चाहता हूँ, उसके पहले सदन को यह बताना चाहता हूँ कि देश की राजभाषा को संयुक्त राष्ट्र संघ में आधिकारिक स्थान दिलाने के लिए 192 देशों का समर्थन प्राप्त किया जा सकता है, यह उत्तर में कहा गया है, परंतु 14 मिलियन अमरीकी डॉलर की व्यवस्था नहीं हो सकने के कारण भारत की राजभाषा को संयुक्त राष्ट्र संघ में स्थान प्राप्त नहीं हो रहा है, ऐसा भी उत्तर में कहा गया है। मुझे यह जानकर बहुत आश्चर्य होता है। मैं आपके माध्यम से सरकार से जानना चाहता हूँ कि क्या किसी वर्ष के बजट में इस बात पर विचार किया गया है कि सवा सौ करोड़ से अधिक की आबादी का यह देश, जिसके दो, तीन करोड़ लोग सवा सौ से अधिक देशों में रहते हैं, उनके देश की राजभाषा को मान्यता दिलाने के लिए सरकार द्वारा स्वयं अपने स्तर पर या गैर सरकारी स्तर पर, पी.पी.पी. मॉडल पर, कभी इस पर विचार हुआ है या आगे होगा?

**SHRI S.M. KRISHNA:** Sir, the Government has been taking active measures to make Hindi one of the official languages of the United Nations. A high level committee with the External Affairs Minister presiding was appointed in February, 2003, and then, subsequently, the Minister of State was pursuing this matter. It is not simply the question of expenditure. That expenditure is a recurring expenditure of 14 million dollars every year. That apart, we will have to get a majority of the members of the United Nations General Assembly to adopt a resolution so that Hindi could become one of the languages which can be used in the United Nations. It will be Government of India's endeavour that we continue to urge and lobby with other members of the United Nations General Assembly so that Hindi could have that status which it richly deserves. As far as the financial

Uncorrected/Not for publication - 12.08.2010

Q. No. 265 (Contd.)

commitment of the Government of India is concerned, that is one of those which we will have to live with.

**श्री शिवानन्द तिवारी** : पहले हाउस में तो हिंदी को मान्यता दिलवाई जाए..(व्यवधान)..  
व्यास जी की पार्टी को भी इनकी मान्यता मिले। ..(व्यवधान)..

**श्री सभापति** : हाउस में मान्यता है।

**श्री श्रीगोपाल व्यास** : सभापति जी, क्या अनिवासी भारतीयों के साथ भी कभी इसकी चर्चा हुई है या उनसे पैसे की अपील की गई है? चर्चा तो होती रही है, परंतु क्या उनसे धनराशि देने की अपील की गई है, यदि नहीं तो क्या आगे की जाएगी, यह भी बताइए?

**SHRI S.M. KRISHNA**: Sir, any effort of this kind certainly needs the goodwill and support of NRIs who have always played a magnificent role whether it is in promoting the nuclear deal with the United States or various other issues. So, I intend depending upon NRIs' support for making Hindi as one of the official languages of the United Nations.

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

(Ends)

RSS/AKG/1N/12.00

(MR. DEPUTY CHAIRMAN, in the Chair)

**PAPERS LAID ON THE TABLE**

1. **SHRI V. NARAYANASAMY**: Sir, I lay on the Table, a copy (in English and Hindi) of the following papers:—

(i) (a) Annual Report of the Nava Nalanda Mahavihara, Nalanda, for the year 2008-09.

**Uncorrected/Not for publication - 12.08.2010**

- (b) Annual Accounts of the Nava Nalanda Mahavihara, Nalanda, for the year 2008-09 and the Audit Report thereon.
  - (c) Review by Government on the working of the above Institute.
  - (d) Statement giving reasons for the delay in laying the papers mentioned at (i) (a) and (b) above.
- (ii) (a) Annual Report of the Central Institute of Higher Tibetan Studies (CIHTS), Sarnath, Varanasi, for the year 2008-09.
  - (b) Annual Accounts of the Central Institute of Higher Tibetan Studies (CIHTS), Sarnath, Varanasi, for the year 2008-09 and the Audit Report thereon.
  - (c) Review by Government on the working of the above Institute.
  - (d) Statement giving reasons for the delay in laying the papers mentioned at (ii) (a) and (b) above.

**2. SHRI SULTAN AHMED:** Sir, I lay on the Table—

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

- (a) Forty-fourth Annual Report and Accounts of the India Tourism Development Corporation Limited (ITDC), New Delhi, for the year 2008-09, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
  - (b) Twenty-fifth Annual Report and Accounts of Madhya Pradesh Ashok Hotel Corporation Limited, Bhopal, for the year 2008-09, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
  - (c) Review by Government on the working of the above Corporations.
- (2) Statements (in English and Hindi) giving reasons for the delay in laying the

**Uncorrected/Not for publication - 12.08.2010**

papers mentioned at (1) above.

II. A copy (in English and Hindi) of the Memorandum of Understanding between the Government of India (Ministry of Tourism) and the India Tourism Development Corporation Limited (ITDC), for the year 2010-11.

3. **श्री सचिन पायलट** : महोदय, मैं भारतीय दूरसंचार विनियामक प्राधिकरण अधिनियम, 1997 की उप-धारा 37 के अधीन भारतीय दूरसंचार विनियामक प्राधिकरण (अधिकारियों और कर्मचारियों की नियुक्ति) (दसवाँ संशोधन) विनियम, 2010 को प्रकाशित करने वाली संचार और सूचना प्रौद्योगिकी मंत्रालय (दूरसंचार विभाग) की अधिसूचना फा.सं. 5-4/2000-प्र. एवं का., दिनांक 14 जुलाई, 2010 की एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ।  
(Ends)

**REPORTS OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING  
COMMITTEE ON CHEMICALS AND FERTILIZERS**

**SHRI A.A. JINNAH (TAMIL NADU):** Sir, I lay on the Table, a copy each (in English and Hindi) of the following Reports of the Department-related Parliamentary Standing Committee on Chemicals and Fertilizers (2009-10):—

- (i) Tenth Report on Action Taken by the Government on the recommendations contained in the Second Report of the Committee (Fifteenth Lok Sabha) on 'Demands for Grants (2009-10)' of the Ministry of Chemicals and Fertilizers (Department of Fertilizers); and
- (ii) Eleventh Report on Action Taken by the Government on the recommendations contained in the Fourth Report of the Committee (Fifteenth Lok Sabha) on 'Demands for Grants (2009-10)' of the Ministry of Chemicals and Fertilizers (Department of Chemicals and Petrochemicals).

(Ends)

**REPORTS OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING  
COMMITTEE ON FOOD CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION**

**SHRI SHANTARAM LAXMAN NAIK (GOA):** Sir, I lay on the Table, a copy each (in English and Hindi) of the following Reports of the Department-related

**Uncorrected/Not for publication - 12.08.2010**

Parliamentary Standing Committee on Food, Consumer Affairs and Public Distribution (2009-10):—

- (i) Sixth Report on Action Taken by the Government on the observations/recommendations contained in the Second Report of the Committee (Fifteenth Lok Sabha) on 'Demands for Grants (2009-10)' of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution); and
- (ii) Seventh Report on Action Taken by the Government on the observations/recommendations contained in the Third Report of the Committee (Fifteenth Lok Sabha) on 'Demands for Grants (2009-10)' of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).

(Ends)

**LEAVE OF ABSENCE**

**MR. DEPUTY CHAIRMAN:** I have to inform Members that a letter has been received from Shri Mangala Kisan, stating that he is unable to attend the House due to the sad demise of his younger son. He has, therefore, requested for grant of Leave of Absence from the 10<sup>th</sup> August, 2010 till the end of the current (220<sup>th</sup>) Session of the Rajya Sabha.

Does he have the permission of the House for remaining absent from 10<sup>th</sup> August, 2010 till the end of the current (220<sup>th</sup>) Session of the Rajya Sabha?

**(No. Hon. Member dissented)**

**MR. DEPUTY CHAIRMAN:** Permission to remain absent is granted.

(Ends)

Uncorrected/Not for publication - 12.08.2010

BILL INTRODUCED

THE NALANDA UNIVERSITY BILL, 2010

**THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA) :** Sir, I move for leave to introduce a Bill to implement the decisions arrived at the Second East Asia Summit held on the 15<sup>th</sup> January, 2007, at Philippines and subsequently at Fourth East Asia Summit held on the 25<sup>th</sup> October, 2009, at Thailand for the establishment of the Nalanda University in the State of Bihar as an international institution for pursuit of intellectual, philosophical, historical and spiritual studies and for matters connected therewith or incidental thereto.

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

**SHRI S.M. KRISHNA :** Sir, I introduce the Bill.

(Ends)

**Uncorrected/Not for publication - 12.08.2010**

**STATEMENT RE: STATUS OF IMPLEMENTATION OF THIRTIETH REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON PERSONNEL, PUBLIC GRIEVANCES, LAW AND JUSTICE.**

**THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI PRITHVIRAJ CHAVAN):** Sir, I make a statement regarding status of implementation of recommendations contained in the Thirtieth Report of the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice on "Constraints being faced by Kendriya Bhandar".

(Ends)

**MATTERS RAISED WITH PERMISSION OF THE CHAIR**

**ALLEGED POLLUTION OF THE RIVER SUTLEJ BY PAKISTAN**

**SHRI NARESH GUJRAL (PUNJAB):** Sir, the river Sutlej which is the lifeline of the Punjab farmer is being slowly poisoned by the Pakistan tanneries which are dumping untreated waste from its Kasoor factories. The river is becoming heavily polluted due to this toxic waste thereby affecting the health of a large section of the Malva region. Ferozpur, Mukastar and Bhatinda are the worst affected districts. The river water which is being used by the villagers for drinking as well as irrigation purposes contain lethal quantities of mercury, lead and chromium which is leading to all kinds of ailments, including cancer. Scores of babies are born in the villages of this area with genetic diseases and deformities like physical and mental retardation and skin diseases are extremely common amongst all ages.

(contd. By 1o)

**Uncorrected/Not for publication - 12.08.2010**

kgg-sch/1o/12.05

**SHRI NARESH GUJRAL (contd.):** Sir, this is a direct violation of the Indus Water Treaty. Article 4 of the Treaty clearly binds the two countries to prevent pollution of the river waters and directs both the countries to take reasonable measures to ensure that only treated industrial waste would be allowed to flow into the river. Sir, I would urge the Union Government to urgently take up this serious matter with the Pakistani authorities and, if required, go to the international court to safeguard the health of the Punjab farmer.

(Ends)

**श्री अविनाश राय खन्ना (पंजाब):** सर, इस विषय पर मैं इनको एसोसिएट करता हूँ।

**SHRI RUDRA NARAYAN PANY (ORISSA):** Sir, I too associate myself with the subject.

**RE: OUTBREAK OF SWINE FLU IN ANDHRA PRADESH**

**SHRI M.V. MYSURA REDDY (ANDHRA PRADESH):** The people of Andhra Pradesh are suffering due to rampant spread of swine flu during the last few weeks. Two days back, four people died. The disease spreading due to the climatic change or other changes, those details are not known. Already hundreds of people have suffered due to swine flu. Twenty people have died in Andhra Pradesh. I see some reports in the media too. Because of the corporate sector rivalry, it becomes a duty of the Government to inquire into to see whether it is correct or not. But, anyhow, because of the media exposure there is panicky among the people. But, as a doctor, I would like to bring to the notice of the Minister of the Government of India, through you, Sir, though the disease may not

**Uncorrected/Not for publication - 12.08.2010**

be a dreaded one, but the complications due to respiratory problem are there. It requires some specialized equipments like bile apparatus. In Andhra Pradesh only two hospitals are earmarked to cure this disease--the Gandhi Hospital and the Chest Hospital. Even though the private hospitals too having this type of equipments, they are not admitting patients because of the panic created by the media. There is a need to strengthen availability of equipments like the bile apparatus. I request the Government of India to give vaccination material along with the equipments necessary. Otherwise, swine flu patients because of respiratory failure, there could be more deaths occurring. That is why I request the Government of India to assist the Andhra Pradesh Government to provide equipments, vaccinations and medicine to the Government of Andhra Pradesh. Thank you.

(Ends)

**श्री रुद्रनारायण पाणि (उड़ीसा):** सर, इस विषय पर मैं इन्हें एसोसिएट करता हूँ। सर, हमारे उड़ीसा में भी यही हालात हैं, उनके ऊपर भी ध्यान दिया जाए।

**RE: DEMAND FOR APPROVAL OF KOCHI METRO PROJECT**

**SHRI P. RAJEEVE (KERALA):** Sir, I would like to raise the issue of delay in giving approval to the Kochi Metro Project. Sir, Kochi is the commercial capital of Kerala. The traffic system is totally congested, the roads are very narrow. It is difficult to widen because it results in displacement, demolition and serious rehabilitation problems. Kerala has scarcity of land, and the cost of land has skyrocketed. So, the Government of Kerala has adopted the Kochi Metro Project and approached the Central Government for its approval. The Urban Development

**Uncorrected/Not for publication - 12.08.2010**

Ministry of the UPA-II Government had adopted the Kochi Metro Project in its 100-day flagship programme. The Planning Commission has also given clearance to the Kochi Metro Project as a joint venture of Government of Kerala and Government of India on the lines of Delhi Metro Rail Project. Mr. Sridharan has kindly consented to lead the Kochi Metro Project. The Government of Kerala has sanctioned Rs.158 crores for the preliminary preparation like widening of the roads and construction of bridges and some other things. But, Sir, it is reported that last year, at the last moment, the Cabinet has deferred the approval to the Kochi Metro Project. All the MPs of Kerala had raised this issue in both the Houses several times. We met the hon. Prime Minister, hon. Finance Minister, and hon. Urban Development Minister several times. Justice V.R. Krishna Iyer at the age of 95 was here in Delhi only to brief the Prime Minister and to demand for approval of the Kochi Metro Project.

(Contd. by tdb/1p)

-KGG/TDB-PSV/1P/12.10

**SHRI P. RAJEEVE (CONTD.):** The hon. Prime Minister had given a very patient hearing, and he gave an assurance that he would intervene in this issue and it would be done as early as possible. But, Sir, nothing has happened up till now. Sir, today the Left MPs from Kerala had conducted a *dharna* in front of the House, and tomorrow the people of Kochi will conduct a human chain at Kochi. So, I request the hon. Prime Minister to kindly intervene in this issue, and in view of the assurance given to us give the clearance to the Kochi Metro Project, as early as possible.

(Ends)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI PRASANTA CHATTERJEE (WEST BENGAL):** Sir, this project should be given top-most priority.

**SHRIMATI BRINDA KARAT (WEST BENGAL):** Sir, I associate myself with this issue.

**RE: DROUGHT IN JHARKHAND, BIHAR AND U.P.**

**श्री मोहन सिंह (उत्तर प्रदेश):** उपसभापति महोदय, भारत के कृषि मंत्री जी ने घोषित किया कि इस साल मानसून बहुत अच्छा है और खरीफ की फसल बहुत अच्छी होने वाली है, लेकिन हम लोगों का दुर्भाग्य है कि उनकी घोषणा के विपरीत पूर्वी मानसून, दो महीने बीत गए, लगातार धोखा दे रहा है। पूरा बिहार, झारखंड और उत्तर प्रदेश का अधिकांश पूर्वी इलाका आज सूखे की चपेट में है। पूर्वी उत्तर प्रदेश में चारे के अभाव में पशु मर रहे हैं, इस समय सारे तालाब और गड्ढे सूख गए हैं, खरीफ की फसल वहाँ रोपी नहीं जा सकी है तथा वहाँ बहुत हाहाकार की स्थिति है। राज्य सरकार से लेकर भारत सरकार तक की ओर से इस गम्भीर मसले पर, जिससे करोड़ों किसान आक्रांत हैं, कोई कार्रवाई करने की पहल अभी तक नहीं हुई है। मैं भारत सरकार से अपील करना चाहता हूँ कि पूर्वी उत्तर प्रदेश, बिहार और झारखंड के सूखे की स्थिति का निरीक्षण करने के लिए जितनी जल्दी हो सके केन्द्रीय सरकार की एक टीम भेजी जाए, वहाँ किसानों को हुए नुकसान की भरपाई की जाए तथा किसानों को राहत और पशुओं के चारे का इंतजाम करने के लिए उसके द्वारा पहल की जाए। मैं यही अपील करना चाहता हूँ। धन्यवाद।

(समाप्त)

**श्रीमती कुसुम राय (उत्तर प्रदेश):** सर, मैं खुद को इससे सम्बद्ध करती हूँ।

**डा० सी०पी० ठाकुर (बिहार):** सर, मैं स्वयं को इससे एसोसिएट करता हूँ।

**श्री शिवानन्द तिवारी (बिहार):** सर, मैं खुद को इस विषय से सम्बद्ध करता हूँ।

**श्री अली अनवर अंसारी (बिहार):** सर, मैं खुद को इससे सम्बद्ध करता हूँ।

Uncorrected/Not for publication - 12.08.2010

श्री महेन्द्र मोहन (उत्तर प्रदेश): सर, मैं स्वयं को इस विषय से सम्बद्ध करता हूँ।

श्री आर०सी० सिंह (पश्चिमी बंगाल): सर, मैं खुद को इससे एसोसिएट करता हूँ।

(समाप्त)

**RE: WATER LEVEL IN BHAKRA DAM**

श्री अविनाश राय खन्ना (पंजाब): महोदय, मैं आपके माध्यम से एक बहुत ही महत्वपूर्ण मुद्दे को संसद के ध्यान में लाना चाहता हूँ और सरकार से यह निवेदन करता हूँ कि इस सम्बन्ध में जल्दी-से-जल्दी उपाय किये जाएँ।

सर, भाखड़ा डैम का डैजर मार्क 1680 फीट पर है। वहाँ पर 10 अगस्त को 1647 फीट तक पानी आ चुका है, जबकि पिछले साल 10 अगस्त को यह लेवल 1579 फीट पर था। डैजर लेवल तक पानी पहुँचने के लिए अब सिर्फ 33 फीट ही बचे हैं। ऐसी prediction की गई है कि 18 अगस्त को भाखड़ा के नजदीक के जितने भी इलाके हैं, चाहे वह हिमाचल हो या सतलुज का इलाका हो, वहाँ बहुत भारी वर्षा होने का अनुमान है। अगर भारी वर्षा होती है तो नैचुरली वहाँ से पानी छोड़ना पड़ेगा, जिससे पंजाब, हरियाणा और राजस्थान में बाढ़ की स्थिति पैदा हो सकती है। पंजाब में पहले ही घघघर नदी ने बहुत नुकसान पहुँचाया है। वहाँ के पटियाला, मानसा, सरदूलगढ़ आदि जगहों पर इतना बुरा हाल हुआ कि अभी तक लोग उस मार को भुला नहीं पाए हैं, अभी तक उस शॉक से निकल नहीं पाए।

मैं सदन के माध्यम से सरकार से निवेदन करता हूँ कि जो prediction हुई है कि 18 अगस्त को बहुत भारी वर्षा होगी, उसमें अभी 5-6 दिन शेष हैं, और डैजर मार्क तक पहुँचने का जो अनुमान है, उसको देखते हुए सरकार को चाहिए कि पहले से ही उसका उपाय करे ताकि पंजाब, हरियाणा और राजस्थान बाढ़ से बच सकें। इतना कहते हुए कि मैं यह समझता हूँ कि इस बहुत महत्वपूर्ण मुद्दे को सरकार सीरियसली लेगी। बहुत-बहुत धन्यवाद। (समाप्त)

**SHRI NARESH GUJRAL (PUNJAB):** Sir, I associate myself with it.

(Ends)

Uncorrected/Not for publication - 12.08.2010

RE: REPORTED INFECTION OF SUPERBUG IN INDIAN HOSPITALS

**SHRI S.S. AHLUWALIA (JHARKHAND):** Mr. Deputy Chairman, Sir, I would like to raise an important issue about a very alarming situation created by an article which appeared in one of the international journals, namely, *Lancet Infectious Diseases*, pointing to hospitals in the country being the point of origin for a drug resistant superbug, namely, NDM-1, New Delhi *metallo-beta-lacta-mase*. This is the name they have given to this disease.

(Contd. by 1q-cls)

KLS/1Q-12.15

**SHRI S.S. AHLUWALIA (CONTD):** They are saying that this infection is spreading in Indian hospitals. Sir, with globalization when India is emerging as a medical centre or a medical destination or a centre of medical tourism, at this juncture, this type of news is appearing which is very unfortunate. It may be a sinister design of the multinational companies or multinational hospitals around the world. Sir, with globalization it is not only the population which migrates from one country to another country for livelihood or for development, they bring back bacteria, they bring back virus and they bring back infections also. Some of our experts say, especially Mr. Katoch, that we lack in our policies on antibiotics use for infections. Sir, the disease which has been detected by this journal is E coli and K Pneumonia. Some foreign tourists came to India, they fell sick here and when they went back to their country they detected that they might have been infected in India. It may not be true but when we are talking about globalization, when we

**Uncorrected/Not for publication - 12.08.2010**

are emerging as a safe destination for medical tourism, when we are emerging as a power, at that time we should come out with registry also in each and every hospital when any infection is detected that should be registered and proper research and investigation should be done and also proper medicine should be identified to see which antibiotic is effective to that particular infection. So, all these things should be done. I demand action from the Government. It is an alarming situation created by this article particularly when we are going to hold in the next two months the Commonwealth Games. ...(Interruptions)... It may affect arrival of foreign tourists. ...(Interruptions).. I want response from the Government.

**MR. DEPUTY CHAIRMAN:** Your mike has stopped. ...(Interruptions).. Now, the Calling Attention, ...(Interruptions)..

**SHRI S.S. AHLUWALIA:** We want to know the response of the Government. ...(Interruptions)..

**SHRIMATI JAYANTHI NATARAJAN (TAMIL NADU):** It is a false report. ...(Interruptions)...

**THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN):** Sir, I have also seen the report. I will find out from the Minister of Health. ...(Interruptions).. I will find out from the Minister of Health and the Department of Biotechnology. ...(Interruptions)..

**SHRIMATI JAYANTHI NATARAJAN:** We support what Mr. Ahluwalia has said because it is a wrong propaganda which is being spread throughout the country.

**Uncorrected/Not for publication - 12.08.2010**

**MR. DEPUTY CHAIRMAN:** The Government has taken note of it.  
...(Interruptions)..

**SHRI PRITHVIRAJ CHAVAN:** Sir, I will find out the details about it and come back to the House. ...(Interruptions)..

**MR. DEPUTY CHAIRMAN:** Special Mentions will be taken after the Calling Attention is over. ...(Interruptions)... Special Mentions will be laid on the Table.  
...(Interruptions)...

(Ends)

**CALLING ATTENTION RE: IMPACT OF BIG DAMS IN NORTH EASTERN  
REGION STATES INCLUDING LOWER SUBANSIRI HYDRO ELECTRIC  
PROJECT**

**SHRI BIRENDRA PRASAD BAISHYA (ASSAM):** Sir, I call the attention of the Minister of Environment and Forests to the environmental impact of big dams in North Eastern States including lower Subansiri Hydro Electric Project.

**SOME HON. MEMERS:** There is no written statement. ...(Interruptions)..

**THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH):** Sir, I am grateful to the hon. Member for calling my attention to this matter of urgent public importance. The statement is being distributed.

Environmental clearance for projects became a mandatory requirement since 27.1.1994. In supersession of 1994 Notification, a new Notification was issued on 14.9.2006, which was subsequently amended on 11.2.2009. The Environmental Impact Assessment (EIA) Notification regulates developmental projects in different parts of the country and their expansion/modernization

**Uncorrected/Not for publication - 12.08.2010**

activities. It mandates prior environmental clearance to be obtained for the projects listed in its Schedule. The procedure for environmental clearance has been elaborated in the notification. The environmental clearance for River Valley & Hydropower Sector is covered in item 1 (c) of the Schedule to the notification.

(Contd by 1R/SSS)

SSS/1R/12.20

**SHRI JAIRAM RAMESH (CONTD.):** A comprehensive EIA Report is required to be prepared as per Terms of Reference (TOR) given by the Expert Appraisal Committee (EAC). The EACs are multidisciplinary sectoral expert committees comprising of various subject experts and are constituted as per EIA Notification of 2006, for appraisal of sector specific projects. The methodology followed for each and every parameter of the project will be critically scrutinized and examined by the EAC before recommending the projects for environmental clearance.

A Statement showing a comprehensive list of River-Valley projects from the State of Arunachal Pradesh that are at various stages of environment and forest clearance is attached to my Statement. I will not go through table, Sir, but it gives a list of the ten projects that are at various stages of environment and forest clearance.

The concept of downstream impacts is a recent one. This issue has been considered by the Expert Appraisal Committee for River Valley and HEPs and the EAC has suggested downstream studies need to be undertaken by the proponents of Lower Demwe and Lower Siang HEPs located in Arunachal Pradesh. The major concern is drastic alteration of flow in the lean season in the

**Uncorrected/Not for publication - 12.08.2010**

river which may lead to significant adverse impact to both terrestrial and aquatic biodiversity.

Sir, the lower Subansiri Hydroelectric project, located near North Lakhimpur on the border of Assam and Arunachal Pradesh is being executed by the National Hydro Power Corporation (NHPC). This is the biggest HEP (2000 MW) undertaken in India so far and is a run-of-the-river scheme on river Subansiri. A concrete gravity dam of 116m high from river bed level will be constructed on river Subansiri. Total land requirement is 4111 ha. Out of which 4039.9 ha is forest land. Forest clearance has been issued on 10.6.2003. In all 325 persons will be partially affected due to this project. The project is scheduled for completion in 2012.

A comprehensive Environment Impact Assessment (EIA) study for Lower Subansiri was submitted by NHPC for appraisal, covering all the environmental aspects and baseline data with respect to meteorology, geology, seismology, water quality, land use pattern, terrestrial ecology, wildlife, aquatic ecology fisheries and socio-economic aspects as well as Disaster Management plan. Based on the data given in the EIA report and subsequent clarification, Ministry of Environment and Forests accorded the environmental clearance on 16.7.2003.

The MoE&F has recently received the Report of the House Committee, Assam Legislative Assembly regarding the Impacts on the downstream areas of the Rivers in the State of Assam due to construction of big dams, presented to the Assam Legislative Assembly House on 17<sup>th</sup> July, 2010. The recommendations covered in the Report indicate the need for Comprehensive Scientific Studies to

**Uncorrected/Not for publication - 12.08.2010**

be undertaken prior to various clearances for all future mega and small hydroelectric projects in Arunachal Pradesh and that the Government of Assam would play a proactive role in this regard. The need for comprehensive downstream impact studies covering all relevant aspects in hydroelectric projects is also emphasized.

The MoE & F has also taken note of the Study undertaken by University of Dibrugarh, University of Guwahati and IIT, Guwahati, submitted on 28<sup>th</sup> June, 2010 and the recommendations contained in the Report on the downstream impacts of the Lower Subansiri project. This study was commissioned by the Ministry of Power, Government of Assam, All Assam Students Union, and NHPC in December, 2006.

(Contd. by NBR/1S)

-SSS/NBR-VNK & MP/1s & 1t/12.25 & 12.30.

**SHRI JAIRAM RAMESH (CONTD.):** Mitigation measures recommended by the Expert Group relate to the minimum discharge of the natural river be maintained through the turbines by, at least, one unit running continuously for 24 hours a day, development of thick vegetation cover/green belt along the river banks, flood shelters for the flood victims, etc. The Ministry of Environment and Forests has also received comments of NHPC on the recommendations of the Expert Group.

I wish to inform the House that the Ministry of Environment and Forests has undertaken two Basin Studies for Lohit and Bicham Basin in Arunachal Pradesh to adopt the River Basin approach for the future projects instead of the usual project-by-project approach to environmental impact assessment. Further, there

**Uncorrected/Not for publication - 12.08.2010**

are proposals for undertaking similar studies for Subansiri and Siang Basin by the Central Water Commission.

Mr. Deputy Chairman, Sir, I share the worries of the hon. Member and other Members regarding the environmental impacts of big dams in the North-Eastern region States, particularly in Arunachal Pradesh. The country urgently needs to expand its hydal generation capacity, which is a clean source of energy. I am also acutely conscious of the fact that serious ecological concerns have to be addressed while harnessing our hydel resources. I assure the hon. Members that a careful balance will be preserved at all times and all decisions will be taken in a transparent and consultative manner.

(Ends)

**Status of the Hydro Electric Projects in Arunachal Pradesh**

Project	Company	Capacity (MW)	Environmental clearance status	Date of Issue	Forest Clearance Status	Date of Issue
Lower Subansiri	NHPC Ltd.	200	Issued	16/07/2003	Issued	12/10/04
Kemang	NEEPCO Ltd.	600	Issued	29/03/01	Issued	03/8/2000
Ranganadi	NEEPCO Ltd.	405	Issued	23/07/85	Issued	07/05/90
Tago Micro	PWD	4.5	Issued	28/11/83	-	-
Pare	NEEPCO Ltd.	110	Issued	13/09/06	In-principle	11/01/08
Lower Demwe	Athena Demwe Power Pvt. Ltd.	1750	Issued	12/02/10	FAC recommended. Certain clarification sought from the state.	-
Gongri	Dirang Energy Pvt. Ltd.	90	Issued	12/02/10	-	-
Nuranang	PWD	-	Issued	11/02/91	-	-

**Uncorrected/Not for publication - 12.08.2010**

Dibang Multipurpose	NHPC Ltd.	3000	Scoping clearance issued	17/08/2009	Proposal under preparation with State Govt.	-
Lower Siang Hydro Electric	Jaypee Arunachal Pradesh Ltd.	2700	Additional TOR issued	3/08/2010	Proposal under preparation with State Govt.	-

**SHRI BIRENDRA PRASAD BAISHYA (ASSAM):** Hon. Minister, in your reply, you have said many things. But, you have not mentioned about the recommendations made by the Expert Committee. Mr. Minister, the people of North-Eastern Region are not against power generation. But, we are against if it is done at the cost of wildlife and property of the innocent people. Natural beauty and natural resources of Assam and the North-Eastern Region is the God's gifted. But, Sir, several big dams of North-Eastern Region have affected seriously the environment and the socio-economic lives of the lakhs of people of this region. We, the people of the North-Eastern Region, know the worst affects of Ranganadi Hydrel Dam and Hydro project dam at Kurichhu, Bhutan. Due to release of excess water from the Ranganadi dam site and Kurichhu of Bhutan create flood havoc in Lakhimpur, Dhemaji, Nalbari and Baksa districts of Assam by destroying lives and property, including roads, National Highways, railway bridges, etc. Sir, there is a Tipaimukh Hydro electric project in the North-Eastern Region. The project is opposed not only by us but also by Bangladesh.

Sir, totally ignoring the environmental aspect, the Government of Arunachal Pradesh signed MoU for more than 161 for hydro power projects. The

**Uncorrected/Not for publication - 12.08.2010**

Government of Arunachal Pradesh is building 4 other mega dams, besides many more small projects. These mega dams are taken up on Kameng River Basin, Siang River Basin, Diabang River Basin and the Lohit River Basin.

Sir, the Indian Sub-Continent is divided into five Seismic Zones with respect to the severity of the earthquake. Arunachal Pradesh falls in seismic Zone V which is considered as one of the most vulnerable areas. According to a seismic vulnerability study by Arunachal Pradesh Remote Sensing Application Centre, parts of the State such as Peki Medi village in Upper Siang district, continue to experience frequent tremors on a daily basis.

The Lower Subansiri Hydroelectric Project is an inter-State project. The proposed dam site is 2.3 kms. upstream of Gerukamukh village in Dhemaji district of Assam. The 116 meters high dam would submerge 3,436 hectares of forest land. Hon. Minister, 3,436 hectares of land will be totally destroyed due to this dam. Secondly, the dam site is an important biodiversity spot. It will submerge Tele Valley Sanctuary of Arunachal Pradesh, Tele Reserve Forest of Arunachal Pradesh, Panir Reserve Forest of Arunachal Pradesh and Subansiri Reserve Forest in Assam. It means, this dam is going to submerge four reserve forests in our country.

The dam site is an elephant corridor. The dam site will block elephant movement. The site also seriously affects river dolphin population. They are not thinking about river dolphin. According to dolphin expert, Dr. Lal Mohan and his team, in a Report, suggested to establish dolphin sanctuary at Subansiri. Sir, the Wildlife (Protection) Act, 1972, was totally ignored. Sir, most of the provisions of

**Uncorrected/Not for publication - 12.08.2010**

the Wildlife Protection Act, 1872, is totally ignored here. The dam site and submergence area is the habitat of a number of animals listed in the Schedule I of the Indian Wildlife (Protection) Act, 1972. If this dam is constructed, the entire area will be submerged and these animals will have no place to live. These animals which have been included would die.

Sir, an Expert Group was constituted, not by us, jointly by the State Power Department and All Assam Student Union after a thorough discussion. What the Expert Group says? Hon. Minister, kindly look at what the Expert Group has reported. You should look into that. This is not my Report. This is not our Report. This is the Expert Group constituted by the Government and the AASU.

**MR. DEPUTY CHAIRMAN:** Please conclude.

**SHRI BIRENDRA PRASAD BAISHYA:** Sir, this is a very important subject.

**MR. DEPUTY CHAIRMAN:** No, no. You are not asking any clarifications. You are making a speech. Anyway, I have given you the maximum time.

**SHRI BIRENDRA PRASAD BAISHYA:** Sir, the selected site for the mega dam of the present dimension was not appropriate in such a geologically and seismologically sensitive location. The seismic design parameter is not properly chosen for the project. According to the investigation...

**MR. DEPUTY CHAIRMAN:** Mr. Baishya, please conclude.

**SHRI BIRENDRA PRASAD BAISHYA:** ...the recommended seismic design parameter is at 0.5 meter. Therefore, it is recommended not to construct a mega dam in the present site. This is the recommendation of the Expert Group...(time-bell)...Sir, the Report further said that from geological, tectonic and seismological

**Uncorrected/Not for publication - 12.08.2010**

points of view, the Expert Group suggested not to consider the Himalayan foothills, south of MBT for any mega hydropower project.

(CONTD. BY USY "1U")

-NBR-USY/1U/12.35

**SHRI BIRENDRA PRASAD BAISHYA (CONTD.):** Sir, the Brahamaputra Valley Civilization is one of the ancient civilizations of our country. Due to this project, the Brahamaputra Valley Civilization is going to... (Interruptions)

**MR. DEPUTY CHAIRMAN:** You are repeating, Mr. Baishya. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** So, Sir, the hon. Minister is a very dynamic person. He has knowledge of everything. He has the knowledge of the report of the Expert Committee. (Interruptions)

**MR. DEPUTY CHAIRMAN:** Mr. Baishya, it is over now. Please finish it. (Interruptions) You are unnecessarily repeating the things. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** As a Minister, are you going to stop the construction of this project until the Environment Ministry gives its final clearance?

(Ends)

**SHRI MUKUT MITHI (ARUNACHAL PRADESH):** Mr. Deputy Chairman, Sir, I rise to clarify certain issues involved with the development of mega hydro power projects in Arunachal Pradesh and its impact on the land and the people and, particularly on the neighbouring State of Assam.

Ours is a tribal society and we hate to part with our land and rivers. These very sentiments make us vulnerable to certain vested interests.

**Uncorrected/Not for publication - 12.08.2010**

A particular group, which opposes mega dams, succeeds in exploiting this very sentiment of ours and makes us believe that what they think is right. And, the Government machinery lacks commitment to mirror the good intention of the developing agencies of hydro power projects and benefits that would flow to us individually and to the society at large.

The key question, that I would like to raise, is this. Why the huge power potential of Arunachal Pradesh were not taken up for development in 60s and 70s when India could develop power projects in neighbouring countries of Nepal and Bhutan? Had we taken the kind of initiative, then, which we have been taking during the last ten years, Arunachal Pradesh would have been a developed State by now and the country would not have faced so much of power shortage. We would have, to a great extent, avoided the pollution generated by thermal power stations.

I understand that hydro power is a clean source of energy, as opposed to thermal power. However, any big dams would surely be affecting ecology and environment adversely. But this should not be a basis for abandoning the projects, as has been demanded by the hon. Member, who has raised this Calling Attention. We should strike a balance to ensure that environment is not affected beyond the permissible limit set under various laws. Moreover, the project should improve the quality of life of the project-affected people. Our aim should be to develop hydropower projects in an eco-friendly manner causing minimum distress to affected people.

**Uncorrected/Not for publication - 12.08.2010**

I have gone through the Rehabilitation and Resettlement Policy of Arunachal Pradesh. And, I can assure this august House that if the policy is implemented properly, project-affected people would be in a much better and happier condition.

As per the study carried out by the Central Electricity Authority (CEA) and the individual power developers, the total hydro power potential of the State of Arunachal Pradesh is estimated at over 57,000 MWs. Besides this, the estimated potential for development of micro/ mini/ small hydel projects is around 1600 MW. Thus, Arunachal Pradesh has emerged as the front-runner State of the Union of India, as far as hydro power potential is concerned.

The apprehension, as expressed by the hon. Member, Mr. Baishya, that the dams situated in high seismic zone, like, Arunachal Pradesh, might result in a major disaster and would be a constant threat to lives and property of people inhabiting downstream side of the project amounts to doubting the technical capability of our engineers. If it is so, we are not safe anywhere.

(Contd. by 1w -- USY)

-USY-USY/MCM/12.40/1W

**SHRI MUKUT MITHI (CONTD.)** As a matter of fact, Sir, myself being an affected party, as my house is situated in the downstream of Debang Hydro Electric Project, I am interested in knowing the technical aspects of stability factor of a dam. I have learnt that the stability criteria, seismic allowances, etc. are factored into the design and the structure of the dam.

**Uncorrected/Not for publication - 12.08.2010**

In the case of Subansiri Lower Hydro Electric Project of 2000 MWs in Arunachal Pradesh, situated along the Arunachal-Assam border, I am given to understand that some doubt was raised by Assam about the stability of Subansiri Lower Hydro Electric Project, in the event of high intensity earthquake to which Arunachal Pradesh is prone. (Time-bell) The doubt was technically verified by the IIT, Roorkee and the expert team of technical examination of the Project's structure dispelled any such doubts. (Interruptions)

**MR. DEPUTY CHAIRMAN:** Please conclude.

**SHRI MUKUT MITHI:** Should we be guided by rumours spread by some vested interests or technical report of an expert team?

And, the eternal issue 'to be or not to be' is inherent with the issue of development versus environment. (Interruptions)

**MR. DEPUTY CHAIRMAN:** Please conclude.

**SHRI MUKUT MITHI:** Sir, I will take just two more minutes.

**MR. DEPUTY CHAIRMAN:** No; no, you are making a statement; you are not seeking clarifications. In fact, you are all making statements. You are reducing the significance of the Calling Attention. (Interruptions) You are making a statement. You are not seeking clarifications. (Interruptions) Now, please conclude. You cannot take unlimited time. In a Calling Attention, there is time limitation. We have to conclude it in one hour.

**SHRI MUKUT MITHI:** Sir, on the basis of the demand of the hon. Member, I would just like to ask the hon. Minister whether he is intending to stop all the projects that are going on in the country, and not only in Arunachal Pradesh, but

**Uncorrected/Not for publication - 12.08.2010**

also in the States, like, Jammu & Kashmir, Himachal Pradesh, Uttarakhand also, which are affecting the environment and the people of those States.

(Interruptions)

**MR. DEPUTY CHAIRMAN:** Yes, that is the clarification. (Interruptions)

**SHRI MUKUT MITHI:** Or, in the interest of the country from the power generation point of view, which is in deficit in our country, would the hon. Minister have a sympathetic consideration and will consider all the projects as per the law of the land.

(Ends)

**श्री विश्वजीत दैमारी (असम):** महोदय, डैम के बारे में जो श्री वैश्य जी कॉलिंग अटेंशन लाए हैं और उस पर मंत्री महोदय ने क्लेरिफिकेशन दिया है, इस पर मैं कुछ ध्यान आकर्षित करना चाहता हूँ। नोर्थ ईस्ट में जितने भी बड़े-बड़े डैम बनने जा रहे हैं, उन पर से सारे लोगों का भरोसा उठ गया है और सब डर रहे हैं। अभी Lower Subansiri की जो समस्या है, इसमें डाउटफुल है, यहां पर फॉरेस्ट एंड एंवायरमेंट मिनिस्टरी ने क्लिअरेंस दिया था, वह क्या सिर्फ अरुणाचल प्रदेश को देख कर दिया था या असम में भी भविष्य में क्या हो सकता है, इसके बारे में समुचित सर्वे करके दिया था। वहां पर जो एक्टिविटीज चल रही है, यहां पर सिर्फ इस प्रोजेक्ट को अरुणाचल के हिसाब से किया जा रहा है और जो वहां पर एन0एच0पी0सी0 कर रहा है, लोगों के भविष्य के लिए भी, वह भी सिर्फ अरुणाचल में ही कर रहा है। जैसे लोगों के यहां पर संस्थापन करने के लिए आई0टी0आई0 सिर्फ अरुणाचल में ही बनाया है, कई स्कूल बनाने का निर्णय भी अरुणाचल में ही लिया गया है। जहां पर लोगों ने कम्पनी का वर्कशॉप वगैरह बनाया है, उसके सामने वे लोग कुछ भी करने नहीं जा रहे हैं और जिस कारण से कुछ डाउट हो रहा है। इसमें शायद कम्पनी वाले यह ही सोच रहे हैं कि यह सिर्फ अरुणाचल का प्रोजेक्ट है। तो इस पर फिर से ध्यान दिया जाए। दूसरा जो Pagladiya

**Uncorrected/Not for publication - 12.08.2010**

Dam Project है, इसको कई साल हो गए हैं और आज भी इसको करने जा रहे हैं, जबकि इस बारे में पब्लिक विरोध कर रही है। मैं चाहता हूँ कि इस पर फॉरेस्ट एंड एन्वायरमेंट मिनिस्ट्री देखे कि इसका अच्छी तरह से सर्वे किया है या नहीं? अगर नहीं किया है तो मैं चाहता हूँ कि सर्वे जल्दी करके आगे कार्यवाही की जाए, नहीं तो इसी तरह से समस्या आ जाएगी। भूटान एक दूसरा देश है। लेकिन इसका असर हमारे इंडिया पर भी पड़ता है, बोडोलैंड में भी स्पेशली पड़ता है। तो इस पर फॉरेस्ट एंड एन्वायरमेंट मिनिस्ट्री उन लोगों के साथ कंसल्ट करे और जो भी प्रोजेक्ट लिया जाए, उस पर इंडिया से क्लियरेंस ले ले। उसको मैं अलर्ट करता हूँ, क्योंकि अभी थोड़ा सा जो कुछ हुआ है, जो हमारी मानस वाइल्ड लाइफ सेन्च्युअरी है, वह उसको भी अफेक्ट कर रहा है, नेशनल हाईवे उठा कर ले गया है, रेल ब्रिज उठा कर ले गया है और सारा जमीन भी ले जा रहा है।

(1x/asc पर क्रमशः)

PK-ASC/1X/12.45

**श्री विश्वजीत दैमारी (क्रमागत) :** वे लोग किसी भी समय डैम से पानी छोड़ देते हैं, तो फोर्स में आते हुए नदी दूसरी तरफ को डायवर्ट होती जा रही है। इसी तरह वहां पर Punatsengchhu में एक प्रोजेक्ट तैयार हो रहा है, जिसका असर कोकराझार डिस्ट्रिक्ट में पड़ेगा। अभी यह कम्प्लीट नहीं हो रहा है, इसलिए आप इस विषय में भी थोड़ा देखिए और NHPC भी दो नए प्रोजेक्टस भूटान में शुरू करने जा रहा है। आप उसको भी फिर से देखिए,...(व्यवधान)..

**MR. DEPUTY CHAIRMAN:** Please conclude.

**श्री विश्वजीत दैमारी :** सर, कहीं ऐसा न हो कि हम एनर्जी को ढूँढते हुए अपनी जमीन को ही न खो दें, कहीं हमारा Environmet नष्ट न हो जाए, मैं आप से इसका अनुरोध करता हूँ। मेरा अनुरोध है कि Pagladia डैम प्रोजेक्ट एक बहुत महत्वपूर्ण है, इसको खासतौर से देखा जाए। यह Barpeta डिस्ट्रिक्ट में है। इस प्रोजेक्ट से नलबाड़ी डिस्ट्रिक्ट और Barpeta दोनों डिस्ट्रिक्ट प्रभावित होंगे। आप इसे जल्दी से देखें और इसके लिए कुछ व्यवस्था करें।

(समाप्त)

**Uncorrected/Not for publication - 12.08.2010**

**MR. DEPUTY CHAIRMAN:** Mr. Deepak Das, already, your leader has spoken. So, you just seek your clarification.

**SHRI KUMAR DEEPAK DAS (ASSAM):** Sir, I just need a clarification on the matter that has been raised by Mr. Birendra also but he did not elaborate. One study paper has been submitted by the Guwahati University and IIT people to the Government. In that, it has been raised that Government in the State, Centre and the National Hydroelectric Power Corporation (NHPC) should immediately stop construction of Lower Subansiri Hydro-electric Project (LSHEP). This was one recommendation.

The second recommendation was that all the proposed megadam projects in the region should also be shelved.

Thirdly, present location of Lower Subansiri Hydroelectric Project was not appropriate because the site is geologically and seismologically sensitive. Moreover, seismic design parameters have not been chosen properly for the project. The dam is designed to withstand an earthquake of magnitude of 8 whereas the recorded history of seismic events is of magnitude 8.5. These are the recommendations.

One more recommendation that I want to raise here is, adequate compensation for the riparian rights of the indigenous people and complex biodiversity of the region should be paid. It should be paid at the minimum discharge rate of at least 320 cumec throughout the day.

Sir, the eight-Member Expert Committee has submitted its report on the issue to the authority concerned. The Chinese bid to divert the Brahmaputra and

**Uncorrected/Not for publication - 12.08.2010**

the dam and the other Himalyan rivers could not be countered with the megadam projects on such river inside the Indian territory.

Then, in the Statement by the Minister, it is mentioned "I wish to inform the House the Ministry has undertaken two Basin studies for Lohit and Bichom Basin in Arunachal Pradesh to adopt the River Basin approach for the future projects instead of the usual project-by-project approach to environmental impact assessment. Further, there are proposals for undertaking similar studies for Subanisiri and Siang Basin by the Central Water Commission." Sir, I would like to know from the hon. Minister whether the Government will stop any kind of construction till the study is completed. These are my clarifications. Thank you.

(Ends)

**SHRI SILVIUS CONDPAN (ASSAM):** Sir, I have gone through the Statement given by the hon. Minister. I share the concern of my friends who have already sought clarifications. I will request the Minister to get the data of damage and loss suffered by the people of the North bank of the river Brahamputra because of the discharge of water, in the last three years, by the projects in Bhutan, that is, just in upstream of lower Assam and Arunachal. I do not want to repeat. May I request the hon. Minister to collect the reports of the last three years of damage and loss, on all fronts, suffered by the Government of Assam and the people of Assam?

(Contd. by PB/1Y)

**Uncorrected/Not for publication - 12.08.2010**

PB/1Y/12.50

**SHRI SILVIUS CONDPAN (CONTD.):** I also want to know whether they will review their approach to the problem. We shall have the power projects, but, at the same time, the loss to be suffered by the people in this process should not be beyond repair. Thank you.

(Ends)

**SHRI RAJIV PRATAP RUDY (BIHAR):** Sir, as we know, the total installed capacity of the hydel power projects in this country is around 36,000 Mega Watts as on 21<sup>st</sup> of May, 2007 which comprises around 24.7 per cent of the total power generation in this country. We understand that the Northern-Eastern States do need power and that is a demand which they have been making for a very long time. They also get power from Bhutan which is our neighbouring country.

Sir, there are only two possibilities how you can have power projects in such areas. One is by construction of dams which will create large reservoirs and then you have power generation through that and the other is the run of the river which are smaller projects. I believe there is conflict there in the North Eastern States that whether you want big dams or you want smaller power projects. The big dams will have power projects which will be 500-1000 Mega Watts and there are smaller power projects which can go up to 25 Mega Watts which come under the Ministry of Renewable Energy. Sir, the conflict is because the State Governments want larger power projects and they want more infrastructure on that aspect. When you talk about large power projects, then you talk about a large catchment area, then you talk about large reservoirs, then you talk about

**Uncorrected/Not for publication - 12.08.2010**

large construction of dams, then you talk about large displacement of people, then you talk about large submersions, then you talk about large loss of biodiversity, and then you also talk about large loss of aquatic and fauna. So, all this is a part of this and there is an ambitious strive to have large power projects. I hope the Minister would be able to answer the ratio of the project proposals received as far as large power projects and smaller power projects are concerned because there is something which is happening which we know.

Now, yesterday, the hon. Minister with great pride said that he is going to launch a satellite to monitor the forest cover. It is a very good thing. Today we say that our forest cover has gone up to about 23.5 per cent. But, Sir, the most noticeable aspect is that out of this 23.5 per cent which we talk about, 68 per cent today is in the North-Eastern States. So, that credit which you take to yourself is largely attributed to what we have in the North-Eastern States and, I think, the Minister would agree with it.

**THE MINISTER OF STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF ENVIRONMENT & FORESTS (SHRI JAIRAM RAMESH):** It is 25 per cent.

**SHRI RAJIV PRATAP RUDY:** Okay; 25 per cent. So, the existence in the North-Eastern States is 68 per cent of that. Now, because we require about 33 per cent coverage, we are crossing that. A place like Andaman and Nicobar Islands would have 98 per cent forest cover, and that is all what we add to bring it to 23.5 per cent. So, the criticality here is, when you talk about the forest cover, you also have to view what is happening in the North-Eastern States. Sir, the point which I would like to raise and ask the hon. Minister is, when we talk about the North-Eastern States, they have a desire of power. But

**Uncorrected/Not for publication - 12.08.2010**

they have large forest areas, large biodiversities and there is a historical background, different ethnic people are staying there and so it is a cultural diversity. Now, what is happening in that region is that all this is getting affected by the process of large dams, large power projects and large construction activities. So, what is the view of the Ministry of Environment in this regard and how many such power projects are there whether they come under the Ministry of Renewal Ministry which are less than 25 Mega Watts or whether they come under the Ministry of Power which are of 500-1000 Mega Watts? What is the policy of the Government as far as the Ministry of Environment is concerned? The only aspect which I would like to mention here, Sir, is that biodiversity, fauna and all that which is there in the North-Eastern States need to be preserved. We need a policy in this regard. The concern which our friend, Mr. Birendra Baishya, expressed is that the policy in the Northern Eastern State is that there is an aggressive desire to have more and more power projects but the policy across the country is not exactly that. Now, in those States which are in the North-Eastern region, there is a demand, there is a pressure on the Government, there is a pressure on the people. So how does the Ministry of Environment and Forests establish a balance between the desire of the Government, the desire of the people and the requirement of environment protection and the forest protection? These are a few aspects on which I wanted to seek clarification. If the Minister could throw some light on them, we would be in a better position to understand what is the policy of the Government as far as the power projects in the North-Eastern States are concerned. These are the clarifications which I wanted to seek. Thank you.

(Followed by 1z/SKC)

AKG/1Z/12.55

**श्री अनिल माधव दवे (मध्य प्रदेश) :** सर, मुझे क्लैरिफिकेशन में केवल इतना ही कहना है कि बड़े बाँधों के सम्बन्ध में, उसके पक्ष में लोग अपना तर्क देते हैं और उसके विरोध में लोग अपना पक्ष देते हैं। देश को आजाद हुए 63-64 साल हो गए हैं। मेरा केवल इतना ही कहना है कि इस पक्ष और विपक्ष के तर्क से ऊपर उठ कर, जिन बाँधों का जीवन 20 साल या उससे अधिक हो गया है, क्या हम उनका socio-economic audit कर सकते हैं, उनका आर्थिक-सामाजिक अंकेक्षण हो सकता है? क्योंकि जब वह प्रोजेक्ट बन रहा था, तब यह claim किया गया था कि इसके कारण इतनी irrigation बढ़ेगी, इसके कारण इतने जंगल बढ़ेंगे, इसके कारण इतनी bio-diversity बढ़ेगी और हमने इतना submerge कर दिया, इतने जंगल डुबो दिए, इतनी खेती की जमीन डुबो दी, इतनी investment कर दी। आप profit and loss account बना लीजिए। प्रोजेक्ट को बने हुए 20 साल, 30 साल हो गए हैं। इससे हमारे सामने रिजल्ट आ जाएगा। लेकिन सबसे बड़ी बात यह है कि बड़े बाँधों के सम्बन्ध में इस प्रकार का आर्थिक अंकेक्षण करवाते समय भगवान के लिए इसे ब्यूरोक्रेट से मत करवाइएगा, क्योंकि वे उस बात को बार-बार claim करते हैं।

जैसा आपने forest cover के बारे में कहा, जब forest cover की बात आती है, तो हम कहते हैं कि 37 परसेंट forest है, जबकि वन विभाग के अन्दर forests चार श्रेणी में हैं - बड़े झाड़ का जंगल, छोटे झाड़ का जंगल, झाड़ी और घास। इन सबको जंगल कहते हैं। जब टोटल देने की बात आती है, तो हम कहते हैं कि 37 परसेंट forest हैं, जबकि उसके अन्दर घास भी आ गई, झाड़ियाँ भी आ गई, छोटे झाड़ का जंगल भी आ गया और बड़े झाड़ का जंगल भी आ गया। इसलिए मेरे कहने का तात्पर्य इतना ही है कि इस सम्बन्ध में बड़े बाँधों के environment clearance के पहले हम जितना विचार करते हैं, अगर उतना विचार 20 साल बाद भी कर लें, तो अच्छा होगा।

**Uncorrected/Not for publication - 12.08.2010**

सर, मैं इतना ही कहना चाहता हूँ कि बाँधों के upstream के अन्दर पानी कम होने लगा है और यह claim किया जा रहा है कि इससे इतने हाइड्रो प्रोजेक्ट्स से पैदा होने वाली बिजली घट जाएगी और downstream के अन्दर नदियाँ मर रही हैं। उसके कारण जो परिवर्तन आ गया है, वह बहुत बड़ा परिवर्तन है। अगर इसका कोई प्रामाणिक अंकेक्षण हो जाएगा, तो मुझे लगता है कि दूध का दूध और पानी का पानी हो जाएगा।

(समाप्त)

**श्री समन पाठक (पश्चिमी बंगाल) :** उपसभापति महोदय, मैं सभी माननीय सदस्यों की भावनाओं से अपने आपको सम्बद्ध करता हूँ। जहाँ तक पॉवर प्रोजेक्ट का सवाल है, हम लोग समर्थन करते हैं कि नॉर्थ-ईस्ट में और पॉवर प्रोजेक्ट्स आने चाहिए। सर, नॉर्थ-ईस्ट में सिक्किम राज्य के अन्दर तीस्ता नदी है। 2006-07 में तीस्ता नदी के ऊपर 26 प्रोजेक्ट्स पास किए गए। एक छोटी-सी-छोटी नदी के ऊपर 26 प्रोजेक्ट्स पास किए गए। इसका जो मूल उत्पत्ति स्थल है, वहाँ पर एक ट्राइबल कम्युनिटी है, that is called Lepcha community. वे लोग धार्मिक भावना से मानते हैं कि यह उनका एक पारम्परिक, historical place है। वहाँ के लोगों और ट्राइबल लोगों के इतने विरोध के बावजूद वहाँ पर छोटी-सी नदी के लिए 26 प्रोजेक्ट्स पास किए गए, जो ज्यादातर प्राइवेट हैं। काम शुरू करके प्रोजेक्ट का नाम दिखा कर वे भाग गए। आज तक उनका अता-पता नहीं है कि वे कहाँ चले गए। मैं मंत्री जी से यह जानना चाहूँगा कि कोई भी प्रोजेक्ट पास करने से पहले उसको ठीक तरह से क्यों नहीं देखा जाता? नॉर्थ-ईस्ट में young mountains हैं। जहाँ तक दार्जिलिंग या सिक्किम का सवाल है, यहाँ young mountains हैं। तीस्ता नदी के ऊपर स्टेज-II में NHPC द्वारा दो प्रोजेक्ट्स चलाए जा रहे हैं, जिनकी वजह से NH-31 बहुत damage हो रहा है। इसके साथ-साथ लालटुंग बस्ती, forest villages के साथ-साथ, इसके बाद जलपाईगुड़ी एरिया है, वह सबको affect कर रहा है। हालाँकि यह मंत्री जी का subject नहीं है। वह पॉवर प्रोजेक्ट, जिसे 2009 में खत्म होना था, जो इतनी लागत से बना था, 2010 में उसकी स्थिति में कोई परिवर्तन नहीं

**Uncorrected/Not for publication - 12.08.2010**

है। वह बार-बार टूटता है और बार-बार उसको और पैसा देना पड़ रहा है। ऐसी स्थिति में मंत्री जी बताएँ कि Environment Ministry से कैसे इन प्रोजेक्ट्स को examine किया जाता है और कैसे एक छोटी-सी नदी के ऊपर इतने प्रोजेक्ट्स मिलते हैं, मैं यह जानना चाहूँगा।

(समाप्त)

(2ए/एचके पर आगे)

HK-SCH/2a/1.00

**श्री रुद्रनारायण पाणि:** सर, मैं भी कुछ बोलना चाहता हूँ ...(व्यवधान)।

**श्री उपसभापति:** देखिए, पाणि जी, ऐसा नहीं होता है ...(व्यवधान)।

**श्री रवि शंकर प्रसाद:** सर, मैं केवल आधा मिनट बोलना चाहूँगा ...(व्यवधान)

**श्री उपसभापति:** नहीं, नहीं। आप कॉल अटेंशन को डिस्कशन में कन्वर्ट कर रहे हैं। यह नहीं हो सकता कि पूरे हाउस को अपॉर्चुनिटी दी जाए। It is only for those who seek clarification. ...(Interruptions)...

**श्री रवि शंकर प्रसाद:** सर, मुझे आप सिर्फ आधा मिनट दे दीजिए ...(व्यवधान)।

**श्री उपसभापति:** नहीं, नहीं, ऐसा नहीं हो सकता। We have a lot of business. Try to understand it. ...(Interruptions)... आधा मिनट कोई भी नहीं बोल सकता। I will test you today.

**SHRI BHUBANESWAR KALITA (ASSAM):** Sir, this is a very important subject that has been brought here for discussion today and I rise here to say something on this Calling Attention Motion. This has been discussed in the NDC for a number of times and almost all the States have no objection on the construction of dam. I would like to remind my hon. friend from AGP that as early as in 1988 the then Chief Minister submitted a memorandum ...(Interruptions)...

**Uncorrected/Not for publication - 12.08.2010**

**SHRI BIRENDRA PRASAD BAISHYA:** You are giving wrong information ... (Interruptions)...

**SHRI BHUBANESWAR KALITA:** You have the right to reply. ... (Interruptions)...

**MR. DEPUTY CHAIRMAN:** No, he has no right to reply. ... (Interruptions)...

**SHRI BHUBANESWAR KALITA:** As early as in September 1988, the then Chief Minister ... (Interruptions)...

**MR. DEPUTY CHAIRMAN:** I would like to remind the hon. Members that don't convert everything into a discussion. It is a Calling Attention Motion. Please seek clarifications only and the subject is environmental impact on the construction of dam, not beyond that.

**SHRI BHUBANESWAR KALITA:** I want to know whether there was a memorandum submitted by the then AGP Government in support of the dam. Secondly, there is no objection about the dam, but there are objections about the down-streaming dam. ... (Interruptions) ... In the last NDC meeting, the present Chief Minister of Assam has raised the concern that we should be careful about the down-stream impact of the dams because the areas surrounding dams, which belong to Assam area, are experiencing unprecedented flood situation because of the release of excess water from those dams. There are various suggestions that, I think, have been made to the NDC also. So, we should be careful about the down-stream impact of dams. I want to know from the hon. Minister what has been proposed to reduce the down-stream impact which causes flood in the Assam areas and brings miseries to common people of Assam.

(Ends)

Uncorrected/Not for publication - 12.08.2010

**श्री रवि शंकर प्रसाद:** सर, आप मुझे बस आधा मिनट दे दीजिए।

**श्री उपसभापति:** मैं देखता हूँ कि आधे मिनट में आपकी बात खत्म होती है या नहीं होती।

**श्री रवि शंकर प्रसाद (बिहार):** सर, मैं बहुत कृतज्ञ हूँ कि आपने मुझे बोलने का अवसर दिया। माननीय सदस्य ने एक बहुत महत्वपूर्ण विषय उठाया है। पर्यावरण का संवर्धन बहुत आवश्यक है और हम सभी इसके प्रति प्रतिबद्ध हैं। देश को ऊर्जा की आवश्यकता है। 64% ऊर्जा कोयले पर आधारित है, जिससे बहुत प्रदूषण होता है। जो ऊर्जा हम नदियों को बांध कर प्राप्त करते हैं, वह शुद्ध ऊर्जा होती है, क्रीम एनर्जी होती है। आपने इन दोनों के बीच समन्वय का पैमाना क्या रखा है ताकि विशुद्ध ऊर्जा भी आए और पर्यावरण का पूरा प्रबंधन भी हो? देश के लिए यह जानना बहुत जरूरी है।

मेरे असम के मित्र ने जो समस्या बताई है, वह बाकी प्रदेशों की भी है, लेकिन देश के विकास के लिए विशुद्ध ऊर्जा भी उतनी ही जरूरी है। हम आपसे यह जानना चाहते हैं कि इन दोनों में समन्वय के संबंध में आपकी सरकार का पैमाना क्या है? सर, मैंने आधा मिनट ही लिया है।

(Ends)

**श्री रुद्रनारायण पाणि (उड़ीसा):** सर, आन्ध्र प्रदेश और उड़ीसा की सीमा में एक पोलावरम डैम है, जो एक बहुत बड़ा बांध है और जिसका पर्यावरण पर बहुत असर पड़ रहा है ..(व्यवधान)

(Followed by 2b/KSK)

KSK/PSV/1.05/2B

**MR. DEPUTY CHAIRMAN:** That will not come under the North-East.

**श्री रुद्रनारायण पाणि:** सर, मंत्री जी जवाब देंगे? ...(व्यवधान)...

**श्री उपसभापति:** नहीं देंगे। वह नहीं देंगे। ...(व्यवधान)... मैं अलाऊ नहीं करूँगा। जब मंत्री जी जवाब देते हैं तो मैं...(व्यवधान)...

**Uncorrected/Not for publication - 12.08.2010**

**श्री रुद्रनारायण पाणि:** सर, मंत्री जी पोलावरम डैम के बारे में अच्छी तरह जानते हैं।... (व्यवधान)...

**श्री उपसभापति:** आप कोई दूसरा नोटिस दीजिए ... (व्यवधान)...

**श्री रुद्रनारायण पाणि:** सर, पोलावरम डैम का environment पर impact पड़ता है।... (व्यवधान) ... पोलावरम डैम का environment पर impact पड़ता है, सर। ... (व्यवधान)...

**श्री उपसभापति:** हो गया, हो गया। Hon. Minister, please give your clarifications in brief.

**THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH):** Mr. Deputy

Chairman, Sir, large number of issues have been raised in the context of this Calling Attention Motion. The Calling Attention Motion is very specific on big dams in the North-East and the lower Subansiri Hydro Electric Project. But, issues relating to the policy of the Government on big dams, issues relating to the audit of the dams that have completed 20 years in operation, issues relating to the loss of bio-diversity and forest cover and environmental impact assessment have been raised. Sir, you will not give me the time to respond to all these questions. I think we can have a separate discussion on this. I am willing at any point of time for any debate of any duration on these issues. So, let me start with that. Sir, in my previous incarnation, I was also the Minister of State for Power. So, I am very well aware of the need to make India much more self-sufficient in the production of energy in which electricity plays a very important role. We have about 35,000 MWs of installed capacity of hydel power today. Our ultimate assessed potential

**Uncorrected/Not for publication - 12.08.2010**

is about 150 thousand MWs. We must increase the contribution of hydel power. It is a clean source of energy. It is a renewable source of energy. We must, in the context of global climate change particularly, lay greater stress on hydel power. Let me also say from a strategic point of view that we must lay stress on hydel power because if we do not develop our hydel potential, particularly on the Siang River in Arunachal Pradesh, our negotiating position vis-à-vis China on the Brahmaputra issue weakens. So, from an energy point of view, and from a strategic point of view, we must have a programme for development of hydel resources. I believe in this. At the same time, Sir, if you ask me, "Have we been sensitive to the environmental impact of hydel projects?" The answer is: No. Have we taken environment and bio-diversity impacts into consideration? The answer is a clear and categorical 'no'. So, I am acutely conscious of the need to increase energy on the one side and improve our strategic bargaining position, particularly in China, on the other side. Regarding our hydel projects in Bhutan, I want to assure my friends from Assam that our projects in Bhutan fulfil not only an economic necessity but are also a strategic necessity for us. Bhutan is of vital strategic importance. So, please, don't criticise our hydel projects in Bhutan. So, I think, we must strike a balance. I am grateful to Shri Ravi Shankar Prasadji for raising this issue, and I will address this balance issue in a separate debate on how we propose to bring about a balance between the need for developing hydel resources and the need to protect and preserve the environment.

Sir, on the North-East, let me respond to the clarifications that have been sought. Ten Members have spoken. Sir, the first clarification, that has been

**Uncorrected/Not for publication - 12.08.2010**

sought, is what I am going to do on the Expert Committee report that has been submitted by IIT (Guwahati), Guwahati University and Dibrugarh University on the future of lower Subansiri hydro electric project. My answer to this is that on the 10<sup>th</sup> of September, I am going to Guwahati. I am going to have a consultation with the members of the Expert Group and the NHPC. I have received the comments of the NHPC on the recommendations of Expert Group, and on the 10<sup>th</sup> September, I am going to have a wider consultation with the members of Expert Group and with NHPC to find a way out.

(continued by 2c - gsp)

GSP-DS-1.10-2C

**SHRI JAIRAM RAMESH (CONTD.):** Sir, today, let me speak with full sense of responsibility, I cannot become a Minister for stoppages. I cannot become a Minister who puts a stop to all on going projects. But I can be a Minister.... (Interruptions)...

**SHRIMATI BRINDA KARAT:** If it is against the guidelines... (Interruptions)... If it violates his own guidelines, why should it be allowed? (Interruptions)

**SHRI P. RAJEEVE:** Sir, the Athirapally project... (Interruptions)...

**SHRI K. N. BALAGOPAL:** Sir, the project in the State of Kerala... (Interruptions)...

**SHRI JAIRAM RAMESH:** Let me finish. (Interruptions) Athirapally project has not started, my friend. (Interruptions) I am talking of projects, on which substantial amount of work has been done. (Interruptions)

**Uncorrected/Not for publication - 12.08.2010**

**SHRIMATI BRINDA KARAT:** But if the conditions are not fulfilled....

(Interruptions).....

**SHRI JAIRAM RAMESH:** Sir, I cannot answer like this. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** Sir, the Minister gave an assurance and now... (Interruptions)...

**श्री उपसभापति:** यह क्या हो रहा है? ...(व्यवधान)

**SHRI KUMAR DEEPAK DAS:** Mr. Deputy Chairman, Sir, this is something which is not... (Interruptions)...

**MR. DEPUTY CHAIRMAN:** The Minister is not answering on Kerala. (Interruptions) The Minister is not answering on Kerala. (Interruptions) Please sit down. Please sit down.

**SHRI KUMAR DEEPAK DAS:** Sir, the Minister has to stop the damage. (Interruptions)

**श्री उपसभापति:** आप एक word पर उठ खड़े होते हैं। आप उनको बोलने तो दीजिए। ...(व्यवधान)

**SHRI JAIRAM RAMESH:** Please listen to me. (Interruptions) If fifty percent of the work has already been completed, I cannot stop this work.

**SHRIMATI BRINDA KARAT:** Can you halt it?

**SHRI JAIRAM RAMESH:** Madam, please listen to me. Please halt yourself, and, listen to me for a while. I have halted some projects. Where projects are under implementation, all I can do is, insist on mitigation measures, neutralization measures, Environmental Impact Assessment measures so that the adverse environmental impact is minimal. (Interruptions)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI BIRENDRA PRASAD BAISHYA:** In this House, the Minister gave an assurance that....(Interruptions)...

**SHRIMATI BRINDA KARAT:** Sir, the hon. Minister can take up... (Interruptions)...

**MR. DEPUTY CHAIRMAN:** Mr. Baishya, it is a limited issue. Please sit down. (Interruptions)

**SHRIMATI BRINDA KARAT:** What is this, Sir? The conditions have been violated. What is the Minister going to do?

**MR. DEPUTY CHAIRMAN:** You please confine yourself to Assam, North Eastern States and the environmental impact. Otherwise, you please seek the information either through question or... (Interruptions)...

**SHRI JAIRAM RAMESH:** Let me say that I cannot give a clear and categorical assurance today that the lower Subansiri project will be stopped but I can give a clear and categorical assurance to the hon. Members that all the recommendations made by the Expert Group on how to minimize the adverse environmental impact of lower Subansiri in Arunachal Pradesh and in Assam are implemented by the NHPC. I can give this assurance on the floor of this House.

**SHRI BIRENDRA PRASAD BAISHYA:** Sir, I want to seek one clarification.

**MR. DEPUTY CHAIRMAN:** No clarification. The Minister has already made a statement. The statement contains everything. Clarification does not mean that he should go on giving answers. (Interruptions) The statement has been given; clarifications have been answered. It is over. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** Sir, he has given this reply in the Question Hour. (Interruptions)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI JAIRAM RAMESH:** Sir, the first clarification that was sought was what do I propose to do? The Expert Committee has given a report. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** Sir, the Expert Committee gave a report that... (Interruptions).. It should be stopped.

**MR. DEPUTY CHAIRMAN:** His statement contains everything. (Interruptions)

**SHRI BHUBANESWAR KALITA:** Who constituted the Expert Committee? (Interruptions) It is in the memorandum.

**MR. DEPUTY CHAIRMAN:** Mr. Kalita, please sit down. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** Sir, the assurance was... (Interruptions)...

**MR. DEPUTY CHAIRMAN:** Please sit down, Mr. Baishya. (Interruptions) Nothing will go on record. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** \*

**SHRI KUMAR DEEPAK DAS:** \*

**MR. DEPUTY CHAIRMAN:** Mr. Baishya, please sit down. (Interruptions) Please address the Chair. (Interruptions)

**SHRI JAIRAM RAMESH:** Sir, you must have a special dispensation for Members of the States where Assembly elections are going to be held very soon. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** No, no. This is not right. (Interruptions)

(Followed by SK-2D)

-----  
\* Not Recorded

Uncorrected/Not for publication - 12.08.2010

-gsp/sk/2D/1.15

**SHRI BIRENDRA PRASAD BAISHYA:** What is this, Sir? (Interruptions)

**MR. DEPUTY CHAIRMAN:** Mr. Minister, I think, you have clarified it.  
(Interruptions)

**SHRI JAIRAM RAMESH:** I am answering it, Sir. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** What is this, Sir? (Interruptions)

**MR. DEPUTY CHAIRMAN:** What are you saying? (Interruptions) Please go  
(Interruptions) Please go (Interruptions) Mr. Baishya, please go. (Interruptions)  
What is this?

**SHRI BIRENDRA PRASAD BAISHYA:** What is this, Sir? (Interruptions)

**MR. DEPUTY CHAIRMAN:** What? (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** We need your protection, Sir.  
(Interruptions) There is no question of elections. (Interruptions)

**MR. DEPUTY CHAIRMAN:** Okay, okay. There is no election in your State.  
(Interruptions) There is no election in Assam. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** \*

**MR. DEPUTY CHAIRMAN:** Mr. Baishya (Interruptions) Please, Mr. Baishya  
(Interruptions) Nothing will go on record. (Interruptions) You are not speaking  
from your seat.

**SHRI RAVI SHANKAR PRASAD:** Mr. Minister, I request you to please withdraw  
that. (Interruptions)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI JAIRAM RAMESH:** Okay, Sir, I withdraw my comments. (Interruptions) I withdraw my comments, Sir. (Interruptions)

**SHRI BHUBANESWAR KALITA:** Sir, he is (Interruptions)

**MR. DEPUTY CHAIRMAN:** Mr. Kalita (Interruptions) Mr. Kalita (Interruptions) I thought it is only DMK and AIADMK, but now it is (Interruptions)

**SHRI JAIRAM RAMESH:** Sir, I withdraw a factual statement that I just made. (Interruptions)

**SHRI BIRENDRA PRASAD BAISHYA:** \*

**MR. DEPUTY CHAIRMAN:** Mr. Baishya, you take it in the right spirit. (Interruptions) Why are you taking it otherwise? Take it in right spirit. (Interruptions) No, no, it is not political. (Interruptions)

**SHRI JAIRAM RAMESH:** Sir, Mr. Baishya, who is a friend of mine (Interruptions) on many occasions, on this subject, I have explained to him that 10<sup>th</sup> of September I am coming to Guwahati (Interruptions)

**MR. DEPUTY CHAIRMAN:** Mr. Minister, you have given all the clarifications needed. Please conclude it. (Interruptions)

**SHRI JAIRAM RAMESH:** I am going to look at the recommendations and I am going to ensure that all the necessary measures required for ensuring that the lower Subansiri will not have an adverse impact on the downstream areas of Assam (Interruptions)

**SHRIMATI BRINDA KARAT:** Sir, please (Interruptions)

**Uncorrected/Not for publication - 12.08.2010**

**MR. DEPUTY CHAIRMAN:** Brindaji, you are a senior Member. (Interruptions)  
You also want to (Interruptions) This Calling Attention is not on a wider issue.  
(Interruptions) Please don't take (Interruptions) We are not discussing today the  
entire environment. We are discussing only the impact (Interruptions)

**SHRIMATI BRINDA KARAT:** Sir, it is a general statement. (Interruptions)

**MR. DEPUTY CHAIRMAN:** No, it is not a general statement. I will not agree that  
it is a general statement. (Interruptions) Mr. Minister, please conclude.

**SHRI JAIRAM RAMESH:** Sir, on the projects that have not been implemented so  
far, that are still going through the process of environmental and forest clearance,  
I want to give a clear and categorical assurance that we will take the utmost care  
and we will not repeat the insensitivity of the past. We will be extraordinarily  
careful in giving environment and forest clearance. We will conduct river basin  
studies; we will conduct downstream studies and if the decision is that the project  
should not proceed, we will not hesitate to say 'No' to the project.

**MR. DEPUTY CHAIRMAN:** Okay, okay. (Time-bell)

**SHRI JAIRAM RAMESH:** So, I want to say this clearly and categorically  
(Interruptions)

**MR. DEPUTY CHAIRMAN:** We will now take up the Special Mentions.  
(Interruptions)

**SHRI JAIRAM RAMESH:** Sir, finally (Interruptions)

**MR. DEPUTY CHAIRMAN:** We have to conclude this because one Calling  
Attention cannot take the time of the entire business of the House.  
(Interruptions)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI JAIRAM RAMESH:** Sir, finally, I want to say (Interruptions) finally, I want to say that environmental audit of dams, of the type that Mr. Dave has raised, has indeed been carried out. Bhakra Nangal, which was one of the first, in fact, the earliest (Interruptions)

**MR. DEPUTY CHAIRMAN:** Mr. Minister, please (Interruptions) Let us not deviate from the subject. (Interruptions)

**SHRI JAIRAM RAMESH:** Sir, I am responding to the clarification. (Interruptions)

**MR. DEPUTY CHAIRMAN:** No, no, if it does not belong to your subject, please don't give it. (Interruptions) If it is not on the subject (Interruptions) Calling Attention has a limited scope. (Interruptions)

**SHRI JAIRAM RAMESH:** Sir, if you give me a chance to finish, I will finish. (Interruptions)

**MR. DEPUTY CHAIRMAN:** Please, Mr. Minister.

**SHRI JAIRAM RAMESH:** Sir, I will finish now, if you give me a chance. (Interruptions)

**MR. DEPUTY CHAIRMAN:** We will have one more discussion on it if somebody gives a notice. (Interruptions)

**SHRI JAIRAM RAMESH:** Sir, I will finish by simply saying that Arunachal Pradesh has over 15,000 megawatts of hydel capacity and not all of this hydel capacity can be developed because of adverse environmental impact. The challenge for us is to develop the maximum possible element of this capacity in such a manner that both the people of Arunachal Pradesh benefit and people of India also benefit but without significant... (Interruptions)

(Ends)

(Followed by yrsr - 2e)

**Uncorrected/Not for publication - 12.08.2010**

-SK/YSR/1.20/2E

**MR. DEPUTY CHAIRMAN:** Now I am going to take next subject. (Interruptions)

Please, Mr. Minister. Special Mentions.

**SPECIAL MENTIONS \***

PB/9a

**NEED TO TAKE STEPS TO BRING INTO FORCE  
THE DRAFT SPORTS POLICY, 2007**

**SHRI SHANTARAM LAXMAN NAIK (GOA):** Sir, India's new Sports Policy has still not been finalized. Draft Sports Policy, 2007 ought to have been brought into force by now, at least, considering the spirit of Commonwealth Games.

The draft policy states that "it is estimated that out of a population below 35 years, some 77 crore, only 5 crore or so have any access to organized sports and games, to the neglect of nearly 72 crore of our children, adolescents and youth.

The Parliamentary Standing Committee on Human Resource Development in one of its reports has said that there is a lack of sports culture in our country, and that, there is no integration of sports with formal education system.

In my humble opinion, one of the steps that the Government of India has to take in the matter of encouraging our children to participate in the sports activities, is to see to it that every educational institution in the country, including universities and the authorities holding national level tests like CET, award grace

---

\* Laid on the Table of the House.

**Uncorrected/Not for publication - 12.08.2010**

marks for sports activities in a manner which can be laid down in the new Sports Policy for these institutions to adopt.

It is learnt that some universities put the ball in the court of their statutory bodies which are free to decide in such matters.

The Central Government therefore should make its position clear and do something urgently in the matter of institutions which overlook national interest and refuse to encourage children from taking sports activities on one pretext or the other. Thank you.

(Ends)

LP/9B

**CONCERN OVER THE INCREASING INCIDENTS OF CRIMES AGAINST  
WOMEN IN THE COUNTRY**

**श्रीमती माया सिंह (मध्य प्रदेश)** : सदियों से भारतीय परंपरा में स्त्री का बहुत ही सम्मानजनक व महत्वपूर्ण स्थान है। ऐसा स्थान शायद ही किसी और परंपरा में मिलता हो। ऐसा नहीं है कि उन्हें यह सम्मान यूँ ही मिला हो, भारतीय स्त्रियों द्वारा अनेक महान कार्य बखूबी किए गए हैं, पर 21वीं सदी के इस आधुनिक काल का प्रभाव इस तरह समाज पर हावी हुआ है कि स्त्रियों के साथ आपराधिक घटनाओं का ग्राफ काफी बढ़ चला है।

महिलाओं के साथ दुर्व्यवहार राष्ट्रीय राजधानी क्षेत्र दिल्ली में जैसा देखने को मिल रहा है, उससे तो लगता है कि महिलाओं के लिए दिल्ली रहने लायक ही नहीं बची है। दिल्ली महिलाओं के रहने के लिहाज से नर्क होती जा रही है।

दिल्ली सरकार द्वारा संयुक्त समाजिक संस्थाओं से महिलाओं के साथ घटने वाली आपराधिक तथा यौन घटनाओं के संबंध में अध्ययन करवाया गया, जिसे दिल्ली की महिला मंत्री ने सार्वजनिक किया। इस अध्ययन में कहा गया है कि दिल्ली में हर 3 महिलाओं में से 2

**Uncorrected/Not for publication - 12.08.2010**

महिलाओं के साथ यौन दुर्व्यवहार, छेड़छाड़ या अन्य यौन से जुड़ी हिंसा की घटनाएं होती हैं। इसी अध्ययन में आगे कहा गया है कि 85 फीसदी महिलाओं के साथ इस प्रकार की घटनाएं होती हैं। सबसे ज्यादा प्रभावित 15 से 19 साल की आयु वर्ग की युवतियां हैं। स्कूल, कॉलेज या कार्यालय जाते समय इन युवतियों को यौन दुर्व्यवहार का सामना करना पड़ता है।

राष्ट्र मंडल खेलों के इस दौर में महिलाओं के संबंध में ऐसा आंकड़ा आना अत्यधिक चिंता की बात है। अगले 2 से 5 महीनों में खेल से जुड़ी तमाम महिलाएं देश में शिरकत करेंगी। मैं जानना चाहती हूं कि जब दिल्ली में निवास कर रही महिलाओं के साथ इतने बड़े पैमाने पर यौन दुर्व्यवहार हो रहा है तो किस प्रकार विदेशी महिला मेहमानों की सुरक्षा व्यवस्था तथा अन्य इंतजामात सरकार सुनिश्चित करेगी?

(समाप्त)

9C/AKG/SPECIAL MENTIONS/12.08.2010

**DEMAND TO INCLUDE PROVISIONS OF RESERVATION FOR SCs/STs/OBCs  
IN THE BILL PAVING WAY FOR ESTABLISHMENT OF FOREIGN  
EDUCATIONAL INSTITUTIONS IN THE COUNTRY**

**श्री अली अनवर अंसारी (बिहार):** महोदय, भारत में विदेशी शिक्षण संस्थानों के आने का रास्ता साफ होने वाला है। विदेशी शिक्षण संस्थान (प्रवेश एवं संचालन विनियमन) विधेयक, 2010 में सबसे महत्वपूर्ण और चौंकाने वाली बात यह है कि इसमें विदेशी शिक्षण संस्थानों पर दलितों, आदिवासियों, पसमांदा तबकों (पिछड़े वर्गों) के लिए आरक्षण लागू करने की शर्त नहीं लगायी गयी है।

भारतीय लोकतंत्र में संसद ने संविधान में 93वाँ संशोधन करके यह व्यवस्था दी है कि राज्य, यानी संसद या विधानसभाएँ, किसी भी शिक्षा संस्थान (चाहे सरकार उसे पैसे देती हो या नहीं) में दाखिले के लिए सामाजिक और शैक्षणिक रूप से पिछड़े वर्गों, अनुसूचित जातियों और जनजातियों के लिए आरक्षण का प्रावधान कर सकती हैं। इसके लिए संविधान के

**Uncorrected/Not for publication - 12.08.2010**

अनुच्छेद 15(4) के बाद एक नया खंड 15(5) जोड़ा गया। इस संशोधन से सिर्फ अल्पसंख्यक शिक्षण संस्थानों को बाहर रखा गया है। अतः संविधान की धारा 15 (5) में संशोधन किए बिना सरकार विदेशी शिक्षण संस्थानों को आरक्षण के दायरे से बाहर नहीं रख सकती।

93वें संविधान संशोधन के तहत विधानसभाओं को यह अधिकार प्राप्त है कि वे सरकारी मदद न लेने वाले शिक्षण संस्थानों में भी आरक्षण लागू कर सकती हैं। विदेशी शिक्षण संस्थान (प्रवेश एवं संचालन विनियमन) विधेयक, 2010 की वजह से राज्य सरकारों का यह अधिकार कम हो जाएगा। इस तरह से केन्द्र सरकार का यह अधिनियम भारत के संघीय ढाँचे के विरुद्ध है।

साथ ही, विदेशी शिक्षण संस्थान (प्रवेश एवं संचालन विनियमन) विधेयक, 2010 के खंड (1)(ई) में विदेशी संस्थानों की परिभाषा के तहत जो विदेशी संस्थान भारतीय संस्थान के साथ मिलकर या साझेदारी से चलेंगे, वे भी विदेशी शिक्षण संस्थान माने जाएँगे। विदेशी शिक्षण संस्थानों को मिलने वाली छूट (मिसाल के तौर पर आरक्षण लागू न होना) को देखते हुए भारतीय शिक्षण संस्थान इसी मकसद से विदेशी शिक्षण संस्थानों के साथ साझेदारी कर सकते हैं। विधेयक के तहत सरकारी संस्थानों को भी ऐसी साझेदारी करने से रोका नहीं गया है।

अतः मैं आपके माध्यम से सरकार से माँग करता हूँ कि केन्द्र सरकार को या तो इस विधेयक में संशोधन करना चाहिए और इसमें अनुसूचित जाति, जनजाति और पिछड़े वर्गों के लिए आरक्षण का प्रावधान करना चाहिए या फिर यह विधेयक वापस लेना चाहिए। धन्यवाद।

(समाप्त)

SCH/9D

**DEMAND TO MAKE COMPANIES RESPONSIBLE FOR THE LOSSES  
INCURRED BY FARMERS DUE TO TERMINATOR SEEDS IN THE COUNTRY**

**डॉ. राम प्रकाश (बिहार):** अनेक बहुराष्ट्रीय कंपनियां किसानों को अंधेरे में रखकर अपने बीजों का बड़े पैमाने पर परीक्षण करती हैं। पिछले दिनों बिहार में मक्के के टर्मिनेटर सीड (निर्वंश बीज) का प्रयोग किया गया। लगभग 2 लाख एकड़ भूमि में इन बीजों से पौधे जरूर पैदा हुए, लेकिन उनमें दाना नहीं आया। किसानों ने इन बीजों को 180 से 285 रुपये प्रति किलोग्राम की दर पर खरीदा था। बिहार सरकार के अनुसार 1 लाख 59 हजार एकड़ में मक्के की फसल बिना दाने के रही है, जिसके लिए सरकार ने 4000 रुपये प्रति एकड़ मुआवजा देने की घोषणा की है। बिहार में 2003 में भी ऐसा ही हादसा हुआ था, जब टर्मिनेटर बीज के उपयोग के कारण फसल में दाने नहीं आए थे।

ये बड़ी-बड़ी कंपनियां मूलतः रसायन बनाती हैं। इन कंपनियों की आधी कमाई खरपतवार नाशकों और अन्य रसायनों पर आती हैं। ये कंपनियां प्रभावशाली व्यक्तियों, बड़े अफसरों और कृषि वैज्ञानिकों के साथ सम्पर्क बनाकर अपना व्यापार करती हैं। लाभ ये कंपनियां कमाएं और किसान के हर्जाने की भारपाई साधारण करदाता की जेब से की जाए, यह अन्याय होगा।

मेरा सरकार से अनुरोध है कि बिना पूर्ण परीक्षणों के बाजार में लाए गए बीजों के कारण होने वाले किसान के नुकसान की भारपाई इन कंपनियों को कानून के घेरे में लाकर करनी चाहिए। इन कंपनियों पर भारी हर्जाना लगाना चाहिए। जो अधिकारी इन बीजों के प्रयोग की अनुमति देते हैं, उन्हें कठोर दंड मिलना चाहिए।

(समाप्त)

**Uncorrected/Not for publication - 12.08.2010**

9e/skc

**UPGRADATION OF THE TUTICORIN AIRPORT**

**SHRI PAUL MANOJ PANDIAN (TAMIL NADU):** Sir, the Tuticorin Airport has brought about remarkable growth and development of industries, trade and commerce and to the people of the southern districts of Tamil Nadu. There is vast potential and also huge inflow of investments. The Tuticorin Sea Port is one of the major sea ports of India and is poised for many major development works in order to cater to the EXIM trade. For all these development and upgradation projects, development of the airport is important. Hence, it is vital to improve and develop the infrastructural facilities in the Tuticorin Vagaikulam Airport to meet the people's expectations and to meet the global standards. Therefore, extension of the runway and the status of an international airport is a must. The Airport Authority of India and the Ministry of Civil Aviation should undertake to acquire, at least, 1000 acres (instead of 586 acres) of land for the expansion projects of this upcoming industrial town airport. The new runway should be big enough to accommodate bigger international flights, and the Tuticorin Airport should be declared as an international airport, with frequent air service to Sri Lanka, Far-east and Middle-east countries. The airport should provide night navigation and lighting facility. Passengers' amenities like ATM, cab and bus service to the airport, trolley service, waiting and departure halls and interior decoration work must be provided for. New domestic flight service to other metro cities such as Bangalore, Cochin, Hyderabad and Mumbai should be commenced from the Tuticorin Airport.

(Ends)

Uncorrected/Not for publication - 12.08.2010

9F/PSV/SPECIAL MENTIONS/12.08.2010

**DEMAND TO GRANT ADEQUATE FUNDS FOR PROPER IMPLEMENTATION  
OF THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST  
DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT IN THE STATE OF  
CHHATTISGARH**

**श्री श्रीगोपाल व्यास (छत्तीसगढ़):** महोदय, छत्तीसगढ़ राज्य ने अनुसूचित जनजाति एवं परम्परागत वन-निवासी अधिनियम, 2008 के क्रियान्वयन में प्राप्त 4,86,101 प्रकरणों को प्रायः शतप्रतिशत निपटाया है, पर इस पर माँगे गये 10 करोड़ के विरुद्ध, मुझे सूचना मिली है कि संविधान के अनुच्छेद 275(1) के अंतर्गत निर्धारित प्रावधान में कटौती कर, कुछ आवंटन किया गया है। इसके कारण न केवल अनुच्छेद के अनेक कार्य लम्बित रह गये, वरन इस अधिनियम के क्रियान्वयन हेतु पर्याप्त राशि उपलब्ध नहीं हो सकी है। जनजातीय क्षेत्रों के सामने विद्यमान चुनौतियों को ध्यान में रख कर उपरोक्त विषय पर प्राथमिकता से विचार कर सरकार वन-अधिकारों की मान्यता सम्बन्धी अधिनियम के क्रियान्वयन के लिए पृथक रूप से राशि यथाशीघ्र प्रदान करे, ऐसा मेरा आग्रह है।

(समाप्त)

HK/9g

**DEMAND TO TAKE STEPS TO REDUCE WASTAGE OF AVIATION TURBINE  
FUEL BY AIRLINES COMPANIES IN THE COUNTRY**

**SHRI AMBETH RAJAN (UTTAR PRADESH):** Sir, I invite the attention of the Government towards the wastage of Aviation Turbine Fuel.

Sir, often it is observed that aircrafts, regional jets to commercial aircrafts, are made to hold overhead for an average duration of half-an-hour before permitting them to land.

**Uncorrected/Not for publication - 12.08.2010**

Holding aircraft overhead leads to wastage of Air Turbine Fuel. For instance, around 750-800 flights reach Delhi and the amount of fuel that is wasted by holding them overhead can be anybody's guess. In holding the aircraft overhead airport for an hour will lead to waste of 6000 litre fuel. The cost of Air Turbine Fuel is around Rs.40,000 per kilo litre. Moreover, this sort of holding aircrafts overhead will lead to mishap due to any slip of Air Traffic Control and misunderstanding of instruction, which in turn can lead to collision of aircraft like that one happened at Dadri in Haryana on 12.11.1996. Besides these, air passengers are forced not to keep punctuality.

In sequence command method, Air Traffic is managed efficiently in busiest airports around the world like Dubai, Frankfurt, Malaysia, etc. It requires coordination between regional air traffic control. In doing so, adverse effect on safety, fuel, resource can be minimized considerably.

Sir, the need of the hour is to minimize the wastage of fuel. The hard earned revenue of airline companies is dried up due to inefficient traffic management.

I appeal the Government to adopt efficient methods, minimize fuel wastage, ensure punctuality and safe air travel. (Ends)

KSK/9H

**DEMAND TO RESUME THE PROCESS OF UPDATING OF NRC IN ASSAM**

**SHRI KUMAR DEEPAK DAS (ASSAM):** After 25 years of signing of Assam Accord by the then Prime Minister, Shri Rajiv Gandhi, the decision for upgradation of National Registrar of Citizen (NRC), 1951, was taken in the tripartite meeting

**Uncorrected/Not for publication - 12.08.2010**

chaired by Dr. Manmohan Singh on May 5, 2005. But, the process was delayed by the State of Assam to formulate the modalities for updating the NRC documents. Ultimately, two pilot projects were started in Chaygaon and Barpeta revenue circle in July, 2010. It is pertinent to mention here that said proposal to update the NRC was supported by all the political parties and all the non-political and student organisations of the State. It was the bounden duty of the Government of Assam to make people aware of the steps taken to ensure that the name of genuine Indian citizens are not left out of the updated NRC. Again, if there are any loopholes in the process, the same will come out during the process of implementing the pilot project. In this way, it can be rectified when the actual work of updating the NRC starts. But, the Government has suddenly stopped the entire process in response to a law and order situation that has arisen in Barpeta town. It is needless to mention here that situation has arisen due to the security lapse on the part of the State Government. On the other hand, the situation of Chaygaon circle was totally peaceful and the said pilot project had worked smoothly. But, it has stopped the process of pilot project in the revenue circle. To protect the future of the indigenous people of the State of Assam, the detection, deletion, deportation of illegal foreigners is a must. It is, therefore, demanded to resume the process of updating of NRC without further delay.

(Ends)

Uncorrected/Not for publication - 12.08.2010

GSP-9J

**DEMAND TO TAKE ACTION FOR CONVERTING ALL UNMANNED RAILWAY  
CROSSINGS INTO MANNED ONES IN THE COUNTRY**

**SHRI M. P. ACHUTHAN (KERALA):** Last Sunday, four people including two German nationals died at Poopally in Alappuzha District, Kerala when a train, Chennai Express, hit a car at an unmanned railway crossing. The unmanned railway crossings have become death traps. There are 15,590 unmanned railway crossings in the country. In Palghat and Trivandrum railway divisions, there are 147 unmanned railway crossings. The majority of railway accidents occur at unmanned railway crossings. Still, the railway authorities continue their callous attitude. The Comptroller and Auditor General had pointed out that fifty per cent of the railway safety fund was not utilized.

The Railway Ministry must take urgent actions to convert all unmanned crossings to manned railway crossings.

(Ends)

Sk/9K

**KHAIRLANJI CASE OF DALIT KILLINGS**

**SHRI PRAVEEN RASHTRAPAL (GUJARAT):** Sir, the Nagpur Bench of the Bombay High Court judgement dated 14<sup>th</sup> July 2010 in the case of Khairlanji *dalit* killings has raised many issues requiring urgent attention of the Minister of Law and Justice and also the Home Ministry, Government of India.

The implementation of The Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act by the police department and the interpretation of

**Uncorrected/Not for publication - 12.08.2010**

the said Act by the Judiciary at lower level are always in favour of accused. Hence, in many cases, the accused are acquitted and victims do not get any relief.

The population of Khairlanji village of Maharashtra consists of OBCs, and there are only three families belonging to the Scheduled Castes category. All the accused in the case belong to the OBC community, that is, land owning class of the village. Those who were killed were Surekha (Mother), Sudhir (Son) and Priyanka (Daughter) belonging to the Scheduled Castes family. The lone member of the family who could survive was Shri Bhaiyyalal Bhotmange as he was able to run away. He filed the FIR in this case. The lower court took stand that the complainant had not disclosed the caste of the accused. The killings were proved and admitted by the court but not offence under the Atrocities Act.

The four witnesses who appeared were not from the Scheduled Castes category. One was from OBC community and the other three were from ST community. However, they were treated as non-reliable.

This House should take a serious view of this judgement and advise the victims as to whom they should approach, police, court or this Parliament -- for social justice and empowerment.

I would, therefore, request to revisit the implementation of The Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989 in so far as administration of criminal justice is concerned.

(Ends)

Uncorrected/Not for publication - 12.08.2010

9L/DS/SPL. MENTION/12.8.2010

**DEMAND TO PROVIDE SECURITY TO WORKERS BELONGING TO BAHUJAN  
SAMAJ PARTY IN JAMMU AND KASHMIR**

**श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश):** महोदय, जम्मू-कश्मीर में कानून-व्यवस्था पूरी तरह से चौपट हो चुकी है। आम जनमानस का विश्वास सरकार से उठ चुका है। लोकतंत्र कमजोर हुआ है। दलित और पिछड़े तबके के लोग भूखे मरने की स्थिति में आ गये हैं। असामाजिक तत्वों एवं आतंकवादियों के अन्यायपूर्ण रवैये से विशेषकर कश्मीर घाटी में आक्रोश पैदा हो गया है। आगजनी, मार-धाड़ और तोड़-फोड़ की घटनाओं से जगह-जगह पर कर्फ्यू लगा है। घाटी में भयानक हालात पैदा हो गये हैं। बहुत-से निर्दोष लोग हत्या के शिकार भी हुए हैं तथा सैकड़ों लोग जख्मी हुए हैं। करोड़ों रुपये की सम्पत्ति जलकर नष्ट हो गयी है। सरकार के रुख से बहुजन समाज पार्टी के वरिष्ठ पदाधिकारियों में रोष व आक्रोश है, क्योंकि जम्मू-कश्मीर के आतंकवाद से प्रभावित होने के बावजूद बी.एस.पी. के वरिष्ठ नेताओं/पदाधिकारियों को उनकी सुरक्षा हेतु सुरक्षाकर्मी नहीं दिये जा रहे हैं। उन्हें वाहन व भवनों का आवंटन भी नहीं हो रहा है, जिसके कारण बी.एस.पी. के पदाधिकारीगण अपने कर्तव्य व लोकतंत्र की बेहतरी में आवश्यक कार्य नहीं कर पा रहे हैं।

अतः मैं आपके माध्यम से अपील करता हूँ कि जम्मू-कश्मीर में बहुजन समाज पार्टी के पदाधिकारियों को शीघ्र सुरक्षा, वाहन और भवन आवंटित कराने का कष्ट करें।

(समाप्त)

YSR/9M

**DEMAND TO TAKE IMMEDIATE STEPS TO FACILITATE EASY ACCESS OF  
FINANCIAL INSTITUTIONS TO TRIBALS**

**SHRIMATI T. RATNA BAI (ANDHRA PRADESH):** Sir, I would like to draw the kind attention of the august House through the Special Mention on the need to

**Uncorrected/Not for publication - 12.08.2010**

take steps for financial inclusion of tribals in Andhra Pradesh agency areas and also all over the country in the remaining Eleventh Five Year Plan.

As the House is aware, a large section of our population, especially tribal people, does not have awareness and access to formal financial institutions. The informal market provides credit at extremely high rates of interest and on arbitrary terms. Due to certain factors, financial institutions do not have adequate network in tribal areas, especially in East Godavari, West Godavari, Araku and Bhadrachalam areas in Andhra Pradesh. In the absence of formal institutions, the tribal population is unable to obtain credit.

The payments of many schemes, which are running by the Government, are made through banks. Payments for the Mahatma Gandhi National Rural Employment Guarantee Scheme and some crop insurance are being made through banks to check diversion of funds. However, in the absence of bank accounts, the tribal people are unable to receive such monetary benefits. The number of bank branches in rural areas were reduced from 51 per cent in 1999 to 40 per cent in 2009.

Despite the RBI periodically issuing circulars for giving credit facilities to the SC and the ST by simplifying banking procedure, the banks are not following the same.

I, therefore, request the hon. Minister of Finance, through the Chair, to take immediate steps for financial inclusion of tribal population by encouraging banks to expand their network and services in rural areas to provide customized services keeping in mind the unique problems faced by the tribal people not only

**Uncorrected/Not for publication - 12.08.2010**

in Andhra Pradesh agencies areas but all over the country in the remaining Eleventh Five Year Plan.

(Ends)

VKK/9n

**DEMAND TO GRANT FACILITY OF FREE JOURNEY TO FREEDOM FIGHTERS  
AND THEIR WIDOWS IN II AC OF RAJDHANI AND SHATABDI EXPRESS IN  
THE COUNTRY**

**SHRI BAISHNAB PARIDA (ORISSA):** Sir, the freedom fighters of our country are most respected citizens. Most of them are at the twilight hour of their life. So, utmost care should be given to them. They were given free travel facilities in second AC in all express and super fast trains except Rajdhani and Shatabdi Express. At the request of the freedom fighters, now the III AC travel facility is given in Rajdhani and Shatabdi Express by the Railway Ministry. Since the freedom fighters are above eighties and most of them are ailing, it is difficult for them to travel in III AC. They cannot climb to middle or upper berth and cannot sit on the lower berth when the middle berth is occupied by a fellow traveller. So to make the travel convenient, I request the Railway Minister, through the Chair, to grant free journey facility to the freedom fighters and their widows in II AC in Rajdhani and Shatabdi Express trains.

(Ends)

**SHRI KISHORE KUMAR MOHANTY (ORISSA):** Sir, I associate myself with the Special Mention made by Shri Baishnab Parida.

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

(समाप्त)

Uncorrected/Not for publication - 12.08.2010

NB/90

**DEMAND TO EXPEDITE THE PROCESS OF AIR-CONNECTIVITY  
OF KANPUR TO OTHER CITIES OF THE COUNTRY**

**श्री महेन्द्र मोहन (उत्तर प्रदेश) :** महोदय, मैं इस सदन के माध्यम से नागर विमानन मंत्री का ध्यान कानपुर हवाई अड्डे के त्वरित विकास की तरफ आकृष्ट करना चाहता हूं। वर्ष 1978 में कानपुर से इंडियन एयरलाइंस का बोइंग विमान दिल्ली, अहमदाबाद, मुंबई और कोलकाता के मध्य उड़ान भरता था, जो काफी सफल था। 1998 में अर्चना एयरवेज का 18 सीटर विमान चला, लेकिन कुछ ही माह में अव्यवस्थाओं के कारण बंद हो गया। 2003 में डेक्कन एयरवेज की सेवा शुरू हुई लेकिन वह भी बंद हो गई। 20 सितंबर, 2007 से इंडियन एयरलाइंस ने 48 सीटर ए.टी.आर. विमान सेवा शुरू की है। यह विमान पहले दिल्ली और कानपुर के बीच था, लेकिन अब दिल्ली, कानपुर तथा इलाहाबाद के मध्य चलता है। इस विमान का कोई भरोसा नहीं रहता है कि कब रद्द हो जाए।

महोदय, कानपुर उत्तर भारत का प्रमुख औद्योगिक शहर है तथा यहां के व्यापारी, उद्योगपति लखनऊ से विमान सेवा लेते हैं। लखनऊ से विमान सेवा लेने वालों में 40 प्रतिशत यात्री कानपुर के होते हैं। कानपुर में Instrument Landing System न होने के कारण एकमात्र उड़ान को भी कभी लखनऊ या इलाहाबाद की तरफ divert कर दिया जाता था। 2009 से ILS पर काम चल रहा है। मैं मांग करता हूं कि शीघ्र ही यह काम पूरा हो तथा testing flight द्वारा इसे हरी झंडी दिखाई जाए तथा कानपुर शहर के औद्योगिक स्वरूप को देखते हुए शीघ्र ही यहां से दिल्ली, कोलकाता, मुंबई, चेन्नई, जयपुर और अहमदाबाद के लिए एयर बस की सेवाएं शुरू की जाएं।

(समाप्त)

Uncorrected/Not for publication - 12.08.2010

RSS/9P

**DEMAND TO SANCTION SPECIAL FINANCIAL PACKAGE TO  
DROUGHT-AFFECTED DISTRICTS IN WEST BENGAL**

**DR. BARUN MUKHERJI (WEST BENGAL):** Sir, I would like to draw urgent attention of the Central Government about the grave situation created in West Bengal, covering a major part of the State, due to an acute drought. Barring a few district in the North, most of the South Bengal districts, particularly, the ten districts like Purulia, Bankura, South and North 24- Pargana, Medinipur, Birbhum, Howrah, Hooghly, Nadia and Murshidabad are under the grip of drought. On an average, rainfall there is less than 50 per cent of the normal monsoon, which has seriously caused loss of crops. Due to extreme dryness, the early crops have been dried due to shortfall of timely rains. Even now, if there may be any trace of very late monsoon, that will not help fresh sowing. Moreover, recent phase of extreme heat is aggravating the adverse situation. The State now faces imminent shortage of food- grains and vegetables and disastrous financial sufferings for the poor farmers.

In such a situation, I would urge upon the Union Government to grant a special package of financial aid and an additional quota of foodgrains to the State PDS. And above all, to assess the whole situation, I would request for a Central team to immediately visit the State and take necessary measures accordingly.

(Ends)

VNK/9Q

**DEMAND TO FORMULATE A COMPREHENSIVE PLAN FOR CONSERVATION  
AND MAINTAINING AVAILABILITY OF CLEAN DRINKING WATER IN THE  
COUNTRY**

**श्री अविनाश राय खन्ना (पंजाब):** महोदय, देश के पास सीमित पानी का भंडार है। जमीन से जो पीने का पानी निकाला जा रहा है, वह दिन प्रति दिन कम होता जा रहा है। अगर शरीर में 3 प्रतिशत पानी की कमी हो जाए, तो प्यास लगती है और इससे ज्यादा पानी कमी हो जाए, तो ग्लूकोज लगा कर इस कमी को पूरा करना पड़ता है। इसी तरह जमीन से निकलने वाले पानी की position है। हमें पानी बचाना चाहिए। वर्षा का पानी धरती में जाए, इसके लिए देश भर में एक मुहिम शुरू करनी चाहिए।

इतना ही नहीं, पंजाब के कई जिलों में पीने के पानी में कई ऐसे तत्व आ गए हैं, जिनसे पानी पीने योग्य नहीं रहा। ऐसे ही जिलों में लोगों को पानी पीने से cancer हो रहा है। पानी के कई samples में uranium के तत्व भी मिले हैं। किसान एक किलो चावल पैदा करने के लिए 3000 लीटर पानी का उपयोग करता है। अगर इसी तरह से पानी को waste करते गए, तो देश मरुस्थल बन जाएगा। पानी बचाने व साफ-सुथरा पानी उपलब्ध करवाने के लिए सरकार को एक व्यापक और विस्तृत योजना बनानी होगी। सरकार को ऐसी योजना तैयार करनी चाहिए, जिससे देशवासियों को पानी मिले, साफ-सुथरा पानी मिले, पानी का दुरुपयोग न हो और पानी waste न हो। धन्यवाद।

(समाप्त)

MP/9R

**DEMAND TO TAKE MEASURES FOR  
PROPER MANAGEMENT OF NALCO**

**श्री रुद्रनारायण पाणि (उड़ीसा) :** उपसभापति जी, भले ही सरकार की नई आर्थिक नीति के तहत नए सिरे से कोई सार्वजनिक क्षेत्र का उद्योग न लगाया जाए, लेकिन वर्तमान में विद्यमान किसी भी सार्वजनिक क्षेत्र के उपक्रम से विनिवेश न किया जाए, विशेष रूप से जो सार्वजनिक क्षेत्र लाभदायक है, उससे "जनस्वामित्व" के नाम पर पूंजी विनिवेश न किया जाए। सार्वजनिक क्षेत्र उपक्रमों का "जनस्वामित्व" (People's ownership of Public Sector), यह खंड वाक्य कहीं न कहीं निरर्थक लगता है। सरकार को देखना चाहिए कि सार्वजनिक क्षेत्र के उपक्रमों में कार्य संस्कृति (work culture) में वृद्धि हो। इस संदर्भ में मैं भारत सरकार से नेशनल एल्युमिनम कंपनी (NALCO) की ओर विशेष ध्यान देने का आग्रह करता हूँ। इस उपक्रम के अधिकारियों का वेतन पुनरीक्षण तथा PRP अर्थात् performance related payments एवं perks आदि का तुरन्त समाधान कर दिया जाना चाहिए। NALCO के घरेलू प्रतिस्पर्धियों के प्रति सरकार को सतर्क रहना चाहिए। उड़ीसा में NALCO के कई प्रतिस्पर्धी जैसे Vedanta Aluminium, Aditya Aluminium, Hindalco आदि मौजूद हैं। इसके अधिकारियों, कर्मचारियों तथा ठेके पर कार्यरत श्रमिकों के प्रति आवश्यक ध्यान न दिए जाने की सूरत में brain drain जैसी स्थिति बन सकती है। इस नवरत्न कंपनी के कार्य सभी स्तरों पर ठीक हों, इसके लिए नोडल मंत्रालय यानी खान मंत्रालय की ओर से विशेष ध्यान दिया जाना चाहिए। ठेके पर कार्यरत श्रमिकों की सामाजिक सुरक्षा से लेकर आसपास के लोगों के लिए परिधीय विकास के प्रति कंपनी की ओर से ध्यान दिया जाना चाहिए। दुर्भाग्य की बात है कि राज्य सरकार की Rehabilitation and Peripheral Development Advisory Committee की बैठक नियमित रूप से नहीं हो रही है। नवरत्न कंपनी होने के कारण इसके

**Uncorrected/Not for publication - 12.08.2010**

एक निदेशक का पद भी कभी खाली नहीं रहना चाहिए। विद्युत संयंत्र हेतु नियमित रूप से कोयले की आपूर्ति की जानी चाहिए। इस संयंत्र की स्थापना के समय विस्थापित हुए सभी लोगों को न्याय मिलना चाहिए। Substantially तथा less affected, सबके प्रति ध्यान दिया जाना चाहिए। कंपनी का green filled संप्रसारण बरगड़ अथवा रेढ़ाखोल में ऐसे ढंग से किया जाए, जिससे कि विस्थापन समस्या का समाधान करने हेतु एक अच्छा अवसर मिले। इस उपक्रम के ऊपर संभावित नक्सल आक्रमण के प्रति भी सतर्कता बरती जाए, ऐसा मेरा आग्रह है।

(समाप्त)

MKS/9s**DEMAND FOR REVOCATION OF ESMA**

**SHRI TAPAN KUMAR SEN (WEST BENGAL):** Sir, I rise to draw the attention of the Government of India and the Union Minister of Labour and Employment, in particular, to the fact that nurses of U.N. Mehta Institute of Cardiology and Research Centre of Ahmedabad were seeking leave benefits, hike in salary, mediclaim, fixed working hours and permanent jobs for the last three months. Instead of settling the just demands of the nurses through negotiations, the State Government evoked ESMA against them on 10<sup>th</sup> August, 2010 and the police rounded up a total of 193 striking nurses. While condemning the incident of invoking ESMA, I demand immediate release of the arrested nurses and intervention of the Ministry of Labour and Employment into the matter and settle the long-pending, legitimate demands of the nurses forthwith.

(Ends)

Uncorrected/Not for publication - 12.08.2010

TMV/9T

**DEMAND FOR RESTORING FLIGHTS OF AIR INDIA  
BETWEEN THIRUVANANTHAPURAM AND GULF REGION  
AND NOT TO HIKE AIRFARES IN THE KERALA-GULF  
SECTOR DURING PEAK SEASON**

**PROF. P. J. KURIEN (KERALA):** Sir, I may be permitted to raise the following matter of extreme importance.

The Air India Express has decided to cancel three international flights from Thiruvananthapuram International Airport to Sharjah, Abu Dhabi and Dubai this month (August, 2010) for no apparent reason. This is bound to affect thousands of Non-Resident Keralites (NRKs) working in the aforesaid countries, and their families because of the following reasons:

- (ii) August is the all important "Onam" festival season for the Malayalees world over. The NRKs mostly prefer to visit their native place during "Onam". This year's "Onam" falls on 23<sup>rd</sup> August.
- (iii) Because of the extreme heat, July-August is the summer vacation period for the schools in the Gulf countries. So, the working parents of children studying in the Gulf Region choose to visit their native place during this time.
- (iv) The passenger traffic in this sector is the maximum during August, hence the decision of Air India Express to cancel the said three flights will be a huge setback for the passengers in this sector.

**Uncorrected/Not for publication - 12.08.2010**

- (v) Taking advantage of the situation, the private airlines operating in this sector have decided to hike the airfare to Thiruvananthapuram, Kochi and Kozhikode drastically. This is another big blow to the NRKs, who are compelled to shell out more money to visit their native place, as they are left with no choice but to travel in private airlines at a higher cost.

I, therefore, demand that the Government should take immediate steps to:-

- (i) maintain the *status quo* of Air India Express flights between Thiruvananthapuram and the Gulf Region (especially to Sharjah, Abu Dhabi and Dubai); and
- (a) direct the private airlines not to hike airfares in the Kerala-Gulf sector during the peak season of August-September.

(Ends)

VK/9U

**DEMAND TO TAKE STEPS FOR CREATION OF NATIONAL MISSION FOR INDIAN LANGUAGES**

**SHRI K.N. BALAGOPAL (KERALA):** Sir, I would request the Government to initiate steps to form a National Mission for Indian Languages.

India's rich linguistic diversity is a matter of pride, as it is one of the most invaluable intangible assets reflecting the genius of our people, evolved through millenniums. Twenty-two of these languages are recognized as official languages. Each recognized regional language of India represents a unique culture having

**Uncorrected/Not for publication - 12.08.2010**

Pan-India ethos as it's core development and progress of State speaking each regional language involve nurturing and timely advancement of particular regional language as it is integral to the cultural identity of the people.

As an aftermath of changes, the most significant being that after globalization, thousands mother tongues are in serious existential crisis, a number of them face extinction, says the United Nations. The UN suggests various measures to preempt such a situation, which has unfathomable negative impacts. In a country like India neglect of mother tongue will create cultural as well as identity crisis that would be detrimental to our developmental goals and in a wider perspective national interests. Taking the gravity of the situation in to account, it becomes highly imperative to form a National Mission for Indian Languages. Thank you.

(Ends)

RG/9W

**EMERGING SOUTH-EAST ASIAN ECONOMIES - EXPORT OF INDIAN HUMAN  
EXPERTISE, CRITICAL FINANCIAL MANAGEMENT AND TIME-TESTED  
TECHNOLOGIES**

**SHRI VIJAY JAWAHARLAL DARDA (MAHARASHTRA):** Sir, India has already distinguished itself at the global level as a fast-growing and extremely well-managed economy. Being a leading Member of G-20, we are ardent votary of "Growth for all Nations". There are opportunities for our entrepreneurs in the nearby 10-member ASEAN and other Asian regions.

**Uncorrected/Not for publication - 12.08.2010**

As a commercial and financial regional hub, an IT powerhouse, a tourist destination, as a shipping and logistics staging point with exceptional connectivity, there can be no better gateway for us to the prospering ASEAN markets. It is high time we launch our foreign investment policy, not only for Asian all-round development, but also for strengthening multilateral trade, investment, infrastructure, and techno-economic ties.

With a natural partnership amongst ASEAN nations, with shared cultural bonds and commitment to democracy and social equity, food security and regional safety, the opportunities are galore for deepening their techno-socio-economic base through our proven record of insulating our economy from recent global inflationary trends and universal meltdown. Setting up infrastructure being ASEAN dire necessity, an amalgamation of political will and growing enterprising spirit of public and private sectors will, certainly, usher in an era of our investments, and financial management skills for raising up their socio-economic milieu. Apart from making foreign investments, such a course will open further opportunities for deployment of our vast reservoirs of trained manpower and fuller utilization of technological capabilities.

I, therefore, urge upon the Government to prepare a well-thought of strategy, fine-tuning it with synergetic inputs from professional bodies and multi-disciplinary federations and chartering out well-structured composite modalities for making investments abroad.

(Ends)

9x/ks**CONCERN OVER ALLEGED ILLEGAL AND IRREGULAR APPOINTMENTS IN  
SBI**

**SHRI P. RAJEEVE (KERALA):** Sir, I would like to raise an important issue regarding the illegal and irregular procedure of appointment in the State Bank of India. The Bank had selected hundreds of business executives on a temporary basis without any specific selection procedure. The Bank had appointed them after conducting a walking interview. It was alleged that most of these newly recruited business executives were relatives of the top officials of the Bank. The Bank had not followed any reservation policy for this appointment. Earlier, SBI had tried to conduct campus selection without considering the reservation policy of the Government of India. At that time, serious protests had been raised by several organizations across the country and, at last, the management was compelled to withdraw that move. Thereafter, they had appointed the business executives on contract basis. Now, the management has decided to appoint them as permanent officers. There was no reservation for SCs and STs in this selection process of the Bank, which is a leading public sector bank of our country. This is a serious violation of the constitutional provision to ensure reservation to SCs and STs. At present, other public sector banks are trying to follow this model.

Therefore, I urge upon the Finance Ministry to intervene in this serious matter, protect the constitutional rights of SCs and STs and ensure a transparent selection process.

(Ends)

sc/9y

**DEMAND TO TAKE STEPS TO BRING THE NATIONAL HERITAGE - THE  
KOHINOOR AND THE BHAWANI SWORD OF CHHATRAPATI SHIVAJI FROM  
GREAT BRITAIN IN THE COUNTRY**

**श्री संजय राउत (महाराष्ट्र) :** महोदय, इस सदन के माध्यम से मैं अपने देश की दो धरोहर "कोहिनूर हीरा" और छत्रपति शिवाजी महाराज की "भवानी तलवार" को अपने देश में वापस लाने के लिए सरकार से आग्रह करना चाहता हूँ कि ऐसी महत्वपूर्ण धरोहरों को अपने देश में वापस लाने के लिए ब्रिटिश सरकार के साथ गंभीरता से बातचीत की जाए जिससे अपने देश के ये दो जो गौरव हैं, वापस आ सकें।

जैसा कि सर्वविदित है कि कोहिनूर हीरा सन् 1839 में महाराजा रंजीत सिंह के पुत्र महाराजा दलीप सिंह की हार के बाद लाहौर समझौता संधि के रूप में महारानी विक्टोरिया को समर्पित कर दिया गया था और इंग्लैंड ले जाया गया था। आज़ादी के बाद इसे भारत में वापस लाने के लिए ब्रिटिश सरकार से आग्रह किया गया परन्तु कोई सफलता हाथ नहीं लगी। इसी तरह छत्रपति शिवाजी महाराज की भवानी तलवार को वापस लाने के लिए श्री अन्तुले जी के मुख्यमंत्रित्व काल में महाराष्ट्र सरकार द्वारा उठाया गया था। यह धरोहर भी ब्रिटिश सरकार के पास है और ऐतिहासिक है। यह न केवल महाराष्ट्र की, अपितु पूरे भारत की शान का सवाल है। मेरे विचार से इन रत्नों को वापस लाने में सरकार गंभीर दिखाई नहीं देती और हमारी approach इस मामले में बड़ी casual सी रही है। जब-जब यह मामला उनके साथ उठाया गया, तब-तब ब्रिटिश सरकार ने अपने Museum Act 1963 का हवाला देते हुए इस धरोहर को वापस करने से यह कहते हुए मना कर दिया कि इस हीरे को वैध तरीके से अधिगृहित किया गया था इसलिए उनके National Museum से ऐसी ऐतिहासिक और कीमती धरोहर नहीं हटाई जा सकती। इस बात को ब्रिटिश प्रधान मंत्री ने अपनी हाल की भारत यात्रा में भी दोहराया है। परन्तु बड़े दुख के साथ यह कहना पड़ रहा है कि कोहिनूर के मामले में

**Uncorrected/Not for publication - 12.08.2010**

ब्रिटिश प्रधान मंत्री ने जिस प्रकार का बयान देकर सारी उम्मीदों पर पानी फेरने का काम किया है, इस संदर्भ में मेरा कहना यह है कि उसी आवाज़ में हमें अपने अधिकार की बात को उनको वापस दोहराना चाहिए और तब तक चुप नहीं रहना चाहिए, जब तक ये दोनों धरोहर हमारे पास वापस भारत में न आ जाएं।

(समाप्त)

MCM/9Z

**DEMAND TO TAKE STEPS FOR REVIVAL OF RAILWAY WAGON FACTORIES  
AT MOCAMA AND MUZAFFARPUR IN BIHAR**

**श्री राम कृपाल यादव (बिहार) :** बिहार औद्योगिक दृष्टि से अति पिछड़ा प्रदेश है। भारत वैगन की दो इकाई मोकामा एवं मुजफ्फरपुर में अंग्रेजों के जमाने से बटलर का कारखाना के रूप में कार्य कर रही थी। रेलवे वैगन का उत्पादन करने के बावजूद पिछली सरकारों की आर्थिक नीतियों के कारण वे कारखाने बन्दी के कगार पर पहुंच गए। किन्तु इन कारखानों के कुशल कारीगरों द्वारा बनाए गए वैगनों की भारतीय रेल में उपयोगिता समझ पूर्व रेल मंत्री ने बिहार की दोनों इकाईयों को रेल विभाग के अधीन 13-8-2008 को कर लिया। किन्तु वर्तमान में बिहार के दोनों कारखाने एवं उसमें कार्यरत् हजारों कर्मचारी लगातार उपेक्षा का पात्र बने हुए हैं। समय पर वैगन उत्पादन का आर्डर प्राप्त न होना, उत्पादन के लिए आवश्यक मैटीरियल की आपूर्ति न होना आम बात है। किन्तु मुझे आश्चर्य इस बात का है कि पूरे भारत में छठवें वेतनमान का हल्ला हो रहा है, हर राज्य में कर्मचारियों को वह देर सवेर मिल रहा है जबकि इन कारखानों के हजारों कर्मचारी आज भी पांच हजार रुपए मात्र के वेतन पर काम कर रहे हैं। तीन वेतन पुर्नरीक्षण 1-1-1997, 1-1-2002 और 1-1-2007 लम्बित है। कारखाने के प्रबंधक कर्मचारियों के तमाम बकाया एवं 5 माह के वेतन को निबटाने में अक्षम हैं। प्रबंधक ने यूनियन के साथ वेतन का 35 प्रतिशत बढ़ाकर अप्रैल, 2009 के वेतन में देने का समझौता किया था, किन्तु अब तक कर्मचारियों को कुछ नहीं मिला है। सुना है कि कम्पनी के लिए कोई

**Uncorrected/Not for publication - 12.08.2010**

रिवाइवल पैकेज का प्रस्ताव रेल विभाग में है। किन्तु इस महंगाई की मार से पीड़ित बिहार के इन कर्मचारियों को बचाने के लिए गुजारिश है कि सरकार बिहार के प्रति अपनी नीति बदलकर शीघ्र निर्णय करे और इन कारखानों का पुनरुद्धार करे।

(समाप्त)

-YSR/VKK-MP/2f/1.25

**MR. DEPUTY CHAIRMAN:** The House is adjourned for lunch for one hour.

---

**The House then adjourned for lunch  
at twenty-seven minutes past one of the clock.**

RSS/2G/2.25/

**The House re-assembled after lunch at  
twenty seven minutes past two of the clock,  
MR. DEPUTY CHAIRMAN in the Chair.**

**MR. DEPUTY CHAIRMAN:** The LOP wanted five minutes.

**SHORT DURATION DISCUSSION ON BHOPAL GAS TRAGEDY (CONTD.)**

**THE LEADER OF OPPOSITION (SHRI ARUN JAITLEY):** Sir, I am extremely grateful to you that even though the debate had finally concluded, for a very brief intervention arising out of what happened yesterday, you have been gracious enough to permit me a few minutes. One of the questions which has been arising in the course of this debate, and several times, it has arisen over the past 26 years, is that when the then Chairman of the Union Carbide, Warren Anderson, came to India, who really took the decision with regard to his arrest and the manner in which he was allowed to go out and the manner in which was released.

**Uncorrected/Not for publication - 12.08.2010**

Most people who could be connected with that decision, are no longer in this world. Had some of them been there, perhaps, some people would have thrown light on the subject. But fortunately, we have the privilege in this House of having one of our senior-most and distinguished Members, Shri Arjun Singhji, who was here yesterday, and as you rightly ruled that when a Member intervenes or speaks, there is no convention to ask him to explain what he has said. But the whole mystery to the question which we have been wanting an answer to, yesterday, after his intervention, becomes curious. In sum and substance of that is what when the Home Minister replies today, we would like him to shed some light on the subject. Because the sum and substance of what he said yesterday was that he regarded Mr. Warren Anderson as the representative of the colonialist. He hopes that the Prime Minister takes up with President Obama the issue of his extradition.

(contd. by 2h)

MKS-MCM/2.30/2H

**SHRI ARUN JAITLEY (CONTD.):** But who really took the decision to allow him to go out? And in a nutshell, Mr. Arjun Singh said that neither the Prime Minister of the country nor the Chief Minister of the State was privy to that decision. An anonymous person -- whom he does not name -- an official of the Home Ministry, made a telephone call to the then Chief Secretary of Madhya Pradesh, and, therefore, the entire thing, without the knowledge of then Prime Minister, with the knowledge of the State Chief Minister, was handled by a telephone call from an anonymous source in the Home Ministry, an official, made to the then

**Uncorrected/Not for publication - 12.08.2010**

Chief Secretary, who is no longer here to testify whether any such thing took place or not. Sir, I said, *prima facie*, maybe, things look far curious than what they are. It is doubtful and highly dubious, the kind of explanation which has been given. Fortunately, for us, there are some people who are still around, and one of those persons is the then Foreign Secretary. The then Foreign Secretary, Mr. M.K. Rasgotra, was the gentleman who handled the whole thing. He has gone on record, and almost everything that he has said in the course of his interviews to the media -- and I have with me the text of one of the interviews on the electronic media raises his serious doubts about what has been said yesterday. And I read just three-four sentences. The questioner asked. "Mr. Rasgotra, let me start with Warren Anderson. In 1984 when he visited India, shortly after the Bhopal Gas Leak, did he request for a safe passage?" The answer of Mr. Rasgotra to Mr. Karan Thapar, the interviewer, was: "Yes. Indeed, he did through the United States Embassy." "In fact, -- this is a question -- Gordon Streeb, the American Deputy Chief of Mission, at that time, who was the Charge de Affairs in Ambassador Baron's absence, has gone on record to say that he contacted you with a request. Is that true?" "Yes. It is true." I am skipping over the irrelevant parts. Then, Mr. Rasgotra says: "But he will come only if he is granted a safe passage. Where, you know, the Ministry of External Affairs cannot grant a safe passage, they got in touch with the authorities in the State. The Foreign Secretary does not get in touch. I have told the Charge de Affairs that he would have to wait for instructions." In the question, -- this is the most important thing: "In the end, was the safe passage granted?" This is before Anderson came.

**Uncorrected/Not for publication - 12.08.2010**

Answers M.K. Rasgotra: "It was. Yes." Again, the question: "Sir, would I be right in concluding that there was no problem that the Government of India had in granting a safe passage? N.K. Rasgotra: "Not really. No." Question: "It then pertains several questions. How much did the then Prime Minister know about it?" To which Rasgotra answers: "Well, not only he would have learnt, he would have been informed afterwards by the PMO." I am not reading the rest of the interview text. What do we have today? We have a farcical impression being given to us that the then Prime Minister did not know, that the then Chief Minister did not know. But how did this curious thing happen? The gentleman lands on the soil of Madhya Pradesh. He is arrested; not taken to the prison; not taken to the police stations; taken to the Guest House of the Company! The Judge reaches the Guest House of the Company! It is a sad commentary on the functioning of our judicial system, which is, otherwise, independent of the Company. The Judge reaches the Guest House of the Company; the accused asked for bail; there and then, bail is granted. At that time, the original FIR still had Section 304, Part II, Culpable Homicide, no conditions of bail are imposed. No restraint of travel, confiscation of passport is informed.

(Contd. by TMV/2J)

-MKS-TMV-ASC/2J/2.35

**SHRI ARUN JAITLEY (CONTD.):** The entire proceeding was held in the guest house. The State plane was then provided to him and he reached. It was a collusive bail and it was a collusive departure, and an advance safe passage was negotiated. Are we to believe that it was only between the anonymous source in

**Uncorrected/Not for publication - 12.08.2010**

the Home Ministry and the late Brahm Swaroop, who is no longer around? The country is entitled to know as to what really happened because the mystery gets deeper. When statements which are made are not accurate or far from the truth, then, not telling the truth is a circumstance against those very people who are making these statements that had the truth been disclosed it would have been a lot more embarrassing.

With this brief intervention, I hope, the hon. Home Minister will now deal with this question also while replying to the debate. Thank you.

(Ends)

**MR. DEPUTY CHAIRMAN:** Mr. Home Minister.

**SHRI SITARAM YECHURY:** Sir, just one minute.

**MR. DEPUTY CHAIRMAN:** No. I permitted him as he is the LoP.

**SHRI SITARAM YECHURY:** I am only requesting you.

**MR. DEPUTY CHAIRMAN:** After the conclusion of the Minister's reply.

**THE MINISTER OF HOME AFFAIRS (SHRI P.CHIDAMBARAM):** Sir, I am grateful to hon. Members beginning with my good friend, Shri Ravi Shankar Prasad, for this very illuminating debate on a tragic incident and a graver tragedy that followed because of the neglect of successive Governments to deal with the issue with the seriousness it deserved. I am sorry that I was not present throughout the debate. I was required to be in the Lok Sabha for most part of yesterday. But I have listened to a part of the debate and I read the notes about the other parts of the debate. I am very grateful to the hon. Members for keeping

**Uncorrected/Not for publication - 12.08.2010**

it, by and large, non-partisan, non-polemical and non-controversial, and focussing on the issues that have to be addressed now.

We have two choices in a debate like this. We can look back. We can look back 25 years, look back with anger, look back with a sense of indignation and look back with grief or we can look forward and see what can be done. I am very grateful that most of the Members tend to look forward. The Leader of the Opposition in his brief intervention, which I welcome, sought to look back. He is entitled to do so. I only wish he had done so not in 2010 but in the year 2001. That would have meant he was looking back only 16 years. Today, he is looking back 25 years. As the years roll by, memories tend to fail and memories tend to play tricks. Sometimes what did not happen seems to have happened; sometimes people think what happened did not happen.

Be that as it may, I will deal with the issues that we think are most important and I shall also briefly deal with the issue which the Leader of the Opposition has raised.

Firstly, let me say that what happened in Bhopal was a man-made tragedy. This tragedy was in the making. There were enough indications to the authorities that a tragedy of this kind would happen. When it happened, of course, virtually everyone was unprepared.

(Contd. by 2K/VK)

VK/2K/2.40

**SHRI P. CHIDAMBARAM (CONTD):** A number of people lost their lives; a number of people were permanently disabled and a number of people were temporarily

**Uncorrected/Not for publication - 12.08.2010**

disabled. We can see the aftereffects of this on women, especially young girls who have since become women and are in child bearing age. We can see the aftereffects on the second generation. The manner in which the Governments addressed this through the last 26 years, has been, to be charitable, most unsatisfactory. What compounded the matter was the judicial proceedings that we are all aware of. The first set of cases dealt with compensation. This was decided in three judgements of 15<sup>th</sup> February, 1989, 4<sup>th</sup> May, 1989 and 3<sup>rd</sup> October, 1991.

There was another set of cases which dealt with criminal liability. This was finally dealt with, in so far as the accused before the court was concerned, by a judgement dated 13<sup>th</sup> September, 1996. I chose my words carefully because that judgement did not, and I repeat, did not apply to Warren Anderson or accused No. 10 or accused No. 11.

There was third set of legal proceedings relating to the extradition of Warren Anderson. It began with an FIR filed on 3<sup>rd</sup> December, 1984 and it rests today with the rejection of the request for extradition and an effort by the CBI and the Government of India to add more material and give more information in support for the request for extradition.

The fourth set of proceedings deal with the claims for compensation, the distribution of compensation, the medical and health problems of the victims and the assurances of how they will be dealt with in future.

The last but, by no means, the least important issue relates to the toxic waste and toxic material which is lying on the accident site.

**Uncorrected/Not for publication - 12.08.2010**

My respectful submission is, all this could have been dealt with in a more satisfactory manner and better answers could have been found if they had been dealt with at the appropriate time in the late 1980s and the early 1990s. This House is never dissolved. This House is there since it was first constituted. The compensation cases were decided between 1989 and 1991. There were three Prime Ministers in that period. The Welfare Commission has distributed the compensation between November, 1992 and October, 2003. There were four Prime Ministers during that period.

(Contd. By 2L)

RG/2.45/2L

**SHRI P. CHIDAMBARAM (contd.):** The criminal cases were decided between 1989 and 1996. There were three Prime Ministers during that period. The extradition proceedings travelled the period between 1984 and are still incomplete. Everyone, who has been a Prime Minister and headed a Government, is in one way or the other responsible and accountable. During this period, we have had the Eighth to the Fifteenth Lok Sabha. So, while today, I share the grief, the sorrow and the pain of the victims of Bhopal, I also wish to tell them that I see a deep sense of guilt that in all these 26 years, neither the Executive nor Parliament appeared to have exercised the vigil and supervision that the situation warranted. And, in a sense, the elected political class of the country let down the victims of Bhopal. What complicated matters were the interventions made by the Judiciary. I think, in a sense, the Executive and Parliament thought that they could hide behind judicial pronouncements and leave it to the Judiciary to handle the matter.

**Uncorrected/Not for publication - 12.08.2010**

That is how the Judiciary took over control of the hospital; the Judiciary appointed the trustees of the hospital; the Judiciary started saying, "We will supervise the running of the hospital." The Judiciary said, "We will distribute compensation." So, this is another example where the Executive and Parliament ought not to abdicate its functions in favour of the Judiciary. A tragedy of this proportion and the management of the consequence of this tragedy must be squarely in the hands of the Executive accountable to Parliament, and the Judiciary ought to intervene only by exception, if there is a violation of Fundamental Rights or legal rights. On the contrary, what happened was, and let us all learn a lesson here, that the Judiciary took control over the situation. We referred the settlement to the Judiciary. The question of criminal liability, the question of compensation, the question of providing medical and health care, everything was abdicated in favour of the Judiciary by the Executive and Parliament. Be that as it may, as I said, we have to look to the future. Now, on the 7<sup>th</sup> of June, the Trial Court pronounced its judgement sentencing Keshub Mahindra and others to a maximum of two years. That was a wake up call. It jolted everybody from his or her slumber. The Government constituted a Group of Ministers. We looked into the matter to the best of our ability. The fact that so many years had passed was, certainly, a constraint. For example, however much you might like to disbelieve or believe me, the fact is that there are no records of immigration and emigration for that period. Who came and who went out, there are no immigration records there. However much it may be distasteful to believe me, there are no records in the

**Uncorrected/Not for publication - 12.08.2010**

MEA of who met whom, who had a conversation with whom, what meeting was held, etc.. There are no records available...

**SHRI SITARAM YECHURY:** Strange!

**SHRI P. CHIDAMBARAM:** Truth is stranger than fiction. The fact is that records are not there. I have tried my best to put the right questions and seek the records. But these records are simply not there. Therefore, we had to rely, to some extent, on contemporary media reports. And, media reports are not only contemporary but they can also be contradictory, as they are often.

(Continued by 2M)

2m/2.50/ks

**SHRI P. CHIDAMBARAM (contd.):** So, within these constraints, we have tried to deal with the problem. We have made a set of recommendations. The Government has accepted those recommendations and those recommendations are under implementation.

Sir, I want to share with this House that the wards that were selected as affected wards were selected on the basis of a recommendation made by the Government of Madhya Pradesh. They gathered mortality and morbidity records of the wards and, then, said, 36 wards were affected, two were classified as severely affected, five as moderately affected and 29 as mildly affected. These were based on mortality figures collected from cremation/burial ground and, later, confirmed from municipal records. The studies carried out by the Ministry of Environment also took into consideration the temperature prevailing on that day and the speed and directions of the wind. Subsequently, there was a proposal

**Uncorrected/Not for publication - 12.08.2010**

from the State Government for declaring the remaining 20 wards as also gas-affected. The GoM sought full data in respect of the 20 wards from the State Government. The Department of Chemicals and Petrochemicals requested the State Government to furnish detailed information with related data on mortality and morbidity and other parameters required for declaring the remaining 20 wards as gas-affected. However, the information was not received from the State Government. On a reference of the matter from Shri Babu Lal Gaur, the then Minister in charge, the matter was again examined and a detailed reply dated 29.05.2006 was sent by the Minister, pointing out the background facts and requesting the State Government to expedite the information and the required parameters of mortality and morbidity. However, the required information was not received. The issue came up for consideration again, on 17.04.2008 when the Chairman of the Group of Ministers decided that since the required information had not been furnished, it would not be appropriate to reopen the issue. Subsequently, in a meeting held on 11.06.2008, the issue was discussed in detail and it was decided that the matter need not be reopened, as it was the decision of the Government of Madhya Pradesh in terms of mortality, morbidity and other parameters to declare 36 wards as gas-affected and the Government of India had no role in declaring those 36 wards alone as gas-affected.

Likewise, Sir, on the question of compensation, neither the Government of India nor the Government of Madhya Pradesh had a role in classification of distribution. The Supreme Court judgment of 4<sup>th</sup> May, 1989 gave some guidelines and, then, detailed guidelines were laid down on 13<sup>th</sup> of April, 1992 and the 8<sup>th</sup> of

**Uncorrected/Not for publication - 12.08.2010**

September, 1992. Based on these guidelines, claims were received. The Welfare Commissioner was a Sitting Judge of the High Court. The Deputy Welfare Commissioners were District Judges. At the first instance, the Civil Judges were to receive the compensation. Every claim went through these three tiers. And the Welfare Commissioners categorized the claims over a period beginning November, 1992 to October, 2003. And all but one claim has been settled.

Now, as far as compensation is concerned, this was based on the classification; the classification was made by the Commissioners based on the guidelines. Initially, out of the money that was available, in death cases, the average amount paid was Rs.1.03 lakhs. In the injury cases, the average compensation was Rs.25,154. However, because of exchange rate variation and accumulation of interest, more money was available. So, it was decided that for every one rupee paid, another rupee will be paid. Thus, the average in the case of death became Rs. 1.03 lakhs plus Rs.1.03 lakhs, that is, Rs. 2.06 lakhs.

(contd. by 2n/kgg)

kgg/2n/2.55

**SHRI P. CHIDAMBARAM (contd.):** In 3,512 cases they got Rs.2 lakhs each. The highest is, a few persons got Rs. 8 to 10 lakhs. In the injury cases, the amount was, the original sum was Rs.25,145 plus another sum of Rs. 25,145. Depending on the seriousness of the injury, more compensations came. Altogether, initially Rs.1,548 crores was paid. On a 1:1 ratio, another Rs.1,509 crores was paid. The difference of Rs. 39 crores is because 11,745 persons have not come forward to

**Uncorrected/Not for publication - 12.08.2010**

receive the second installment of the pro-rata compensation. If they do come forward, the money is available, it can be given.

So, after deliberation, we felt and that has been accepted by the Cabinet, that in death cases we will now pay Rs.10 lakhs per person less amount received, permanent disability will be Rs.5 lakhs per person less amount received, cancer cases and total renal failure cases would be Rs.2 lakhs per person less amount received, and temporary disability would be Rs.1 lakh per person less amount received. This money will be provided by the Government of India and that will be distributed in the same manner as the earlier money was distributed through the Welfare Commissioners.

Sir, no one reopened the issue of compensation after the last judgment of 3rd October, 1991. It is a failure. The law on curative petition was settled, I think, about 8-9 years ago. It occurred to no one that this amount of 470 million which was settled or decided or whatever, should be reopened. On the contrary, the judgment said, 'Any additional compensation must be paid by the Central Government.' Successive Governments have accepted that and today, without prejudice to our right to file a curative petition, we have accepted that irrespective of the outcome of that petition when it is filed, when it is heard and when it is decided, any additional compensation will be paid by the Government of India and the Finance Minister has kindly agreed to provide the funds. The funds will be provided by the Government of India and will be paid to the victims of Bhopal.

Sir, I now turn to criminal liability. Sir, criminal liability was decided by a judgment of the Supreme Court dated 13th September, 1996. Again, in all these

**Uncorrected/Not for publication - 12.08.2010**

fourteen years, it occurred to no one that that judgment should be challenged. That judgment, and I seek the indulgence of this House for a few minutes, rose out of a petition filed by Keshav Mahendra and others. We would do well to remember that the criminal cases against the accused were bifurcated. One set of cases dealt with Keshav Mahendra and other accused, another set dealt with Warren Anderson, accused number 10 and accused number 11. The three accused did not appear before the court, subsequently. The cases were bifurcated. When Keshav Mahendra and others were charged under the gravest sections of the Indian Penal Code, 304 part-II, 324, etc., etc., read with section 35 of the IPC, they challenged it ultimately in the Supreme Court. It is in that case judgment was pronounced, but the facts and evidence on record did not attract 304 part-II, at best they could be tried only under 304A. There is some significance about what I am saying because that judgment in my respectful view was wrong. But, assuming that it was right, it did not apply to Warren Anderson, it did not apply to accused number 10, it did not apply to accused number 11 because they were not petitioners before the Supreme Court.

(Contd. by tdb/2o)

TDB/20/3.00

**SHRI P. CHIDAMBARAM (CONTD.):** The Supreme Court was looking into the material on record *vis-à-vis* the petitioners before the court, namely, Keshub Mahindra and other accused. And on that material, the Supreme Court came to the conclusion, wrongly, in my opinion, that 304 Part II was not attracted. No one challenged that judgement either. Today, the Government has decided, I mean,

**Uncorrected/Not for publication - 12.08.2010**

the Group of Ministers has decided and the Cabinet accepted it that a curative petition must be filed. The Attorney General is being instructed to file a curative petition. A curative petition is, perhaps, more or less ready, and I think, it is being filed shortly. We intend to file the curative petition and argue the matter before the Supreme Court, and request the Supreme Court to review its decision of 13.9.1996 in the case of Keshub Mahindra and others.

Sir, the third issue concerns the extradition of Warren Anderson. FIR against Warren Anderson was filed on 3<sup>rd</sup> December, 1984. Warren Anderson's name was not mentioned. It mentioned officials of the Union Carbide. So, one assumes that anyone who is charged subsequently is covered by the same FIR and that is the position in law, and others, 'unknown others'. That FIR mentioned only 304(A). Of course, that did not bar the police from adding other sections subsequently, which they did, in fact. A charge sheet was drawn up on 30<sup>th</sup> November, 1987 under section 304 Part II, 324, 326, 429 read with section 35 IPC. A summons was issued to Warren Anderson on 1.12.1987; he did not appear. On 15.11.1988, a bailable warrant was issued, he did not appear. On 1.1.1992, a proclamation was published in the US newspaper, which was followed by an order of attachment. On 10<sup>th</sup> April, 1992, a Non-Bailable Warrant was issued. An Extradition Treaty between India and US was formally signed on 14<sup>th</sup> September, 1999. The CBI submitted its request for extradition in September, 1993, and it is a commentary on the way we run Governments in this country. Between 1993-2001, this file was tossed up and down. No decision was taken; 1993 to 2001, takes within its broad sweep all of us sitting in this House. In 2001, the then Government

**Uncorrected/Not for publication - 12.08.2010**

sought the opinion of a US law firm, which said, ‘there is no case to extradite Warren Anderson’. It sought the opinion of the then Attorney General, who said, ‘there is no case to extradite Warren Anderson and, certainly, there is no case under 304 Part II’. The matter was considered by the then External Affairs Minister, who quite rightly, after obtaining the Prime Minister’s view, asked the opinion of the then Law Minister. The Law Minister was also of the view, but in taking that view he relied upon the judgement in Keshub Mahindra’s case, and said, “the case for extradition appears to be weak, and, that relying on the Supreme Court judgement, Warren Anderson and others could not be charged under 304 Part II. As I said, in my view, the judgement in Keshub Mahindra’s case was not only wrong, but even if it was right, it did not apply to Warren Anderson. Nevertheless, that view was taken by the then Government. But the Central Bureau of Investigations stood its ground and said, ‘nothing doing. Our request for extradition will remain under 304 Part II’”.

(Contd. by 2p-sss)

SSS/2P/3.05

**SHRI P. CHIDAMBARAM (CONTD.):** I want to compliment the officers of the CBI who stood their ground firmly and said that it must only be under 304, part II and the graver sections. (Interruptions) Let me complete my speech. You should have said this when you got an opportunity. On 5<sup>th</sup> of May...

**SHRI ARUN JAITLEY:** I never realized that you would use your articulation for side stepping.

**SHRI P. CHIDAMBARAM:** No, no, I am not side stepping.

**Uncorrected/Not for publication - 12.08.2010**

**SHRI ARUN JAITLEY:** What you say and what you have said in the other House is not accurate.

**SHRI P. CHIDAMBARAM:** Whether it is accurate or not is a different matter.

**SHRI ARUN JAITLEY:** It is not accurate and we can refer to those papers which you have not read.

**SHRI P. CHIDAMBARAM:** There are other Members who have read it. I did not want to read it.

**SHRI ARUN JAITLEY:** Please bear in mind just one sentence. “But as a matter of policy we may still take a decision to file an extradition and that is the reason for the first time extradition was filed in 2003.”

**SHRI RAVI SHANKAR PRASAD:** That is what we wrote in the file...(Interruptions)

**SHRI ARUN JAITLEY:** From 1984 to 1998 you don't file it. (Interruptions) For the first time it is filed in...(Interruptions)

**SHRI P. CHIDAMBARAM:** Sir, they are interrupting me before I have completed this section. (Interruptions)

**MR. DEPUTY CHAIRMAN:** He has not completed. (Interruptions)

**SHRI P. CHIDAMBARAM:** Wait a minute. (Interruptions) You are not allowing me to complete. That is the problem. If you knew about it, if you had knowledge about it, you should have said it in your opening statement. You should have, if you wanted to. But, let me complete the section. I have not mentioned any names. I have not attributed any motives. I have not questioned anyone's intention. I am simply narrating facts as I see it.

**Uncorrected/Not for publication - 12.08.2010**

**SHRI S. S. AHLUWALIA:** But not fully.

**SHRI P. CHIDAMBARAM:** He feels that I am visually challenged but I will say it the way I see it. The CBI stood its ground. The Government said this as a matter of policy. Despite the weakness recorded by successive persons who were consulted in the matter, the CBI stood its ground and because CBI stood its ground, the Government said, 'As a matter of policy we will go ahead with extradition despite the shortcomings.' No one gave up the argument that there were shortcomings. According to me, the shortcomings were an invention. There were no shortcomings. The original request of CBI was a perfectly legitimate request. There were no shortcomings. Shortcomings were read into that request. But, then, despite the shortcomings let the CBI go ahead. A request for extradition was issued on the 5<sup>th</sup> of May 2003 but by the then Government. Ultimately, the request was issued by the then Government. That is the first request that was considered since 1991.

**SHRI ARUN JAITLEY:** From 1984 to 1998, you were...

**SHRI P. CHIDAMBARAM:** I have said so. From 1993 to 2001, it embraces all of us in this House. I said so. You didn't hear me. Prakash nodded his head when I said that. The way we run our Government in this country, the file is tossed up and down for eight years. When I said that, you nodded your head. I am grateful for the nod. Therefore, Sir, that request was rejected by the US Government on the 7<sup>th</sup> of June 2004. Since then there have been a number of meetings between Indian officials and US officials. The US steadfastly refuses to entertain the request for extradition. But, we have decided in the Cabinet that we will now see

**Uncorrected/Not for publication - 12.08.2010**

it in the light of the judgment of the trial court which has brought on record evidence. Earlier it was only what the prosecution will adduce before the trial court. Now, the prosecution has brought the evidence on record. There has been cross examination. A large amount of evidence has been added to the record.

(Contd. by 2Q/NBR)

-SSS/NBR-VNK/2Q/3.10

**SHRI P. CHIDAMBARAM (CONTD.):** For example, 178 prosecution witnesses were examined and 3009 documents were marked between September, 1997, and November, 2005. The bulk of this was more recently. The accused were questioned under Section 313 between November, 2005, and May, 2009, 8 defence witnesses were examined between June, 2009, and February, 2010. So, you will see that the bulk of the evidence has come on record after the extradition request of 05-05-2003. Therefore, we think that this material must now be placed before the US authorities and press our request for extradition and the Ministry of External Affairs is doing precisely that -- press our request for extradition.

The last issue before I deal with the issue raised by the hon. Leader of the Opposition is about the toxic waste. Now, contrary to popular belief, well before the Bhopal gas leak, the factory has had been dumping toxic material on that very site. In fact, Navy, NGRI and IICT were appointed to do an environmental impact study only in 2008 -- another instance of collective failure of the successive Governments. No one, between 1984 and 2008, wanted a comprehensive, thorough and rigorous study on the environmental issues. Now, their Reports

**Uncorrected/Not for publication - 12.08.2010**

have come. They still saw 1.1 million tones of contaminated soil, 1 metric tone of mercury spillage, 1,500 metric tones of corroded plant and 150 metric tones of underground dumps. The quantity is unknown. But, approximately, it is 150 metric tones of stored hazardous residues, including tarry residue of 350 metric tones. And, all this has to be incinerated or they have to be decontaminated or another method has to be found before we can say that the site is free from environmental hazards and the neighbourhood is free from environmental hazards. The Navy, NGRI and IICT have given their Reports. The Government has decided that these Reports will be subjected to a peer review of scientists. NGOs will be invited to comment on the Reports and give their recommendations. Finally, the Peer Review Committee will recommend the course of action and I have the word of the hon. Minister of Environment and Forests that whatever the Peer Review Committee recommends, after considering the views of the NGOs, will be accepted as the Government's course of action. The most viable option appears to be what is called secured landfill which, in common terms, is burial on the site. Sir, 1.1 million tones should be buried on site and a secured landfill is created. Otherwise, it is commonsense, nowhere you can transport 1.1 million tones and there is no manner in which it can be transported or can be disposed of.

Be that as it may, I am not giving any opinion on this. The scientists will give their final view. And, we have agreed with the Government of Madhya Pradesh that while the cost of the remediation will be borne by the Government of India. The responsibility or undertaking remediation works will be with the

**Uncorrected/Not for publication - 12.08.2010**

Government of M.P. They will suitably empower the Department of Gas Tragedy, Relief and Rehabilitation. They will grant the Department to enhance financial powers and an Oversight Committee will be established at the level of the Government of India. The Minister of Environment will Chair the Committee. The Minister of the Government of Madhya Pradesh will Co-Chair the Committee. And, I have already given assurance in the other House which I will repeat here that this will be done by the Government of Madhya Pradesh. We will offer our fullest support to the Government of Madhya Pradesh.

**SHRI VIKRAM VERMA:** What about the Dow Chemicals?

**SHRI P. CHIDAMBARAM:** I will answer. Please sit down.

The bill will be born by the Government of India and we hope that remediation will takes place.

(CONTD. BY USY "2R")

-NBR-USY/3.15/2R

**SHRI P. CHIDAMBARAM (CONTD.):** The question is, why do you not ask someone else -- the Union Carbide, the Dow Chemicals, the Eveready -- to do the remediation? I have no problem. If someone willingly comes forward to do the remediation, we have no problem. If someone is found liable of doing remediation, we have no problem. But the issue is not yet settled. The first petition, saying that the Dow Chemicals must be saddled with the liability, was filed in the year 2005. Between 1984 and 2005, much happened to the Union Carbide. No one has all the documents. But with whatever documents, which are available, it appears, I underline the word 'appears', that a part of the property

**Uncorrected/Not for publication - 12.08.2010**

of the Union Carbide in India was bought by the Eveready; the world-wide assets of the Union Carbide was bought by the Dow Chemicals. They have their own agreements, which have not yet surfaced. And, the liability of either the Union Carbide or the Dow Chemicals or the Eveready, is a matter pending in an application in WP 2802 of 2004, filed by the Ministry of Chemicals and Fertilizers before the High Court of Madhya Pradesh, at Jabalpur, on 10<sup>th</sup> of May, 2005. Until then, no one filed any application. This application -- we have, now, directed -- must be expedited. The court must be requested to constitute a Special Bench and hear this matter, decide the liability, respond and score 506 applications of the Union Carbide, the Dow Chemicals and the Eveready. They have liability or the proportionate liability or the joint liability or several liabilities, it has to be fixed. If that is fixed, not only can the court direct them to do the remediation, but even if we do the remediation ahead of that, we intend to claim restitution for who is found liable for remediation work.

Sir, I am happy to inform the House that the Curative Petition against the judgment of Justice Ahamadi has been filed by the CBI on 02<sup>nd</sup> of August, 2010. Yesterday, I did not have this information. It has actually been filed. So, that answers my learned friend.

I was completing the other one. Let not anybody be under any misapprehension that we are passing on the responsibility to the Government of Madhya Pradesh. The responsibility is joint. The task of carrying out remediation is given to the Government of Madhya Pradesh. (Interruptions)

**SHRI VIKRAM VERMA:** Site selection is also very wrong. (Interruptions)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI P. CHIDAMBARAM:** All this will be decided by the Government of Madhya Pradesh. And, there is an Oversight Committee, in which both, the Government of India and the Government of Madhya Pradesh, are being represented. They will decide the matter.

So, one issue that remains is about the health and medical. That will be with us for many, many years to come. The Bhopal Memorial Trust runs the Bhopal Memorial Hospital and Research Centre. It was established in July, 2000. It has eight main units. Besides, there are six hospitals, nine day-care centres, three Unani dispensaries, three Homeopathy dispensaries, and three Ayurvedic dispensaries. This is run by the Trust, chaired by Justice Ahamadi. But we have moved Supreme Court. The Supreme Court has, now, discharged that Trust. The hospital can, now, be taken over by the Department of Atomic Energy. The Tata Memorial Hospital and Research Centre is under that. And, we will, now, run it. There is a corpus of Rs. 436 crores with this Trust. That is also being taken over. This hospital is in a very poor shape. Salaries paid to its doctors are lower than the salaries paid by the Government of Madhya Pradesh to its own doctors. Many posts are vacant. Some departments are non-functional. We have directed that all this should be remedied very quickly. It will be done. The ICMR had established a research centre in 1984. It conducted certain epidemiological studies. It published papers in 1987 and 1994. Then, it stopped working on 31.12.1984. We have, now, directed the ICMR to set up a full-fledged research centre. It will, I think, be the 31<sup>st</sup> centre of the ICMR. It will continue to do the research and rehabilitation work in respiratory diseases, eye-related

**Uncorrected/Not for publication - 12.08.2010**

diseases, cancer, total renal failure, genetic disorders, congenital disorders, women-related medical issues and second-generation-children-related medical issues. This hospital will be upgraded to a super speciality hospital. All other hospitals will continue to be run by the Government of Madhya Pradesh. The ICMR will establish its 31<sup>st</sup> research centre at Bhopal.

(Contd. by 2s -- PB

PB/2s/3.20

**SHRI P. CHIDAMBARAM (CONTD.):** An Empowered Committee under the chairmanship of Secretary, Department of Health and Family Welfare is being established to implement this part of the recommendations.

All the victims of Bhopal Gas tragedy, including the second generation victims, have been identified and they have been given cards. All of them will continue to receive every kind of treatment for every ailment and every disease completely free in these medical facilities for the rest of their lives. So, no one needs to have any apprehension that medical facilities are inadequate. In fact, we will upgrade the BMHRC into a super speciality hospital and all other hospitals can also be upgraded by the Government of Madhya Pradesh for which funds have been provided in this very Cabinet decision.

So, I think, I have dealt with issues relating to compensation, to claims, to toxic material, to extradition and to the penal issues. There is one issue about ...

**SHRIMATI BRINDA KARAT:** Sir, there are three issues.

**SHRI P. CHIDAMBARAM:** Just tell me the issues.

**Uncorrected/Not for publication - 12.08.2010**

**SHRIMATI BRINDA KARAT (WEST BENGAL):** One is about the CBI inspection of the West Virginia Plant, that letter which is pending. The second was the basic demand of reassessment of medical categorization and the death claims. Those are the two basic demands. The third was on the clinical trials which were conducted.

**SHRI P. CHIDAMBARAM:** I have said so. ICMR is setting up its ...

**SHRIMATI BRINDA KARAT:** No; no; I am not talking about that. I am talking about the illegal clinical trials conducted at the behest of American pharmaceutical companies on the victims of Bhopal. I want to know whether you will set up an enquiry on that.

**SHRI P. CHIDAMBARAM:** Sir, I am not aware of that. I am sorry that it was not brought to my notice. I am not aware of either issue 1 or issue 3 which she mentioned of the CBI's inspection of West Virginia Plant or the alleged illegal clinical trials. But I will try to get a response and send it to her.

On the second issue, it was, in fact, Shri Babulal Gaur who first told us about this. At this distance of time, it is virtually impossible to reopen categorization. Now, after very careful deliberations, we have accepted the categorization made by the Welfare Commissioners over a period of 11 years. Now, I am willing to concede that there are errors in categorization. I am willing to concede that more than 5,295 people perhaps died, proximate cause being the gas leak. But only 5,295 have been classified as death cases. There were 10,000 other cases of death which were classified as injury cases and dealt with under permanent disablement or temporary disablement. It is quite possible that some

**Uncorrected/Not for publication - 12.08.2010**

of them should have been in this category. But at this distance of time, with the best of intentions and with the best of effort and going by the best advice that was available to us, we decided that it is not possible to reopen the categorization because that will mean that the whole thing will get unraveled and it will be impossible to deal with it for many, many years. What we promise is, free and comprehensive medical and health facilities for the rest of the lives of the victims, their children and for second generation victims. That is the best answer that I can give now. ...(Interruptions)...

**SHRIMATI BRINDA KARAT:** Sir, this is a grave injustice. ...(Interruptions)...

**SHRI P. CHIDAMBARAM:** That is a point of view. I have answered it.

**SHRIMATI BRINDA KARAT:** Without that, Sir, this is another injustice on the victims.

**SHRI P. CHIDAMBARAM:** Sir, I have answered it to the best of my ability.

Sir, the last point is, the point about what happened on that day of 7<sup>th</sup> December, 1984. Sir, if you ask this question 25 years later, it is most likely that most players would have passed away; if you ask this question 50 years later, it is most certain that everyone would have passed away. I wish this question had been asked by the hon. Leader of the Opposition in 2001 when he was dealing with the extradition of Warren Anderson. Perhaps, memories would have been fresher; more players would have been alive. But to ask the question in 2010 of me and our Government, not having asked the question in 2001, I think, is a little, if I may say, ... ...(Interruptions)...

**Uncorrected/Not for publication - 12.08.2010**

**SHRIMATI BRINDA KARAT:** Sir, it is an issue which is not between the Minister and the LoP. ...(Interruptions)...

**SHRI P. CHIDAMBARAM:** I am entitled to ... ...(Interruptions)...

**MR. DEPUTY CHAIRMAN:** He had earlier raised that question. ...(Interruptions).... Brindaji, he had raised that question. ...(Interruptions).... No; no; please. ...(Interruptions)...

**SHRI P. CHIDAMBARAM:** I am answering that. ...(Interruptions)...

**MR. DEPUTY CHAIRMAN:** He has raised that question. ...(Interruptions)...

(Followed by 2t/SCK)

2t/3.25/skc

**SHRI P. CHIDAMBARAM:** Secondly, I have not refused to answer. This is prefatory remark to his reply. Certainly, Sir, I am entitled to reply in my own way. Therefore, I wish that he had asked this question in 2001, before he asked it in 2010. Why he did not ask it in 2001, only he can answer.

**SHRI ARUN JAITLEY:** The question would still be asked of you.

**SHRI P. CHIDAMBARAM:** You should have asked the question in 2001.

**SHRI ARUN JAITLEY:** If questions were raised in 1984, we would still have been in the dark in 2001. The answer can only come from you; it can't come from us.

**SHRI P. CHIDAMBARAM:** You would not have been.

**SHRI ARUN JAITLEY:** The answer can only come from you.

**SHRI P. CHIDAMBARAM:** Sir, I am sorry. In 2001, he was in Government and if he had asked the question then, there were other persons, witnesses, actors,

**Uncorrected/Not for publication - 12.08.2010**

participants; he would have found a way to ask of them what happened in 1984.

He was in Government then.

**SHRI RAVI SHANKAR PRASAD:** You were the MoS for Home in 1984.

**SHRI P. CHIDAMBARAM:** You are making a mistake. On the 7<sup>th</sup> of December, 1984, I was a candidate in the election. (Interruptions)

**SHRI RAVI SHANKAR PRASAD:** But, within hardly a month, you had become a Minister.

**SHRI P. CHIDAMBARAM:** Again, you are wrong. Sir, this is what I said earlier. Memories tend to play tricks. Memories fail. I mean, he is a young man but memories can fade early in life also.

**SHRI RAVI SHANKAR PRASAD:** Did you become MoS, Home, or not? You have to tell me that. (Interruptions)

**SHRI P. CHIDAMBARAM:** I will answer that. (Interruptions) I will answer that. (Interruptions) I became MoS, Home Affairs, in May, 1986. We are talking about 7.12.1984.

**SHRI ARUN JAITLEY:** Since you became a Minister on 7<sup>th</sup> of November, 1984 please tell us the rest of what happened.

**SHRI P. CHIDAMBARAM:** I am trying to do that. You must be patient. I will tell you what happened on 7<sup>th</sup> of December, 1984. So, for 7<sup>th</sup> of December, 1984, we can, therefore, only go by contemporary reports; some of them are contradictory. Please do not forget that. Some of them are contradictory, and by anyone who is willing to come forward and give his version of the events.

**Uncorrected/Not for publication - 12.08.2010**

An hon. Member of this House has given his version of the events and, therefore, you cannot now selectively reject parts of that statement and selectively use parts of that statement. What was your intention in raising this issue? Your intention, unstated or stated -- some have stated it some have not stated it -- in raising that issue is to show that all this was done with the knowledge of the late Shri Rajiv Gandhi. That is the real intention. Be honest enough to admit it. But the version that is given in this House by a person who was a principle actor at that time is, "Rajivji had nothing to do with it. Rajivji never told me anything about it".

**SHRI ARUN JAITLEY:** Was he ignorant of what was going on in his regime?  
(Interruptions)

**MR. DEPUTY CHAIRMAN:** How can he answer if...(Interruptions)

**SHRI P. CHIDAMBARAM:** I will answer. (Interruptions) You can't selectively reject that part of the statement. Sir, this is what defence lawyers would do -- selectively reject prosecution evidence and accept part of the prosecution evidence. You can't do that! You either take the statement at its whole and accept it and then say, 'All right. These are the admissions made in the statement. Answer them.'" I would answer. But you can't selectively reject part of the statement and selectively accept part of the statement.

I have read the statement made in this House and it says categorically, "On the night itself, I contacted the office of the Prime Minister in Delhi and informed them of this calamity. Rajivji was away on tour". He doesn't say, "He

**Uncorrected/Not for publication - 12.08.2010**

told Shri Rajiv Gandhi on that day". (Interruptions) You can make your commentaries later, do it in writings or speeches. Let me make my intervention.

So, he did not say that. Then, he says, "Rajivji arrived at 4 p.m. on the 4<sup>th</sup> of December. He was in a very grave mood. The only thing on Rajivji's mind was, 'how we can provide relief and rehabilitation to those who have been affected'. In the evening, Rajivji flew back after telling me, 'we have to go all out to help the affected people' and he asked me to be in touch with him everyday". We then come to the 6<sup>th</sup>. He says, "I made up my mind that as soon as he" -- 'he' is Warren Anderson -- "lands on the soil of Madhya Pradesh, he should be arrested. I did not share my decision with anybody". He didn't share it with Rajiv Gandhi either.

(Contd. at 2u/hk)

HK/2u//3.30

**SHRI P. CHIDAMBARAM (CONTD.):** He didn't share it with Rajiv Gandhi either. You cannot selectively reject them because it is inconvenient. These are statements made -- accepted in toto or rejected in toto. "As soon as Mr. Anderson stepped down from the plane, the police, the SP, Mr. Puri, escorted him in a car and told him that he was under custody." Then, 26 years later, "I would tell you that it pricks my heart." He further said, "I then called my Chief Secretary, Mr. Brahma Swaroop, who unfortunately is no longer alive, and sought his advice as to what we should do." He said, "Now that he has arrived and we have decided to arrest him, we should see that whatever needs to be done should be done effectively." He was arrested. We are now on the 7<sup>th</sup>, "Rajivji was, at

**Uncorrected/Not for publication - 12.08.2010**

that time, in Harda town of Hoshangabad. I drove straight to that place, met him and told him about the events of the morning, and also the arrest of Mr. Anderson. Rajivji heard me out without any comment, and just said, 'Let us go to the next meeting'. There was not even a flicker of any kind of sympathy for anyone much less Mr. Anderson. I take the full responsibility for having arrested Mr. Anderson." This part clearly says that the decision was taken by the Chief Minister, Mr. Arjun Singh. Mr. Rajiv Gandhi had nothing to do with it. When he was informed, he did not make any comment; he did not give any advice and he did not attempt to intervene in the matter. Then, "The Chief Secretary informed me that there have been persistent calls for granting bail to Mr. Anderson from Home Ministry officials in Delhi. I told him, he can do whatever he liked, but the arrest of Mr. Anderson must be duly recorded so that subsequently when we want, we can summon him, to arraign him before the laws of the land." This sentence indeed says that Home Ministry officials contacted the then Chief Secretary. That is what he has said. Now, to the best of my enquiry in the short span of time, there are no records of who made any call on the 7<sup>th</sup> of December, 1984 to Mr. Brahma Swaroop. ...(Interruptions)...

**SHRIMATI BRINDA KARAT:** Americans have that much power. ...(Interruptions)...

**SHRI ARUN JAITLEY:** Pranab *Babu* has a favourite phrase and I am borrowing his phrase which he has used, "This instruction came from some other planet." ...(Interruptions)...

**SHRI P. CHIDAMBARAM:** Whose phrase? ...(Interruptions)...

**Uncorrected/Not for publication - 12.08.2010**

**SHRI ARUN JAITLEY:** Pranab *Babu* has a favourite phrase when he says, "Did the people come from another planet?" So, I am borrowing his phrase which he has used, "Did these instructions come from some other planet?"  
...(Interruptions)...

**SHRI P. CHIDAMBARAM:** No. They didn't come from another planet.  
...(Interruptions)...

**SHRI ARUN JAITLEY:** He takes the responsibility of arresting him, but not the responsibility for departure. ...(Interruptions)...

**SHRI P. CHIDAMBARAM:** This instruction, according to Shri Arjun Singhji's statement, came from Home Ministry's officials on this planet. Nobody is disputing that.

**SHRI ARUN JAITLEY:** The Foreign Secretary says that this is wrong you had a safe passage bargained in advance.

**SHRI P. CHIDAMBARAM:** We will come to safe passage later. We are talking about how Anderson was allowed to go. We are not talking about how Anderson was allowed to come. I know you made the point; I will deal with it. All that this says, take it in totality. Some Home Ministry officials got in touch with the Chief Secretary of Madhya Pradesh and told him that Anderson must be granted bail. That's all this says. ...(Interruptions)...

**MR. DEPUTY CHAIRMAN:** He has not competed. ...(Interruptions)...

**श्री प्रकाश जावडेकर :** सर, यह क्या है? ..(व्यवधान)..

**Uncorrected/Not for publication - 12.08.2010**

**श्री उपसभापति :** आप क्यों नहीं बोलने देते? ..(व्यवधान).. Why are you losing patience? ...(Interruptions).. Please wait. आज जैसा चाहते हैं, वह तो होगा नहीं। ... (व्यवधान)..

**श्री रवि शंकर प्रसाद :** वे कुछ तो convincing बोलें। ... (व्यवधान)..

**श्री उपसभापति :** क्या बोलें? , वे तो बोल चुके हैं। ..(व्यवधान).. आप चाहते क्या हैं? ..(व्यवधान)..

**SHRI P. CHIDAMBARAM:** Sir, I find this extremely amusing.

(Contd. by 2w/KSK)

KSK/LP/3.35/2W

**SHRI P. CHIDAMBARAM (CONTD):** They wanted a right for the LoP to address after the debate is over. You gave him that liberty. He thanked you for the liberty. Now, they are saying, "Why is he answering the LoP?" If the LoP raises some questions, I am bound to answer. The issue that I go back to is: you are asking this question today and I am giving the answer today. I may be inadequate; I may be incompetent; I may be not thorough in my work. If you had asked this question...(Interruptions). Listen to me...(Interruptions). If they had asked this question in 2001, certainly, a more competent Home Minister in 2001 would have found that who the official was, what the records were, and told the then Law Minister what the answer was. He should have raised it in 2001...(Interruptions).

**SHRIMATI BRINDA KARAT:** Sir, just on this issue.

**MR. DEPUTY CHAIRMAN:** He has not completed...(Interruptions). I can't understand. He has not completed. Why are you interrupting?

**Uncorrected/Not for publication - 12.08.2010**

**SHRIMATI BRINDA KARAT:** He can take my question into account.

**MR. DEPUTY CHAIRMAN:** He has not yet completed his submission. I will give you an opportunity.

**श्री राजीव शुक्ल :** डिप्टी चेयरमैन सर, अगर आडवाणी जी यह कह सकते हैं कि जसवंत सिंह जी बिना उनकी जानकारी के कंधार में चले गए, तो फिर उस समय वह बात सही है, क्योंकि वे डिप्टी प्राइम मिनिस्टर थे और आज यह कहा जा रहा है कि बिना राजीव गांधी की जानकारी के कुछ नहीं होता..(व्यवधान)..

**श्री उपसभापति :** शुक्ल जी बैठिए..(व्यवधान)... This is not connected with the issue.

**SHRI P. CHIDAMBARAM:** Sir, again, reliance has been placed. Now, I will come to the safe passage. Yes, Mr. Rasgotra says and I heard it on television, 'safe passage is assured to Mr. Anderson'. I have no quarrel with that. If that assurance had not been given, maybe he would have never come. That's common sense. He came on safe passage. Now, question is that at what level, the safe passage was decided for Mr. Anderson. That is the real issue. Again, what is your intention? Your intention is to somehow point the finger at Shri Rajiv Gandhi and say, "Shri Rajiv Gandhi directed that safe passage should be granted." Now, what do you rely upon? You rely upon -- You relied in that House, and I am sure, somebody may have relied in this House -- a report written by the famous journalist, Shri G.K. Reddy, in *The Hindu*. Now, you rely upon parts of that report for other purposes. But, then, you should rely upon Shri G.K. Reddy for this purpose of safe passage. What does Mr. Reddy say?

**THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY):** We have not relied on that.

**Uncorrected/Not for publication - 12.08.2010**

**SHRI P. CHIDAMBARAM:** Not you but others...(Interruptions). Okay, fine, I relied.

**SHRI ARUN JAITLEY:** Who was the Foreign Affairs Minister at that time? Mr. Rajiv Gandhi was also in charge of External Affairs at that time.

**SHRI P. CHIDAMBARAM:** I am not denying that. They did not rely upon it; I will rely upon it. Contemporary media report says, and Mr. G.K. Reddy writes, "It is quite possible that Mr. Rajiv Gandhi was not aware of the safe conduct assurance given to Mr. Anderson before he left the U.S. for India." Now, if you want to rely upon Mr. G.K. Reddy for some other parts, I rely upon Mr. G.K. Reddy for this part. But, point is that safe passage was indeed given, according to Mr. Rasgotra. Anderson was allowed to leave, according to Shri Arjun Singh, when Home Ministry officials asked the Chief Secretary to grant him bail. I am in no position to either confirm or dispute these two facts. Each Member of the House may draw his own conclusions. But, let me conclude by saying that these questions have been asked far too late in the day. They should have been asked immediately after 1984, and certainly, the LoP, who raised it, I think in my respectful submission, should have asked it in 2001. With these words, Sir, I conclude.

(Ends)

**SHRI ARUN JAITLEY:** Sir, I will just seek a two-minute clarification only on one question. Since a reference has been made to what happened in 2001, the record has to be put straight. The tragedy took place in 1984. After the tragedy, the CBI investigated the case. From 1984 till 1998, no effective steps were taken

**Uncorrected/Not for publication - 12.08.2010**

towards extradition. After 1998, the CBI consulted the then Attorney General who gave an opinion and said, "Since it will involve a matter concerning interpretation of American law and how the American courts are going to deal with it, let us consult the best experts on American law on this subject."

(continued by 2x - gsp)

GSP-3.40-2x

**SHRI ARUN JAITLEY (CONTD.):** The Indian Embassy consulted the best experts on the subject, who returned an opinion, it won't make any difference. I hope, you are right that the case against Anderson under 304-II still subsists. I do pray that you may be right on that, though there may be some doubt in it, but that is not the issue.

What is the level of proof required in the CBI chargesheet, which had been earlier filed when none of us was in power, and, probably, you were in power. They found that level of proof more vicarious and less strict, and, said, unless it is more direct, you are unlikely to succeed. The Attorney General then gave a second opinion and said, it is still possible to correct the missing links in the evidence, and, therefore, the same can be done but if that is not done, then, you will have to face this reality. Its on that basis, an opinion was expressed by the Law Ministry at that time, which says, yes, these are your weaknesses -- the CBI is being told -- if you want the extradition but as a matter of policy, we may still take a decision to pursue the extradition.

And, that is why, for the first time, what did not happen between 1984 and 1998, that happened in June, 2003, and, the extradition was filed, and, that is the

**Uncorrected/Not for publication - 12.08.2010**

extradition process which still subsists in some way, and, I hope, the CBI does not continue to fall in that error, and, still substitutes those missing links, which it did not do in that period. That is all what I have to say.

**SHRI P. CHIDAMBARAM:** I did not want to quote... (Interruptions)

**MR. DEPUTY CHAIRMAN:** I think, you can reply after all clarifications. (Interruptions)

**SHRI P. CHIDAMBARAM:** No, no. Let me make it very clear. I did not question anybody's freedom to form an opinion in law. After all, opinions are what they are, 'opinions'. Justice Ahmadi formed an opinion. We are now standing and saying respectfully that that opinion is wrong, a curative petition should be filed. That does not mean that we disrespect the gentleman or question his intention. We simply say that his conclusion was wrong. Likewise I said, when the then Law Minister said, therefore, any request for extradition of Warren Anderson will have to be limited to the offence of Causing Death by Rash and Negligent Act, equal to 304(A), he relied upon the judgement in Keshub Mahendra's case, and, that I say, with great respect, was wrong, the reliance was wrong and the conclusion was wrong.

**SHRI ARUN JAITLEY:** I think, he misses the main point. Irrespective of the point... (Interruptions)...We have to give more direct evidence. (Interruptions)

**MR. DEPUTY CHAIRMAN:** He has said, opinion differs, and, that is all. Next is Shri Ravi Shankar Prasad.

**SHRI RAVI SHANKAR PRASAD:** Sir, I would like to see three quick clarifications. How many people exactly died? I say, it is 22,000. As Brinda ji pointed out, the

**Uncorrected/Not for publication - 12.08.2010**

ICMR study was discontinued. Is the result going to come still for long-term damage?

Secondly, you said, most of the evidence came during trial in the last four to five years. If that was the case of direct complicity of Union Carbide, why did not the CBI seek an alteration of charge under 216 for 304-II before the case and provided it. Why was there a failure?

Lastly, you say, 1984 case is too old. I have got the press statement, which I quoted yesterday, which says that a safe passage was promised; that was the claim of Union Carbide. But I have got very recent contemporaneous evidence of June 10, 2010. Your very esteemed colleague, who is the General Secretary of your Party, and, who was the Chief Minister of the State for ten years, has publicly said so. It is titled, "Digvijay again: US pressure freed Anderson". This is very contemporaneous, Mr. Home Minister. This is of June 10, 2010. I have also got a documentary proof of how the Union Carbide gave substantial fund to the kitty of then Chief Minister's private trust. I do not want to embarrass you on that. But since you are asking for contemporaneous evidence, I would say, your General Secretary has said that US pressure freed Anderson. Would you kind reply? I will be grateful to you.

**SHRI SITARAM YECHURY:** Thank you, Sir. I will seek only two clarifications. Sir, this is not an issue of: you did this when you were in power; or, you did this when you were in power. It is not an issue between the Congress and the BJP. It is an issue of very serious nature as far as the country is concerned, and, therefore, with that in mind, I want to state on record, whether they have raised it,

**Uncorrected/Not for publication - 12.08.2010**

or, they have not raised it, that is not the issue, but we from the Left have been raising in this House and in the other House all along since 1984.

(Contd. by SK-2Y)

-gsp/sk/2Y/3.45

**SHRI SITARAM YECHURY (Contd.):** So, it is not correct to say that these questions were not raised. They were raised. It is very strange, and my first clarification on this issue is that on three important occasions, the Minister said that there were no facts. In one stage, he answered me saying that facts are stranger than fiction. Now, Sir, this is a very very serious point that you have archival records for what happened under the British rule but you don't have records of what happened 20-25 years ago. It is a ridiculous situation in which case whoever be in the Government will have to take this responsibility saying that contemporary archives of modern India are not being maintained. What does he say, Sir? He says that there are lack of facts of actually what happened on that day. There are lack of facts of who instructed the safe passage. There are lack of facts of what happened to the medical records ascertaining how these people can be checked. On three important issues, and late Mr. G.K. Reddy was read out saying that the Prime Minister was unaware of the fact that this right of passage was given. He was also the Foreign Minister then. It is not a question of an individual. We are not targeting Mr. Rajiv Gandhi as an individual.

**SHRI P. CHIDAMBARAM:** Someone did that. (Interruptions)

**SHRI SITARAM YECHURY:** That may be. (Interruptions) But, what I am saying is, I am talking of a system, Sir. How can the head of the Government not know

**Uncorrected/Not for publication - 12.08.2010**

what is happening? Or, how do we today say that we do not know because there is nothing on file? You have a Foreign Secretary going on record to a television channel saying this is what happened. But what he says to a television channel is not substantiated by anything on record. That's what the Home Minister claims today. How can you have such a situation? The only conclusion, the only conclusion from all this is one and that conclusion is that the US multi-national corporations have a tremendous hold on Indian bureaucracy and in the Indian regime, and this is something India, as a sovereign country, cannot afford and that is something that has to be corrected. If both the Governments say that they did not know and they are saying that he should have said and they are saying that he should have said, this is the only conclusion you can draw. This is a very pathetic state of affairs.

My second clarification deals with (Interruptions)

**MR. DEPUTY CHAIRMAN:** I thought it is over. (Interruptions)

**SHRI SITARAM YECHURY:** My second clarification, Sir, is this. (Interruptions) Sir, this is a contentious issue because we have gone through this whole issue of a strategic alliance with the USA, etc. etc. We have had this a bit on other issues. I know that is there in the background, but I am not talking about that. We have a growing strategic relationship with the US. Very good. Let us emulate them, at least, on one count, Sir. If President Obama of the USA can today (Interruptions) Okay, I will come to the relevant point. If today, the President of the USA, on the oil spill in the Gulf of Mexico, can hold the company responsible and talk in terms of that they should raise the resources to clean up that mess and the onus is put

**Uncorrected/Not for publication - 12.08.2010**

on that company, why can't you today put that onus on the Dow Chemicals and say that they have to take this onus of responsibility for cleaning this toxic waste? If something to the tune of 20 billion dollars is what the US President is asking the British Petroleum to do, why can't the Indian Government today say that the Dow Chemicals will take that responsibility for cleaning this toxic waste? Why are you hesitating? Are there any pressures? Otherwise, we, the whole country, will support you. You ask this company which is the universal norm, international norm. If they have done something because of which there is this toxic waste, they take the responsibility. So, we want to know why is the Government of India not proceeding on that course?

**SHRIMATI BRINDA KARAT:** Sir, he has mentioned that some of the questions (Interruptions) But I would like to stress this, Sir, because there has been (Interruptions)

**MR. DEPUTY CHAIRMAN:** Only clarifications, please.

**SHRIMATI BRINDA KARAT:** Yes, Sir. When we talk about injustices, one of the injustices has been the lack of any consultation with the representatives of the Bhopal victims. Those are the people who have been fighting this case. Therefore, what I would ask the Home Minister is this. You have said that you do not want to re-assess the medical claims. According to me, at the end of this debate in Parliament, we are committing yet another injustice to the Bhopal victims.

(Contd. by ysr - 2Z)

**Uncorrected/Not for publication - 12.08.2010**

-SK/YSR-PSV/3.50/2Z

**SHRIMATI BRINDA KARAT (CONTD.):** This is my request. Would you at least set up a committee which would look at the adjudicatedly accepted claims of death? There would be another 12,000-13,000 death claims, which are not included in the central list. It would make it a total of around 20,000-22,000 death claims which are there and which have been accepted in one form or another by this or that tribunal. Would you set up a committee with the representatives of those families to re-assess the death claims? As you know, there are no proper medical records even with the victims who are going to the hospitals every day for the last twenty-five years. The smart cards given by the Bhopal hospital erased the medical record after six visits to the hospital.

**MR. DEPUTY CHAIRMAN:** You have raised the question.

**SHRIMATI BRINDA KARAT:** On the issue of medical claims and categorization, unless you discuss it with the victims, how can you think of giving them justice? Will you set up such a committee to meet the representatives of victims to hear their point of view and then officially re-assess the issue?

(Ends)

**श्री सत्यव्रत चतुर्वेदी (उत्तराखंड):** सर, सबसे पहले मैं गृह मंत्री जी को इस बात के लिए बधाई देना चाहता हूँ...

**श्री उपसभापति:** आप क्लैरिफिकेशन पूछिए।

**श्री सत्यव्रत चतुर्वेदी:** कि आज उन्होंने बड़ी ईमानदारी के साथ बहुत सारी चीजों को कहा और स्वीकार किया।

**Uncorrected/Not for publication - 12.08.2010**

सर, कल मैंने intervention के दौरान एक बात कही थी कि दरअसल यह पूरा एपिसोड 1984 से लेकर अभी तक इस बात का प्रमाण है कि हमारे देश में प्रशासनिक failure हुआ, judicial failure हुआ और हमारा political system भी उस जिम्मेदारी को उठाने में नाकाम रहा। इससे हम सबक सीखना चाहते हैं और इस बात को आज गृह मंत्री जी ने भी कहा है। मैं यह जानना चाहता हूँ कि क्या सरकार इस घटनाक्रम से और इस घटनाक्रम के दौरान हुई हमारी असफलताओं से सबक सीखने के लिए इस बात की कोई comprehensive exercise कर रही है कि विभिन्न स्तरों पर judicial, प्रशासनिक और political system में हम इस समस्या को address करने में कहाँ और क्यों फेल हुए? ऐसे corrective steps उठाने के लिए, जिससे कि भविष्य में अगर कभी ऐसा कोई हादसा या कोई ऐसी घटना हो तो दोबारा ये failures फिर से न आँ, इसके लिए क्या सरकार कोई कदम उठा रही है? यह बताने की कृपा करें।

(समाप्त)

**SHRI P. CHIDAMBARAM:** Sir, let me briefly deal with the three or four issues that have been raised. According to the classification and categorization made by the welfare commissioners, 5,295 cases were categorized as death cases, meaning thereby death where the proximate cause is the gas leak. And 10,047 cases, claimed as death cases, were accepted and categorised as injury cases. Those are the numbers. There is no proposal to reopen that categorization. However regretful it may be, I am afraid given the distance of time and practical considerations, the GoM came to the conclusion and recommended to the Cabinet and the Cabinet accepted it that we cannot reopen the categorization.

Sir, as far as the ICMR is concerned, as I said in my Statement, the ICMR had a research centre in Bhopal in 1984. They conducted epidemiological and

**Uncorrected/Not for publication - 12.08.2010**

clinical studies. Some papers were published in 1987 and 1994. But they stopped their research work on 31.12.94 and handed over the research centre to the Government of Madhya Pradesh which runs it as the Centre for Rehabilitation Studies. But not much work has been done. They have done some long-term epidemiological studies. We found that there is an unsatisfactory state of affairs, so we have directed the ICMR to set up a full-fledged research centre. It would be the 31<sup>st</sup> research centre of the ICMR. It would be on a par with its other thirty research centres. I have told you the eight subjects in which they will continue to do research. The research centre will be set up in a time-bound manner and the staff of the existing Centre for Rehabilitation Studies, to the extent they are qualified, will be taken over by the ICMR.

(Contd. by VKK/3A)

-YSR/VKK-DS/3a/3.55

**SHRI P. CHIDAMBARAM (CONTD.):** The third question is about the US pressure. It's possible that the safe passage was negotiated, as Mr. Rasgotra says, by the US Embassy officials. The US Embassy officials negotiating safe passage of one of their citizens can be described as pressure or can be described as carrying out their duties. It is also on record that Mr. Rasgotra said that safe passage was assured to Warren Anderson. Beyond that, I have not found any evidence of the US pressure having any influence upon anything that was done or not done in the last 25 years. If there has been a commission, it is our commission; if there has been an omission, it is our omission. Why shift it to the United States and say that the omissions and commissions of the successive Governments are under the US

**Uncorrected/Not for publication - 12.08.2010**

pressure? (Interruptions) I hope you are not underlining the word 'your'. (Interruptions) I don't see why we should pass on our commissions and omissions to any other Government. Whatever we did right -- and we did some things right -- belong to us. Whatever we did wrong is also our responsibility. And, I am the first to say, as I said it in the other House, we did many things wrong in the last 25 years. Then comes the liability of Dow. I think, I have answered that. There are three players -- Union Carbide, Dow and Eveready. All the grievances were not surfaced. There has been an application pending in the High Court and pursuant to the Cabinet decision, a fresh application was filed on 15<sup>th</sup> of July 2010 asking for expeditious hearing of that application. Once that application is decided and a liability is fixed, we will certainly hold that company or those companies liable for remediation and whatever we had done by way of remediation before the liabilities are crystallised, we will ask for restitution. We are not allowing anyone to go scot-free. They are disputing the liability and any disputed liability has to be settled in a properly constituted legal proceedings. Sir, I think that's all. (Interruptions)

**SHRI SITARAM YECHURY:** Sir, you said that 10000-odd were treated as injured. How much does it cost the Government? (Interruptions) What is the problem in it? (Interruptions)

**SHRI P. CHIDAMBARAM:** Sir, we are not getting into another debate here. I have said that over several lakhs of people filed injury claims. Out of that, 10047 were injured and they filed it after some time. (Interruptions) Sir, why am I being interrupted? (Interruptions) (Ends)

**Uncorrected/Not for publication - 12.08.2010**

**MR. DEPUTY CHAIRMAN:** No, no. (Interruptions) That's all right. You have said that. (Interruptions) The hon. Minister has given the reply. (Interruptions) Now, the reply is over. (Interruptions) Now, we will take up the State Bank of India (Amendment) Bill 2010.

**THE STATE BANK OF INDIA (AMENDMENT) BILL, 2010**

**THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE):** Sir, I move:

That the Bill further to amend the State Bank of India Act, 1955, as passed by Lok Sabha, be taken into consideration.

**(THE VICE-CHAIRMAN, SHRI KALRAJ MISHRA, in the Chair)**

Sir, the State Bank of India (Amendment) Bill, 2006 (No.99 of 2006) was introduced in the Lok Sabha on 18<sup>th</sup> December, 2006. The said Bill was referred to the Standing Committee on Finance of Parliament. The Committee had recommended certain modifications in the Bill. After incorporation of the recommendations of the Standing Committee, it was decided to move the official amendments to the Bill. Further, consequent upon the transfer of ownership of the State Bank of India from the Reserve Bank of India to the Central Government in 2007, it was also proposed to modify certain provisions in the State Bank of India Act, 1955 dealing with the approval of consultation with the Reserve Bank in the management and functions of the SBI.

(Contd. By RSS/3b)

**Uncorrected/Not for publication - 12.08.2010**

RSS/3b/4.00

**SHRI PRANAB MUKHERJEE (CONTD.):** However, the official amendments and the Bill could not be taken up for consideration and passing on the dissolution of the 14<sup>th</sup> Lok Sabha. The SBI Act was last amended in 1993 to enable the State Bank of India to access capital market. While the State Bank of India can access capital market by issuing equity shares or bonds, or by both, equity shares and bonds, there is no express provision under the SBI Act to enable the SBI to issue preference shares and bonus shares. The State Bank of India (Amendment) Bill, 2010 seeks to provide for enhancement of the issued capital of the SBI by issue of preference shares, to enable it to raise the resources from the market by public issue or rights issue or preferential allotments or private placement. The Bill also seeks to enable the SBI to issue bonus shares. In order to enable the SBI to further strengthen its capital raising capacity to meet with the regulatory requirements of the capital, the Bill proposes to enable reduction of the Government's stakeholding requirements of 55 per cent to 51 per cent. With these amendments, the public sector character of the SBI would not be diluted. Rather the public would be allowed to increase its participation in capital raising efforts of the SBI. The Bill also aims to provide the flexibility of the management of the SBI. This Bill also propagates various amendments to bring the SBI Act in line with the provisions of the Companies Act, 1956.

I commend that the Bill, as passed by the Lok Sabha, may be considered by this august House.

*The question was proposed.*

**Uncorrected/Not for publication - 12.08.2010**

**SHRI PIYUSH GOYAL (MAHARASHTRA):** Thank you very much, Mr. Deputy Chairman for allowing me to speak on the State Bank of India (Amendment) Bill, 2010 which is proposed to amend the State Bank of India Act, 1955. Sir, we are all aware that the State Bank of India is the country's largest commercial bank. It has done yeoman service to this nation over the years in reaching out to many backward areas, in reaching out to the un-banked areas, in reaching out to the people in the villages, and over the years, this Bank has been considered as the primary bank which implements the Government of India's policies. It has been considered as the bank of the Government and it has carried out many functions which the Government over the years needed to do to carry out its fiscal responsibilities. However, I feel very sad that the Government of India does not wish to retain or does not wish to allow the State Bank of India to function as a commercial bank, competing in the international arena. For the bank of this size of the State Bank of India to be able to compete, to be able to create an impact in the world scenario of banking, it is very important that the State Bank of India is given freedom to operate; it is given freedom to work in the commercial interests of depositors and the bank and shareholders, all stakeholders of the bank. It is still even more unfortunate that over the years, the Government has sought gradually to bring more and more controls into the working of the State Bank of India, and that, Sir, is going to be the primary focus of my intervention today.

At the outset, the hon. Finance Minister mentioned that the Bill has come after four years. It was first introduced in December 2006. I feel very sad that a commercial bank, which needs decisions to be taken fast, quickly, decisions

**Uncorrected/Not for publication - 12.08.2010**

which impact its day-to-day working, it has to take three-and-a-half years for the Government of India to bring that Bill to the House and carry out the necessary amendments which they have themselves in their Statement of Objects and Reasons mentioned are necessary for the smooth functioning and flexibility in the management of the bank. In fact, the hon. Finance Minister, in his intervention in an earlier debate on the 2<sup>nd</sup> of August in Lok Sabha, has raised certain apprehensions about the working of the Standing Committees.

(contd. by 3c)

MKS-VNK/4.05/3C

**SHRI PIYUSH GOYAL (CONTD.):** I mentioned it on the 9<sup>th</sup> in our debate in which I was participating. I do not repeat the whole context here, but, yes, I do agree with the hon. Finance Minister that the Standing Committees of Parliament, some time, take inordinately long to approve or decide on what to do with legislation. And specially for economic legislation, a legislation which impacts economic issues and banking issues, certainly, it is important that decisions are taken fast. But I would like to know, even after the Standing Committee gave its recommendations, some time in 2008, that is what the Bill has mentioned, then why the Government took two years after that to bring that Bill to Parliament, to bring that legislation to Parliament. These are two valuable issues. I do not know what the impact of that is on the working of banks as important, as large and as widespread as the State Bank of India. But even the Standing Committee, maybe, after a year-and-a-half, has taken the decision, I feel the Government of the day should have brought this Bill much earlier, should have acted upon the

**Uncorrected/Not for publication - 12.08.2010**

recommendations of the Standing Committee and not let this element of uncertainty prevail in the banking system.

Sir, there are many dynamic issues while the working of a bank goes on. Banks' working cannot be monitored on a day-to-day basis by the Central Government. Unfortunately, for us, the State Bank of India is the only bank, Sir, which is, to date, monitored and administered under the direct control and supervision of the Central Government. The State Bank of India is the only bank, Sir, which still has the State Bank of India Act and is not covered under the Banking Regulation Act of, I believe, 1959. It is very important that all banks should have a level-playing field. Why should we differentiate in the case of the State Bank of India when it has to compete in the public arena of international banks, foreign banks, private banks and even public sector banks? It is important that we give a level-playing field and we should now review whether the State Bank of India needs a separate Act at all or we should allow the banking Regulation Act provisions to prevail in the working of the State Bank of India. I believe, if, at all, the Government chooses, despite my clear contention that the Government should now do away with the Act, if, at all, they believe that this Act should continue, we should not make this kind of piecemeal amendments to the Act, some 10, 12, 15 clauses being amended. But that Act needs to come within the purview of the international banking norms that prevail in India and the world wide today.

Sir, the hon. Finance Minister has mentioned that they would like to increase the equity share capital of the company, of the State Bank of India, I

**Uncorrected/Not for publication - 12.08.2010**

think, it is very necessary that a bank of the size of State Bank should be able to compete with foreign banks and will, certainly, need more capital in the days to come. We are conscious that with the coming in of Basel II Norms, with the coming in of new Prudential Norms of Provisioning, banks will require to enhance their equity capital and their net worth on a regular basis. In fact, the State Bank of India went in for a very successful rights issues about two or three years ago in which a substantial amount of money was mopped up from the public market, and the Central Government also subscribed about Rs.10,000 crores of equity capital as their part of the rights issue. I think that has enhanced the bank's capital to a great extent. Why can't the Government of India continue on the same path? Why can't it continue to have the rights issue, which is in the interest of the public, which is in the interest of the Central Government? Why can't it continue to enhance the capital, as and when required, sharing the benefit of growth, sharing the benefit of higher valuations with the shareholders, the public shareholders, and with the Government of India? I do not see any reason for them to allow preferential allotments or private placement of shares which this Bill proposes to allow. That is a very disturbing feature in the Bill, Sir. I would urge the hon. Finance Minister to reconsider that there is a need to allow preferential allotment and private placement of equity shares of a national asset such as the State Bank of India.

(Contd. by TMV/3D)

**Uncorrected/Not for publication - 12.08.2010**

-MKS-TMV-MP/3D/4.10

**SHRI PIYUSH GOYAL (CONTD.):** Why is the Government thinking, why is the Government feeling that there is need to dilute the ownership of the Bank in favour of the private parties or foreign institutions on a bulk basis, or, on a preferential basis, or, on a private placement basis? This, I believe, is completely contrary to the stated public policy. If at all it allows the bank to give equity shares and preference shares, it should be only by way of rights issue which is in the interest of everybody. The Government also participates and the Government also gets the benefit of the growth of the bank. But if at all they want to do another issue, they can do follow-on public issue. There is absolutely no need to do a preferential issue or a private placement, which will be fraught with all sorts of dangers because we don't know who will be the preferred people. How will the Government of the day decide that one party is preferred to the other party? There will be all sorts of allegations against the management, the Reserve Bank and the Government in selecting or of bias in selecting the people in preference to others. I believe, that is a very dangerous trend. The hon. Minister should reconsider the preferential allotment and the private placement proviso in this Bill which allows the Bank to raise the preference capital and equity capital.

In this respect, I would also like to make one small observation. Most of the Indian banks, whenever they are required to raise capital, they raise it in the form of equity shares or preference shares. They are also allowed to issue bonds which come into tier-1 or tier-2 of the capital of the banks and goes towards the capital adequacy. Most of the Indian banks have a sort of club among

**Uncorrected/Not for publication - 12.08.2010**

themselves. If one bank is issuing shares, all the other banks subscribe to those shares and this goes on. It is like "You scratch my back, I will scratch yours". All the banks turn by turn invest in each other's equity capital and pick up the bonds issued by each other. If you go into the banking system, as a whole, I believe, the capital adequacy in the banking system, as a whole, is grossly inadequate. Ultimately, they all got to protect the investors' interest; they all got to protect the depositors' interest. It is important that they raise the capital. It is very important that they issue preference capital and equity capital bonds. But, I think, there should be some directive from the Government that it should be genuine capital in the market; it should not be something which is raised within the banking system, one bank picks up the equity of the other and so on and so forth.

Sir, one of the most disturbing features of this Bill to which I would like to draw the attention of this august House is the provision giving powers to the Central Government to supersede the management of the State Bank of India at its whims and fancies. It has been provided on page 5 of the proposed Bill:

"Where the Central Government, on the recommendation of the Reserve Bank is satisfied that in the public interest or for preventing the affairs of the State Bank being conducted in a manner detrimental to the interest of the depositors or the State Bank or for securing the proper management of the State Bank, it is necessary so to do, the Central Government may, for reasons to be recorded in writing..."

Sir, my objection to this is that it is possible that there may be problem with the working of a bank and certainly there should be an authority which can act in the

**Uncorrected/Not for publication - 12.08.2010**

event of a problem. But I disagree with this that the Central Government taking the power in its hands. The Reserve Bank of India is the regulator in this case. The Reserve Bank of India monitors the working of all the banks. The Reserve Bank of India monitors and regulates the day-to-day affairs and the Bank management. It has a nominee on the Board of Directors of the Bank which, I believe, you are trying to remove. I will come to that a little later. With this kind of controls which the Reserve Bank of India is supposed to exercise on the working of the Bank, I don't see any reason why the Central Government wants to take the power of being able to remove the management of the Bank, to supersede the Board of Directors of the Bank, and to remove the Managing Director and the Chairman. This will lead to a lot of uncertainty in the working of the bank which would not be good for the banking system.

(Contd. by 3E/VK)

VK/3E/4.15

**SHRI PIYUSH GOYAL (CONTD):** It will also open up the bank management to tremendous pressures from the Executive and the political authority in Delhi because they will be bound by all sorts instructions and directions from the Central Government with the fear: if you don't listen to me, I can throw you out. It is important that the Central Government allows the regulator to carry on its functions and not assert the powers of the regulator by itself. We are seeing more and more of that happening in the recent days and it is a matter of concern. I would like to draw the attention of this House towards this and I hope the Members of this House will also appreciate that this type of interference in the

**Uncorrected/Not for publication - 12.08.2010**

working of professionally managed commercial organizations is not in the public interest, not in the interest of shareholders and depositors and not in the interest of this nation.

Further, Sir, I come to Clause 19 - Insertion of section 24A, of the Bill. Clause 19 (2) says, "The Central Government may in consultation with the Reserve Bank of India, on suppression of the Central Board appoint an Administrator (not being an officer of the Central Government or a State Government) who has experience in law, finance, banking, economics..." That far it is okay. It says that the Central Government may appoint an Administrator. What happens in the case of any other bank, Sir? In any other bank, if there is a problem, the Reserve Bank of India interferes and appoints an Administrator. The Central Government does not do it. Why should it be in the case of the State Bank of India? The Central Government wants to appoint an Administrator, a person of their choice, a person who will be amenable to their pressure, a person whom they can direct. They are specifically providing in the next sub-clause (3), "The Central Government may issue such directions to the Administrator as it may consider necessary and the Administrator shall be bound to follow such directions". Kindly note, Sir, that the Administrator shall be bound to follow the directions of the Central Government. This, Sir, in my opinion, is a very, very dangerous trend. You may not like somebody in the seat of power there. You may not agree with some of his commercial decisions. After all, he is a professional you have selected in the first place to become a Chairman or to become a Managing Director of that bank. But if you find his decisions are

**Uncorrected/Not for publication - 12.08.2010**

uncomfortable to you, you choose to throw him out. You choose to appoint a person who is amenable to you as an Administrator. When you give him directions and order him to follow those directions, he shall be bound to follow those directions. I think this law has very dangerous potent for the future and the House should take note of this.

Sir, the hon. Minister in his Amendment Bill has mentioned that he has brought in some qualifications for elected Directors. I heartily welcome those qualifications. It is necessary that a bank, as important and as large as the State Bank of India, is not run by a Board which is not full of competent people. I think that is a very good move. But I fail to understand why there is also not a provision that the Directors, appointed by the Central Government, on the Board of the State Bank of India shall also have some prescribed qualifications. In recent years, in the last four-five years, we have seen Directors being appointed on the Boards of the banks purely for political consideration. I am not against appointment of Directors by the Central Government. I have myself been a Director on the Board of two banks, as a nominee of the Central Government. But you have to have certain criterion. I have also seen other Directors being appointed with no qualifications whatsoever, with absolutely no contribution on the bank's Board. I believe it will be in the interest of the Government to appoint Directors. They may have political background. I am not against that because it is not as if to say that the politicians cannot have qualifications. But they should have qualifications which are necessary for the effective running and

**Uncorrected/Not for publication - 12.08.2010**

administration of the Board of the State Bank of India, along with whatever other criteria the hon. Minister and the Government would choose to put.

(Contd. By 3F)

RG/4.20/3F

**SHRI PIYUSH GOYAL (contd.):** Sir, there is another provision in this, which I would like to draw your kind attention to. There is a procedure to elect Directors in this Bank; in fact, it applies to all public sector banks. Unfortunately, what is happening is that when Independent Directors are elected by the public, the bank management selects a few people whom, it feels, will be in tandem with the bank management, with the Chairman and with the executive authorities. They select a few people, ask them to fill up vacancies, or, to become candidates in the election in the Board of the Bank, and then, gently nudges or persuades all the large institutional shareholders to vote for them. This is why I mentioned earlier that it is not proper for banks to rotate all the shares, or, a major bulk of their shareholdings, within themselves. So, when large shareholding is held by each other in each other's bank, they are able to nudge those shareholders and tell them, "Vote for these four candidates. This is my bank." And, it is usually called the Chairman's bank. Sir, if the hon. Finance Minister investigates this over the last ten or twelve years, he will find that systematically, the position of Independent Directors has been undermined; candidates, or, a panel of candidates, selected by the management have got elected, and any Independent Director, who wishes to come in with the support of small shareholders, has never got an opportunity to be on the Board of a bank. In this respect, I would urge

**Uncorrected/Not for publication - 12.08.2010**

upon the hon. Minister to consider bringing in some sort of provisions for directors, who are elected by small shareholders. Small shareholders could be shareholders holding less than 100 shares or 500 shares or 1000 shares; I leave that for the Government to decide. But there must be some provision for small shareholders, to protect the interest of these shareholders.

Sir, the provisions of this Bill have sought to eliminate the position of the Vice-Chairman of the State Bank of India. For that matter, they have never appointed a Vice-Chairman in so many years. As the hon. Home Minister has said, during the course of the earlier discussion, the Finance Minister also may choose to blame that in six years when the NDA was in power, they also did not appoint a Vice-Chairman. But that is not a point over here. The issue is, over the years, a Vice-Chairman has never been appointed. I feel that a Vice-Chairman was a very important position in the bank. If we had a position of the Vice-Chairman, then, he could officiate in the absence of the Chairman. A person, who is holding the position of Chairman of the State Bank of India, is often required to travel. He is probably out of the country 100 days in a year. He has 32 offices all over the world, and he is supposed to travel and look after them. If he has a Vice-Chairman, then, there will be a clear line of authority by which the bank can function. What do we see now? We see a situation where there will be four Managing Directors, as per this Bill, instead of the present two. And, it is a welcome step. Having four Managing Directors is good because it is a large bank. It is growing day by day. It will have millions and crores of depositors, and their interest needs to be protected. So, having four Managing Directors is

**Uncorrected/Not for publication - 12.08.2010**

welcome. But between the four Managing Directors and the Chairman, there should be a clear demarcation of authority. There should be clarity on roles and functions. In that respect, having a Vice-Chairman would have brought in some semblance of a pyramidal structure. In fact, the Bill does not provide for the senior-most Managing Director. It provides for the Managing Director chosen by the Chairman, to act as Chairman in his absence. It is not even the senior-most Director. And, I would contest that. If at all it has to be amongst the four Managing Directors, then, it should be the senior-most Managing Director. But, more importantly, it would be better if there was a Vice-Chairman, or, a person designated as a Vice-Chairman and Managing Director, who would hold office, or, who would officiate, in the absence of the Chairman, then, I think, this would bring functional improvement in the day-to-day operations of the bank.

Sir, there is a provision in the State Bank of India Act, which is not relevant to this Bill right away. But, I am talking out of my experience of being on the Board. There is the Central Board, and there are 14 Local Boards in the State Bank of India. In my experience, those 14 Local Boards have completely ceased to have any relevance. It is a cost on the bank. It is, probably, only a method to oblige a few people to appoint them as Directors of these Local Boards. They are carrying out absolutely +no functions.

(Continued by 3G)

**Uncorrected/Not for publication - 12.08.2010**

3g/4.25/ks

**SHRI PIYUSH GOYAL (contd.):** The meetings are held sparsely, once in six months or eight months, when there is enough agenda collected. The agenda comprises of things which are executive responsibilities of bank's officials. By and large, they are just okay. And there rest the local boards. Again, over the years, in most years, there have been no people appointed on the local boards and, without them, the bank has functioned equally well, if not better. So, there should be a rethinking, which brings me to my original point that the State Bank of India Act either needs to be abolished and the Banking Regulations Act should come in or there should be a complete overhaul of the Act; do not tinker with the law which is incomplete, Sir.

Sir, there is one small clause which has come in surreptitiously and which the hon. Finance Minister may like to review. It is not very clear on a plain reading of the law, but in the last point of the Statement of Objects, it has been mentioned that the workmen director's tenure is sought to be restricted to three years. That is fine. In fact, if, at all, there is a restriction on workmen directors, I think there should be a similar restriction on political appointee directors, as also on independent directors. Why should workmen directors be different from the other directors? They have all the same powers, the same authority and the same responsibility as directors on the board of the bank. I think they should all be contemporaneous and their tenure should be the same. But if you are providing that workmen directors tenure should be restricted to three years, then, till the next man is appointed, you will have a situation where the board will have no

**Uncorrected/Not for publication - 12.08.2010**

workmen director. The only other provision was that the workmen director continues till such time as you appoint the next director. I think workmen's interests should be protected. My friends on the Left would probably harp more on it than me. But I think workmen's interests should be protected and workmen's director should be allowed to continue in office till such time as the next director is appointed which is the condition for political appointees and other directors. I was told by some colleagues and my very senior leader, the Leader of the Opposition, that in my last and maiden address, I tended to repeat myself and be a little long. So, I will rest my case here. I think I have made all the major points that I wanted to make on this subject. I hope the hon. Finance Minister will not misunderstand anything of what I have said. I think it is in the interest of the bank. I have personal knowledge and experience. It is a wonderful bank, Sir. Please allow it to function independently. Please allow it to function without the pressures of interference on a day-to-day basis. In fact, I wanted to make one other point which is not relevant to this Bill, Sir. But I take this opportunity...

**उपसभाध्यक्ष (श्री कलराज मिश्र):** पीयूष जी, अभी एक सदस्य और बोलने वाले हैं।

**SHRI PIYUSH GOYAL:** Just a small intervention, Sir. I think there must be a review of the amount of pressure on commercial decisions of banks that they have. They have the pressure of CVC and CBI and all sorts of agencies. Commercial decisions of the Bank should be respected in the context in which they are taken at that point of time. They cannot be allowed to function with the kind of pressure and the kind of threat that they are always have for any failure in the future. Thank you, very much, Sir. (Ends)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI PRAVEEN RASHTRAPAL (GUJARAT):** Sir, I am here to support the State Bank of India (Amendment) Bill, 2010. I am supporting this Bill as a Member of Parliament and also as an account holder of the State Bank of India for the last forty years. If the RBI is a bank of banks, the State Bank of India is a Government bank. My previous speaker wanted to know why it should be a fully controlled public sector bank, as far as I am concerned, personally, not only as an MP but also as a citizen, I am outrightly in favour of the public sector. We have seen in our country what best services are provided by hundred per cent public sector units in this country, be it the State Bank of India or the old IPCL or the present ONGC or the famous BHEL in Madhya Pradesh and many other public sector undertakings which are providing services to the country and services to the people.

(contd. by 3h/kgg)

kgg/3h/4.30

**SHRI PRAVEEN RASHTRAPAL (CONTD.):** And, Indian Railways is one of the best examples. Right now, we are constructing rail lines in more than twelve countries and that work is being done by the Indian Railways. Our old time communication services--everything was fully controlled by the Government because it was the democratic Government. It is not controlled by the outsiders. So, we should not have any objection for the State Bank of India for being the only public sector bank.

As far as the amendments are concerned, the hon. Finance Minister has very rightly pointed out that the Bill was introduced in the Lok Sabha during

**Uncorrected/Not for publication - 12.08.2010**

December, 2006. However, it could not be passed. The fourteenth Lok Sabha got dissolved and, as a result, automatically the Bill lapsed. It was brought in the present Lok Sabha and it is already passed in Lok Sabha. Now, it is in Rajya Sabha.

One good information which we should appreciate is, this Bill has accepted various suggestions given by the Standing Committee on Finance. After accepting those suggestions, certain amendments are made in the Act of 1955. I will not go into all the amendments because most of them are for strengthening the bank. Most of them are for improving the functioning of the bank. My previous speaker demanded that we could have given a free hand as is given to a commercial bank. We have seen what happened in our country and other countries also during the last ten-fifteen years. We had a very big scam in our country. It was all because of small banks and so-called cooperative banks. When the Government of India permitted merchants to have their own bank, communities to have to have their own bank, agricultural farmers to have their own bank with the hope that they will conduct their business in the interest of the market, in the interest of the members; but, what did we experience? The money of the shareholders was not utilised for the purpose of the poor people, for the purpose of the members, but they were utilised only for the benefit of chairman and directors. Those banks failed! After that, who should support that bank? We had two JPCs in our country during the last 10 years as a result of Harshad Mehta scam and Parekh scam where Rs. 170 crores were removed from a bank cheque and invested in the share

**Uncorrected/Not for publication - 12.08.2010**

bazaar, at the cost of the public interest. That should stop. That is why, a bank like State Bank of India is very much required and it should be strengthened.

The very first amendment regarding the strength of the bank is enhancement of the capital of the bank, issue of preferential share to enable raising the resources. The best decision taken via this amendment is, the authorized capital of the bank is raised to Rs.5,000 crores and further rights given to the bank for effective control and monitoring. Now, there is nothing wrong. There are seven or eight clauses. At the time of implementation, the State Bank of India is directed that it should be done in consultation with the Reserve Bank of India. The Reserve Bank of India is the bank of banks in our country. We know that it is the Reserve Bank of India which is auditing the other banks. It is the Reserve Bank of India which has its own policies regarding the economic progress in this country. It is the Reserve Bank of India which decides at what rate loans should be given to the people, at what rate interest should be charged, at what rate deposits should be accepted. All these main decisions are taken by the Reserve Bank of India and it is in the interest of the State Bank of India that whatever decisions they are taking, they should do in consultation with the Reserve Bank of India. The best, according to me, the very acceptable amendment in the present amendment is regarding the appointment of additional director.

(Contd. by tdb/3j)

**Uncorrected/Not for publication - 12.08.2010**

TDB/3J/4.35

**SHRI PRAVEEN RASHTRAPAL (CONTD.):** And, it is given here as to how they should be selected. I mean, it is not an ordinary amendment. It is given here from which areas the selection should be made. He need not be a man of big industry; he need not be a man with political affiliation. The amendment has given a beautiful suggestion. The Directors elected under Section 19 shall be from following areas. The areas given in the amendment are these. The first one is, agriculture and rural economy. We should all appreciate that this Bill has given first importance to agriculture and rural economy, which was not considered as economy all these years; which was not considered as industry all these years. Now, the Government has accepted and considered that agriculture is also an economy, agriculture is also an industry. In good olden days, bank means rich people; bank means merchants; bank means a particular community only. In fact, there are certain banks in our country which are held by only one community. It may be in South or it may be in the North, I don't want to give the names of those banks. Banks were there only for a particular rich community. Those days have gone, after nationalization of banks. After nationalization of banks, a poor man can enter the bank. Now, NAREGA will be controlled by banks. The salary of a BPL man will be given through banks where there will be 100 per cent safety. What is the second category? The second category is given to the experts in banking industry. We cannot ignore banking as a sector. The third category of Directors will be from the cooperative sector; cooperation. The fourth category will be from economics. Now, see this House. We have, at least, 10 or 12 Members

**Uncorrected/Not for publication - 12.08.2010**

here. I will admit my limitation. I may know much about workers; I may know much about Dalits; I may know much about trade-unions, but I do not know economics, like my friend, Shri Y.P. Trivedi or my another friend, Shri N.K. Singh, who was earlier there in the Revenue Department. These are the senior people concerned about the economic policy. You have cooperation, economics, then, finance. Again, the entire finance sector is also accepted as one of the important sectors. And, the next category is law. Our country believes in Constitution. There is rule of law. It is not rule of Rama or it is not rule of Ravana; it is not rule of A or it is not rule of B; it is not rule of Right or it is not rule of Left. It is the rule of law. Those who belong to the legal side, they should also be Directors there. Then, the next category is from the Small Scale Industry. We have a Ministry for the Small Scale Industries in our country. There is the Ministry of Small and Medium Enterprises; it concerns with *Khadi* and *Gramodhyog*, rural industry. So, Small Scale Industry is there. Then, the last item is very important, which is left to the Reserve Bank of India. The last category is that of 'Special Knowledge'. There are sectors like cinema, artists, drama, sports, handloom, handicraft, which come under special knowledge. These are the special branches which may not reflect in university. It is special knowledge and that selection is done by the RBI. The bank will restrict to those eight items, according to sector-wise, and the RBI will select from special knowledge sector in the interest of depositors, in the interest of farmers, in the interest of workers and in the interest of artisans.

And, then, as pointed out by my friend, there are 14 Boards. There is the Central Board, and this is how the whole Bill is placed before the country. I

**Uncorrected/Not for publication - 12.08.2010**

support the Bill because now the competition is not confined to the domestic market. Competition is not within country. It is a global competition. We have seen before one year or two years what happened in Europe, where we were going to put our money. We means, not me, those who have surplus money, black money. They used to put their money in the Swiss Bank. They had no faith in Indian banks.

(Contd. by 3k-sss)

SSS/3K/4.40

**SHRI PRAVEEN RASHTRAPAL (CONTD.):** They do not want to pay tax. Why should one go to Switzerland and open a bank account? It is because he wants to avoid paying income tax. Banks in Europe have failed. Banks in America have failed, but, in the last two years there is not a single case of failure of banking industry in this country. It means State Bank of India and Reserve Bank of India had sufficient control over the banking industry and we should strengthen and support. However, when I am supporting the Bill, I have only one issue in addition to this to bring to the notice of the Finance Ministry. Day before yesterday, there was a Starred Question by me to the Finance Ministry. The question is No. 233. It was regarding workers. I have pointed out to the Finance Ministry about a Madras High Court judgment which was delivered in the month of December 2009 and it was in favour of Scheduled Caste officer and the court has directed that it should be implemented within four weeks of receipt. I am sorry to know that according to the information given to me that judgment is not given by all nationalized banks. When I put a question to the Finance Ministry the reply given

**Uncorrected/Not for publication - 12.08.2010**

to me is: “.in the mean time the concerned five banks, namely, Union Bank of India, UCO Bank, Central Bank of India, Canara Bank and Syndicate Bank went in appeal in the hon. Supreme Court of India against the judgment dated 9.12.2009” which I want to be implemented but it is not being implemented. “The hon. Supreme Court in its interim order dated 15.3.2010 has issued directions that...” Now, this sentence is also wrongly spelt. “Status to quo..” I don’t know what this word is. “Status to quo as of today shall be maintained until further orders.” Further the reply of the Ministry is, “However, the Banks are following instructions contained in the DoP & T circular dated 13.8.1997”. But the beauty of admission in this House is State Bank of India has not gone in appeal. Other banks have gone in appeal. If State Bank of India has not gone in appeal, State Bank is supposed to implement the judgment as delivered by the Madras High Court and I want to read the beautiful paragraph written by Madras High Court in the same Judgment. “The weaker sections of the society are victims of social injustice practice of untouchability and segregation from the mainstream of national life. The object of protective discrimination is to integrate them into the national mainstream so as to establish an integrated social order with equal dignity of person in which justice — social, economic and political — are enjoyed by them in equal measure with the general members of the society. Dr. B. R. Ambedkar in his closing speech, in reply to the debates in the Constituent Assembly, had stated that the ‘edifice in the Constitution was built up with laborious effect.’ The provision for reservation in appointments under Article 16 (4) is not aimed at economic upliftment or alleviation of poverty. Article 16 (4) is specifically designed to give a due share in

**Uncorrected/Not for publication - 12.08.2010**

the State power to those who have remained out of it mainly on account of their social, educational and economic backwardness. Reservation affords backward class of citizens a golden opportunity to serve the nation and thus gain security, status, comparative affluence and influence in decision making process. Article 16 (4A) was incorporated, thereby introducing an enabling provision for providing reservation in the matter of promotion. Backwardness and inadequacy of representation are the constitutional requirements without which the structure of equality of opportunity in Article 16 would collapse.” Now I am referring to the situation in the State Bank of India. There are various scales of officers. In scale 8, there are 44 officers in SBI all over the country. Not a single officer is from Scheduled Caste and not a single officer is from Scheduled Tribe. In scale 7, there are 130 officers all over the country.

(Contd. by NBR/3L)

-SSS/NBR-PSV/3L/4.45

**SHRI PRAVEEN RASHTRAPAL (CONTD.):** There are only three officers from Scheduled Caste and 'Nil' from Scheduled Tribes. Now, in Scale VI, there are 444 officers all over the country and there are only 13 are from SC. It means, only 2 per cent. Sir, at the AGMS level which comes under Scale V, there are 2,547 officers and only 4 per cent are from SC and only 0.38 per cent for ST. Lastly, in Scale IV -- CMS -- there are 4,515 officials and there are only 10 per cent from SC and only 1.97 per cent or, roughly, 2 per cent from ST.

I take this opportunity and the presence of the hon. Finance Minister and all the concerned officers and reiterate that the State Bank of India has not filed any

**Uncorrected/Not for publication - 12.08.2010**

appeal against the order of the Madras High Court delivered in the month of December, 2009. Why the State Bank of India is not implementing the judgment of the Madras High Court? The Constitution was amended by the previous Government and article 16(4)(a) was added to the Constitution which provides reservation in promotions. I also take this opportunity to request the hon. Minister that the said judgment may kindly be implemented.

With these words, I once again support the Bill. Thank you.

(Ends)

**डा० अखिलेश दास गुप्ता (उत्तर प्रदेश):** मान्यवर, मैं आपका आभारी हूँ कि आपने मुझे इस महत्वपूर्ण भारतीय स्टेट बैंक (संशोधन) विधेयक, 2010 पर अपने विचार रखने का अवसर दिया है।

सर, स्टेट बैंक ऑफ इंडिया निःसंदेह हमारे देश का एक बहुत बड़ा बैंक है। यह यहाँ का सबसे बड़ा बैंक है और लगभग सब जगह इसी उपस्थिति है। इसके बहुत से सहयोगी बैंक भी हैं। इन सहयोगी बैंकों में से कुछ का, जैसे स्टेट बैंक ऑफ सौराष्ट्र का, विलय भी इसमें हो चुका है और शायद स्टेट बैंक ऑफ इंदौर का भी इसमें विलय proposed है। इसके अन्य सहयोगी बैंकों में स्टेट बैंक ऑफ बीकानेर एंड जयपुर, स्टेट बैंक ऑफ त्रावणकोर, स्टेट बैंक ऑफ हैदराबाद, स्टेट बैंक ऑफ मैसूर, स्टेट बैंक ऑफ पटियाला आदि हैं। इन सबका अपने-अपने क्षेत्रों में बहुत अच्छा काम हो रहा है। मैं तो यह कहना चाहूँगा कि स्टेट बैंक के जो सहयोगी बैंक हैं वे स्टेट बैंक से ज्यादा बेहतर कार्य कर रहे हैं।

मान्यवर, इस देश के अन्दर कुछ समय पहले एक प्रक्रिया चली थी, एक सोच बनी थी कि देश में दो-तीन ही बड़े बैंक रह जाएँ और अन्य सारे बैंकों का एक-दूसरे में विलय कर दिया जाए। इसके पक्ष में यह तर्क दिया गया था कि विश्व में प्रतिस्पर्धा के लिए हमारे पास बड़े बैंकों की ही आवश्यकता है और वे ही उसमें कम्पीट कर पाएँगे। लेकिन, उसी समय अमेरिका

**Uncorrected/Not for publication - 12.08.2010**

में जिस तरीके से बड़े-बड़े बैंकों में, वहाँ की इकोनॉमी में, जबर्दस्त बिखराव आया, उससे मैं समझता हूँ कि भारत के लिए यह एक बहुत अच्छी बात हुई कि उन बैंकों का आपस में विलय नहीं किया गया।

आज हमारे देश में बहुत अच्छे पब्लिक सेक्टर बैंक हैं, जिन पर हमें गर्व है। बैंक ऑफ इंडिया, बैंक ऑफ बड़ौदा, पंजाब नेशनल बैंक, सिंडिकेट बैंक, केनरा बैंक, आदि बहुत अच्छे-अच्छे बैंक हैं। ... (व्यवधान)... ओके, विजया बैंक। मैबल जी वहाँ की रहने वाली हैं ... (व्यवधान)... ओके, आंध्र बैंक ... (व्यवधान)...

**उपसभाध्यक्ष (श्री कलराज मिश्र):** इन्होंने कई बैंक कह दिया है, इसलिए उसको बार-बार दोहराने की जरूरत नहीं है। आप बोलिए।

**डा० अखिलेश दास गुप्ता:** काश मैं बैंक ऑफ उत्तर प्रदेश भी कह सकता, तो शायद वित्त मंत्री जी ऐसा कोई बैंक हमारे उत्तर प्रदेश में बना दें, लेकिन स्टेट बैंक के बारे में ये शब्द निकल नहीं पा रहे हैं। श्रीमन्, आज यह बहुत बड़ा बैंक हो चुका है। आज हालत यह है कि स्टेट बैंक के वरिष्ठतम अधिकारी खुद कहते हैं कि हमारे पास पब्लिक का डेढ़ लाख करोड़ रुपए से अधिक का सरप्लस फंड रखा हुआ है और डिपोजिट लेने में हमें लॉस हो रही है। स्टेट बैंक को जरूरत नहीं है, चाहे कोई उसकी जितनी बड़ी तारीफ कर दे। State Bank is a necessary evil. सारे प्रदेशों की सरकारों को उसके थ्रू सारे कार्य करने पड़ते हैं। वह अपने आप बड़ा है। इसको कितनी स्वायत्ता चाहिए? उनके पास डेढ़ लाख करोड़ रुपए से ज्यादा का सरप्लस है। उसके यहाँ डिपोजिट के सम्बन्ध में कोई कस्टमर अगर जाता है-- मैं पिछले दिनों स्टेट बैंक का एक विज्ञापन देख रहा था।

(3एम/डी०एस० पर क्रमशः)

-PSV/DS-USY/4.50/3m

**डा. अखिलेश दास गुप्ता (क्रमागत):** इसके काफी विज्ञापन छपे कि हमारे ग्राहक महात्मा गांधी रहे हैं, हमारे ग्राहक डा. भीमराव अम्बेडकर रहे हैं। उन महानुभावों का कहना था कि ग्राहक

**Uncorrected/Not for publication - 12.08.2010**

भगवान का स्वरूप होता है और आज स्टेट बैंक का यह हाल हो गया है कि ग्राहक को भगवान मानने की बात तो छोड़ दीजिए, वे इंसान मानने को भी तैयार नहीं हैं। माननीय वित्त मंत्री जी, बड़ी विषम परिस्थिति है। मैं लोन की बात नहीं कर रहा हूँ, अभी तो मैं ऋण पर आया ही नहीं हूँ। अगर आप डिपॉजिट कराने जाइये, वित्त मंत्री जी, मैं बहुत ही विनम्रतापूर्वक कहना चाहता हूँ, आप देश के बहुत अच्छे अर्थशास्त्री हैं, आप वर्षों वित्त मंत्री रहे हैं और आप सर्वश्रेष्ठ पार्लियामेंटेरियन भी हैं। मैं अनुरोध करूँगा कि जैसे, पहले राजा-महाराजा भेष बदलकर जाते थे, आप भी वित्त मंत्री के रूप में नहीं बल्कि एक दिन भेष बदलकर स्टेट बैंक की किसी भी ब्रांच का निरीक्षण कर लीजिए और वहाँ आप कहिए कि आप अकाउंट खुलवाना चाहते हैं, तब आप स्टेट बैंक के लोगों का व्यवहार देखिएगा। वे मना करते हैं और कहते हैं कि हमें तुम्हारा डिपॉजिट नहीं चाहिए। जब उन्हें 5 लाख, 10 लाख का डिपॉजिट नहीं चाहिए तो 5-10 हजार वाला या 500 रुपये रखने वाला बेचारा गांव का आदमी जब वहाँ अकाउंट खुलवाने जाता है तो उसका क्या हाल होता होगा, यह आप समझ सकते हैं।

मान्यवर, पिछले दिनों हमारे एक माननीय सदस्य, श्री ब्रजेश पाठक जी ने एक सवाल उठाया था। हमारे पार्लियामेंट एनेक्सी में स्टेट बैंक की एक शाखा है, जिसके एटीएम से जब उन्होंने नोट निकाला तो उसमें से नकली नोट निकला, जिसे उन्होंने यहाँ संसद में दिखाया। स्टेट बैंक के एटीएम का यह हाल है, जिसकी शाखा पार्लियामेंट एनेक्सी के अंदर है और हम यह कहते हैं कि यह बहुत बड़ा बैंक है, इसको और स्वायत्तता मिलनी चाहिए। इसे कितनी स्वायत्तता चाहिए, इसे आप कितना बड़ा बनायेंगे?

पिछले दिनों हमारी पार्लियामेंटरी स्टैंडिंग कमेटी एक दौरे पर गयी। उस समय कई सारे बैंकर्स से हम लोगों की बात हुई। उसमें सिक्किम से हमारे एमपी लेपचा जी, जो अभी शायद यहाँ नहीं हैं, वे भी थे। वहाँ इंडियन बैंकिंग एसोसिएशन के प्रेजिडेंट, मिस्टर नैय्यर थे, जिनसे लेपचा जी ने कहा हम लोग चाहते हैं कि हमारे यहाँ सिक्किम में ज्यादा एटीएम्स खुलें, लेकिन हमें स्टेट बैंक के एटीएम्स नहीं चाहिए, जिनसे रुपये नहीं निकलते। स्टेट बैंक का यह

**Uncorrected/Not for publication - 12.08.2010**

हाल है। स्टेट बैंक का जो हाल उत्तर प्रदेश में है, वह तो सबके सामने है। उत्तर प्रदेश से सबसे ज्यादा डिपॉजिट उनको आता है, वहाँ पर सबसे ज्यादा जनसंख्या है, लेकिन उत्तर प्रदेश के विकास में स्टेट बैंक का किसी प्रकार का योगदान नहीं है। यहाँ माननीय वित्त मंत्री जी मौजूद हैं, मैं बहुत ही विनम्रतापूर्वक उनको बताना चाहता हूँ कि यह कोई आज का सवाल नहीं है। आज देश को आजाद हुए 60 साल से ज्यादा हो गये। उत्तर प्रदेश से बहुत सारे प्रधान मंत्री आये। आज भी उत्तर प्रदेश से नेतृत्व है और यह सौभाग्य की बात है कि इस समय चेयर पर बैठे हमारे माननीय उपसभाध्यक्ष महोदय भी उत्तर प्रदेश के ही हैं, वे मेरी बात से जरूर agree करेंगे। आज हकीकत यह है कि उत्तर प्रदेश में एक भी नेशनलाइज्ड बैंक का हेडक्वार्टर नहीं है। सर, इलाहाबाद, जहाँ से आजादी की बहुत बड़ी लड़ाई लड़ी गयी, उसके नाम पर एक राष्ट्रीयकृत बैंक है। कहने को तो इलाहाबाद बैंक उत्तर प्रदेश में है, लेकिन उसका हेडक्वार्टर भी कोलकाता में है। उत्तर प्रदेश में एक बरेली कॉर्पोरेशन बैंक था, मैं कमर्शियल बैंक कह रहा हूँ, नेशनलाइज्ड बैंक नहीं, उसका विलय बैंक ऑफ बड़ौदा में हो गया। इसी प्रकार, हिन्दुस्तान कमर्शियल बैंक का भी विलय हो गया। एक बैंक, बनारस स्टेट बैंक बचा था, जिसके लिए बड़ी कोशिशें हुईं। उसके लिए उत्तर प्रदेश की सरकार ने भी कोशिशें कीं और दलगत राजनीति से ऊपर उठकर सभी लोगों ने प्रयास किया कि जिस तरह से पटियाला स्टेट का जो बैंक था, उसे स्टेट बैंक ऑफ पटियाला ने opt किया, मैसूर स्टेट का जो बैंक था, उसे स्टेट बैंक ऑफ मैसूर बनाया गया, उसी तरह बनारस स्टेट बैंक को किसी अन्य बैंक में liquidate मत कीजिए बल्कि इसको भी स्टेट बैंक ऑफ वाराणसी बना दीजिए, ताकि कम से कम यह उत्तर प्रदेश के विकास में अपना योगदान दे सके। वह मांग भी नहीं मानी गयी। आज उत्तर प्रदेश में कहने को कागजों पर एक राष्ट्रीयकृत सार्वजनिक बैंक, Small Industries Development Bank of India (SIDBI) है।

(3एन/एनबी पर क्रमशः)

NB/PK/3N/4.55

**डा. अखिलेश दास गुप्ता (क्रमागत) :** इसकी स्थापना 1988 में की गई। इसका हैडक्वार्टर लखनऊ में है। मैं पिछले दिनों उनके चेयरमैन और एम.डी. से मुंबई में मिला, मैंने पूछा कि आपके हैडक्वार्टर का address क्या है, तो उनको address ही याद नहीं था। उन्होंने कहा कि शायद हजरतगंज है। हालत यह है कि 22 सालों से यह बैंक बना हुआ है, इसका हैडक्वार्टर केवल नाम के लिए, कागज़ों पर लखनऊ में है, लेकिन इसके CMD और सारे अफसर मुंबई में बैठते हैं। माननीय वित्त मंत्री जी, इस पर तो किसी विधेयक की आवश्यकता नहीं है। आप बहुत अनुभवी हैं, उत्तर प्रदेश के बारे में आपकी विशेष संवेदनाएं हैं, आप उत्तर प्रदेश को बहुत चाहते हैं और बंगाल जाते हुए रास्ते में उत्तर प्रदेश पड़ता है। मैं आपसे अनुरोध करूंगा कि इसमें किसी विधेयक की आवश्यकता नहीं है, आप एक निर्देश जारी करिए कि SIDBI के CMD और सारे अफसर लखनऊ में बैठें, जहां उसका हैडक्वार्टर है। हमारे पूरे देश के सांसद यहां बैठे हैं, मैं आपसे अनुरोध करूंगा कि इसमें कोई व्यक्तिगत या दलगत राजनीति की बात नहीं है, यह एक स्टेट के विकास का सवाल है। जब वहां हैडक्वार्टर है, तो उसके अधिकारी वहां क्यों नहीं बैठते? यह तर्क दिया जा सकता है कि मुंबई में बहुत अच्छा कार्य हो सकता है, तो फिर कई बैंकों का हैडक्वार्टर बेंगलुरु में क्यों है, कोलकाता में क्यों है, चेन्नई में क्यों है? यह हैडक्वार्टर छोटी जगहों पर भी हो सकता है, जैसे मनिपाल में है, तो लखनऊ में क्यों नहीं हो सकता?

उपसभाध्यक्ष जी, उत्तर प्रदेश, हिंदुस्तान का हृदय है, हिंदुस्तान की जान है, यहां से सबसे ज्यादा सांसद चुनकर आते हैं, यह राज्य सबसे ज्यादा रेवेन्यू देता है। महाराष्ट्र का भी हम लोग बहुत सम्मान करते हैं, वह हमारे देश की आर्थिक राजधानी है, वहां पर बहुत सारे बैंक हैं और यह बहुत अच्छी बात है। आप वहां चार बैंक और बनाइए, यह खुशी की बात है, लेकिन उत्तर प्रदेश, लखनऊ में SIDBI का जो हैडक्वार्टर है, कम से कम उसको शुरू करिए।

**Uncorrected/Not for publication - 12.08.2010**

मान्यवर, मैं स्टेट बैंक ऑफ इंडिया के बारे में एक सुझाव देना चाहता हूं। इसमें आज भी 14 Local Boards हैं। हमारे एक युवा साथी ने यह बात उठाई कि इन 14 बोर्डों की प्रासंगिकता खत्म हो गई। इनकी प्रासंगिकता किसने खत्म की? लोकल बोर्डों के अंदर यह प्रावधान है कि भारत सरकार द्वारा 6 डॉयरेक्टर्स नॉमिनेट किए जाएंगे। भारत सरकार ने समय-समय पर अपना यह दायित्व निभाया, 6 डॉयरेक्टर्स भले ही न बनाए हों, लेकिन एक बनाया, दो बनाए या तीन बनाए ... (व्यवधान)

**उपसभाध्यक्ष (श्री कलराज मिश्र) :** अब आप समाप्त कीजिए। आपका 11 मिनट का समय था, वह खत्म हो गया है, अब आप जल्दी समाप्त कीजिए।

**डा. अखिलेश दास गुप्ता :** ऐक्ट के तहत एक डॉयरेक्टर को रिज़र्व बैंक की कंसलटेशन से प्रेजिडेंट एपाइंट किया जाएगा। The Reserve Bank will appoint the President and that President of the local Board will be the ex-officio member of the Central Board. अभी यह तथ्य सामने लाया गया कि Local Boards की कोई प्रासंगिकता नहीं है, Local Boards का कोई महत्व नहीं है, Local Boards ने कोई काम नहीं किया, मैं कहना चाहता हूं कि स्टेट बैंक की तरफ से Local Boards को काम करने का मौका ही नहीं दिया गया। कितने अधिकार देना चाहते हैं? कहा जाता है कि उनको अंतर्राष्ट्रीय क्षेत्र में प्रतिस्पर्धा करनी है, इसलिए उनको मौका दो, खुली छूट दो। यदि खुली छूट ही देनी है, तो इस संसद में चर्चा की क्या जरूरत है?

माननीय वित्त मंत्री जी यह विधेयक लेकर आए हैं, वे इस पर सबकी राय ले रहे हैं, यह लोक सभा से पारित हुआ है, आज राज्य सभा में पारित होने के लिए आया है। कोई भी बड़े से बड़ा कार्य होता है, तो वह सबकी राय से हो सकता है। ऐसी कौन सी स्वायत्तता है कि बोर्ड में 20 लोग बैठकर तय नहीं कर सकते? वहां उनको यह चाहिए कि एक आदमी निर्णय ले ले। यह जो स्वायत्तता है, यह जो स्वरूप है, यह देश के लिए कोई अच्छी बात नहीं है।

**Uncorrected/Not for publication - 12.08.2010**

उपसभाध्यक्ष जी, स्टेट बैंक का जो हाल है, वह किसी से छिपा हुआ नहीं है। मैं कहूंगा कि आज स्टेट बैंक का विकेन्द्रीकरण करने की आवश्यकता है। उत्तर प्रदेश में बैंक नहीं है, बिहार में बैंक नहीं है, आप बनाइए स्टेट बैंक ऑफ उत्तर प्रदेश और वहां की सारी branches उसमें merge कर दीजिए, इसी तरह से आप स्टेट बैंक ऑफ बिहार बनाइए और सारे बिहार की branches उसमें merge कर दीजिए, इसी तरह आप स्टेट बैंक ऑफ उड़ीसा बनाइए, स्टेट बैंक ऑफ मध्य प्रदेश बनाइए और स्टेट बैंक ऑफ इंडिया को राष्ट्रीय स्तर पर एक अथॉरिटी के रूप में रखिए, जो उनको कंट्रोल करे। इस विधेयक में मंत्री जी ने कहा है कि सिर्फ सरकारी preference shareholders को ही वोटिंग का अधिकार है, यह भी ठीक नहीं है।

(30/VNK पर क्रमशः)

PB-VNK/30/5.00

**डा. अखिलेश दास गुप्ता (क्रमागत):** मुझे बहुत खुशी है कि माननीय वित्त मंत्री जी ने मुंबई, कोलकाता और मद्रास को मुंबई, कोलकाता और चेन्नई कह कर इस एक्ट के अंदर महत्व दिया है। इसके लिए मैं वित्त मंत्री जी को बधाई देना चाहता हूँ। आपने शेयर होल्डर्स के बारे में qualification तय किया है कि कौन-कौन लोग शेयर होल्डर्स होंगे। अभी प्रवीण राष्ट्रपाल जी ने बहुत गंभीर विषय उठाया है ..(व्यवधान)...

**उपसभाध्यक्ष (श्री कलराज मिश्र):** आप अपनी बात कह कर जल्दी समाप्त कीजिए।

**डा. अखिलेश दास गुप्ता:** स्टेट बैंक के अंदर Scheduled Caste & Scheduled Tribe का बहुत कम प्रतिनिधित्व है, चाहे वे किसी स्केल में भी हों। महोदय, मैं आपके माध्यम से माननीय वित्त मंत्री जी से अनुरोध करूंगा कि इसमें एक विशेष प्रावधान करने का कष्ट करें, ताकि स्टेट बैंक के Board of Directors में Scheduled Caste & Scheduled Tribe के लिए कम से कम 22 परसेंट आरक्षण सुनिश्चित किया जाए, जिससे कि वहां पर किसी तरह की ज्यादाती न हो।

**उपसभाध्यक्ष:** अब आप समाप्त करें।

Uncorrected/Not for publication - 12.08.2010

**डा. अखिलेश दास गुप्ता:** इसमें बोर्ड को भंग करने का अधिकार सेन्ट्रल गवर्नमेंट को दिया गया है, मैं इसका स्वागत करता हूँ। सेन्ट्रल गवर्नमेंट ने बोर्ड को भंग करने की पावर अपने पास लेकर बहुत अच्छा काम किया है। मुझे यही उम्मीद है कि जो Comprehensive Act बनेगा ...(व्यवधान)... मैं स्टेट बैंक के बारे में एक बात कहने से नहीं चूक सकता हूँ, वह इस प्रकार है:

*"बड़ा हुआ तो क्या हुआ, जैसे पेड़ खजूर,  
राही को छाया नहीं, फल लागे अति दूर।"*

और स्टेट बैंक के अधिकारियों के लिए इस प्रकार कहूंगा:

*"चर्चे तेरे इंसाफ के इस शहर में क्या-क्या,  
तुमने कभी रातों को निकल कर नहीं देखा।"*

इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ। धन्यवाद।

(समाप्त)

**उपसभाध्यक्ष (श्री कलराज मिश्र) :** श्री तपन कुमार सेना ...(व्यवधान)...

**श्री रुद्रनारायण पाणि :** अखिलेश जी ...(व्यवधान)... आपने इस तरफ कभी भी मुड़ कर नहीं देखा ...(व्यवधान)...

**डा. अखिलेश दास गुप्ता:** मान्यवर, मैं यहां पर कह देना चाहता हूँ कि एक तरफ पक्ष है और दूसरी तरफ विपक्ष है, हम निष्पक्ष लोग हैं ...(व्यवधान)... हम निष्पक्षता की बात करते हैं ...(व्यवधान)...

**उपसभाध्यक्ष:** ठीक है, आप बैठिए ...(व्यवधान)...

**SHRI TAPAN KUMAR SEN (WEST BENGAL):** Mr. Vice-Chairman, Sir, I rise to oppose this Bill in its present form and I have also moved amendments in that direction.

**Uncorrected/Not for publication - 12.08.2010**

Sir, I oppose the present Bill in its present form because it has provided for an enabling provision to dilute the Government stake in the State Bank to 51 per cent, almost at the threshold of privatization. Presently, it was holding 59.4 per cent. So, it is a case of more than 8 per cent dilution of Government equity. For that, an enabling provision has been created. I don't know whether they will be doing it tomorrow or day-after-tomorrow, but an enabling provision has been created and we oppose this Bill for that reason.

My apprehension on this privatization has been further strengthened when in the Budget speech, the hon. Finance Minister proposed for a much bigger presence of private sector in the banking field and issuing more licences to the banks in order to expectedly promote competition and improve banking service. But so far as the role of the private sector banks in the present market scenario is concerned, I would say that there is competition in the metropolitan cities and they are eating away the profit or margin of our public sector banks; but in rural areas, there is nobody to compete. My apprehension has been further strengthened by a discussion paper that has been released by the Reserve Bank of India which says that "in order to promote private participation in the banking system now RRBs, Regional Rural Banks, are being proposed to be taken over by the industrial houses to ensure a bigger participation and bigger coverage of banking service to the rural areas." I don't know how it is tenable and how the RRBs which are playing an important role will be operated. In today's paper, it has come that if they are allowed to be taken over by the industrial houses what will be the whole shape of the rural credit system which is already suffering from a

**Uncorrected/Not for publication - 12.08.2010**

big crisis despite all efforts being made by the Government in their policy declaration.

Sir, there are other aspects in the Bill. According to Basel II norms, they wanted to improve upon the practices, and, accordingly, some structural rearrangement has been done. I have not much objection to that. But there is only one point that needs to be put now. When you are talking about improvement of the banking services and when you look at those improvement aspects through the eyes of Basel norms, I think, it is time to reconsider that those who have proposed the Basel norms mostly belong to the western dominated international banking community.

(Contd. by 3p/SKC)

3p/5.05/skc

**SHRI TAPAN KUMAR SEN (contd.):** And through that, Government's participation in the private banks' capital has increased. They are prescribing improved banking practices for the Indian banks. The Indian banking system has proved its mettle during the last global financial crisis. It has insulated itself from the crisis, and also contributed to insulation of our national economy to a great extent from the global financial meltdown. That was possible only because our public sector banking system played a very important role in not going in for the kind of innovation, as it is called in banking parlance, of gambling with public money on toxic assets. That was the basic reason for the global meltdown.

Sir, as far as the performance of the State Bank of India is concerned, it was a stellar performance. I would like to say that although the Statement of

**Uncorrected/Not for publication - 12.08.2010**

Objects and Reasons of the Bill argues that there is a need to enhance the capital of SBI in order to meet the BASAL-II Capital Adequacy norms, the present Capital Adequacy Ratio in SBI is quite comfortable at 12.64 per cent, as on 31<sup>st</sup> March, 2008, and for the SBI group as a whole, it was 12.71 per cent. By 31<sup>st</sup> March, 2010, the CAR increased to 13.39 per cent and for the whole SBI group it became 13.49 per cent. The SBI, in its report that was disclosed on 31<sup>st</sup> March, 2010 had recorded, "The CAR of the Bank and the Group as a whole is estimated to be well above the regulatory CAR of nine per cent in the medium horizon of three to five years. However, to maintain adequate capital, the Bank has ample options" --- they are comfortable -- "to augment its capital resources by raising subordinate debt and hybrid instruments besides equity as and when required".

Sir, in the quarter ended on June 2010, the SBI's profit was Rs.2935 crores. It is a jump from Rs.2330 crores when compared to the same quarter in 2009. It is making a chequered performance. I think, we should concentrate more on improving upon that and not diluting Government ownership in SBI. This diluting would push it to the threshold of privatization. There is apprehension about this. This apprehension is further strengthened by Government's policy decision to allow greater private participation in the banking sector. I think, we must draw some lesson from the global financial meltdown, from the menace that deregulated private banking had created to the various economies. The world economy is still reeling under that, and it was precisely because we had not fallen into that trap that our country was saved from a serious disaster. I think, there is no difference of opinion among us about the basic reason the country could

**Uncorrected/Not for publication - 12.08.2010**

insulate itself from the global financial meltdown. That requires total Government control on the financial system, less deregulation but more cautious and calibrated regulatory move, keeping national interest at the fore.

Keeping that in view, I would request the hon. Minister and the Government to reconsider its decision of diluting Government's stake, its equity, in SBI to 51 per cent, which is the threshold of privatization. He may say that there is no privatization, but if an enabling system is created, it would pave the way for such a danger. He may also review his policy on private participation in banking in our country and review the move that has been taken. Though it is just a discussion paper, the very idea of a private industrial house taking over regional rural banks is a dangerous proposition.

(Contd. at 3q/hk)

HK/3q/5.10

**SHRI TAPAN KUMAR SEN (CONTD.):** Please reconsider it. And also please reconsider, for which you have already made a provision in the Budget, to take over the RBI share in the NABARD. I think that is also not a useful proposition. And I feel that RBI's share in the ownership of NABARD is crucial in rural credit delivery system. If that has taken by the Government of India, again an enabling situation is created to off-load that share in the market and push it towards diluting the ownership and equity. That is not in the interest of the country's economy. I request the hon. Finance Minister to reconsider these aspects and in the same line I request him to accept my amendment.

(Ends)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI N.K. SINGH (BIHAR):** Sir, I *prima facie* accept the Finance Minister's assurance given in the Lok Sabha that the Act itself embeds the 51 per cent and that, therefore, there is no question of the Government threshold going below 51 per cent, and also the fact that the additional capitalization of the State Bank of India became necessary looking at the trends and enabling its capacity to get further augmented. I say this, Sir, because notwithstanding what we will approve today and notwithstanding the fact that this additional 4 per cent is going to augment the size of the State Bank, the stark fact remains that our banks are puny compared to any global standards. I do not wish to go into this debate of too big to fail or too small to fail, but the fact remains that currently the State Bank ranks 75<sup>th</sup> when it comes to assets and 64<sup>th</sup> when it comes to total capitalization. If today, for instance, hypothetically speaking, the State Bank, the Punjab National Bank and the ICICI bank were all merged together they would still rank only 33<sup>rd</sup> in the global banking index. Compare that to, Sir, what is happening in China, not their largest bank, but their 7<sup>th</sup> largest bank, the agricultural bank, has just gone in for an IPO of 19 billion dollars and that they are contemplating of raising an IPO of over 96 billion dollars in the course of the next two years. This is where we stand in terms when we do place the State Bank of India -- mammoth size, huge banking performance, lowest NPA. But the fact remains that by global standards we are almost near the bottom end. And merely by asking subsidiaries to get merged with the Bank may not be adequate. Therefore, you might like to consider the proposal of whether you look to the Banking Consolidation Commission which was considered by the Ministry of Finance some time ago. My

**Uncorrected/Not for publication - 12.08.2010**

second important point is, and this is the point where I totally agree with some of the previous speakers, that notwithstanding all the certificates with which we have adorned ourselves, the issue of financial inclusion is something which is very, very grave. Sir, 56 per cent of farmers' households are totally excluded from outside the purview of any formal credit system. Only 27 per cent of this, of the 54 per cent household, have any kind of a credit access whatsoever and 73 per cent of the farmers' household have no formal credit. This is the finding of the NSSO 59<sup>th</sup> Round. I compliment the Finance Minister that he has taken some very important steps into encouraging banks to make rural penetration in terms of the innovating ways of financing, in terms of banking correspondence, use of telephony instruments for making transfers and persuading public sector banks. But the overall result is a long way to go and merely relying, for instance, on the Micro Credit Financial Institutions, Mr. Finance Minister, may not be adequate. Look, for instance, what the Micro Credit Financial Institutions are doing? They are lending at 20 to 30 per cent rate of interest. They have gone in for an aggressive amount of IPO to which large companies have subscribed.

(Contd. by 3r/KSK)

KSK/5.15/3R

**SHRI N.K. SINGH (CONTD):** Now the fact remains that this was one instrument which the poorer people had, and if they are also going to do this kind of an aggressive thing at rates of interests which are almost useless of 20 to 30 per cent, you may wish to have a look of whether you would not like to revive a proposal which lapsed in the last Lok Sabha of having a micro financial sector

**Uncorrected/Not for publication - 12.08.2010**

(development and regulation) Bill, which will enable us to have not, perhaps, hamstrung the initiative of these, but, in some way, bring a level-playing field. And, they are able to charge, Sir, these high rates of interest and yet have people taking the loans on them, suggesting that formal credit or alternative credit is next to negligible.

I have two more points and I will stop there in view of shortage of time. I can see the logic of why you have gone in for, perhaps, the preferential route. In fact, I was saddened to read a few months ago that India had to borrow a loan from the World Bank under a special line of credit to be able to recapitalise their banks. These banks could have borrowed this money at, perhaps, rates of interest from the market which are cheaper than the rates of interest which currently they are paying to the World Bank for purposes of achieving this recapitalisation. We have borrowed from the World Bank to be able to do so. (Time-bell) And, considering the fact that under the Basel-III norms, the capital adequacy and the injection of capital would have to be vastly improved and dramatically changed, I think, we need to look and encourage these banks to be able to raise these resources from the market itself. Therefore, Sir, looking at the mode of recapitalisation, looking at the fact that we must encourage banks to raise the money commercially from the market within, of course, the 51 per cent which we have laid out for ourselves, would be, in my view, a faster way to go towards a larger area of bringing not only the size of the banks comparable to global standards but more importantly, to encourage their reach to people and to segments of society which have so far been left out of the formal credit system. Thank you.

(Ends)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI T.M. SELVAGANPATHI (TAMIL NADU):** Thank you, Mr. Vice-Chairman, Sir. I rise to support this Bill which is an important and interesting amendment which has progressive and innovative provisions in order to have flexibility in the banking administration and also to infuse more capital in order to raise the capital base of the State Bank of India. Sir, the Bill seeks to increase the authorised capital of the Bank to Rs.5,000 crores divided into 500 crores of fully paid-up shares of Rs.10 each. This also enables the State Bank of India for the issuance of the preference shares in addition to the equity shares. It is certainly a good measure to have such a provision at this hour of competition in the international arena and the private banking mushrooming. It is all the more better that the Reserve Bank of India is empowered to specify as to which class of preference shares to be issued under what terms and conditions - whether it is perpetual, redeemable or irredeemable preferential shares. Sir, this is mainly due to the fact, as our hon. Finance Minister has explained in the preamble, that there was no express provision to access the capital market. Of course, after the amendment of 1993, the Bank can have access to capital market, but there was no express provision with regard to the issuance of preferential shares and the bonus shares. Therefore, this amendment is necessitated. We welcome it. Of course, to increase the capital base, we need to have more discussion, but, the only thing is that the aim of the amendment is to increase the capital base. So, because of paucity of time, I leave it at that stage.

(continued by 3s - gsp)

**Uncorrected/Not for publication - 12.08.2010**

GSP-ASC-5.20-3S

**SHRI T.M. SELVAGANPATHI (CONTD.):** There is another provision for the abolition of the post of Vice-Chairman. Of course, the post of Vice-Chairman is lying vacant for a long time, and, it has got nothing to do with the on going progress but the Bill enables appointment of four Managing Directors. Sir, qualification has been prescribed for the appointment of Directors from all walks of life, and, these areas include agriculture and rural economy, law, industries or expertise in other walks of life. It is also a fact that the Reserve Bank of India is empowered to appoint additional Directors to supervise the functioning.

There are provisions for the abolition of the Central Board. In case, it acts against the public interest or it acts against the interests of the shareholders, the Government is empowered to remove them with the advice of the Reserve Bank of India. My learned friend, Mr. Goyal, said, through these unfettered and ample powers to the Government, there will be a misuse. No, the provision is very clear that only with the advice of the Reserve Bank of India, it can be done. If the Reserve Bank of India feels that the Board is acting against the interests of the public, the Board can be dissolved.

Another innovative provision is that the first named shareholder with a share value of Rs. 5,000/- can contest the election for the Directorship, and, the nominee is allowed, in case of death of a shareholder, a provision which was not there earlier. Therefore, Sir, we say that in order to infuse flexibility in the administration, many steps have been taken into consideration in this amendment.

**Uncorrected/Not for publication - 12.08.2010**

Sir, there are two, three other provisions on which many of us need reasonable explanation from the hon. Finance Minister. At least, I personally feel that the hon. Finance Minister owes a detailed explanation because these provisions show an indication of privatization in the banking sector. This is our reasonable apprehension. We would be happy if it is in order to really improve the banking system, and, we would welcome it. One such serious apprehension is that this Bill seeks to reduce the Government shareholding from 55 per cent to 51 per cent. Sir, I understand that there can be many reasons for this in order to adhere to BASEL-II capital accord, the current international framework on capital adequacy. Sir, the SBI Chairman said on record in a press briefing that the SBI has got a reasonable capital adequacy at 14 per cent. As per the required norms, it is only 12 per cent. Therefore, what is the necessity of diluting the Government share at this stage?

**THE VICE-CHAIRMAN (SHRI KALRAJ MISHRA):** Please conclude.

**SHRI T.M. SELVAGANPATHI:** Sir, I am completing. Sir, he goes on record saying that the State Bank of India has no immediate capital requirement. The bank is comfortable with a capital adequacy ratio of nearly 14 per cent. Therefore, the bank prefers to raise the capital through Rights' issue rather than the dilution of the Government's shareholding. Therefore, Sir, we want a categorical assurance from the hon. Minister on this point that now if the Government's shareholding is reduced from 55 per cent to 51 per cent, what is the guarantee that it would not be reduced further. Sir, the simple fact is that the global economic crisis, due to which, some of the Western banks collapsed; even in

**Uncorrected/Not for publication - 12.08.2010**

those situations, our Indian banks withstood substantially, they remained protected, and they withstood the onslaught of global melt down.

**THE VICE-CHAIRMAN (SHRI KALRAJ MISHRA):** Please conclude and sit down.

(Followed by SK-3T)

-gsp/sk-lt/3T/5:25

**SHRI T.M. SELVAGANPATHI:** Therefore, I understand that when there are many ways to increase the capital base, through the right issue, why should we take recourse to the dilution of the Government share? We want an explanation on this.

**THE VICE-CHAIRMAN:** Please, conclude now. Please, sit down

**SHRI T.M. SELVAGANPATHI:** Yes, Sir. (Interruptions) It caters to the enormous economic growth and industrialization of the country. You know the private banks; they do not listen to the RBI directions. Whether it be the agricultural advances or the education loan, this Government, the UPA I, was kind enough, was progressive in waving the loans obtained by the farmers to the tune of several crores.

**THE VICE-CHAIRMAN:** Please, sit down

**SHRI T.M. SELVAGANPATHI:** The private banks, if they are allowed, if Government shares are diluted, then a social obligation will be hampered.

**THE VICE-CHAIRMAN:** Please, sit down.

**SHRI T.M. SELVAGANPATHI:** I am concluding, Sir, by saying that in order to fulfil the social obligation and the Government's move and the...

Uncorrected/Not for publication - 12.08.2010

**THE VICE-CHAIRMAN (SHRI KALRAJ MISHRA):** You have taken your time.

(Interruptions)

**SHRI T.M. SELVAGANPATHI:** Therefore, I urge upon the Finance Minister to see that this bank is protected for the development of the country. Thank you, Sir.

(Ends)

**श्री किशोर कुमार मोहन्ती (उड़ीसा) :** उपसभाध्यक्ष जी, मैं "दि स्टेट बैंक ऑफ इंडिया (अमेंडमेंट) बिल, 2010" के संदर्भ में कुछ वक्तव्य रखने के लिए आपके समक्ष खड़ा हुआ हूँ। उपसभाध्यक्ष जी, मैं यह कहना चाहूंगा कि यह देश की सबसे बड़ी फाइनेंशियल ऑर्गेनाइजेशन है। इसका 1969 में राष्ट्रीयकरण हुआ था। हमारे पूरे देश में इसकी सत्रह हजार से भी ज्यादा शाखाएं हैं। हमारे गांवों तक, जो हमारा रूरल बेस है, वहां तक जाने के लिए इसको बहुत सारे साल गुजर गए हैं, लेकिन गांव का जो रूरल बेस है, आज तक, उस तबके तक इस बैंक की जो सुविधा पहुंचनी चाहिए, वह नहीं पहुंच सकी है। इसी कारण से इसमें जितने भी अमेंडमेंट्स यहां पर आए हैं, चाहे डायरेक्टर का हो और 55% से 51% करने का हो, उनको इस संदर्भ में यहां पर लाने की जरूरत नहीं थी। उपसभाध्यक्ष जी, मैं यह बात कहूंगा कि महात्मा गांधी जी कहते थे कि भारत की आत्मा गांव में है। हमारे देश का जो एग्रीकल्चर सेक्टर है, गांव में हमारे सबसे ज्यादा किसान रहते हैं, मैं यह पूछना चाहता हूँ कि उन किसानों को इस स्टेट बैंक ने आज तक कितनी सहूलियत दी है? आज यहां पर बैठकर हम लोग जो 55% से 51% का अमेंडमेंट करने की सोच रहे हैं, उस संदर्भ में हमको यह चीज भी सोचनी है कि क्या इससे हमारे भारत के किसान कुछ फायदा पाएंगे या खाली बड़े-बड़े तबके के लोगों, जो मिलिनेयर्स हैं, उनको फेसिलिटेट करने के लिए इसको 55% से 51% किया जा रहा है? क्या हमने यह सोचा है कि 'नरेगा' स्कीम, जो केंद्र सरकार के द्वारा चालू की गई है, केंद्र सरकार द्वारा लाई गई है, 'नरेगा' में जो बेनिफिशियरीज हैं, उन बेनिफिशियरीज को हम जो फायदा पहुंचाने जा रहे हैं, उस संदर्भ में क्या वहां पर कोई बैंक की

**Uncorrected/Not for publication - 12.08.2010**

संस्था है? आज पंचायत के स्तर पर, बैंकर्स को जो फायदा होता है, अगर हम यह आम आदमी, आम किसान, जो बी.पी.एल. के नीचे के लोग है, उन तक नहीं पहुंचा सके, तो यह जो हमारी बैंकिंग है, यह जो सबसे बड़े तबके का बैंक है, जिसको हम इतना फेसिलिटीएट करने का, डायरेक्टर देने का या इसके इक्विटी शेयर बेचने की सोच रहे हैं, तो इससे फायदा क्या होगा? सर, मैं इतना ही पूछूंगा कि 55% से 51% करके हम किसको फायदा पहुंचा रहे हैं? यह जो 55% से 51% का अमेंडमेंट आया है, 55% से 51% करने की सरकार की जो नीति है, मैं इसका विरोध करता हूं। एक चीज और है कि इसमें जो अमेंडमेंट आये हैं, उनमें वित्त मंत्री इसमें एक अच्छा अमेंडमेंट लाए हैं, वह अमेंडमेंट यह है कि सेंट्रल बोर्ड की जो मीटिंग होगी, वह वीडियो कांफ्रेंसिंग के जरिए होगी। यह एक बहुत अच्छी चीज है, इससे ट्रांसपेरेंसी होगी। आम आदमी के पास यह संदेश पहुंच सकेगा कि बोर्ड ऑफ डायरेक्टर्स जो मीटिंग कर रहे हैं, उसमें क्या हो रहा है। जब बोर्ड मीटिंग होगी, तो वे वीडियो कांफ्रेंसिंग के जरिए इसके बारे में जान सकेंगे कि बैंक की स्थिति क्या है।

(AKG/3U पर क्रमागत)

AKG-YSR/3U/5.30

**श्री किशोर कुमार मोहन्ती (क्रमागत) :** बैंक में क्या चल रहा है। इन सब चीजों को जानने का जो नया तरीका अपनाया गया है, जो नई theory अपना रहे हैं, उस amendment का मैं समर्थन करता हूँ।

सर, इसमें वे एक और amendment लाए हैं कि Annual General Body Meeting साल में एक बार होगी। खैर, यह Annual General Body Meeting साल में एक बार हो, लेकिन यह जो साल में एक बार General Body Meeting है, उसके लिए एक stipulated period दिया जाए कि हर तीन महीने में, quarter month में यह General Body Meeting हो, ताकि बैंक का जो नफा-नुकसान है, किस तरह से बैंक जा रहा है, हम इसको जान सकें।

**Uncorrected/Not for publication - 12.08.2010**

सर, मैं यहाँ एक और चीज़ कहना चाहूँगा कि अगर केन्द्र सरकार इसमें Agriculture और Rural Sector में कुछ डायरेक्टर्स रखने का प्रावधान कर रही है, तो उसमें specifically agriculturist को रखा जाए, किसान को रखा जाए, ताकि किसान अपनी बात, अपनी तकलीफ वहाँ पर कह सकें। यह जो प्रावधान रखा गया है कि उसमें केन्द्र सरकार nominate करेगी, वह politicize होगा और political benefit के लिए हम लोग agriculturist के नाम पर किसी दूसरे की appointment कर सकते हैं। इसलिए इसमें एक प्रावधान रखा जाए कि हम Board of Directors में specific तरीके से एक किसान को रखेंगे, जो वहाँ पर किसानों के हक के बारे में कह सकेगा।

दूसरी बात यह है कि जो small and medium scale industries हैं, हम उनको स्टेट बैंक का कितना लोन दे रहे हैं, उसका एक ratio fix होना चाहिए कि किसानों को कितने परसेंट लोन दिया जाएगा और कितने परसेंट small and medium industries को दिया जाएगा। बैंक की आमदनी का 70 फीसदी किसानों और small and medium industries से आता है। मैं चाहूँगा कि हमारे वित्त मंत्री जी इसके ऊपर ध्यान दें। अगर हम लोग small and medium industries को लाभ पहुँचाना चाहते हैं, तो हमें उसमें ज्यादा investment करनी पड़ेगी और सरकार को उस पर तवज्जो देनी पड़ेगी।

सर, हमारे उड़ीसा में एक OPGC organization थी, जो totally सरकार की थी। बीते दिनों में वहाँ की कांग्रेस सरकार ने उसका शेयर 51 परसेंट कर दिया। आज वह वहाँ पर loss में चल रहा है। यहाँ पर मेरा संदेह है कि जब 59 परसेंट से 55 परसेंट किया गया था, उस समय वित्त मंत्री जी ने कहा था कि इससे और कम नहीं होगा। आज 55 परसेंट से 51 परसेंट किया जा रहा है, कल को 51 परसेंट से total privatization की ओर न जाए, यह चीज़ हम लोगों को गलत लग रही है। मैं इस clause का, जिससे इसे 51 परसेंट किया गया है, उसका विरोध करता हूँ। बाकी और जो 2-3 amendments आए हैं, उनका समर्थन करते हुए मैं अपना वक्तव्य यहीं समाप्त करता हूँ।

(समाप्त)

**Uncorrected/Not for publication - 12.08.2010**

**SHRI D. RAJA (TAMIL NADU):** Sir, I am not in favour of this amendment. The Government is pursuing the policies of economic liberalisation and banking sector reforms even though they are not suited to our country, to our economy, and to our people.

Sir, I take this opportunity to give credit to Madam Indira Gandhi who took a bold decision to nationalise major banks in the year 1969. This was the demand of my party. This was the demand of the All India Bank Employees Association.

Sir, today, we see the impressive contribution of nationalised banks on our economy. From 8,200 branches, now we have more than 82,000 branches. From a total deposit of just five thousand crore rupees, today, banks have more than forty-six lakh crore rupees.

**(MR. DEPUTY CHAIRMAN in the Chair)**

Those days loan given by banks was Rs.3,500 crore. Today, loan given by banks is nearly thirty-five lakh crore rupees. All these achievements are possible only because banks have been brought into the public sector.

Today, our country is still a developing economy. Many sectors are still not developed. Government's claim of GDP growth does not mean that the country as a whole has progressed. Agriculture still needs a big boost. Small and medium industries need more encouragement.

(Contd. by VKK/3W)

**Uncorrected/Not for publication - 12.08.2010**

-YSR/VKK-SCH/3w/5.35

**SHRI D. RAJA (CONTD.):** Rural development is the priority because our villages are still far away from growth and progress. Sir, the Reserve Bank of India report says that more than 50 crore of our people do not have even a bank account. That is the report of RBI. It is good that the Government talks of financial inclusion. Banks have an important role to play in economic development and economic inclusion. But, this role is possible only if banks are in public sector. That is what I would like to emphasise. We have seen so many private banks collapsing after cheating and deceiving the people. Global Trust Bank is a classic example. Pranabda knows it better. There are reports of problems even in many other private banks including ICICI Bank which is actually a foreign bank for all practical purposes.

Sir, we have seen how private banks are playing havoc in the United States of America and other developed countries. As all of us know, they were responsible for the global financial crisis. But, in our country, we could escape from such major problem because our major banks are in public sector and because they are under the Government control, ownership and regulation. In fact, we should thank the bank employees of the country for their struggles and for their agitations against the liberalisation policies of the Government. Today, everyone is happy that our banks are safe. Our economy is less affected by global crisis. The reason for this is the public sector banking in our country. But, what is the proposal now? The State Bank of India is a major public sector bank. The Government is proposing to bring down the Government equity to 51 per cent. It is

**Uncorrected/Not for publication - 12.08.2010**

not a question of percentage. It is a question of policy. This can make the public sector banks vulnerable in the coming days. That is why I would like to ask a few questions (Time-bell) and I would like Pranabda to take note of them. Why does the Government want to reduce its capital in the State Bank of India? Why does the Government want to reduce its stake and responsibility in the State Bank of India? Why does the Government want to increase the private capital and more private ownership in this important public sector bank? Sir, finally, the Government has a design -- that's what I understand -- to slowly hand over our public sector banks to private hands. I caution this Government that the policy is suicidal. It is not in the interest of the country; it is not in the interest of our people. It is not good for our country. Already, the Government has taken Rs.10,000 crore on loan from the World Bank to extend capital to banks. They will put their own conditions. Whenever we take loan from the World Bank, the World Bank imposes conditions. We will have to face them. This policy needs to be reviewed.

So, I urge upon the Government not to go ahead with these amendments. On behalf of my party, I think, these amendments cannot be supported. We oppose these amendments. Thank you.

(Ends)

**MR. DEPUTY CHAIRMAN:** Now, Shri Prakash Javadekar. Please be brief. No time is left.

श्री प्रकाश जावडेकर: सर, मेरे पास कितना टाइम है?

श्री उपसभापति: आपकी पार्टी के पांच मिनट बाकी हैं।

Uncorrected/Not for publication - 12.08.2010

श्री प्रकाश जावडेकर: ठीक है, तो मैं सात-आठ मिनट ही बोलूंगा।

श्री उपसभापति: आप बोर्ड देख लीजिए।

श्री पीयूष गोयल: सर, मेरे टाइम पर बोर्ड नहीं चल रहा था, इसलिए मुझे समय का मालूम ही नहीं चला।

श्री उपसभापति: बोर्ड चले या न चले, आपको मालूम है कि टाइम वहां पर रिकॉर्ड होता है।

3x/psv-rss पर आगे

RSS/PSV/3X/5.40

**SHRI PRAKASH JAVADEKAR (MAHARASHTRA):** Sir, I will be brief, and I know that you will allow me to be brief till I complete it. Sir, we are discussing this Bill on the backdrop of a financial crisis which the world witnessed recently, and that is why, I thought that this Bill will have some reflection about this reality which the world has witnessed after the financial turmoil. There is now new urge to recapitalize the banks and that is good. Whether these norms make us aware of the capital adequacy crisis and the need to urgently fulfill that? But what is the route of capital adequacy? That is my first point. Is it the route which the Government has adopted to borrow from the World Bank for the financial restructuring and the Budget will provide for recapitalization of the banks? My answer is, we must ask banks to recapitalize themselves, and they are capable of doing that. But for that there is one pre-condition. Sir, I have also worked for 10 years in the nationalized bank and I have first hand experience of how the banks have grown over the years. I can tell you that our banks are capable to recapitalize themselves. But then you must allow them independence, what they need, the

**Uncorrected/Not for publication - 12.08.2010**

professionalism which they want, and that independence when we are talking about, actually, this Bill is in the reverse gear. You are talking of superseding the Board; you are talking of administrator; where is the necessity? इसकी जरूरत क्यों पड़ी? जिस स्टेट बैंक का पिछले 60 सालों का रिकॉर्ड अगर बहुत अच्छा रहा है और जिसमें किसी तरह की कभी कोई नौबत नहीं आई, किसी तरह की कभी कोई crisis नहीं आई, तो उसमें आपको इसकी जरूरत क्यों पड़ी कि जो आज तक कानून में नहीं है वह लाकर किसी भी तरह से इस बैंक के बोर्ड को supersede करने की योजना बनानी पड़े? इसका क्या मतलब है? Mr. Finance Minister, what is the hidden agenda and why is this hanging sword on the bank which is running professionally? You should give them more level playing field; you should give them professional freedom; you should give them real independence. Instead of going in that direction, you are making them come back to the Government every time and they will just see what suits the Government, and that is the bad part of it. Here I have one point more. I demand that the Finance Minister should appoint a Committee for analyzing the NPAs, and particularly, the business and industrial NPAs. Just find it out. And from the first hand knowledge, I can tell you that you will find that at many places, the real reason behind the NPA is either it is a political connection, or a political pressure or a political protection. So, my demand is, appoint one Committee to analyse the NPAs of the bank and put that report before the Parliament because one day, we have to discuss this NPAs business and why we have to write off this large amount, and then from the Budget, we have to make a provision to recapitalize them. What is this? So, one day or the other, we have to take a call on NPAs and that is why I demand the appointment of a Committee.

**Uncorrected/Not for publication - 12.08.2010**

Sir, my second point is this. You are giving me only four minutes. If you had given me 20 minutes, I would have read out a 10 minutes parliament speech about the workmen's right of the bank because not only in the State Bank of India's case, I would have quoted the speech of Shri Pranab Mukherjee himself when he was in the Opposition and he was talking about the workmen directors' time limit. सर, मैं वही बता रहा हूँ। उन्होंने यह कहा था, Mr. Finance Minister, let me recollect. Just eight years ago, you had given a beautiful speech. I have brought it. I have written today only to you giving all the references of your speech only.

(contd. by 3y)

MKS-DS/5.45/3Y

**SHRI PRAKASH JAVADEKAR (CONTD.):** In your speech, you said that because, in 2003, the Banking Department issued the same kind of circular, at that time, that the Workmen Director's term would be three years and after that, till the Government appoints a new person, a vacancy would be there. So, you opposed that. Pranab Mukherjeeji, you opposed that and you demanded that this should not happen. At that time, the Government accepted your suggestion. That is why I am sure that today, when I am quoting your speech, you will also accept my suggestion and the Workmen Director will continue to work till a new man comes in his place. That is what should happen; this is my demand. And, Sir, it is not happening only in respect of State Bank. The Department has issued the Entry Level Workmen Circular for all the nationalized banks. मैं उसकी भर्त्सना करता हूँ और यह मांग करता हूँ कि black circular should be taken back and the Workmen Director should continue till the vacancy is filled up. मुझे ये तीन-चार बातें

**Uncorrected/Not for publication - 12.08.2010**

कहनी हैं। आप मुझे ज्यादा समय नहीं दे रहे, नहीं तो बैंकिंग हमारा विषय है। मैंने जो कमेटी की बात कही है, जो Workmen Director की बात कही है और जो independence की बात कही है, इसके साथ ही एनपीए की भी चर्चा हो। एक कमेटी हो, यह मेरी मांग है। बहुत-बहुत धन्यवाद।

(समाप्त)

**MR. DEPUTY CHAIRMAN:** Shri Veer Singh. You have two minutes only. Just make pointed suggestions.

**श्री वीर सिंह (उत्तर प्रदेश):** माननीय उपसभापति जी, आपने मुझे भारतीय स्टेट बैंक (संशोधन) विधेयक, 2010 पर बोलने का सुअवसर प्रदान किया, इसके लिए मैं आपका धन्यवाद अदा करता हूँ। मैं माननीय मंत्री जी से कहना चाहूँगा कि माननीय मद्रास उच्च न्यायालय का जो निर्णय आया, उसको अभी तक लागू नहीं किया गया है। इसके साथ-साथ, स्टेट बैंक में अनुसूचित जाति और अनुसूचित जनजाति का जो 22 परसेंट का कोटा बनता है, उसे भी अभी तक पूरा नहीं किया गया है। हमारे माननीय सदस्य, प्रवीण राष्ट्रपाल जी ने यह मुद्दा उठाया, उन्होंने डा. भीमराव अम्बेडकर जी का और आर्टिकल 354 का भी जिक्र किया। उन्होंने भी इस बात को उठाया है कि स्टेट बैंक और अन्य बैंकों में यह आरक्षण अभी तक पूरा नहीं हुआ है तथा किसी भी स्तर पर अनुसूचित जाति के अधिकारी नहीं हैं। उनके पद रिक्त पड़े हुए हैं और बैकलॉग पूरा नहीं हुआ है। यह बैकलॉग पूरा क्यों नहीं हुआ? मैं माननीय वित्त मंत्री जी से जानना चाहूँगा कि यह बैकलॉग क्यों नहीं पूरा हुआ और जिन्होंने इसे पूरा नहीं किया, उनके खिलाफ कार्रवाई क्यों नहीं की गयी? हमारी यह मांग है कि सबसे पहले स्टेट बैंक में, पूरे देश में यह बैकलॉग पूरा होना चाहिए, क्योंकि अनुसूचित जाति और जनजाति के लोग आज पूरे देश में हैं। भारतीय संविधान के तहत उनको पूरी भागीदारी मिलनी चाहिए। उन्हें आज तक भागीदारी क्यों नहीं मिली? इसके जिम्मेदार कौन हैं? इसकी जिम्मेदार हमारी सरकार है, जिसे इसको पूरा करना चाहिए।

**Uncorrected/Not for publication - 12.08.2010**

इसके साथ-साथ, उत्तर प्रदेश से स्टेट बैंक को सबसे ज्यादा डिपॉजिट्स मिलते हैं। उत्तर प्रदेश देश का सबसे बड़ा प्रदेश है और यह देश का पाँचवाँ हिस्सा है, किन्तु अभी तक वहाँ स्टेट बैंक का या किसी भी अन्य बैंक का मुख्यालय नहीं है। उत्तर प्रदेश में अनुसूचित जाति और जनजाति के जो गरीब लोग रहते हैं, उनके लिए स्टेट बैंक की ऐसी कोई योजना नहीं है, जिसके माध्यम से उन्हें फायदा पहुँचे। एक तरफ तो यह सरकार गरीबों की बात करती है और दूसरी तरफ यह गरीबों की अनदेखी करती है। मैं ज्यादा न कहते हुए माननीय मंत्री जी से यह निवेदन करूँगा कि बैकलॉग को पूरा किया जाए तथा अनुसूचित जाति और जनजाति की अनदेखी न की जाए। धन्यवाद।

(समाप्त)

**MR. DEPUTY CHAIRMAN:** Hon. Finance Minister.

**SHRI SITARAM YECHURY:** Sir, before the hon. Minister answers, मैं यह कहना चाहता हूँ कि आज रमजान का पहला दिन है। हम यह जानना चाहते हैं कि आज हम कितनी देर तक बैठेंगे?

**श्री उपसभापति:** बिल के पास हो जाने तक..(व्यवधान)

**SHRI SITARAM YECHURY:** Please do not misunderstand me. There is nothing to do with you. I have said nothing against you.

**SHRI PRANAB MUKHERJEE:** No, no; absolutely nothing is there.

**SHRI SITARAM YECHURY:** Sir, I am only raising the issue of user.  
...(Interruptions)...

(Followed by TMV/3Z)

**Uncorrected/Not for publication - 12.08.2010**

-MKS-TMV-NB/3Z/5.50

**THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE):** Mr. Deputy Chairman, Sir, first of all, I would like to express my appreciation of the contributions made by the hon. Members who have participated in the debate on this State Bank of India (Amendment) Bill. A question has been raised: Why it has been delayed? It is true that the Bill was referred to the Standing Committee in 2006. The Report of the Standing Committee was available. Thereafter we waited because the ownership of the State Bank of India was transferred from the Reserve Bank of India to the Government of India. That happened in 2007. After preparing the amendments and other things, we were trying to get this Bill enacted. By that time, the Fourteenth Lok Sabha got dissolved. As per practice, all the Bills which were initiated in the Fourteenth Lok Sabha had to lapse and everything has to be started *de novo*. That is one of the reasons why it has happened so.

Sir, a large number of issues have been brought forward. The scope has also been widened. I am not going into the entire gamut of the history of nationalisation, what prompted it and what were the after-effects of it. We have seen all that. But here we shall have to keep in mind that, chronologically speaking, the State Bank of India was originally the Imperial Bank and that Imperial Bank was taken over in 1955, 15 years before the nationalisation of banks. The Nationalisation of Banks Act was passed in 1969. The Supreme Court nullified that Act and a fresh Act, the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, was enacted by both the Houses of

**Uncorrected/Not for publication - 12.08.2010**

Parliament and it related to the 14 banks which were nationalised in July, 1969. Again, in 1980, six banks were nationalised and another Acquisition Act was passed. Today, before this Bill is being passed, we have practically three Nationalisation of Banks Acts, the first one relates to State Bank of India, the second one relates to the 14 commercial banks and the third relates to the other six commercial banks. Now, we want to harmonise them. When the original State Bank of India Act was passed, the Government shareholding was 55 per cent. But when these two Nationalisation of Banks Acts were passed, you might have noticed, in these two Acts the shareholding was minimum. The statutory requirement is 51 per cent. Some banks may have 100 per cent. Some banks may have 80 per cent. Some banks have 75 per cent. But the minimum statutory requirement is 51 per cent. With the passage of time and the developments of the banks, it was considered necessary that there should be one set of rules for all public sector banks. As per the Banking Companies Acquisition Act, 51 per cent is the minimum. Now, we are bringing it in the State Bank of India also. But please remember that this is an enabling provision. It is not necessarily that this enabling provision is going to be implemented tomorrow itself. In the 1970 Act and in the 1980 Act, the enabling provision provided for 51 per cent. But depending on the nature and activities of the banks it varied. In 1969 and 1980 many of the banks have 100 per cent. Today, it has come down. Some of them have 63 per cent; some of them have 61 per cent; some of them have 75 per cent or 80 per cent. Some of them are still retaining 90 per cent.

(Contd. by 4A/VK)

**Uncorrected/Not for publication - 12.08.2010**VK/4A/5.55

**SHRI PRANAB MUKHERJEE (CONTD):** Therefore, there are wider variations. Depending on the nature of the bank, that is being permitted. Therefore, 51 per cent does not mean that tomorrow the shares of the State Bank of India are going to be offloaded to bring it down to 51 per cent. But if it is found necessary, it will be done. Somebody was talking about the policy of the Government and asked, "What is the guarantee that the next Government will not do it further?" Nobody can give this guarantee. The Constitution does not give this guarantee. At the interval of every five years, people will choose their Government and that Government will have the sovereign right to decide what they want. Therefore, guarantee cannot be given by anybody. The guarantee is what the Parliament desires and what the Parliament wants to have. If they want that it should be 100 per cent, it will be 100 per cent. If they want it to be 51 per cent, it will be 51 per cent, not less than that. So far as the policy of the Government is concerned, we have stated umpteen times that under no circumstances the share of the Government should not be below 51 per cent. That does not mean that it will be 51 per cent; it can be above 51 per cent. In most of the cases it is above 51 per cent. What is the rationality of amending the very latest circular which suggested that all the companies including the public sector companies should disinvest 25 per cent? We have revised it and said, "No". In respect of the public sector companies, it will be confined to 10 per cent. Because there we said that from 90 per cent you can bring it to 80 per cent or 79 per cent or whatever it may be, as per percentage. We have confined it to 10 per cent only to convey the message

**Uncorrected/Not for publication - 12.08.2010**

that the policy of the Government is not to dilute the State's holding below 10 per cent in all public sector undertakings, including the banks.

So far as the performance of the Bank is concerned, it is quite reasonable and satisfactory. It is the biggest bank of India. But I agree, as Shri Prakash Javadekar, Shri N.K. Singh and others have pointed out, that compared to the world giants, we are nowhere. That is correct. But at the same time, you have to see what we are. Always you shall have to look at from where we started, from where we begin and where we are today. From that point of view, I do feel that the nationalization and the conduct of the public sector banks, including the State Bank of India have been satisfactory and quite reasonable. If we look at the deposits -- I am talking of 2009-10 -- today it is Rs. 8,04,116 crores; advances - Rs. 6,41,480 crores; total business - Rs. 14,45,596 crores. Of these advances -- that is important -- the advances of three important sectors are: MSME advances - Rs. 1,07,573 crores; Micro and Small Enterprises advances - Rs. 77,000 crores; agricultural advances - Rs. 78,000 crores. The total number of branches is 12,496 and all these branches are under Core Banking Service, CBS. The number of ATMs is 16396. There are more than two lakh employees and business per employee is Rs. 636 lakhs. The quantum of education loan given by the State Bank of India alone is 4,33,789.

(Contd. By 4B)

RG/6.00/4B

**SHRI PRANAB MUKHERJEE (contd.):** Of them, the outstanding is about Rs.8,000 crores. Therefore, the State Bank and its branches are doing

**Uncorrected/Not for publication - 12.08.2010**

reasonably well in respect of priority sector lending, agriculture lending, small and medium sector lending, micro sector lending, or, to say, overall primary sector lending.

The next question comes that we are to raise the capital. One thing has been interpreted, to my mind, little wrongly. If their approach is that no amount should be taken from the World Bank even for capitalization or re-capitalisation of the bank, then, that is one aspect. I am not going into that ideological postulate. But if we borrow money for capitalization of the banks, to expand the capital base of the banks, instead of consumption, then, I think, that is a correct decision. Of course, there is the ideological objection that the World Bank money is dirty money, that nobody should touch it. But I have no such baggage, and this country has no such baggage because at one point of time, we were the biggest recipient of the International Development Assistance. And, today, it is well recognized all over the world that India is the most effective and efficient user of the IDA money, the IBRD money. Now, in my recent talks with the Chairman of the World Bank, I have told him, "I would like to come out of IDA. There are many other core countries. You can consider their case. I don't require the IDA money." It is because it has a long gestation period; the interest rate is from 0.5 per cent to 0.75 per cent; and the moratorium period is long, from ten to fifteen years. Therefore, it depends on the economic situation prevailing, the requirements of the country, how you can adjust and work on it. It is not that we would need it for ever. If, tomorrow, our banks can raise capital from the domestic market and through other innovative mechanisms, then, there will be no

**Uncorrected/Not for publication - 12.08.2010**

need of it. And, I have given Rs.14,000-15,000 crores from the Budgetary support for capitalization of certain nationalized banks and Regional Rural Banks. But if we do not have adequate Budgetary support, if they cannot raise resources from the market, or, if raising resources from the market becomes relatively costly, then, from wherever they get their money, they will need it. And those types of conditionalities which, Mr. Raja, was referring to, are antiquies. Nobody is going to oblige. But if somebody dictates saying, "You will not be able to give subsidy. I am giving you the money", that remains only on paper. No country, not to speak of India, no country of the world, would comply with it because the Government of the country decides what suits them, what is to be implemented and how they are to implement their policy.

The third issue which the hon. Members have raised is whether even by having the power of supersession of the Central Board, by giving the direction, we are hampering with the functional autonomy of the banks. Again, I am saying, this is an enabling provision already existing in the Act for the last 30 years. The intention is to bring it on par with the Banking Companies (Acquisition and Transfer of Undertakings) Act. There is no intention that every day the Government will issue directives. Public sector banks have functioned form 1970 onwards, for nearly 30 years, and we all know what type of functional autonomy they are having. I do agree that there should be more functional autonomy, there should be more accountability, and there should be more professionalism. But please remember, it is easier said than done. This is highly a unionized section. If

**Uncorrected/Not for publication - 12.08.2010**

I want to bring, at the middle level management, 15 per cent or 20 per cent professional managers, then, no unions would agree.

(Continued by 4C)

4c/6.05/ks

**SHRI PRANAB MUKHERJEE (contd.):** And it may so happen that a day would come when because of the pressure, there would hardly be any scope for inducting, parallelly, people from outside. Of course, we are engaging people and we have excellent relations with our employees. And this year also, there have been bilateral negotiations for a 17 per cent-plus increase including pension facility, which have been extended to the employees and these are quite attractive. Banks are making good profit; why shouldn't they keep their employees happy? There are no two opinions on it. But these are the issues which we shall have to think of. We need to protect the employees' interests and, at the same time, infusion of expertise from outside which could be done, at least, on the basis of deputation, should be thought of. Some of the banks are doing it in consultation with their unions and they are encouraging it; it should be encouraged more and more. The short point which I am trying to drive at is that there is no intention of interference. Just like the Reserve Bank has an overview of all banks and their branches, here also we must consult the Reserve Bank of India, because these are the four areas where the Reserve Bank of India has exclusive jurisdiction over the banks -- branch expansion, credit policy and interest rates. They operate interest rates, but within the flexibility given to them between the repo and reverse repo, through statutory limitations, the CLR and

**Uncorrected/Not for publication - 12.08.2010**

SLR, they have to oblige. These are complete areas of the autonomous region of the Reserve Bank of India. That is a professional body and it has to do it. But we do feel that with the complexities of the economy, there should be more and more professionalism in the banking institutions and the banks should have that type of an approach.

Certain other issues have been raised. I have already replied to one. An issue was raised as to why they will have to come for the rights issue of the SBI. SBI is yet to come out with a formal proposal for further equity. As and when the SBI comes forward with a formal proposal, it will be considered. Preference shares, private placement, bonus shares are all available under the existing Act of other public sector banks. There were some anomalies when we passed the 1955 State Bank Act of India to convert the Imperial Bank of India in order to serve the national interests of independent India. Thereafter, certain amendments were made from time to time, but those were very marginal amendments. These are the major amendments that we are making to see to it that the State Bank of India also has the advantages that other public sector banks have. As for the qualifications of Directors, they would be applicable to all.

One question has been raised, and Prakash has pointed it out very emotionally. I have no problem with continuing with the Workmen Director. But if the Workman retires, there would be a problem. It is because of that problem that we are suggesting the union that we must have a procedure in place, so that the serving employees could be replaced when the stipulated period of three years is over. Now, once we do it, there would always be a large number of people who

**Uncorrected/Not for publication - 12.08.2010**

are so litigation-minded; somebody would say that article 14 has been violated; I am a Director and the Workman is also a Director; if he continues after the expiry of three years, then I should also continue. Therefore, that type of an anomaly would arise. The answer lies both with the Government and with the employees' organizations in ensuring that before the stipulated three-year period is over, the new nominee comes in. These are set practices.

(followed by 4d/kgg)

kgg/4d/6.10

**SHRI PRANAB MUKHERJEE (contd.):** These are the set practices.

**SHRI PRAKASH JAVADEKAR:** But, the Government is taking a long time.

**SHRI PRANAB MUKHERJEE:** I am admitting that we are taking a long time. As a result of that, there are no directors and, some times, because of lack of independent directors, important decision-making process gets stuck. Those who are working with banks I am trying to meet as fast as possible. But, there are many other wheels within wheels, that is the complexity of officialdom. That is there, and we shall have to cope with it. So, this aspect has also been taken into account.

There was a question on what the functions of the local boards of State Bank of India are. Yes, it is true that there are 14 local banks. I have given you the figures. On their deposit, their advances, their branches, I have given. 18-19 per cent of the total banking business in this country is being carried out by the State Bank of India. Of the total banking business, nearly 87-90 per cent is carried by the public sector banks. If you take it as a hundred units, 18-19 per cent is by SBI

**Uncorrected/Not for publication - 12.08.2010**

alone. Therefore, they will have to decentralize their activities. Some times, good suggestions come from the local banks. I am not talking of any particular individual bank or other performing actors, that is a different issue.

A question has been raised that they have not given money to the NREGA. It is not correct. Five crores have been covered. The other day I gave the figures. Five crores of NREGA payments have been made from the State Bank of India along with others. So, every bank is doing its best. That is why what we are suggesting; somebody has mentioned these figures and I am not going to repeat those; but, the fact of the matter is, when we started from July, 1969, after the nationalization, till today, if you look at the figure of 6,000 branches, we have come to 88,000 branches. Figure-wise, it is very surprising and impressive. But, when I look at it from the other side of the spectrum, there are six lakh villages. It is absolutely correct when it was pointed out by Mr. N.K. Singh that 53 per cent of the total population of this country has no regularized banking transactions. Therefore, these figures are also quite impressive. When we introduced the regional rural banks, you will be surprised to know, from the Reserve Bank of India's research report it appeared that about 15 per cent of the Indian population at that point of time was not under monetized system. Trade was transacted through barter system. Of course, that has been abolished and the entire system has been brought under the monetized method. At different points of time and at different levels, there are different gradations. Keeping those in view, we shall have to adjust our policies and provide adequate flexibility.

**Uncorrected/Not for publication - 12.08.2010**

Sir, there need not be any doubt about the interference in the day-to-day matters. But, at the same time, I do believe and I have shared it with this distinguished House on other occasions that we must draw a line between the so-called concept of autonomy and the accountability to the people. There is no institution other than this which demands accountability from the highest political executive, on every occasion, on every situation on every demand. There is no other institution in this country which is more accountable. I am not making any reflection on anybody. Think of the importance of the institution, compare the accountability. If accountability is to be there, there must be some authority. If responsibility is to be there, there must be some authority.

(Contd. by tdb/4e)

TDB-ASC/4E/6.15

**SHRI PRANAB MUKHERJEE (CONTD.):** Responsibility without authority or authority without responsibility, these two things cannot go on. Sir, I need not elaborate much on it. I would request my friends who have moved the amendments to withdraw it. I can assure them that it is an enabling provision. You need not think that from tomorrow the State Bank's share from the present level is coming to 51 per cent. I will request them to withdraw it. They have launched their protest; they have articulated their views. It has been noted, and I assure that the Government's policies -- under no circumstances public sector character of the Indian banks and the public sector units -- will not be diluted. Thank you, Sir.

(Ends)

**MR. DEPUTY CHAIRMAN:** The question is... (Interruptions)

**Uncorrected/Not for publication - 12.08.2010**

**श्री वीर सिंह :** माननीय उपसभापति महोदय, अभी माननीय मंत्री जी ने अनुसूचित जाति, अनुसूचित जनजाति के बैकलॉग के बारे में एक शब्द भी नहीं बोला है। (व्यवधान)... सारे आंकड़े दे दिए हैं। (व्यवधान)..

**SHRI TAPAN KUMAR SEN:** What about the RBI's Discussion Paper?  
(Interruptions)

**SHRI PRANAB MUKHERJEE:** You know, that is a Discussion Paper.  
(Interruptions) What Mr. Sen says about the Reserve Bank, that is a Discussion Paper which has come. In that Discussion Paper, various issues are there; comments will be given, and, on the basis of those comments, the Reserve Bank will formulate its policies and the Government's view will also be given. But, we cannot make any comment on a Discussion Paper which is in the public website. The other hon. Member was asking about...

**MR. DEPUTY CHAIRMAN:** He was asking about filling up of reserved posts.

**श्री वीर सिंह :** माननीय उपसभापति महोदय, अभी माननीय मंत्री जी ने अनुसूचित जाति, अनुसूचित जनजाति के बैकलॉग के बारे में एक शब्द भी नहीं बोला है कि बैकलॉग पूरा क्यों नहीं कराया है। (व्यवधान)... सारे आंकड़े दे दिए हैं, किन्तु इस बारे में एक शब्द भी नहीं बोला। ... (व्यवधान)..

**SHRI PRANAB MUKHERJEE:** I am answering your question. In regard to the backlog, I agree with the hon. Members that the Scheduled Castes, Scheduled Tribes' backlog should be filled not only in the SBI but also in other public sector banks and in other public sector undertakings. I will definitely examine the judgment of the High Court. At the same time, I will see to it that apart from that, which is not covered by the judgment, the backlog should be filled as early as

**Uncorrected/Not for publication - 12.08.2010**

possible. Rather, I will ask them to give me a roadmap by which the backlog will be filled.

**श्री जुगुल किशोर :** सर, देश को आज़ादी मिले 64 साल हो गए हैं, लेकिन आज तक बैकलॉग पूरा नहीं किया गया है। ..(व्यवधान)..

**श्री उपसभापति :** अभी इस बारे में मिनिस्टर साहब बोले हैं। ..(व्यवधान)..

**डा. अखिलेश दास गुप्ता :** सर, माननीय मंत्री जी ने इस बारे में कोई टाइमफ्रेम नहीं दिया है कि बैकलॉग कब तक पूरा करेंगे।..(व्यवधान)... आप इसके लिए टाइमफ्रेम..(व्यवधान).

**श्री उपसभापति :** As soon as possible बताया है। ... (व्यवधान)..

**डा. अखिलेश दास गुप्ता :** आप बताइए कि 6 महीने या एक साल, कब तक?..(व्यवधान).. आपके सदस्य प्रवीण राष्ट्रपाल ने ..(व्यवधान)..

**SHRI PRANAB MUKHERJEE:** I cannot give the timeframe here, but I will ask the banks to give me a timeframe. When I will get the timeframe, I will share it with you.

**MR. DEPUTY CHAIRMAN:** The question is:

That the Bill further to amend the State Bank of India Act, 1955,  
as passed by Lok Sabha be taken into consideration.

*The motion was adopted.*

**MR. DEPUTY CHAIRMAN:** We shall now take up clause-by-clause consideration of the Bill.

*Clauses 2-3 were added to the Bill.*

**MR. DEPUTY CHAIRMAN:** Clause 4 stands part of the Bill. There is one amendment (No.1) by Shri Prasanta Chatterjee and Shri Tapan Kumar Sen. Mr. Sen, are you moving your amendment?

Uncorrected/Not for publication - 12.08.2010

*Clause 4 – Amendment of Section 5*

**SHRI TAPAN KUMAR SEN (WEST BENGAL):** Yes, Sir. I move:

- (1) That at page 2, line 27, *for* the words “fifty-one per cent”, the words “fifty-nine per cent” be *substituted*.

**डा. अखिलेश दास गुप्ता :** सर, माननीय मंत्री जी ने कोई टाइमफ्रेम नहीं दिया है कि कब तक बैकलॉग पूरा करेंगे, इसलिए हम सदन का बहिष्कार करते हैं।

...(व्यवधान)...

(Followed by 4f-LP-SSS)

SSS-LT/4f/6.20

**श्री वीर सिंह :** साठ साल हो गए हैं..(व्यवधान).. ये लोग दलितों के हमदर्द बनते हैं ..(व्यवधान)..लेकिन दलितों की बात नहीं करते हैं..(व्यवधान)..

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

(followed by nbr/4g)

-SSS/NBR-AKG/4G/6.25.

**House Divided**

**MR. DEPUTY CHAIRMAN:** Subject to correction:

**Ayes :** 20

**Noes :** 55

(Here enter the Division Lists of Ayes and Noes arranged in alphabetical order)

*The motion was negatived.*

*Clause 4 was added to the Bill.*

*Clause 5 -- Amendment of Section 10*

**Uncorrected/Not for publication - 12.08.2010**

**MR. DEPUTY CHAIRMAN:** We shall, now, take up Clause 5. There is one Amendment (No. 2) by Shri Prasanta Chatterjee, Shri Tapan Kumar Sen and Shri Moinul Hassan. Is anybody moving?

**SHRI TAPAN KUMAR SEN (WEST BENGAL):** Sir, I move:

(No. 2) That at page 2, line 38, *for* the words "fifty-one percent", the words "fifty-nine percent" be *substituted*.

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

*Clause 5 was added to the Bill.*

*Clauses 6 to 10 were added to the Bill.*

**MR. DEPUTY CHAIRMAN:** We shall, now, take up Clause 11. There are two Amendment (Nos. 3 and 4 ) by Dr. Akhilesh Das Gupta. Are you moving Dr. Akhilesh Das?

**DR. AKHILESH DAS GUPTA (UTTAR PRADESH) :** Sir, I am not moving my amendments, but I want to make a point.

सर, जैसा वित्त मंत्री जी ने कहा, मैं इसे अवश्य withdraw करना चाहूँगा, लेकिन मैं एक बात कहना चाहता हूँ। सर, आप इसमें सेक्शन 19 (bb) को समाप्त कर रहे हैं, जिससे आप सेंट्रल बोर्ड के अन्दर लोकल बोर्ड्स का प्रतिनिधित्व बिल्कुल समाप्त कर रहे हैं। I quote Section 19 (bb). It says, "the presidents of the Local Boards appointed under sub-section (5) of section 21, *ex officio*;" Now, what is this Section 21 (5)? It says, "The Governor of the Reserve Bank shall, in consultation with the Chairman, appoints --

- (b) a member of as Local Board nominated under clause (c) of sub-clause (1) to be the president thereof; and

**Uncorrected/Not for publication - 12.08.2010**

- (c) a member of a Local Board holding office under clause (b) or nominated under clause (c) of that sub-section to be the vice-president thereof."

And, Sir, what is Sub-Section (c) of Section 21(1) says? It says, "six members to be nominated by the Central Government in consultation with the Reserve Bank."

आप जो 6 मैम्बर्स nominate कर रहे हैं, उनमें आप रास्ता block कर रहे हैं। आप जो 19 (bb) के प्रावधान को omit कर रहे हैं, वह न्यायसंगत नहीं है। मेरा अनुरोध है कि आप इस पर पुनर्विचार करें।

With these words, I am not moving my amendments. But, I request the hon. Minister for reconsidering this.

(Ends)

**SHRI PRANAB MUKHERJEE:** I have noted this.

(CONTD. BY USY "4H")

-NBR-USY/4h/6.30

**MR. DEPUTY CHAIRMAN:** Okay,

*Clause 11 was added to the Bill.*

*Clauses 12 -18 were added to the Bill.*

**MR. DEPUTY CHAIRMAN:** In clause 19, there is one amendment by Dr. Akhilesh Das Gupta. Are you moving?

**DR. AKHILESH DAS GUPTA:** No, Sir, I am not moving.

**MR. DEUTY CHAIRMAN:** Okay.

**Uncorrected/Not for publication - 12.08.2010**

*Clause 19 was added to the Bill.*

*Clauses 20-30 were added to the Bill.*

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

**SHRI PRANAB MUKHERJEE:** Sir, I move:

That the Bill be passed.

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

(Ends)

**MESSAGE FROM LOK SABHA**

**THE FOREIGN TRADE (DEVELOPMENT AND REGULATION) AMENDMENT  
BILL, 2010**

**SECRETARY-GENERAL:** Sir, I have to report to the House the following messages 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 the Lok Sabha, I am directed to inform you that Lok Sabha at its sitting held on the 12<sup>th</sup> August, 2010, agreed without amendment to the Foreign Trade (Development and Regulation) Amendment Bill, 2010, which was passed by Rajya Sabha, at its sitting held on the 9<sup>th</sup> August, 2010."

Sir, I lay a copy of the Bill on the Table.

(Ends)

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

-----

**The House then adjourned at thirty-two minutes past  
six of the clock till eleven of the clock on Friday, the  
13<sup>th</sup> August, 2010.**

